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 240

5 JUNE 2014 PAGES 30112 TO 30304



[©] 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@mweb.co.za Web Address: http://www.realtimesa.co.za



		1	
	Page 30112		Page 30114
1	[PROCEEDINGS ON 5 JUNE 2014]	1	now, and I'm not going to deviate from that practice and I
2	[09:18] CHAIRPERSON: The Commission resumes. I	2	want to make it clear that anyone who thinks that
3	apologise for those who've been waiting here since 9	3	privileges are being afforded to those who are not entitled
4	o'clock. We've had housekeeping matters to consider in	4	to privileges are wrong. You're still under oath, Mr Da
5	chambers. Some of the things we discussed are the subject	5	Costa.
6	of an announcement I'm now going to make. After lunch	6	MICHAEL GOMES DA COSTA: Yes, Chair.
7	we're going to have an application from the SAPS in	7	CHAIRPERSON: Mr Budlender.
8	relation to the position as to what we're to do, if	8	MR NTSEBEZA SC: Mr Chairman, can I just
9	anything, next week and what time is required before Mr X	9	raise an issue, just on privilege, Mr Chairman.
10	can give evidence, what time other people may require for	10	CHAIRPERSON: I'm told, before Mr
11	other things. That is going to be argued as I said after	11	Ntsebeza speaks, someone's got their headphones on very
12	lunch.	12	loudly. I can hear it now. It's very distracting to hear
13	What I would also wish to announce is that we	13	some noises coming from people's headphones. That's not
14	would like a meeting of those who are going to cross-	14	necessary. The volume can be turned down. It makes it
15	examine – this witness is going to be cross-examined	15	very difficult for us to concentrate. I particularly want
16	further by Mr Budlender for about 26 minutes, I'm informed.	16	to concentrate on what Mr Ntsebeza has to say. Yes, Mr
17	Thereafter Mr Bizos is going to cross-examine him for	17	Ntsebeza.
18	something in the nature of quarter of an hour. Thereafter,	18	MR NTSEBEZA SC: Thank you, Mr Chairman.
19	although he indicates he may not need that full time.	19	Mr Chairman, I just wanted to know whether there is no room
20	Thereafter Mr Tip is going to cross-examine on behalf of	20	for the application to be heard in the morning rather than
21	NUM. He estimates, and I've gone through his list of	21	in the afternoon.
22	topics and I think he's correct, he needs about two hours.	22	CHAIRPERSON: May I suggest that – it may
23	So I've granted him that.	23	well be that what underlies the application, sorry, your
24	As far as the other parties are concerned who	24	application, is something that I should know but it isn't
25	will be cross-examining I would think from a slightly	25	necessarily of a nature that can appropriately be put into
	Page 30113		Page 30115
1	different angle from that from which Mr Tip will be cross-	1	the public domain at this stage. Can we discuss it during
2	examining, I'd like them to come and see me in chambers	2	the first break, and if you may be able to persuade me that
3	during the first comfort break, the first break, when we	3	we hear the application after tea?
4	can discuss how long they require and the allocation of	4	MR NTSEBEZA SC: I have an arrangement
5	their time.	5	with SARS, Mr Chairman.
6	I've also received a request from Lonmin to come	6	CHAIRPERSON: Would that be satisfactory?
7	and see me in relation to the dates for the resumption of	7	MR NTSEBEZA SC: Yes, I have to go to
8	the Lonmin evidence and I would like Mr Bham and his	8	Randburg –
9	colleagues to come and see me together with Mr Budlender	9	CHAIRPERSON: Yes, you're talking about
10	during the tea break later in the morning.	10	the application for the postponement.
11	I've recently received a letter in which	11	MR NTSEBEZA SC: Yes, Mr Chairman.
12	contention was advanced, which in my view I without	12	CHAIRPERSON: And you'd like that not
13	foundation, that when I have meetings with people to	13	after lunch, as I suggested, but at some stage in the
14	discuss when their witnesses will give evidence and the	14	morning.
15	dates previously arranged are changed, they are regarded in	15	MR NTSEBEZA SC: At some stage in the
16	some quarters as being privileged people, having a	16	morning, Mr Chairman.
17	privileged discussion, and everybody should be present. I	17	CHAIRPERSON: I'm suggesting to come and
18	just want to make it clear, I haven't done it up to now. I	18	see me in the first tea break, first break, the -
19	don't propose doing it in future. I'm not going to have a	19	MR NTSEBEZA SC: Comfort break.
20	plenary session every time someone wants to come see me	20	CHAIRPERSON: - comfort break, and when I
21	about the date upon which their witness will be called. If	21	talk to the people also about the allocation of time for
22	I consider there's merit in the application for the change	22	the further cross-examination of this witness we can deal
23	of date or the fixing of a date, that will be communicated	23	with that shortly and then if you persuade me we'll do it
24	to the parties and if they wish to object they have the	24	after tea.
	to the parties and in they want to object they have the	~ ·	
25	fullest right to do so and that's what we've done up to	25	MR NTSEBEZA SC: No, I'm sure the taxman
25			

Marikana Commission of Inquiry

Pretoria

		I I	
	Page 30116	1	Page 30118
1	will understand. I have to go and see the tax officials	1	but as I understood your evidence your understanding, what
2	and we had an arrangement for 11- for 12. For 12.	2	you were told was that the strikers insisted on 12 500 and
3	CHAIRPERSON: I see. Alright. Well, Mr	3	were not prepared to discuss anything else.
4	Bizos, would you mind if we deferred your cross-examination	4	MR DA COSTA: That was my understand,
5	slightly and allowed this application to be heard after Mr	5	yes.
6	Budlender's finished his cross-examination?	6	MR BUDLENDER SC: Yes, who gave you that
7	MR BIZOS SC: I've got no objection, Mr	7	information? Can you recall?
8	Chairman.	8	MR DA COSTA: I can't recall anybody, I
9	CHAIRPERSON: I don't know to what	9	can't recall that it was given to me by anybody
10	extent, if at all, the application is going to be opposed,	10	specifically, but that was the sort of feedback that we
11	but if it is going to be opposed are those who are	11	were getting during our management briefings at the time.
12	proposing to oppose it in a position to do so? Are they	12	MR BUDLENDER SC: Yes, I understand.
13	ready to do so?	13	It's a long time ago. It would have been from someone in
14	MR BUDLENDER SC: Chair, can I ask that	14	Lonmin that you received that information?
15	if it's not going to be done after lunch, it be done after	15	MR DA COSTA: Yes, that's correct.
16	one of the breaks this morning, because the evidence	16	MR BUDLENDER SC: And of course we know
17	leaders need to discuss their position in the light of the	17	that no-one from Lonmin went to the koppie and actually
18	application we've just received.	18	spoke to and listened to the strikers.
19	CHAIRPERSON: Okay, we'll hear it after	19	MR DA COSTA: No, nobody from Lonmin went
20	the first comfort break. Your appointment is at 12	20	to the koppie to speak to the strikers. So, I mean I was
21	o'clock, Mr Ntsebeza, so if we hear it after the break we	21	involved in one meeting with some officials from the AMCU
22	take at half past 10 you should be able to get to the FISC	22	head office on the 13th of August on – it was the Monday,
23	in time.	23	where they had gone to the koppie to speak to the people
24	MR NTSEBEZA SC: Yes, Mr Chairman. Look,	24	there and when they came back to give feedback to the
25	I think it can even survive me being there at 2 o'clock	25	management group I was part of that management group that
	Page 30117		Page 30119
1			
	rather than later than 2.	1	listened to the feedback, and I recall them saying to us
2	CHAIRPERSON: Alright, okay. Alright.	1 2	listened to the feedback, and I recall them saying to us that, you know, if you want the strike to end just give the
2 3		_	
	CHAIRPERSON: Alright, okay. Alright.	2	that, you know, if you want the strike to end just give the
3	CHAIRPERSON: Alright, okay. Alright. Anyway, we will then decide when precisely it will be done	2 3	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and
3 4	CHAIRPERSON: Alright, okay. Alright. Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by	2 3 4	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So –
3 4 5	CHAIRPERSON: Alright, okay. Alright. Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may	2 3 4 5	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand.
3 4 5 6	CHAIRPERSON: Alright, okay. Alright. Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to	2 3 4 5 6	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you?
3 4 5 6 7	CHAIRPERSON: Alright, okay. Alright. Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do	2 3 4 5 6 7	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be
3 4 5 6 7 8 9 10	CHAIRPERSON: Alright, okay. Alright. Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break.	2 3 4 5 6 7 8	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you?
3 4 5 7 8 9 10 11	CHAIRPERSON: Alright, okay. Alright. Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break. MR NTSEBEZA SC: Thank you, Mr Chairman.	2 3 4 5 6 7 8 9	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you
3 4 5 7 8 9 10 11 12	CHAIRPERSON:Alright, okay. Alright.Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break.MR NTSEBEZA SC:Thank you, Mr Chairman. CHAIRPERSON:CHAIRPERSON:It's a long time ago that I	2 3 4 5 6 7 8 9 10 11 12	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you don't know that from what they told you. Is that right?
3 4 5 7 8 9 10 11	CHAIRPERSON:Alright, okay. Alright.Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break.MR NTSEBEZA SC:Thank you, Mr Chairman. CHAIRPERSON:CHAIRPERSON:It's a long time ago that I reminded you you're still under oath. I remind you again	2 3 4 5 6 7 8 9 10 11 12 13	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you don't know that from what they told you. Is that right? MR DA COSTA: Ja, that may be so.
3 4 5 7 8 9 10 11 12	CHAIRPERSON: Alright, okay. Alright. Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break. MR NTSEBEZA SC: Thank you, Mr Chairman. CHAIRPERSON: It's a long time ago that I reminded you you're still under oath. I remind you again you're still under oath. Mr Budlender.	2 3 4 5 6 7 8 9 10 11 12	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you don't know that from what they told you. Is that right? MR DA COSTA: Ja, that may be so. MR BUDLENDER SC: Now I want to show you
3 4 5 6 7 8 9 10 11 12 13	CHAIRPERSON:Alright, okay. Alright.Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break.MR NTSEBEZA SC:Thank you, Mr Chairman. CHAIRPERSON:CHAIRPERSON:It's a long time ago that Ireminded you you're still under oath. I remind you again you're still under oath. Mr BUDLENDER SC (CONTD.):	2 3 4 5 6 7 8 9 10 11 12 13	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you don't know that from what they told you. Is that right? MR DA COSTA: Ja, that may be so. MR BUDLENDER SC: Now I want to show you what Mr Mathunjwa says about that issue. Could we have
3 4 5 6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON:Alright, okay. Alright.Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break.MR NTSEBEZA SC:Thank you, Mr Chairman. CHAIRPERSON:CHAIRPERSON:It's a long time ago that Ireminded you you're still under oath. I remind you again you're still under oath. Mr Budlender. CROSS-EXAMINATION BY MR BUDLENDER SC (CONTD.):Thank you, Chair. Good moring, Mr Da Costa.	2 3 4 5 6 7 8 9 10 11 12 13 14	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you don't know that from what they told you. Is that right? MR DA COSTA: Ja, that may be so. MR BUDLENDER SC: Now I want to show you what Mr Mathunjwa says about that issue. Could we have exhibit NN on the screen, please? It is Mr Mathunjwa's
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	CHAIRPERSON:Alright, okay. Alright.Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break.MR NTSEBEZA SC:Thank you, Mr Chairman. CHAIRPERSON:CHAIRPERSON:It's a long time ago that I reminded you you're still under oath. I remind you again you're still under oath. Mr Budlender. CROSS-EXAMINATION BY MR BUDLENDER SC (CONTD.):Thank you, Chair.Good morning.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you don't know that from what they told you. Is that right? MR DA COSTA: Ja, that may be so. MR BUDLENDER SC: Now I want to show you what Mr Mathunjwa says about that issue. Could we have exhibit NN on the screen, please? It is Mr Mathunjwa's statement which is evidence before this Commission. Could
3 4 5 6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON:Alright, okay. Alright.Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break.MR NTSEBEZA SC:Thank you, Mr Chairman. CHAIRPERSON:CHAIRPERSON:It's a long time ago that I reminded you you're still under oath. I remind you again you're still under oath. Mr Budlender. CROSS-EXAMINATION BY MR BUDLENDER SC (CONTD.):Thank you, Chair.Good morning, Mr Da Costa. MR BUDLENDER SC:MR BUDLENDER SC:I hope I'm not going to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you don't know that from what they told you. Is that right? MR DA COSTA: Ja, that may be so. MR BUDLENDER SC: Now I want to show you what Mr Mathunjwa says about that issue. Could we have exhibit NN on the screen, please? It is Mr Mathunjwa's statement which is evidence before this Commission. Could we have exhibit NN, paragraph 75. There we go. Now the
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON:Alright, okay. Alright.Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break.MR NTSEBEZA SC:Thank you, Mr Chairman. CHAIRPERSON:CHAIRPERSON:It's a long time ago that I reminded you you're still under oath. I remind you again you're still under oath. Mr Budlender. CROSS-EXAMINATION BY MR BUDLENDER SC (CONTD.):Thank you, Chair.Good morning. MR DA COSTA:MR BUDLENDER SC:I hope I'm not going to be very long. You'll recall, Hr Da Costa, that on Tuesday	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you don't know that from what they told you. Is that right? MR DA COSTA: Ja, that may be so. MR BUDLENDER SC: Now I want to show you what Mr Mathunjwa says about that issue. Could we have exhibit NN on the screen, please? It is Mr Mathunjwa's statement which is evidence before this Commission. Could we have exhibit NN, paragraph 75. There we go. Now the context I can tell you, Mr Da Costa, is that Mr Mathunjwa
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	CHAIRPERSON: Alright, okay. Alright. Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break. MR NTSEBEZA SC: Thank you, Mr Chairman. CHAIRPERSON: It's a long time ago that I reminded you you're still under oath. I remind you again you're still under oath. Mr Budlender. CROSS-EXAMINATION BY MR BUDLENDER SC (CONTD.): Thank you, Chair. Good morning, Mr Da Costa. MR DA COSTA: Good morning. MR BUDLENDER SC: I hope I'm not going to be very long. You'll recall, Mr Da Costa, that on Tuesday we had some discussion about whether the strikers had made	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you don't know that from what they told you. Is that right? MR DA COSTA: Ja, that may be so. MR BUDLENDER SC: Now I want to show you what Mr Mathunjwa says about that issue. Could we have exhibit NN on the screen, please? It is Mr Mathunjwa's statement which is evidence before this Commission. Could we have exhibit NN, paragraph 75. There we go. Now the context I can tell you, Mr Da Costa, is that Mr Mathunjwa is talking there about the first occasion on which he went
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON: Alright, okay. Alright. Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break. MR NTSEBEZA SC: Thank you, Mr Chairman. CHAIRPERSON: It's a long time ago that I reminded you you're still under oath. I remind you again you're still under oath. Mr Budlender. CROSS-EXAMINATION BY MR BUDLENDER SC (CONTD.): Thank you, Chair. Good morning, Mr Da Costa. MR DA COSTA: Good morning. MR BUDLENDER SC: I hope I'm not going to be very long. You'll recall, Mr Da Costa, that on Tuesday we had some discussion about whether the strikers had made an inflexible demand of R12 500 a month. You remember that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you don't know that from what they told you. Is that right? MR DA COSTA: Ja, that may be so. MR BUDLENDER SC: Now I want to show you what Mr Mathunjwa says about that issue. Could we have exhibit NN on the screen, please? It is Mr Mathunjwa's statement which is evidence before this Commission. Could we have exhibit NN, paragraph 75. There we go. Now the context I can tell you, Mr Da Costa, is that Mr Mathunjwa is talking there about the first occasion on which he went to the koppie on the 16th and he says, the last sentence of
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	CHAIRPERSON: Alright, okay. Alright. Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break. MR NTSEBEZA SC: Thank you, Mr Chairman. CHAIRPERSON: It's a long time ago that I reminded you you're still under oath. I remind you again you're still under oath. Mr Budlender. CROSS-EXAMINATION BY MR BUDLENDER SC (CONTD.): Thank you, Chair. Good morning, Mr Da Costa. MR DA COSTA: Good morning. MR BUDLENDER SC: I hope I'm not going to be very long. You'll recall, Mr Da Costa, that on Tuesday we had some discussion about whether the strikers had made an inflexible demand of R12 500 a month. You remember that discussion?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you don't know that from what they told you. Is that right? MR DA COSTA: Ja, that may be so. MR BUDLENDER SC: Now I want to show you what Mr Mathunjwa says about that issue. Could we have exhibit NN on the screen, please? It is Mr Mathunjwa's statement which is evidence before this Commission. Could we have exhibit NN, paragraph 75. There we go. Now the context I can tell you, Mr Da Costa, is that Mr Mathunjwa is talking there about the first occasion on which he went to the koppie on the 16th and he says, the last sentence of 74 contextualises it. "I said that AMCU did not want
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: Alright, okay. Alright. Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break. MR NTSEBEZA SC: Thank you, Mr Chairman. CHAIRPERSON: It's a long time ago that I reminded you you're still under oath. I remind you again you're still under oath. Mr Budlender. CROSS-EXAMINATION BY MR BUDLENDER SC (CONTD.): Thank you, Chair. Good morning, Mr Da Costa. MR DA COSTA: Good morning. MR BUDLENDER SC: I hope I'm not going to be very long. You'll recall, Mr Da Costa, that on Tuesday we had some discussion about whether the strikers had made an inflexible demand of R12 500 a month. You remember that discussion? MR DA COSTA: I do, yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you don't know that from what they told you. Is that right? MR DA COSTA: Ja, that may be so. MR BUDLENDER SC: Now I want to show you what Mr Mathunjwa says about that issue. Could we have exhibit NN on the screen, please? It is Mr Mathunjwa's statement which is evidence before this Commission. Could we have exhibit NN, paragraph 75. There we go. Now the context I can tell you, Mr Da Costa, is that Mr Mathunjwa is talking there about the first occasion on which he went to the koppie on the 16th and he says, the last sentence of
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	CHAIRPERSON: Alright, okay. Alright. Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break. MR NTSEBEZA SC: Thank you, Mr Chairman. CHAIRPERSON: It's a long time ago that I reminded you you're still under oath. I remind you again you're still under oath. Mr Budlender. CROSS-EXAMINATION BY MR BUDLENDER SC (CONTD.): Thank you, Chair. Good morning, Mr Da Costa. MR DA COSTA: Good morning. MR BUDLENDER SC: I hope I'm not going to be very long. You'll recall, Mr Da Costa, that on Tuesday we had some discussion about whether the strikers had made an inflexible demand of R12 500 a month. You remember that discussion? MR BUDLENDER SC: Yes, and as I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you don't know that from what they told you. Is that right? MR DA COSTA: Ja, that may be so. MR BUDLENDER SC: Now I want to show you what Mr Mathunjwa says about that issue. Could we have exhibit NN on the screen, please? It is Mr Mathunjwa's statement which is evidence before this Commission. Could we have exhibit NN, paragraph 75. There we go. Now the context I can tell you, Mr Da Costa, is that Mr Mathunjwa is talking there about the first occasion on which he went to the koppie on the 16th and he says, the last sentence of 74 contextualises it. "I said that AMCU did not want people killed but rather that their demands be addressed," and then paragraph 75 he says, "The workers responded to me
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	CHAIRPERSON: Alright, okay. Alright. Anyway, we will then decide when precisely it will be done after the first break because the evidence leaders may by that time be in a position to take a position, but they may also need time to sort of collect their thoughts and so on, in regard to what they're going to put before us. But anyway, so if the FISC will be happy, will be prepared to wait until 2 o'clock to see you, we may well be able to do it after the tea break. MR NTSEBEZA SC: Thank you, Mr Chairman. CHAIRPERSON: It's a long time ago that I reminded you you're still under oath. I remind you again you're still under oath. Mr Budlender. CROSS-EXAMINATION BY MR BUDLENDER SC (CONTD.): Thank you, Chair. Good morning, Mr Da Costa. MR DA COSTA: Good morning. MR BUDLENDER SC: I hope I'm not going to be very long. You'll recall, Mr Da Costa, that on Tuesday we had some discussion about whether the strikers had made an inflexible demand of R12 500 a month. You remember that discussion? MR DA COSTA: I do, yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	that, you know, if you want the strike to end just give the people what they're looking for, give them the R12 500 and it will be over. So – MR BUDLENDER SC: I understand. CHAIRPERSON: That didn't mean that if you offer them 11 500 it might also be over. I mean obviously, you know, you make an opening bid, don't you? You don't stop with your bottom line. So it may well be that it's not a question of an opening bid in the bottom line. Your point is they're one and the same, but you don't know that from what they told you. Is that right? MR DA COSTA: Ja, that may be so. MR BUDLENDER SC: Now I want to show you what Mr Mathunjwa says about that issue. Could we have exhibit NN on the screen, please? It is Mr Mathunjwa's statement which is evidence before this Commission. Could we have exhibit NN, paragraph 75. There we go. Now the context I can tell you, Mr Da Costa, is that Mr Mathunjwa is talking there about the first occasion on which he went to the koppie on the 16th and he says, the last sentence of 74 contextualises it. "I said that AMCU did not want

Marikana Commission of Inquiry

Pretoria

		1	
	Page 30120		Page 30122
1	speak to them and listen to their grievances. They said	1	it's your account of what somebody else told you and that
2	that they were aware that management might not have R12 500	2	person would have got it from somebody else. Somebody who
3	from the start but perhaps such a position could be	3	heard from the strikers, or says he heard from the
4	achieved through a process and over some time. The workers	4	strikers, or she heard from the strikers that they were
5	responded by people getting up and speaking to the crowd.	5	going to be inflexible told that to someone in Lonmin who
6	I did not know these workers." You see that? That's what	6	told that to you. Now I want to suggest to you that we
7	Mr Mathunjwa in his statement says the workers asked him to	7	should accept that on the evidence so far before the
8	convey to management.	8	Commission Mr Mathunjwa's evidence is direct evidence of
9	MR DA COSTA: Yes, I see that. I'm not	9	what happened. Yours is double hearsay by two people you
10	sure what day that was on.	10	can't identify.
11	MR BUDLENDER SC: That's Thursday the	11	MR DA COSTA: Well, you know, as I say I
12	16th. It's the morning meeting on Thursday the 16th.	12	wasn't directly involved in engagements with the, either
13	MR DA COSTA: Yes, okay.	13	the AMCU representatives or the NUM representatives at that
14	MR BUDLENDER SC: And then can we get	14	point in time. The only engagement that I had personally
15	from the transcript day 22, page 2362, and then I'll read	15	with them was on the 13th and during that engagement they
16	from line 6. Again it's, Mr Mathunjwa's giving evidence in	16	only thing they mentioned was that the 12 500 would sort
17	relation to his first visit on the 16th. Mr Bruinders says	17	this out and at that point they, Mr Munroe asked them if
18	to him, "Now Mr Mathunjwa, moving away from music, after	18	they were tabling a demand on behalf of the strikers and
19	the address was over did some of the strikers on the koppie	19	the answer was no, they weren't.
20	take the opportunity to speak?" Mr Mathunjwa, "Yes,	20	MR BUDLENDER SC: Okay.
21	indeed." Mr Bruinders, "Did more than one speak?" Mr	21	MR DA COSTA: They were simply relaying a
22	Mathunjwa, "Yes, I recall more than one." Mr Bruinders,	22	message. So you know, that, whether Mr Mathunjwa put this
23	"What was the thrust of what they were saying? Mr	23	attitude or view of the strikers to anybody else in
24	Mathunjwa, "They were simply saying would you please go	24	management at a later stage, I'm not aware. That I did not
25	back" – and I think that should be "call the employer in	25	hear.
	Page 30121		Page 30123
1	Page 30121 order for the employer to address them and further they did	1	Page 30123 MR BUDLENDER SC: His evidence was that
1 2		1 2	5
	order for the employer to address them and further they did		MR BUDLENDER SC: His evidence was that
2	order for the employer to address them and further they did say that they are quite aware that the employer might not	2	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not
2 3	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come	2 3	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point
2 3 4	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up	2 3 4	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there.
2 3 4 5	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go	2 3 4 5	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this
2 3 4 5 6	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address	2 3 4 5 6	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th?
2 3 4 5 6 7	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral	2 3 4 5 6 7	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th.
2 3 4 5 6 7 8	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will	2 3 4 5 6 7 8	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank
2 3 4 5 6 7 8 9	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's	2 3 4 5 6 7 8 9	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you.
2 3 4 5 6 7 8 9 10	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's evidence in this regard has never been challenged.	2 3 4 5 6 7 8 9 10	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you. MR BUDLENDER SC: The morning of the –
2 3 4 5 6 7 8 9 10 11	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's evidence in this regard has never been challenged. So now we know that Mr Mathunjwa, unlike Lonmin,	2 3 4 5 6 7 8 9 10 11	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you. MR BUDLENDER SC: The morning of the – the first conversation on the 16th.
2 3 4 5 6 7 8 9 10 11 12	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's evidence in this regard has never been challenged. So now we know that Mr Mathunjwa, unlike Lonmin, actually went to the koppie, spoke to the strikers and	2 3 4 5 6 7 8 9 10 11 12	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you. MR BUDLENDER SC: The morning of the – the first conversation on the 16th. CHAIRPERSON: Mr Budlender, could you
2 3 4 5 6 7 8 9 10 11 12 13	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's evidence in this regard has never been challenged. So now we know that Mr Mathunjwa, unlike Lonmin, actually went to the koppie, spoke to the strikers and listened to what they had to say. So he gives firsthand	2 3 4 5 6 7 8 9 10 11 12 13	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you. MR BUDLENDER SC: The morning of the – the first conversation on the 16th. CHAIRPERSON: Mr Budlender, could you remind me, there also of course were discussions from the
2 3 4 5 6 7 8 9 10 11 12 13 14	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's evidence in this regard has never been challenged. So now we know that Mr Mathunjwa, unlike Lonmin, actually went to the koppie, spoke to the strikers and listened to what they had to say. So he gives firsthand evidence of what their attitude was. Correct?	2 3 4 5 6 7 8 9 10 11 12 13 14	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you. MR BUDLENDER SC: The morning of the – the first conversation on the 16th. CHAIRPERSON: Mr Budlender, could you remind me, there also of course were discussions from the Tuesday with the police, with Lieutenant-Colonel McIntosh
2 3 4 5 6 7 8 9 10 11 12 13 14 15	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's evidence in this regard has never been challenged. So now we know that Mr Mathunjwa, unlike Lonmin, actually went to the koppie, spoke to the strikers and listened to what they had to say. So he gives firsthand evidence of what their attitude was. Correct? MR DA COSTA: Yes, certainly their	2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you. MR BUDLENDER SC: The morning of the – the first conversation on the 16th. CHAIRPERSON: Mr Budlender, could you remind me, there also of course were discussions from the Tuesday with the police, with Lieutenant-Colonel McIntosh and the strikers also told him that they wanted the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's evidence in this regard has never been challenged. So now we know that Mr Mathunjwa, unlike Lonmin, actually went to the koppie, spoke to the strikers and listened to what they had to say. So he gives firsthand evidence of what their attitude was. Correct? MR DA COSTA: Yes, certainly their attitude towards them, yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you. MR BUDLENDER SC: The morning of the – the first conversation on the 16th. CHAIRPERSON: Mr Budlender, could you remind me, there also of course were discussions from the Tuesday with the police, with Lieutenant-Colonel McIntosh and the strikers also told him that they wanted the employer to come and speak to them already on the Tuesday.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's evidence in this regard has never been challenged. So now we know that Mr Mathunjwa, unlike Lonmin, actually went to the koppie, spoke to the strikers and listened to what they had to say. So he gives firsthand evidence of what their attitude was. Correct? MR DA COSTA: Yes, certainly their attitude towards them, yes. MR BUDLENDER SC: Yes, and what they said	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you. MR BUDLENDER SC: The morning of the – the first conversation on the 16th. CHAIRPERSON: Mr Budlender, could you remind me, there also of course were discussions from the Tuesday with the police, with Lieutenant-Colonel McIntosh and the strikers also told him that they wanted the employer to come and speak to them already on the Tuesday. Can you recall whether this aspect of the matter was dealt
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's evidence in this regard has never been challenged. So now we know that Mr Mathunjwa, unlike Lonmin, actually went to the koppie, spoke to the strikers and listened to what they had to say. So he gives firsthand evidence of what their attitude was. Correct? MR DA COSTA: Yes, certainly their attitude towards them, yes. MR BUDLENDER SC: Yes, and what they said their demand of the employer was. They were going to try	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you. MR BUDLENDER SC: The morning of the – the first conversation on the 16th. CHAIRPERSON: Mr Budlender, could you remind me, there also of course were discussions from the Tuesday with the police, with Lieutenant-Colonel McIntosh and the strikers also told him that they wanted the employer to come and speak to them already on the Tuesday. Can you recall whether this aspect of the matter was dealt with at all in that evidence?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's evidence in this regard has never been challenged. So now we know that Mr Mathunjwa, unlike Lonmin, actually went to the koppie, spoke to the strikers and listened to what they had to say. So he gives firsthand evidence of what their attitude was. Correct? MR DA COSTA: Yes, certainly their attitude towards them, yes. MR BUDLENDER SC: Yes, and what they said their demand of the employer was. They were going to try for 12 500 but they realised they might not get it right	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you. MR BUDLENDER SC: The morning of the – the first conversation on the 16th. CHAIRPERSON: Mr Budlender, could you remind me, there also of course were discussions from the Tuesday with the police, with Lieutenant-Colonel McIntosh and the strikers also told him that they wanted the employer to come and speak to them already on the Tuesday. Can you recall whether this aspect of the matter was dealt with at all in that evidence? MR BUDLENDER SC: I can't recall any
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's evidence in this regard has never been challenged. So now we know that Mr Mathunjwa, unlike Lonmin, actually went to the koppie, spoke to the strikers and listened to what they had to say. So he gives firsthand evidence of what their attitude was. Correct? MR DA COSTA: Yes, certainly their attitude towards them, yes. MR BUDLENDER SC: Yes, and what they said their demand of the employer was. They were going to try for 12 500 but they realised they might not get it right away. MR DA COSTA: Yes, I see that.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you. MR BUDLENDER SC: The morning of the – the first conversation on the 16th. CHAIRPERSON: Mr Budlender, could you remind me, there also of course were discussions from the Tuesday with the police, with Lieutenant-Colonel McIntosh and the strikers also told him that they wanted the employer to come and speak to them already on the Tuesday. Can you recall whether this aspect of the matter was dealt with at all in that evidence? MR BUDLENDER SC: I can't recall any evidence of, by Colonel McIntosh that they said 12 500 or
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's evidence in this regard has never been challenged. So now we know that Mr Mathunjwa, unlike Lonmin, actually went to the koppie, spoke to the strikers and listened to what they had to say. So he gives firsthand evidence of what their attitude was. Correct? MR DA COSTA: Yes, certainly their attitude towards them, yes. MR BUDLENDER SC: Yes, and what they said their demand of the employer was. They were going to try for 12 500 but they realised they might not get it right away. MR DA COSTA: Yes, I see that.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you. MR BUDLENDER SC: The morning of the – the first conversation on the 16th. CHAIRPERSON: Mr Budlender, could you remind me, there also of course were discussions from the Tuesday with the police, with Lieutenant-Colonel McIntosh and the strikers also told him that they wanted the employer to come and speak to them already on the Tuesday. Can you recall whether this aspect of the matter was dealt with at all in that evidence? MR BUDLENDER SC: I can't recall any evidence of, by Colonel McIntosh that they said 12 500 or bust, and I'm told via messages passed to me that Mr Mpofu
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's evidence in this regard has never been challenged. So now we know that Mr Mathunjwa, unlike Lonmin, actually went to the koppie, spoke to the strikers and listened to what they had to say. So he gives firsthand evidence of what their attitude was. Correct? MR DA COSTA: Yes, certainly their attitude towards them, yes. MR BUDLENDER SC: Yes, and what they said their demand of the employer was. They were going to try for 12 500 but they realised they might not get it right away. MR DA COSTA: Yes, I see that. MR BUDLENDER SC: Yes, now we have on the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you. MR BUDLENDER SC: The morning of the – the first conversation on the 16th. CHAIRPERSON: Mr Budlender, could you remind me, there also of course were discussions from the Tuesday with the police, with Lieutenant-Colonel McIntosh and the strikers also told him that they wanted the employer to come and speak to them already on the Tuesday. Can you recall whether this aspect of the matter was dealt with at all in that evidence? MR BUDLENDER SC: I can't recall any evidence of, by Colonel McIntosh that they said 12 500 or bust, and I'm told via messages passed to me that Mr Mpofu says Mr Magidiwana gave evidence which is similar to the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	order for the employer to address them and further they did say that they are quite aware that the employer might not have their demand of R12 500, but if the employer will come and engage with them for the process how to end up receiving such R12 500, so therefore we ask you again to go and tell the employer that we ask him to come and address us." And that was Mr Mathunjwa's evidence, his oral evidence, and as far as I know – and my colleagues will correct me if I'm wrong – the correctness of Mr Mathunjwa's evidence in this regard has never been challenged. So now we know that Mr Mathunjwa, unlike Lonmin, actually went to the koppie, spoke to the strikers and listened to what they had to say. So he gives firsthand evidence of what their attitude was. Correct? MR DA COSTA: Yes, certainly their attitude towards them, yes. MR BUDLENDER SC: Yes, and what they said their demand of the employer was. They were going to try for 12 500 but they realised they might not get it right away. MR DA COSTA: Yes, I see that. MR BUDLENDER SC: Yes, now we have on the one hand Mr Mathunjwa's evidence under oath of what he	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR BUDLENDER SC: His evidence was that he had, I think was that he attempted to do so but was not able to do so. But in any event, I'll leave the point there. COMMISSIONER HEMRAJ: Mr Budlender, this is alleged to have taken place on the 15th or the 16th? MR BUDLENDER SC: 16th. COMMISSIONER HEMRAJ: The 16th, yes, thank you. MR BUDLENDER SC: The morning of the – the first conversation on the 16th. CHAIRPERSON: Mr Budlender, could you remind me, there also of course were discussions from the Tuesday with the police, with Lieutenant-Colonel McIntosh and the strikers also told him that they wanted the employer to come and speak to them already on the Tuesday. Can you recall whether this aspect of the matter was dealt with at all in that evidence? MR BUDLENDER SC: I can't recall any evidence of, by Colonel McIntosh that they said 12 500 or bust, and I'm told via messages passed to me that Mr Mpofu says Mr Magidiwana gave evidence which is similar to the evidence of Mr Mathunjwa as to what the attitude of the

1	Page 30124 point I suppose is what Lonmin thought the attitude of the	1	Page 30126 grade? Are you aware of that?
2	strikers was and there may also be questions as to whether	2	MR DA COSTA: I was part of those wage
3	they should have been certain that their impression was	3	negotiations. I was part of the management team. I don't
4	correct before they took an obdurate stance, but what the	4	recall that – I remember there was discussions around rock
5	witness can tell us about is what Lonmin thought -	5	drill operator remuneration and so on. I can't remember
6	MR BUDLENDER SC: Yes.	6	exactly -
7	CHAIRPERSON: - based upon the	7	MR BUDLENDER SC: Alright. No well then
8	information they had.	8	I won't ask you more about it. Are you aware of what the
9	MR BUDLENDER SC: Yes, that –	9	position was that the NUM took up - or let me take a step
10	CHAIRPERSON: And the mere fact that	10	back. You pointed out on Tuesday that the mining companies
11	Magidiwana says what the attitude was doesn't prove that	11	have networks of people in the HR division who exchange
12	Lonmin knew what their attitude was.	12	information when it's required.
13	MR BUDLENDER SC: No, that's precisely	13	MR DA COSTA: Yes, that's correct.
14	the point I was coming to, Chair, that I accept that this	14	MR BUDLENDER SC: Now are you aware of
15	was what Lonmin thought, but what I want to put to you is	15	what the position was that NUM took up in the wage
16	that whoever conveyed that to Lonmin was not somebody who	16	negotiations at Amplats with regard to rock drill
17	was at the koppie, therefore didn't speak to the strikers	17	operators?
18	directly and therefore was probably wrong.	18	[09:38] MR DA COSTA: Not so much at Amplats but
19	CHAIRPERSON: That's not what Mr Da Costa	19	at Impala.
20	says. The evidence was that on the Monday – Mr Mathunjwa	20	MR BUDLENDER SC: I beg your pardon,
21	says this – they sent two high officials of AMCU to	21	Impala. Impala, yes, at Impala.
22	Marikana and they went to the koppie and they spoke to the	22	MR DA COSTA: Yes. No, I was aware of
23	miners and then they came back and spoke to Lonmin. So ${\sf I}$	23	their position there, yes.
24	think to be fair to him they got the information from AMCU,	24	MR BUDLENDER SC: And let me just read to
25	who had been to the koppie, but again the point I think is	25	you, there's a new exhibit, Chair, it's the affidavit of Mr
	Page 30125		Page 30127
1	Page 30125 that what was conveyed to Lonmin by the AMCU	1	Page 30127 Patel.
1 2	-	1 2	5
_	that what was conveyed to Lonmin by the AMCU		Patel.
2	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500	2	Patel. CHAIRPERSON: I don't think it's been
2 3	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the	2 3	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet.
2 3 4	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount	2 3 4	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an
2 3 4 5	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on.	2 3 4 5	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number.
2 3 4 5 6	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely	2 3 4 5 6	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an
2 3 4 5 6 7	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to	2 3 4 5 6 7	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay
2 3 4 5 6 7 8	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward	2 3 4 5 6 7 8	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission.
2 3 4 5 6 7 8 9	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end.	2 3 4 5 6 7 8 9	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: XXX5, Chair.
2 3 4 5 6 7 8 9 10	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end. I don't think we can debate it further. Now you I take it	2 3 4 5 6 7 8 9 10	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: XXX5, Chair. CHAIRPERSON: XXX5, affidavit by Mohamed
2 3 4 5 6 7 8 9 10 11	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end. I don't think we can debate it further. Now you I take it would be aware of the wage structure of the employees who	2 3 4 5 6 7 8 9 10 11	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: XXX5, Chair. CHAIRPERSON: XXX5, affidavit by Mohamed Patel.
2 3 4 5 6 7 8 9 10 11 12	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end. I don't think we can debate it further. Now you I take it would be aware of the wage structure of the employees who work at the mine shaft?	2 3 4 5 6 7 8 9 10 11 12	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: XXX5, Chair. CHAIRPERSON: XXX5, affidavit by Mohamed Patel. MR BUDLENDER SC: Now Mr Patel is the
2 3 4 5 6 7 8 9 10 11 12 13	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end. I don't think we can debate it further. Now you I take it would be aware of the wage structure of the employees who work at the mine shaft? MR DA COSTA: Yes, I have an idea.	2 3 4 5 6 7 8 9 10 11 12 13	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: XXX5, Chair. CHAIRPERSON: XXX5, affidavit by Mohamed Patel. MR BUDLENDER SC: Now Mr Patel is the human resource executive, mining, at Impala. Have you seen
2 3 4 5 6 7 8 9 10 11 12 13 14	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end. I don't think we can debate it further. Now you I take it would be aware of the wage structure of the employees who work at the mine shaft? MR DA COSTA: Yes, I have an idea. MR BUDLENDER SC: Yes, I don't want to	2 3 4 5 6 7 8 9 10 11 12 13 14	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: XXX5, Chair. CHAIRPERSON: XXX5, affidavit by Mohamed Patel. MR BUDLENDER SC: Now Mr Patel is the human resource executive, mining, at Impala. Have you seen this document? This was one of the documents –
2 3 4 5 6 7 8 9 10 11 12 13 14 15	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end. I don't think we can debate it further. Now you I take it would be aware of the wage structure of the employees who work at the mine shaft? MR DA COSTA: Yes, I have an idea. MR BUDLENDER SC: Yes, I don't want to ask you detailed questions about it. It wouldn't be fair	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: XXX5, Chair. CHAIRPERSON: XXX5, affidavit by Mohamed Patel. MR BUDLENDER SC: Now Mr Patel is the human resource executive, mining, at Impala. Have you seen this document? This was one of the documents – MR DA COSTA: Yes, yes, I've seen that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end. I don't think we can debate it further. Now you I take it would be aware of the wage structure of the employees who work at the mine shaft? MR DA COSTA: Yes, I have an idea. MR BUDLENDER SC: Yes, I don't want to ask you detailed questions about it. It wouldn't be fair and it's not relevant. Are you aware, or am I correct in	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: XXX5, Chair. CHAIRPERSON: XXX5, affidavit by Mohamed Patel. MR BUDLENDER SC: Now Mr Patel is the human resource executive, mining, at Impala. Have you seen this document? This was one of the documents – MR DA COSTA: Yes, yes, I've seen that document.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end. I don't think we can debate it further. Now you I take it would be aware of the wage structure of the employees who work at the mine shaft? MR DA COSTA: Yes, I have an idea. MR BUDLENDER SC: Yes, I don't want to ask you detailed questions about it. It wouldn't be fair and it's not relevant. Are you aware, or am I correct in believing that in 2011 and 2012 the rock drill operators	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: XXX5, Chair. CHAIRPERSON: XXX5, affidavit by Mohamed Patel. MR BUDLENDER SC: Now Mr Patel is the human resource executive, mining, at Impala. Have you seen this document? This was one of the documents – MR DA COSTA: Yes, yes, I've seen that document. MR BUDLENDER SC: And his affidavit is in
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end. I don't think we can debate it further. Now you I take it would be aware of the wage structure of the employees who work at the mine shaft? MR DA COSTA: Yes, I have an idea. MR BUDLENDER SC: Yes, I don't want to ask you detailed questions about it. It wouldn't be fair and it's not relevant. Are you aware, or am I correct in believing that in 2011 and 2012 the rock drill operators were paid more than other employees who were on the same	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: XXX5, Chair. CHAIRPERSON: XXX5, affidavit by Mohamed Patel. MR BUDLENDER SC: Now Mr Patel is the human resource executive, mining, at Impala. Have you seen this document? This was one of the documents – MR DA COSTA: Yes, yes, I've seen that document. MR BUDLENDER SC: And his affidavit is in response to an issue around what was said during the wage negotiations at Impala and in particular the correctness of two articles written by Ms Carol Pate.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end. I don't think we can debate it further. Now you I take it would be aware of the wage structure of the employees who work at the mine shaft? MR DA COSTA: Yes, I have an idea. MR BUDLENDER SC: Yes, I don't want to ask you detailed questions about it. It wouldn't be fair and it's not relevant. Are you aware, or am I correct in believing that in 2011 and 2012 the rock drill operators were paid more than other employees who were on the same grade?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: XXX5, Chair. CHAIRPERSON: XXX5, affidavit by Mohamed Patel. MR BUDLENDER SC: Now Mr Patel is the human resource executive, mining, at Impala. Have you seen this document? This was one of the documents – MR DA COSTA: Yes, yes, I've seen that document. MR BUDLENDER SC: And his affidavit is in response to an issue around what was said during the wage negotiations at Impala and in particular the correctness of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end. I don't think we can debate it further. Now you I take it would be aware of the wage structure of the employees who work at the mine shaft? MR DA COSTA: Yes, I have an idea. MR BUDLENDER SC: Yes, I don't want to ask you detailed questions about it. It wouldn't be fair and it's not relevant. Are you aware, or am I correct in believing that in 2011 and 2012 the rock drill operators were paid more than other employees who were on the same grade? MR DA COSTA: Yes, that's right. Their	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: XXX5, Chair. CHAIRPERSON: XXX5, affidavit by Mohamed Patel. MR BUDLENDER SC: Now Mr Patel is the human resource executive, mining, at Impala. Have you seen this document? This was one of the documents – MR DA COSTA: Yes, yes, I've seen that document. MR BUDLENDER SC: And his affidavit is in response to an issue around what was said during the wage negotiations at Impala and in particular the correctness of two articles written by Ms Carol Pate.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end. I don't think we can debate it further. Now you I take it would be aware of the wage structure of the employees who work at the mine shaft? MR DA COSTA: Yes, I have an idea. MR BUDLENDER SC: Yes, I don't want to ask you detailed questions about it. It wouldn't be fair and it's not relevant. Are you aware, or am I correct in believing that in 2011 and 2012 the rock drill operators were paid more than other employees who were on the same grade? MR DA COSTA: Yes, that's right. Their basic pay was a little more. MR BUDLENDER SC: Yes, and are you aware that the NUM's position in the 2011 wage negotiations at	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: XXX5, Chair. CHAIRPERSON: XXX5, affidavit by Mohamed Patel. MR BUDLENDER SC: Now Mr Patel is the human resource executive, mining, at Impala. Have you seen this document? This was one of the documents – MR DA COSTA: Yes, yes, I've seen that document. MR BUDLENDER SC: And his affidavit is in response to an issue around what was said during the wage negotiations at Impala and in particular the correctness of two articles written by Ms Carol Pate. MR DA COSTA: Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end. I don't think we can debate it further. Now you I take it would be aware of the wage structure of the employees who work at the mine shaft? MR DA COSTA: Yes, I have an idea. MR BUDLENDER SC: Yes, I don't want to ask you detailed questions about it. It wouldn't be fair and it's not relevant. Are you aware, or am I correct in believing that in 2011 and 2012 the rock drill operators were paid more than other employees who were on the same grade? MR DA COSTA: Yes, that's right. Their basic pay was a little more. MR BUDLENDER SC: Yes, and are you aware that the NUM's position in the 2011 wage negotiations at Lonmin was that it wanted equalisation, or what it called	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. CHAIRPERSON: No, shall we give it an exhibit number? This would be XXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: XXX5, Chair. CHAIRPERSON: XXX5, affidavit by Mohamed Patel. XXX5, affidavit by Mohamed Patel. MR BUDLENDER SC: Now Mr Patel is the human resource executive, mining, at Impala. Have you seen this document? This was one of the documents – MR BUDLENDER SC: And his affidavit is in response to an issue around what was said during the wage negotiations at Impala and in particular the correctness of MR BUDLENDER SC: MR bud COSTA: Yes. MR DA COSTA: Yes. MR BUDLENDER SC: If you'll go to page 2 of that document, paragraph 7, there she refers or he refers, I beg your pardon, to the extract from Ms Paton's
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	that what was conveyed to Lonmin by the AMCU representatives on the Monday wasn't, as you put it, 12 500 or bust. It was give them 12 500 and that's the end of the strike. It doesn't mean if you offer them a lesser amount that the strike will necessarily carry on. MR BUDLENDER SC: Well, that's precisely the point, Chair, with respect. Well, let's move on to another subject, Mr Da Costa. I do want to move forward and all of this is a matter for argument really at the end. I don't think we can debate it further. Now you I take it would be aware of the wage structure of the employees who work at the mine shaft? MR DA COSTA: Yes, I have an idea. MR BUDLENDER SC: Yes, I don't want to ask you detailed questions about it. It wouldn't be fair and it's not relevant. Are you aware, or am I correct in believing that in 2011 and 2012 the rock drill operators were paid more than other employees who were on the same grade? MR DA COSTA: Yes, that's right. Their basic pay was a little more. MR BUDLENDER SC: Yes, and are you aware that the NUM's position in the 2011 wage negotiations at	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Patel. CHAIRPERSON: I don't think it's been given an exhibit number yet. MR BUDLENDER SC: No, it doesn't have an exhibit number. No, shall we give it an exhibit number? Now SXX5, I think, if Ms Pillay will give me the necessary permission. MR BUDLENDER SC: MR BUDLENDER SC: Now Mr Patel is the human resource executive, mining, at Impala. Have you seen this document? this document? Yes, yes, I've seen that document. MR BUDLENDER SC: And his affidavit is in response to an issue around what was said during the wage negotiations at Impala and in particular the correctness of two articles written by Ms C

		T	
1	Page 30128	1	Page 30130
1	Paul Dunn says that during the talks management put a	1	where Mr Patel says, "It is evident from the contents of
2	proposal on the table that rock drill operators, who are	2 3	the minutes of the wage negotiations as summarised above that Impala at all times attempted to retain the wage
3	more skilled and who are at risk of resigning for better	4	differential between RDOs and the remainder of the
4 5	jobs, be given a higher increment. We recognised that we were out of step with the rest of the industry in both job	4 5	employees employed in other positions on the A4 band which
	grading and in pay. It would have been pre-emptive to stop	6	would have resulted in a higher wage for RDOs. This was
6 7	them from leaving but that suggestion never found its way	7	simply not accepted by the NUM who insisted by the
8	into the final agreement." And then the extract from	, 8	implementation of the harmonisation demand." Then
9	Mining News, next paragraph, "Impala management's executive	9	paragraph 32 he says, "It follows that the statements by
10	director Paul Dunn has suggested to NUM that rock drill	7 10	Dunn as reported by Paton are factually correct in the
11	operators, who have the hardest job of all underground	11	context of the harmonisation demand." Now that's a long
12	machine operators, be given a differential increase but the	12	preamble just to say, to ask you this question, were you
13	union had refused. We recognised that we were out of step	12	aware that during the Impala wage negotiations in 2011 the
14	with the rest of the industry" and it goes on as before.	14	NUM opposed a differential between RDOs and other employees
15	CHAIRPERSON: Mr Mpofu – sorry, Mr	14	on the same grade?
16	Budlender, I see there's a confirmatory affidavit by Mr	16	MR DA COSTA: Yes, we had been aware of
17	Dunn which is annexed to Mr Patel's affidavit. I take it	17	that, yes.
18	that we can make that XXX6.	18	MR BUDLENDER SC: So what you knew was
19	MR BUDLENDER SC: Well, yes. Then could	19	that if the Lonmin RDOs had asked NUM to negotiate higher
20	we go to – sorry.	20	wages for them, the NUM would have said no, that's not our
21	MR TIP SC: Chair?	21	position, we're in favour of equalisation across the grade.
22	CHAIRPERSON: Yes.	22	Is that not correct?
23	MR TIP SC: Whilst we are making those	23	MR DA COSTA: I don't know that I made
24	documents exhibits, there is an affidavit also by Mr Tansy	24	that connection at that time.
25	of the NUM and in fact Patel's affidavit was produced in	25	MR BUDLENDER SC: Well, doesn't it flow
	Page 30129		Page 30131
1	Page 30129 response to that.	1	Page 30131 logically? NUM took, had a principled position that all
1 2		1 2	5
	response to that. CHAIRPERSON: Do you want to put that in too?		logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want
2	response to that. CHAIRPERSON: Do you want to put that in	2	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal
2 3	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could –	2 3	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle
2 3 4	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in	2 3 4	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted.
2 3 4 5	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could –	2 3 4 5	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle
2 3 4 5 6	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine?	2 3 4 5 6	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case.
2 3 4 5 6 7 8 9	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in	2 3 4 5 6 7 8 9	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes.
2 3 4 5 6 7 8 9 10	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence.	2 3 4 5 6 7 8 9 10	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it
2 3 4 5 6 7 8 9 10 11	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 –	2 3 4 5 6 7 8 9 10 11	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how
2 3 4 5 6 7 8 9 10 11 12	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 – MR TIP SC: I don't have the document	2 3 4 5 6 7 8 9 10 11 12	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how can you expect NUM, who have taken up this principled
2 3 4 5 6 7 8 9 10 11 12 13	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 – MR TIP SC: I don't have the document with me but it deals with the same topic.	2 3 4 5 6 7 8 9 10 11 12 13	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how can you expect NUM, who have taken up this principled position, to come along and negotiate on behalf of the RDOs
2 3 4 5 6 7 8 9 10 11 12 13 14	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 – MR TIP SC: I don't have the document with me but it deals with the same topic. CHAIRPERSON: Well, we will reserve the	2 3 4 5 6 7 8 9 10 11 12 13 14	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how can you expect NUM, who have taken up this principled position, to come along and negotiate on behalf of the RDOs for something to which they are opposed in principle? I
2 3 4 5 6 7 8 9 10 11 12 13 14 15	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 – MR TIP SC: I don't have the document with me but it deals with the same topic. CHAIRPERSON: Well, we will reserve the marking XXX7 for Mr Tansy's affidavit when it appears, it	2 3 4 5 6 7 8 9 10 11 12 13 14 15	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how can you expect NUM, who have taken up this principled position, to come along and negotiate on behalf of the RDOs for something to which they are opposed in principle? I mean the very best they could do is, this is what the RDOs
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 – MR TIP SC: I don't have the document with me but it deals with the same topic. CHAIRPERSON: Well, we will reserve the marking XXX7 for Mr Tansy's affidavit when it appears, it arrives.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how can you expect NUM, who have taken up this principled position, to come along and negotiate on behalf of the RDOs for something to which they are opposed in principle? I mean the very best they could do is, this is what the RDOs say but we must tell you we don't support it because we've
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 – MR TIP SC: I don't have the document with me but it deals with the same topic. CHAIRPERSON: Well, we will reserve the marking XXX7 for Mr Tansy's affidavit when it appears, it arrives. MR TIP SC: Thank you, Chair.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how can you expect NUM, who have taken up this principled position, to come along and negotiate on behalf of the RDOs for something to which they are opposed in principle? I mean the very best they could do is, this is what the RDOs say but we must tell you we don't support it because we've got this principle that if there are going to be increases
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 – MR TIP SC: I don't have the document with me but it deals with the same topic. CHAIRPERSON: Well, we will reserve the marking XXX7 for Mr Tansy's affidavit when it appears, it arrives. MR TIP SC: Thank you, Chair. MR TIP SC: Thank you, Chair.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how can you expect NUM, who have taken up this principled position, to come along and negotiate on behalf of the RDOs for something to which they are opposed in principle? I mean the very best they could do is, this is what the RDOs say but we must tell you we don't support it because we've got this principle that if there are going to be increases they're going to be right through the grade. I mean that's
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 – MR TIP SC: I don't have the document with me but it deals with the same topic. CHAIRPERSON: Well, we will reserve the marking XXX7 for Mr Tansy's affidavit when it appears, it arrives. MR TIP SC: Thank you, Chair. MR BUDLENDER SC: Then Mr Da Costa, can we go to paragraph 26 or page 7? Mr Patel says, "The NUM	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how can you expect NUM, who have taken up this principled position, to come along and negotiate on behalf of the RDOs for something to which they are opposed in principle? I mean the very best they could do is, this is what the RDOs say but we must tell you we don't support it because we've got this principle that if there are going to be increases they're going to be right through the grade. I mean that's the most that could have happened in negotiations if they'd
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 – MR TIP SC: I don't have the document with me but it deals with the same topic. CHAIRPERSON: Well, we will reserve the marking XXX7 for Mr Tansy's affidavit when it appears, it arrives. MR TIP SC: Thank you, Chair. MR BUDLENDER SC: Then Mr Da Costa, can we go to paragraph 26 on page 7? Mr Patel says, "The NUM at no stage accepted Impala's proposal that the pay	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how can you expect NUM, who have taken up this principled position, to come along and negotiate on behalf of the RDOs for something to which they are opposed in principle? I mean the very best they could do is, this is what the RDOs say but we must tell you we don't support it because we've got this principle that if there are going to be increases they're going to be right through the grade. I mean that's the most that could have happened in negotiations if they'd taken place. Isn't that right?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 – MR TIP SC: I don't have the document with me but it deals with the same topic. CHAIRPERSON: Well, we will reserve the marking XXX7 for Mr Tansy's affidavit when it appears, it arrives. MR TIP SC: Thank you, Chair. MR BUDLENDER SC: Then Mr Da Costa, can we go to paragraph 26 on page 7? Mr Patel says, "The NUM at no stage accepted Impala's proposal that the pay differential on band A4 which would have ensured a higher	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how can you expect NUM, who have taken up this principled position, to come along and negotiate on behalf of the RDOs for something to which they are opposed in principle? I mean the very best they could do is, this is what the RDOs say but we must tell you we don't support it because we've got this principle that if there are going to be increases they're going to be right through the grade. I mean that's the most that could have happened in negotiations if they'd taken place. Isn't that right? MR DA COSTA: It would make sense that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 – MR TIP SC: I don't have the document with me but it deals with the same topic. CHAIRPERSON: Well, we will reserve the marking XXX7 for Mr Tansy's affidavit when it appears, it arrives. MR TIP SC: Thank you, Chair. MR BUDLENDER SC: Then Mr Da Costa, can we go to paragraph 26 on page 7? Mr Patel says, "The NUM at no stage accepted Impala's proposal that the pay differential on band A4 which would have ensured a higher wage for RDOs should remain in place and insisted that the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how can you expect NUM, who have taken up this principled position, to come along and negotiate on behalf of the RDOs for something to which they are opposed in principle? I mean the very best they could do is, this is what the RDOs say but we must tell you we don't support it because we've got this principle that if there are going to be increases they're going to be right through the grade. I mean that's the most that could have happened in negotiations if they'd taken place. Isn't that right? MR DA COSTA: It would make sense that that would be the position, yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 – MR TIP SC: I don't have the document with me but it deals with the same topic. CHAIRPERSON: Well, we will reserve the marking XXX7 for Mr Tansy's affidavit when it appears, it arrives. MR TIP SC: Thank you, Chair. MR BUDLENDER SC: Then Mr Da Costa, can we go to paragraph 26 on page 7? Mr Patel says, "The NUM at no stage accepted Impala's proposal that the pay differential on band A4 which would have ensured a higher wage for RDOs should remain in place and insisted that the harmonisation demand be met. The NUM simply refused	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how can you expect NUM, who have taken up this principled position, to come along and negotiate on behalf of the RDOs for something to which they are opposed in principle? I mean the very best they could do is, this is what the RDOs say but we must tell you we don't support it because we've got this principle that if there are going to be increases they're going to be right through the grade. I mean that's the most that could have happened in negotiations if they'd taken place. Isn't that right? MR DA COSTA: It would make sense that that would be the position, yes. MR BUDLENDER SC: Now I want to just, I
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 – MR TIP SC: I don't have the document with me but it deals with the same topic. CHAIRPERSON: Well, we will reserve the marking XXX7 for Mr Tansy's affidavit when it appears, it arrives. MR TIP SC: Thank you, Chair. MR BUDLENDER SC: Then Mr Da Costa, can we go to paragraph 26 on page 7? Mr Patel says, "The NUM at no stage accepted Impala's proposal that the pay differential on band A4 which would have ensured a higher wage for RDOs should remain in place and insisted that the harmonisation demand be met. The NUM simply refused Impala's offer to retain the pay differential on the A4	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how can you expect NUM, who have taken up this principled position, to come along and negotiate on behalf of the RDOs for something to which they are opposed in principle? I mean the very best they could do is, this is what the RDOs say but we must tell you we don't support it because we've got this principle that if there are going to be increases they're going to be right through the grade. I mean that's the most that could have happened in negotiations if they'd taken place. Isn't that right? MR DA COSTA: It would make sense that that would be the position, yes. MR BUDLENDER SC: Now I want to just, I really want to conclude now, I just want to clarify the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	response to that. CHAIRPERSON: Do you want to put that in too? MR TIP SC: I don't have a copy of that but could – CHAIRPERSON: Do you want to put that in too? Do you want to put it in now or when you cross- examine? MR TIP SC: No, I think let us put it in now and keep it all in sequence. CHAIRPERSON: XXX7 – MR TIP SC: I don't have the document with me but it deals with the same topic. CHAIRPERSON: Well, we will reserve the marking XXX7 for Mr Tansy's affidavit when it appears, it arrives. MR TIP SC: Thank you, Chair. MR BUDLENDER SC: Then Mr Da Costa, can we go to paragraph 26 on page 7? Mr Patel says, "The NUM at no stage accepted Impala's proposal that the pay differential on band A4 which would have ensured a higher wage for RDOs should remain in place and insisted that the harmonisation demand be met. The NUM simply refused	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	logically? NUM took, had a principled position that all workers on the same grade should be paid at the same level. It follows that if the RDOs had said well, we want something more, NUM wouldn't have supported that proposal because it would have been inconsistent with the principle which they have consistently adopted. MR DA COSTA: It may be that that would have been the case. MR BUDLENDER SC: Yes. CHAIRPERSON: May be – I mean isn't it pretty certain that would have been the case? I mean how can you expect NUM, who have taken up this principled position, to come along and negotiate on behalf of the RDOs for something to which they are opposed in principle? I mean the very best they could do is, this is what the RDOs say but we must tell you we don't support it because we've got this principle that if there are going to be increases they're going to be right through the grade. I mean that's the most that could have happened in negotiations if they'd taken place. Isn't that right? MR DA COSTA: It would make sense that that would be the position, yes. MR BUDLENDER SC: Now I want to just, I

1	Page 30132		Page 30134
	time of these events in August 2012 AMCU had organisational	1	representatives of the strikers. We went over that on
2	rights at Lonmin but not bargaining rights, is that	2	Tuesday.
3	correct?	3	MR DA COSTA: Yes.
4	MR DA COSTA: They had organisational	4	MR BUDLENDER SC: That's correct?
5	rights at Karee Mine.	5	MR DA COSTA: Yes.
6	MR BUDLENDER SC: At Karee.	6	MR BUDLENDER SC: So in effect what
7	MR DA COSTA: At the Karee portion of the	7	Lonmin said to its employees on the koppie was the
8	Lonmin operations, yes.	8	following. It said, we will speak to you only through
9	MR BUDLENDER SC: But they had no	9	people whom you do not trust because we've established that
10	bargaining rights anywhere at Lonmin?	10	they had no trust in NUM, correct?
11	MR DA COSTA: That's correct.	11	MR DA COSTA: Well, you know, after the
12	MR BUDLENDER SC: And so they were	12	-
	5	12	fact it was clear that they had no trust in the NUM, yes. MR BUDLENDER SC: But you knew that at
13	therefore not part of wage negotiations.		5
14	MR DA COSTA: That's correct.	14	the time. You knew that they were at loggerheads with NUM. MR DA COSTA: We knew that the group of
15	MR BUDLENDER SC: They were in fact very	15	
16	keen to obtain these negotiating rights and according to Mr	16	employees who were on the koppie were at loggerheads with
17	Seedat, Mr Mathunjwa said he would get the workers off the	17	NUM, yes.
18	koppie if he was given a place at the bargaining table. Mr	18	MR BUDLENDER SC: Yes, they had no
19	Mathunjwa denies that but that's what Mr Seedat says.	19	confidence in NUM. You said to them, despite that, you
20	MR DA COSTA: Ja, there was, there was	20	said you must negotiate with us through NUM, is that
21	quite a lot of debate going on around – and in fact AMCU	21	correct?
22	was challenging Lonmin on their definition of a workplace.	22	MR DA COSTA: We did say that, yes.
23	MR BUDLENDER SC: Ja.	23	MR BUDLENDER SC: And you said to them,
24	MR DA COSTA: And they were insisting	24	we will only speak to you through people with whom you are
25	that a workplace should be defined by the operational area	25	currently in a situation of violent conflict, is that
	Dama 20122		Dama 2012F
1	Page 30133 as being Karee, Western Platinum, Eastern Platinum, where	1	Page 30135 correct?
2	our workplace was defined as the Marikana area. So in	2	MR DA COSTA: Well, we didn't say that in
3	terms of the entire Marikana complex they did not have		·····
Ŭ	. ,	3	– say it like that, we said we'd speak to them through the
4	sufficient membership to gain those bargaining rights.	3 4	 say it like that, we said we'd speak to them through the recognised structures.
4 5	sufficient membership to gain those bargaining rights. MR BUDLENDER SC: No. Lunderstand that.	4	recognised structures.
4 5 6	MR BUDLENDER SC: No, I understand that.	4 5	recognised structures. MR BUDLENDER SC: You said we will speak
6	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for	4 5 6	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say
6 7	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM.	4 5 6 7	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they
6 7 8	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised	4 5 6 7 8	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct?
6 7 8 9	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with	4 5 6 7 8 9	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd
6 7 8 9 10	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which	4 5 6 7 8 9 10	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures –
6 7 8 9 10 11	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which union they belong to, yes.	4 5 6 7 8 9 10 11	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures – MR BUDLENDER SC: And they were in –
6 7 8 9 10 11 12	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which union they belong to, yes. MR BUDLENDER SC: Yes, that's right and	4 5 6 7 8 9 10 11 12	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures – MR BUDLENDER SC: And they were in – MR DA COSTA: - which was NUM.
6 7 8 9 10 11 12 13	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which union they belong to, yes. MR BUDLENDER SC: Yes, that's right and Lonmin's position was that it would not bargain over wages	4 5 6 7 8 9 10 11 12 13	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures – MR BUDLENDER SC: And they were in – MR DA COSTA: - which was NUM. MR BUDLENDER SC: And they were in
6 7 8 9 10 11 12 13 14	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which union they belong to, yes. MR BUDLENDER SC: Yes, that's right and Lonmin's position was that it would not bargain over wages with AMCU, correct?	4 5 7 8 9 10 11 12 13 14	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures – MR BUDLENDER SC: And they were in – MR DA COSTA: - which was NUM. MR BUDLENDER SC: And they were in violent conflict with the NUM, we agreed that on Tuesday?
6 7 8 9 10 11 12 13 14 15	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which union they belong to, yes. MR BUDLENDER SC: Yes, that's right and Lonmin's position was that it would not bargain over wages with AMCU, correct? MR DA COSTA: Well, our position was that	4 5 7 8 9 10 11 12 13 14 15	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures – MR BUDLENDER SC: And they were in – MR DA COSTA: - which was NUM. MR BUDLENDER SC: And they were in violent conflict with the NUM, we agreed that on Tuesday? MR DA COSTA: there had been conflict
6 7 8 9 10 11 12 13 14 15 16	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which union they belong to, yes. MR BUDLENDER SC: Yes, that's right and Lonmin's position was that it would not bargain over wages with AMCU, correct? MR DA COSTA: Well, our position was that we would only bargain wages with a recognised union. AMCU	4 5 6 7 8 9 10 11 12 13 14 15 16	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures – MR BUDLENDER SC: And they were in – MR BUDLENDER SC: And they were in WINDA COSTA: - which was NUM. MR BUDLENDER SC: And they were in violent conflict with the NUM, we agreed that on Tuesday? MR DA COSTA: there had been conflict between AMCU and them.
6 7 8 9 10 11 12 13 14 15 16 17	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which union they belong to, yes. MR BUDLENDER SC: Yes, that's right and Lonmin's position was that it would not bargain over wages with AMCU, correct? MR DA COSTA: Well, our position was that we would only bargain wages with a recognised union. AMCU was not a recognised union.	4 5 6 7 8 9 10 11 12 13 14 15 16 17	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures – MR BUDLENDER SC: And they were in – MR DA COSTA: - which was NUM. MR BUDLENDER SC: And they were in violent conflict with the NUM, we agreed that on Tuesday? MR DA COSTA: there had been conflict between AMCU and them. MR BUDLENDER SC: Violent conflict,
6 7 8 9 10 11 12 13 14 15 16 17 18	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which union they belong to, yes. MR BUDLENDER SC: Yes, that's right and Lonmin's position was that it would not bargain over wages with AMCU, correct? MR DA COSTA: Well, our position was that we would only bargain wages with a recognised union. AMCU was not a recognised union. MR BUDLENDER SC: Therefore Lonmin would	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures – MR BUDLENDER SC: And they were in – MR DA COSTA: - which was NUM. MR BUDLENDER SC: And they were in violent conflict with the NUM, we agreed that on Tuesday? MR DA COSTA: there had been conflict between AMCU and them. MR BUDLENDER SC: Violent conflict, violent physical conflict. Yes?
6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which union they belong to, yes. MR BUDLENDER SC: Yes, that's right and Lonmin's position was that it would not bargain over wages with AMCU, correct? MR DA COSTA: Well, our position was that we would only bargain wages with a recognised union. AMCU was not a recognised union. MR BUDLENDER SC: Therefore Lonmin would not bargain with AMCU over wages.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures – MR BUDLENDER SC: And they were in – MR DA COSTA: - which was NUM. MR BUDLENDER SC: And they were in violent conflict with the NUM, we agreed that on Tuesday? MR DA COSTA: there had been conflict between AMCU and them. MR BUDLENDER SC: Violent conflict, violent physical conflict. Yes? MR DA COSTA: There had been, yes.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which union they belong to, yes. MR BUDLENDER SC: Yes, that's right and Lonmin's position was that it would not bargain over wages with AMCU, correct? MR DA COSTA: Well, our position was that we would only bargain wages with a recognised union. AMCU was not a recognised union. MR BUDLENDER SC: Therefore Lonmin would not bargain with AMCU over wages. MR DA COSTA: Yes.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures – MR BUDLENDER SC: And they were in – MR DA COSTA: - which was NUM. MR BUDLENDER SC: And they were in violent conflict with the NUM, we agreed that on Tuesday? MR DA COSTA: there had been conflict between AMCU and them. MR BUDLENDER SC: Violent conflict, violent physical conflict. Yes? MR DA COSTA: There had been, yes. MR BUDLENDER SC: Yes and the effect of
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which union they belong to, yes. MR BUDLENDER SC: Yes, that's right and Lonmin's position was that it would not bargain over wages with AMCU, correct? MR DA COSTA: Well, our position was that we would only bargain wages with a recognised union. AMCU was not a recognised union. MR BUDLENDER SC: Therefore Lonmin would not bargain with AMCU over wages. MR DA COSTA: Yes. MR DA COSTA: Yes. MR BUDLENDER SC: Yes. And so, and we've	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures – MR BUDLENDER SC: And they were in – MR DA COSTA: - which was NUM. MR BUDLENDER SC: And they were in violent conflict with the NUM, we agreed that on Tuesday? MR DA COSTA: there had been conflict between AMCU and them. MR BUDLENDER SC: Violent conflict, violent physical conflict. Yes? MR DA COSTA: There had been, yes. MR BUDLENDER SC: Yes and the effect of what you were saying to them, you weren't saying it in
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which union they belong to, yes. MR BUDLENDER SC: Yes, that's right and Lonmin's position was that it would not bargain over wages with AMCU, correct? MR DA COSTA: Well, our position was that we would only bargain wages with a recognised union. AMCU was not a recognised union. MR BUDLENDER SC: Therefore Lonmin would not bargain with AMCU over wages. MR DA COSTA: Yes. MR BUDLENDER SC: Yes. And so, and we've been through this before, I think there's no dispute about	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures – MR BUDLENDER SC: And they were in – MR DA COSTA: - which was NUM. MR BUDLENDER SC: And they were in violent conflict with the NUM, we agreed that on Tuesday? MR DA COSTA: there had been conflict between AMCU and them. MR BUDLENDER SC: Violent conflict, violent physical conflict. Yes? MR DA COSTA: There had been, yes. MR BUDLENDER SC: Yes and the effect of what you were saying to them, you weren't saying it in these words, the effect of what you were saying to them
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which union they belong to, yes. MR BUDLENDER SC: Yes, that's right and Lonmin's position was that it would not bargain over wages with AMCU, correct? MR DA COSTA: Well, our position was that we would only bargain wages with a recognised union. AMCU was not a recognised union. MR BUDLENDER SC: Therefore Lonmin would not bargain with AMCU over wages. MR DA COSTA: Yes. MR DA COSTA: Yes. MR BUDLENDER SC: Yes. And so, and we've been through this before, I think there's no dispute about it but just to clarify, saying we will talk through the	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures – MR BUDLENDER SC: And they were in – MR DA COSTA: - which was NUM. MR BUDLENDER SC: And they were in violent conflict with the NUM, we agreed that on Tuesday? MR DA COSTA: there had been conflict between AMCU and them. MR BUDLENDER SC: Violent conflict, violent physical conflict. Yes? MR DA COSTA: There had been, yes. MR BUDLENDER SC: Yes and the effect of what you were saying to them, you weren't saying it in these words, the effect of what you were saying to them was, we will speak to you only through people who don't
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR BUDLENDER SC: No, I understand that. Lonmin's position was that the recognised union for bargaining purposes at Lonmin was the NUM. MR DA COSTA: The NUM was the recognised union based on a recognition agreement which we had with them as a result of the choice of the employees, which union they belong to, yes. MR BUDLENDER SC: Yes, that's right and Lonmin's position was that it would not bargain over wages with AMCU, correct? MR DA COSTA: Well, our position was that we would only bargain wages with a recognised union. AMCU was not a recognised union. MR BUDLENDER SC: Therefore Lonmin would not bargain with AMCU over wages. MR DA COSTA: Yes. MR BUDLENDER SC: Yes. And so, and we've been through this before, I think there's no dispute about	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	recognised structures. MR BUDLENDER SC: You said we will speak to you only through NUM and the effect of that was to say you would only speak to them through people with whom they were in violent conflict, is that correct? MR DA COSTA: As I said, we said we'd speak to them through the recognised structures – MR BUDLENDER SC: And they were in – MR DA COSTA: - which was NUM. MR BUDLENDER SC: And they were in violent conflict with the NUM, we agreed that on Tuesday? MR DA COSTA: there had been conflict between AMCU and them. MR BUDLENDER SC: Violent conflict, violent physical conflict. Yes? MR DA COSTA: There had been, yes. MR BUDLENDER SC: Yes and the effect of what you were saying to them, you weren't saying it in these words, the effect of what you were saying to them

	D 0040/		D 00100
1	Page 30136 sure that I would agree with that because you know at that	1	Page 30138 rock drill operators, it was general employees –
2	time there were a lot of people who were also sitting on	2	CHAIRPERSON: The demand that you were
3	the koppie who were still members of the NUM.	2	confronted with was a demand for R12 500 for rock drill
	MR BUDLENDER SC: But most of them were	4	
4			operators, wasn't it?
5	not, we know that and we know they were very angry with the	5	MR DA COSTA: Initially, but later on –
6	NUM, we went through that on Tuesday.	6	CHAIRPERSON: Later on when?
7	MR DA COSTA: Yes, but you know to say	7	MR DA COSTA: Later on in the process of
8	that those people don't represent you, I don't think there	8	the strike.
9	was clear confirmation of the fact that the NUM didn't	9	CHAIRPERSON: When?
10	represent those people, those – all, you know those people	10	MR DA COSTA: Well, you know, as –
11	and that there were a lot of other employees who were not	11	CHAIRPERSON: In fact the agreement that
12	attending work at the same time who were not sitting on the	12	was ultimately concluded related to the position of the
13	koppie.	13	rock drill operators, didn't it? They were raised, their
14	MR BUDLENDER SC: No, but we're talking	14	grade was raised, they were given extra payments and so on.
15	about the strikers, Mr Da Costa. Is it your evidence under	15	So it was the rock drill operators' demand –
16	oath that Lonmin thought that the NUM represented the	16	MR DA COSTA: Ja, but –
17	strikers on the koppie? Is that your evidence under oath,	17	CHAIRPERSON: - that was on the table,
18	that Lonmin thought that the NUM represented the strikers	18	wasn't it?
19	on the koppie?	19	MR DA COSTA: Sorry Chair, the agreement
20	MR DA COSTA: I think at that stage we	20	that was reached at the end actually involved other groups
21	weren't quite sure who represented the employees on the	21	of employees as well. It involved upgrading the A3
22	koppie.	22	employees to A4 level, it involved giving an additional 3%
23	MR BUDLENDER SC: But you knew that it	23	increase across the board to all employees and it involved
24	wasn't the NUM. Whoever it was, you knew it wasn't the	24	specific increases for rock drill operators. So the final
25	NUM. The NUM was trying to break the strike and they were	25	negotiation was actually, actually involved the entire work
20		20	
	Page 30137		Page 30139
1	having physical conflict with the NUM.	1	force and –
2	MR DA COSTA: There was a lot of	2	CHAIRPERSON: That is correct, that's in
3	animanity from the mount on the longitie towards NUIM		
	animosity from the group on the koppie towards NUM.	3	terms of exhibit 0010 where –
4		3 4	terms of exhibit OO10 where – MR DA COSTA: I'm not sure what –
	MR BUDLENDER SC: Yes. And you were also		MR DA COSTA: I'm not sure what –
4	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were	4	MR DA COSTA:I'm not sure what –CHAIRPERSON:- general workers were
4 5 6	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in	4 5	MR DA COSTA: I'm not sure what – CHAIRPERSON: - general workers were promoted from grade A, Paterson grade A3 to A4, all rock
4 5 6 7	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to	4 5 6 7	MR DA COSTA: I'm not sure what – CHAIRPERSON: - general workers were promoted from grade A, Paterson grade A3 to A4, all rock drill operators were promoted from Paterson grade A4 to B1
4 5 6 7 8	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles.	4 5 6 7 8	MR DA COSTA:I'm not sure what –CHAIRPERSON:- general workers werepromoted from grade A, Paterson grade A3 to A4, all rockdrill operators were promoted from Paterson grade A4 to B1and they were then paid the drilling allowance as well.
4 5 6 7 8 9	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that	4 5 6 7 8 9	MR DA COSTA:I'm not sure what –CHAIRPERSON:- general workers werepromoted from grade A, Paterson grade A3 to A4, all rockdrill operators were promoted from Paterson grade A4 to B1and they were then paid the drilling allowance as well.MR DA COSTA:That's correct.
4 5 6 7 8 9 10	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question?	4 5 6 7 8 9 10	MR DA COSTA: I'm not sure what – CHAIRPERSON: - general workers were promoted from grade A, Paterson grade A3 to A4, all rock drill operators were promoted from Paterson grade A4 to B1 and they were then paid the drilling allowance as well. MR DA COSTA: That's correct. CHAIRPERSON: You are correct –
4 5 7 8 9 10 11	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to	4 5 6 7 8 9 10 11	MR DA COSTA: I'm not sure what – CHAIRPERSON: - general workers were promoted from grade A, Paterson grade A3 to A4, all rock drill operators were promoted from Paterson grade A4 to B1 and they were then paid the drilling allowance as well. MR DA COSTA: That's correct. CHAIRPERSON: You are correct – MR DA COSTA: That's correct, so when
4 5 7 8 9 10 11 12	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to them, in effect, we will speak to you only through – well,	4 5 6 7 8 9 10 11 12	MR DA COSTA:I'm not sure what –CHAIRPERSON:- general workers werepromoted from grade A, Paterson grade A3 to A4, all rockdrill operators were promoted from Paterson grade A4 to B1and they were then paid the drilling allowance as well.MR DA COSTA:That's correct.CHAIRPERSON:You are correct –MR DA COSTA:That's correct, so whenthose negotiations took place with which, the negotiations
4 5 7 8 9 10 11 12 13	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to them, in effect, we will speak to you only through – well, you were saying it directly, we will speak to you only	4 5 7 8 9 10 11 12 13	MR DA COSTA: I'm not sure what – CHAIRPERSON: - general workers were promoted from grade A, Paterson grade A3 to A4, all rock drill operators were promoted from Paterson grade A4 to B1 and they were then paid the drilling allowance as well. MR DA COSTA: That's correct. CHAIRPERSON: You are correct – MR DA COSTA: That's correct, so when those negotiations took place with which, the negotiations which eventually resulted in a conclusion to the strike, it
4 5 7 8 9 10 11 12 13 14	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to them, in effect, we will speak to you only through – well, you were saying it directly, we will speak to you only through NUM and the effect of what you were saying was, we	4 5 7 8 9 10 11 12 13 14	MR DA COSTA:I'm not sure what –CHAIRPERSON:- general workers werepromoted from grade A, Paterson grade A3 to A4, all rockdrill operators were promoted from Paterson grade A4 to B1and they were then paid the drilling allowance as well.MR DA COSTA:That's correct.CHAIRPERSON:You are correct –MR DA COSTA:That's correct, so whenthose negotiations took place with which, the negotiationswhich eventually resulted in a conclusion to the strike, itwas on behalf of all employees, not just rock drill
4 5 7 8 9 10 11 12 13 14 15	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to them, in effect, we will speak to you only through – well, you were saying it directly, we will speak to you only through NUM and the effect of what you were saying was, we will speak to you only through people who we know as a	4 5 6 7 8 9 10 11 12 13 14 15	MR DA COSTA:I'm not sure what –CHAIRPERSON:- general workers werepromoted from grade A, Paterson grade A3 to A4, all rockdrill operators were promoted from Paterson grade A4 to B1and they were then paid the drilling allowance as well.MR DA COSTA:That's correct.CHAIRPERSON:You are correct –MR DA COSTA:That's correct, so whenthose negotiations took place with which, the negotiationswhich eventually resulted in a conclusion to the strike, itwas on behalf of all employees, not just rock drilloperators.So you know certainly the understanding within
4 5 7 8 9 10 11 12 13 14 15 16	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to them, in effect, we will speak to you only through – well, you were saying it directly, we will speak to you only through NUM and the effect of what you were saying was, we will speak to you only through people who we know as a matter of principle will not support your demands.	4 5 6 7 8 9 10 11 12 13 14 15 16	MR DA COSTA:I'm not sure what –CHAIRPERSON:- general workers werepromoted from grade A, Paterson grade A3 to A4, all rockdrill operators were promoted from Paterson grade A4 to B1and they were then paid the drilling allowance as well.MR DA COSTA:That's correct.CHAIRPERSON:You are correct –MR DA COSTA:That's correct, so whenthose negotiations took place with which, the negotiationswhich eventually resulted in a conclusion to the strike, itwas on behalf of all employees, not just rock drilloperators. So you know certainly the understanding withinLonmin is that as the events progressed, this demand became
4 5 7 8 9 10 11 12 13 14 15 16 17	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to them, in effect, we will speak to you only through – well, you were saying it directly, we will speak to you only through NUM and the effect of what you were saying was, we will speak to you only through people who we know as a matter of principle will not support your demands. MR DA COSTA: I don't think that we could	4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR DA COSTA:I'm not sure what –CHAIRPERSON:- general workers werepromoted from grade A, Paterson grade A3 to A4, all rockdrill operators were promoted from Paterson grade A4 to B1and they were then paid the drilling allowance as well.MR DA COSTA:That's correct.CHAIRPERSON:You are correct –MR DA COSTA:That's correct, so whenthose negotiations took place with which, the negotiationswhich eventually resulted in a conclusion to the strike, itwas on behalf of all employees, not just rock drilloperators.So you know certainly the understanding withinLonmin is that as the events progressed, this demand becamenot only a rock drill operators' demand, it became a demand
4 5 7 8 9 10 11 12 13 14 15 16 17 18	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to them, in effect, we will speak to you only through – well, you were saying it directly, we will speak to you only through NUM and the effect of what you were saying was, we will speak to you only through people who we know as a matter of principle will not support your demands. MR DA COSTA: I don't think that we could have inferred that.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR DA COSTA:I'm not sure what –CHAIRPERSON:- general workers werepromoted from grade A, Paterson grade A3 to A4, all rockdrill operators were promoted from Paterson grade A4 to B1and they were then paid the drilling allowance as well.MR DA COSTA:That's correct.CHAIRPERSON:You are correct –MR DA COSTA:That's correct, so whenthose negotiations took place with which, the negotiationswhich eventually resulted in a conclusion to the strike, itwas on behalf of all employees, not just rock drilloperators. So you know certainly the understanding withinLonmin is that as the events progressed, this demand becamenot only a rock drill operators' demand, it became a demandfor all wks.
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to them, in effect, we will speak to you only through – well, you were saying it directly, we will speak to you only through NUM and the effect of what you were saying was, we will speak to you only through people who we know as a matter of principle will not support your demands. MR DA COSTA: I don't think that we could have inferred that. MR BUDLENDER SC: Well, you knew what had	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR DA COSTA:I'm not sure what –CHAIRPERSON:- general workers werepromoted from grade A, Paterson grade A3 to A4, all rockdrill operators were promoted from Paterson grade A4 to B1and they were then paid the drilling allowance as well.MR DA COSTA:That's correct.CHAIRPERSON:You are correct –MR DA COSTA:That's correct, so whenthose negotiations took place with which, the negotiationswas on behalf of all employees, not just rock drilloperators.So you know certainly the understanding withinLonmin is that as the events progressed, this demand becamenot only a rock drill operators' demand, it became a demandfor all wks.MR BUDLENDER SC:Well, let me just
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to them, in effect, we will speak to you only through – well, you were saying it directly, we will speak to you only through NUM and the effect of what you were saying was, we will speak to you only through people who we know as a matter of principle will not support your demands. MR DA COSTA: I don't think that we could have inferred that. MR BUDLENDER SC: Well, you knew what had happened at Impala, that the NUM was opposed to special	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR DA COSTA:I'm not sure what –CHAIRPERSON:- general workers werepromoted from grade A, Paterson grade A3 to A4, all rockdrill operators were promoted from Paterson grade A4 to B1and they were then paid the drilling allowance as well.MR DA COSTA:That's correct.CHAIRPERSON:You are correct –MR DA COSTA:That's correct, so whenthose negotiations took place with which, the negotiationswhich eventually resulted in a conclusion to the strike, itwas on behalf of all employees, not just rock drilloperators.So you know certainly the understanding withinLonmin is that as the events progressed, this demand becamenot only a rock drill operators' demand, it became a demandfor all wks.MR BUDLENDER SC:Well, let me justsummarise.I don't want to debate – but let me just put
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to them, in effect, we will speak to you only through – well, you were saying it directly, we will speak to you only through NUM and the effect of what you were saying was, we will speak to you only through people who we know as a matter of principle will not support your demands. MR DA COSTA: I don't think that we could have inferred that. MR BUDLENDER SC: Well, you knew what had happened at Impala, that the NUM was opposed to special deal – special increases for rock drill operators, as a	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR DA COSTA: I'm not sure what – CHAIRPERSON: - general workers were promoted from grade A, Paterson grade A3 to A4, all rock drill operators were promoted from Paterson grade A4 to B1 and they were then paid the drilling allowance as well. MR DA COSTA: That's correct. CHAIRPERSON: You are correct – MR DA COSTA: That's correct, so when those negotiations took place with which, the negotiations which eventually resulted in a conclusion to the strike, it was on behalf of all employees, not just rock drill operators. So you know certainly the understanding within Lonmin is that as the events progressed, this demand became not only a rock drill operators' demand, it became a demand for all wks. MR BUDLENDER SC: Well, let me just summarise. I don't want to debate – but let me just put one thing on record. We do know that this whole incident
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to them, in effect, we will speak to you only through – well, you were saying it directly, we will speak to you only through NUM and the effect of what you were saying was, we will speak to you only through people who we know as a matter of principle will not support your demands. MR DA COSTA: I don't think that we could have inferred that. MR BUDLENDER SC: Well, you knew what had happened at Impala, that the NUM was opposed to special deal – special increases for rock drill operators, as a matter of principle.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR DA COSTA:I'm not sure what –CHAIRPERSON:- general workers werepromoted from grade A, Paterson grade A3 to A4, all rockdrill operators were promoted from Paterson grade A4 to B1and they were then paid the drilling allowance as well.MR DA COSTA:That's correct.CHAIRPERSON:You are correct –MR DA COSTA:That's correct, so whenthose negotiations took place with which, the negotiationswas on behalf of all employees, not just rock drilloperators.So you know certainly the understanding withinLonmin is that as the events progressed, this demand becamenot only a rock drill operators' demand, it became a demandfor all wks.MR BUDLENDER SC:Well, let me justsummarise.I don't want to debate – but let me just putone thing on record.We do know that this whole incidentwas initiated by rock drill operators and it was led by
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to them, in effect, we will speak to you only through – well, you were saying it directly, we will speak to you only through NUM and the effect of what you were saying was, we will speak to you only through people who we know as a matter of principle will not support your demands. MR DA COSTA: I don't think that we could have inferred that. MR BUDLENDER SC: Well, you knew what had happened at Impala, that the NUM was opposed to special deal – special increases for rock drill operators, as a matter of principle. MR DA COSTA: Yes, but that is now also	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR DA COSTA:I'm not sure what –CHAIRPERSON:- general workers werepromoted from grade A, Paterson grade A3 to A4, all rockdrill operators were promoted from Paterson grade A4 to B1and they were then paid the drilling allowance as well.MR DA COSTA:That's correct.CHAIRPERSON:You are correct –MR DA COSTA:That's correct, so whenthose negotiations took place with which, the negotiationswhich eventually resulted in a conclusion to the strike, itwas on behalf of all employees, not just rock drilloperators.So you know certainly the understanding withinLonmin is that as the events progressed, this demand becamenot only a rock drill operators' demand, it became a demandfor all wks.MR BUDLENDER SC:Well, let me justsummarise.I don't want to debate – but let me just putone thing on record.We do know that this whole incidentwas initiated by rock drill operators and it was led byrock drill operators, is that correct?
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to them, in effect, we will speak to you only through – well, you were saying it directly, we will speak to you only through NUM and the effect of what you were saying was, we will speak to you only through people who we know as a matter of principle will not support your demands. MR DA COSTA: I don't think that we could have inferred that. MR BUDLENDER SC: Well, you knew what had happened at Impala, that the NUM was opposed to special deal – special increases for rock drill operators, as a matter of principle. MR DA COSTA: Yes, but that is now also making the assumption that everybody sitting on that koppie	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MR DA COSTA: I'm not sure what – CHAIRPERSON: - general workers were promoted from grade A, Paterson grade A3 to A4, all rock drill operators were promoted from Paterson grade A4 to B1 and they were then paid the drilling allowance as well. MR DA COSTA: That's correct. CHAIRPERSON: You are correct – MR DA COSTA: That's correct, so when those negotiations took place with which, the negotiations which eventually resulted in a conclusion to the strike, it was on behalf of all employees, not just rock drill operators. So you know certainly the understanding within Lonmin is that as the events progressed, this demand became not only a rock drill operators' demand, it became a demand for all wks. MR BUDLENDER SC: Well, let me just summarise. I don't want to debate – but let me just put one thing on record. We do know that this whole incident was initiated by rock drill operators and it was led by rock drill operators, is that correct? MR DA COSTA: I think that is correct,
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	MR BUDLENDER SC: Yes. And you were also saying to them in effect, not in these words, you were saying to them we will speak to you only through NUM who in fact won't support your demand because it's contrary to their principles. MR DA COSTA: I'm sorry, just repeat that question? MR BUDLENDER SC: You were saying to them, in effect, we will speak to you only through – well, you were saying it directly, we will speak to you only through NUM and the effect of what you were saying was, we will speak to you only through people who we know as a matter of principle will not support your demands. MR DA COSTA: I don't think that we could have inferred that. MR BUDLENDER SC: Well, you knew what had happened at Impala, that the NUM was opposed to special deal – special increases for rock drill operators, as a matter of principle. MR DA COSTA: Yes, but that is now also	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR DA COSTA:I'm not sure what –CHAIRPERSON:- general workers werepromoted from grade A, Paterson grade A3 to A4, all rockdrill operators were promoted from Paterson grade A4 to B1and they were then paid the drilling allowance as well.MR DA COSTA:That's correct.CHAIRPERSON:You are correct –MR DA COSTA:That's correct, so whenthose negotiations took place with which, the negotiationswhich eventually resulted in a conclusion to the strike, itwas on behalf of all employees, not just rock drilloperators.So you know certainly the understanding withinLonmin is that as the events progressed, this demand becamenot only a rock drill operators' demand, it became a demandfor all wks.MR BUDLENDER SC:Well, let me justsummarise.I don't want to debate – but let me just putone thing on record.We do know that this whole incidentwas initiated by rock drill operators and it was led byrock drill operators, is that correct?

1	Page 30140 MR BUDLENDER SC: Yes. Well, I want to	1	Page 30142 communication between Lonmin and the strikers? Do you
2	put it to you that what Lonmin was really saying to the	2	agree or disagree with that statement?
3	strikers on the koppie was, we will speak to you only	2	CHAIRPERSON: I'm waiting for your
4	through people whom you don't trust, whom you don't trust.	4	answer.
5	We will speak to you only through people with whom you are	5	MR DA COSTA: I don't agree with that.
6	in violent physical conflict, we will speak to you only	6	CHAIRPERSON: Why not? What are your
7	through people who we know you have an antagonism with and	7	reasons for your disagreement?
8	who don't represent you and that in truth, the insistence	, 8	MR DA COSTA: I've said I think our
9	on speaking to the strikers only through the NUM was	9	intention was to, that if we were going to engage we did
10	entirely cynical because what Lonmin was really saying was,	7 10	not want to collapse the established bargaining structures
11	we won't talk to you. Would you like to respond to that?	11	that were in place and therefore we wanted to engage
12	MR DA COSTA: I think that's your	12	through the established structures.
13	interpretation of it. I don't think that was Lonmin's	13	CHAIRPERSON: But you knew that engaging
14	interpretation of R. Paoline minic that was comminis	14	through the established structures would, could never
15	MR BUDLENDER SC: Well –	15	satisfy the strikers because the established structures
16	MR DA COSTA: Lonmin's intention was to	16	necessarily involved their representation by the union in
17	stay within the established bargaining structures that were	17	whom they had no confidence, who had already indicated that
18	in play at the time –	18	as a matter of principle they were opposed to the very
19	MR BUDLENDER SC: And the consequence of	19	demand that the strikers were making and which they were
20	that – sorry to interrupt you but the consequence of that	20	expected to present on the strikers' behalf to Lonmin.
21	was that there could never be any effective discussion	21	That's right, isn't it?
22	between Lonmin and the strikers. As long as Lonmin said we	22	MR DA COSTA: That is true.
23	will only speak to you through the NUM there could never be	23	[09:57] MR BUDLENDER SC: That being so, I put it
24	any effective communication between Lonmin and the	24	to you again that Lonmin's – whatever Lonmin may say about
25	strikers. Do you agree with that?	25	not wanting to collapse, establish negotiating structures
	Page 30141		
	6		Page 30143
1	MR DA COSTA: As I said in my previous	1	which I understand. A statement that we will negotiate
2	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a	2	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely
2 3	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating	2 3	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with
2 3 4	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay	2 3 4	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that?
2 3 4 5	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie,	2 3 4 5	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that?
2 3 4 5 6	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the	2 3 4 5 6	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will
2 3 4 5 6 7	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those	2 3 4 5 6 7	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely
2 3 4 5 6 7 8	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly	2 3 4 5 6 7 8	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a
2 3 4 5 6 7 8 9	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take	2 3 4 5 6 7 8 9	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin
2 3 4 5 6 7 8 9 10	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that –	2 3 4 5 6 7 8 9 10	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that?
2 3 4 5 6 7 8 9 10 11	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that – MR BUDLENDER SC: But – sorry.	2 3 4 5 6 7 8 9 10 11	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that? MR DA COSTA: Ja, you know to put it
2 3 4 5 6 7 8 9 10 11 12	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that – MR BUDLENDER SC: But – sorry. MR DA COSTA: - but the position was that	2 3 4 5 6 7 8 9 10 11 12	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that? MR DA COSTA: Ja, you know to put it like, it is difficult for me to disagree with it.
2 3 4 5 6 7 8 9 10 11 12 13	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that – MR BUDLENDER SC: But – sorry. MR DA COSTA: - but the position was that to do that, and then we could engage.	2 3 4 5 6 7 8 9 10 11	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that? MR DA COSTA: Ja, you know to put it like, it is difficult for me to disagree with it. CHAIRPERSON: It is correct, isn't it?
2 3 4 5 6 7 8 9 10 11 12	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that – MR BUDLENDER SC: But – sorry. MR DA COSTA: - but the position was that to do that, and then we could engage. MR BUDLENDER SC: I want to put to you	2 3 4 5 6 7 8 9 10 11 12 13	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that? MR DA COSTA: Ja, you know to put it like, it is difficult for me to disagree with it.
2 3 4 5 6 7 8 9 10 11 12 13 14	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that – MR BUDLENDER SC: But – sorry. MR DA COSTA: - but the position was that to do that, and then we could engage.	2 3 4 5 6 7 8 9 10 11 12 13 14	 which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that? MR DA COSTA: Ja, you know to put it like, it is difficult for me to disagree with it. CHAIRPERSON: It is correct, isn't it?
2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that – MR BUDLENDER SC: But – sorry. MR DA COSTA: - but the position was that to do that, and then we could engage. MR BUDLENDER SC: I want to put to you again the question I asked you, to which that was the	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that? MR DA COSTA: Ja, you know to put it like, it is difficult for me to disagree with it. CHAIRPERSON: It is correct, isn't it? It may be hard to admit that, but that is true, isn't it? MR DA COSTA: I –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that – MR BUDLENDER SC: But – sorry. MR DA COSTA: - but the position was that to do that, and then we could engage. MR BUDLENDER SC: I want to put to you again the question I asked you, to which that was the answer. I put it to you that Lonmin's insistence on	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that? MR DA COSTA: Ja, you know to put it like, it is difficult for me to disagree with it. CHAIRPERSON: It is correct, isn't it? MR DA COSTA: I – CHAIRPERSON: You know you're obviously
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that – MR BUDLENDER SC: But – sorry. MR DA COSTA: - but the position was that to do that, and then we could engage. MR BUDLENDER SC: I want to put to you again the question I asked you, to which that was the answer. I put it to you that Lonmin's insistence on speaking to the strikers only through the NUM meant that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that? MR DA COSTA: Ja, you know to put it like, it is difficult for me to disagree with it. CHAIRPERSON: It is correct, isn't it? It may be hard to admit that, but that is true, isn't it? MR DA COSTA: I – CHAIRPERSON: You know you're obviously an honest witness, I may say –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that – MR BUDLENDER SC: But – sorry. MR DA COSTA: - but the position was that to do that, and then we could engage. MR BUDLENDER SC: I want to put to you again the question I asked you, to which that was the answer. I put it to you that Lonmin's insistence on speaking to the strikers only through the NUM meant that there could be no effective communication with the strikers and Lonmin knew it. Would you like to comment on that? MR DA COSTA: I've commented. I don't	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that? MR DA COSTA: Ja, you know to put it like, it is difficult for me to disagree with it. CHAIRPERSON: It is correct, isn't it? It may be hard to admit that, but that is true, isn't it? MR DA COSTA: I – CHAIRPERSON: You know you're obviously an honest witness, I may say – MR DA COSTA: I don't think that –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that – MR BUDLENDER SC: But – sorry. MR DA COSTA: - but the position was that to do that, and then we could engage. MR BUDLENDER SC: I want to put to you again the question I asked you, to which that was the answer. I put it to you that Lonmin's insistence on speaking to the strikers only through the NUM meant that there could be no effective communication with the strikers and Lonmin knew it. Would you like to comment on that?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that? MR DA COSTA: Ja, you know to put it like, it is difficult for me to disagree with it. CHAIRPERSON: It is correct, isn't it? It may be hard to admit that, but that is true, isn't it? MR DA COSTA: I – CHAIRPERSON: You know you're obviously an honest witness, I may say – MR DA COSTA: I don't think that – CHAIRPERSON: – and I being an honest
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that – MR BUDLENDER SC: But – sorry. MR DA COSTA: - but the position was that to do that, and then we could engage. MR BUDLENDER SC: I want to put to you again the question I asked you, to which that was the answer. I put it to you that Lonmin's insistence on speaking to the strikers only through the NUM meant that there could be no effective communication with the strikers and Lonmin knew it. Would you like to comment on that? MR DA COSTA: I've commented. I don't	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that? MR DA COSTA: Ja, you know to put it like, it is difficult for me to disagree with it. CHAIRPERSON: It is correct, isn't it? It may be hard to admit that, but that is true, isn't it? MR DA COSTA: I – CHAIRPERSON: You know you're obviously an honest witness, I may say – MR DA COSTA: I don't think that – CHAIRPERSON: – and I being an honest witness, you can't really deny that, can you?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that – MR BUDLENDER SC: But – sorry. MR DA COSTA: - but the position was that to do that, and then we could engage. MR BUDLENDER SC: I want to put to you again the question I asked you, to which that was the answer. I put it to you that Lonmin's insistence on speaking to the strikers only through the NUM meant that there could be no effective communication with the strikers and Lonmin knew it. Would you like to comment on that? MR DA COSTA: I've commented. I don't think –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that? MR DA COSTA: Ja, you know to put it like, it is difficult for me to disagree with it. CHAIRPERSON: It is correct, isn't it? It may be hard to admit that, but that is true, isn't it? MR DA COSTA: I – CHAIRPERSON: You know you're obviously an honest witness, I may say – MR DA COSTA: I don't think that – CHAIRPERSON: – and I being an honest witness, you can't really deny that, can you? MR DA COSTA: No, Chair, I don't think it
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that – MR BUDLENDER SC: But – sorry. MR DA COSTA: - but the position was that to do that, and then we could engage. MR BUDLENDER SC: I want to put to you again the question I asked you, to which that was the answer. I put it to you that Lonmin's insistence on speaking to the strikers only through the NUM meant that there could be no effective communication with the strikers and Lonmin knew it. Would you like to comment on that? MR BUDLENDER SC: Do you agree or disagree with the proposition that Lonmin knew that its insistence that it would speak to the strikers only through	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that? MR DA COSTA: Ja, you know to put it like, it is difficult for me to disagree with it. CHAIRPERSON: It is correct, isn't it? It may be hard to admit that, but that is true, isn't it? MR DA COSTA: I – CHAIRPERSON: You know you're obviously an honest witness, I may say – MR DA COSTA: I don't think that – CHAIRPERSON: – and I being an honest witness, you can't really deny that, can you? MR DA COSTA: No, Chair, I don't think it was Lonmin's intention that we never wanted to engage with the people or we did not want to speak to them. It was, as I said you know there were a number of things to consider
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MR DA COSTA: As I said in my previous evidence, our position was that the environment was not a good one, it was not conducive to engaging, to negotiating anything. So that was why the position was, please lay down the weapons, stop the violence, come off the koppie, go back to work and then we can engage through the recognised structures. And I made the point that those recognised structures could have been changed in an orderly way and I conceded that it would take some time to take those structures. I did concede that, I accept that – MR BUDLENDER SC: But – sorry. MR DA COSTA: - but the position was that to do that, and then we could engage. MR BUDLENDER SC: I want to put to you again the question I asked you, to which that was the answer. I put it to you that Lonmin's insistence on speaking to the strikers only through the NUM meant that there could be no effective communication with the strikers and Lonmin knew it. Would you like to comment on that? MR BUDLENDER SC: Do you agree or disagree with the proposition that Lonmin knew that its	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	which I understand. A statement that we will negotiate with you only through the NUM was actually entirely cynical, because of this statement we won't negotiate with you at all. Would you like to comment on that? MR DA COSTA: It was a statement that? MR BUDLENDER SC: A statement we will negotiate with you only through the NUM was entirely cynical, in fact it was a statement, in effect it was a statement we won't negotiate with you at all and Lonmin knew that. Would you like to agree or disagree with that? MR DA COSTA: Ja, you know to put it like, it is difficult for me to disagree with it. CHAIRPERSON: It is correct, isn't it? It may be hard to admit that, but that is true, isn't it? MR DA COSTA: I – CHAIRPERSON: You know you're obviously an honest witness, I may say – MR DA COSTA: I don't think that – CHAIRPERSON: – and I being an honest witness, you can't really deny that, can you? MR DA COSTA: No, Chair, I don't think it was Lonmin's intention that we never wanted to engage with the people or we did not want to speak to them. It was, as

	Page 30144		Page 30146
1	want to collapse the structures that were in place but –	1	MR BIZOS SC: Now do you not think that
2	MR BUDLENDER SC: Thank you, Chair, I	2	the conduct of Lonmin was to say the least, tardy in
3	have no further questions. Thank you, Mr Da Costa.	3	actually meeting the demands of the workers.
4	CHAIRPERSON: Ms Hemraj wished to ask	4	MR DA COSTA: I wouldn't say it was
5	questions?	5	tardy, I think the demands were tabled at the executive,
6	COMMISSIONER HEMRAJ: Mr Da Costa, were	6	the executive took some time to do benchmarking in the
7	you informed of the essence of what transpired in various	7	industry and so on. They took time to debate it and come
8	meetings held with certain members of management of Lonmin	8	to a decision as to what to do as far as the demand was
9	and the two union leaders in the process with the police or	9	concerned.
10	in the radio interviews?	10	MR BIZOS SC: Couldn't they have acted
11	MR DA COSTA: No, not at the time. You	11	more speedily? It was a matter of considerable urgency to
12	know the radio interview was obviously in public, so I knew	12	the workers, their colleagues in other mines have received
13	some aspects of that but the meetings between some of our	13	substantial increases, they considered their conditions of
14	senior Human Capital managers and executives and union	14	their employment very unsatisfactory and did you not inform
15	leaders and the police, I wasn't involved at that time and	15	your executive or whoever was finally responsible, that
16	I wasn't privy to what was going on there, no.	16	this is an urgent matter, we haven't got time to postpone
17	COMMISSIONER HEMRAJ: Did you become	17	it sine die, if I may use the expression. Did anybody say
18	aware at all at any stage as to what either or both of the	18	that this is an urgent matter which requires immediate
19	union leaders said about the membership of the persons on	19	response?
20	the koppie?	20	MR DA COSTA: Ja, I think I did highlight
21	MR DA COSTA: I think there was some, you	21	the urgency of the matter to the executive, however making
22	know the NUM, was saying that there is a lot of AMCU	22	these decisions is not, it is not a simple and quick
23	members there, Joseph Mathunjwa was saying that there was a	23	decision to make. At the executive level they need to
24	lot of NUM members there, so it was clear that there were	24	weigh up the consequences of making these changes that,
25	members of both unions at the koppie.	25	they need assess what's going around them, how that affects
	Page 30145		Page 30147
1	Page 30145 COMMISSIONER HEMRAJ: Yes, thank you.	1	Page 30147 other players in the industry and that sort of thing.
1 2		1 2	5
	COMMISSIONER HEMRAJ: Yes, thank you.		other players in the industry and that sort of thing.
2	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos?	2	other players in the industry and that sort of thing. MR BIZOS SC: The question –
2	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank	2 3	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time.
2 3 4	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the	2 3 4	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it
2 3 4 5	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st	2 3 4 5	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not?
2 3 4 5 6	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was?	2 3 4 5 6	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have
2 3 4 5 6 7	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was? MR DA COSTA: Ja, that's correct, yes.	2 3 4 5 6 7	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done.
2 3 4 5 6 7 8	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was? MR DA COSTA: Ja, that's correct, yes. MR BIZOS SC: Did you take their concerns about their wages seriously? MR DA COSTA: Yes, I did.	2 3 4 5 6 7 8	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help
2 3 4 5 6 7 8 9	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was? MR DA COSTA: Ja, that's correct, yes. MR BIZOS SC: Did you take their concerns about their wages seriously?	2 3 4 5 6 7 8 9	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster.
2 3 4 5 6 7 8 9 10	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was? MR DA COSTA: Ja, that's correct, yes. MR BIZOS SC: Did you take their concerns about their wages seriously? MR DA COSTA: Yes, I did.	2 3 4 5 6 7 8 9 10	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help
2 3 4 5 6 7 8 9 10 11	COMMISSIONER HEMRAJ:Yes, thank you.CHAIRPERSON:Mr Bizos?CROSS-EXAMINATION BY MR BIZOS SC:Thankyou, Mr Chairman.Mr Da Costa, representatives of theworkers came to you on the 21st of May, you say, - the 21stof June 2012, I think that was?MR DA COSTA:Ja, that's correct, yes.MR BIZOS SC:Did you take their concernsabout their wages seriously?MR DA COSTA:Yes, I did.MR BIZOS SC:Now I'm going to cut short	2 3 4 5 6 7 8 9 10 11	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help in establishing what the truth may be. Your company's
2 3 4 5 6 7 8 9 10 11 12	COMMISSIONER HEMRAJ:Yes, thank you.CHAIRPERSON:Mr Bizos?CROSS-EXAMINATION BY MR BIZOS SC:Thankyou, Mr Chairman.Mr Da Costa, representatives of theworkers came to you on the 21st of May, you say, - the 21stof June 2012, I think that was?MR DA COSTA:Ja, that's correct, yes.MR BIZOS SC:Did you take their concernsabout their wages seriously?MR DA COSTA:Yes, I did.MR BIZOS SC:Now I'm going to cut shortbecause many of the things that I would have asked you,	2 3 4 5 6 7 8 9 10 11 12	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help in establishing what the truth may be. Your company's attitude was that, don't be in a hurry, we an agreement
2 3 4 5 6 7 8 9 10 11 12 13	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was? MR DA COSTA: Ja, that's correct, yes. MR BIZOS SC: Did you take their concerns about their wages seriously? MR DA COSTA: Yes, I did. MR BIZOS SC: Now I'm going to cut short because many of the things that I would have asked you, they were already being asked our learned friend, Mr	2 3 4 5 6 7 8 9 10 11 12 13	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help in establishing what the truth may be. Your company's attitude was that, don't be in a hurry, we an agreement until 2013 and this is an agreement, never mind what they
2 3 4 5 6 7 8 9 10 11 12 13 14	COMMISSIONER HEMRAJ:Yes, thank you.CHAIRPERSON:Mr Bizos?CROSS-EXAMINATION BY MR BIZOS SC:Thankyou, Mr Chairman.Mr Da Costa, representatives of theworkers came to you on the 21st of May, you say, - the 21stof June 2012, I think that was?MR DA COSTA:Ja, that's correct, yes.MR BIZOS SC:Did you take their concernsabout their wages seriously?MR DA COSTA:Yes, I did.MR BIZOS SC:Now I'm going to cut shortbecause many of the things that I would have asked you,they were already being asked our learned friend, MrBudlender, but I just want to underline a couple important	2 3 4 5 6 7 8 9 10 11 12 13 14	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help in establishing what the truth may be. Your company's attitude was that, don't be in a hurry, we an agreement until 2013 and this is an agreement, never mind what they say, never mind what effect the increases that the other
2 3 4 5 6 7 8 9 10 11 12 13 14 15	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was? MR DA COSTA: Ja, that's correct, yes. MR BIZOS SC: Did you take their concerns about their wages seriously? MR DA COSTA: Yes, I did. MR BIZOS SC: Now I'm going to cut short because many of the things that I would have asked you, they were already being asked our learned friend, Mr Budlender, but I just want to underline a couple important things with you and may I say with respect to you that you	2 3 4 5 6 7 8 9 10 11 12 13 14 15	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help in establishing what the truth may be. Your company's attitude was that, don't be in a hurry, we an agreement until 2013 and this is an agreement, never mind what they say, never mind what effect the increases that the other mines may have, never mind about their being wet at work,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was? MR DA COSTA: Ja, that's correct, yes. MR BIZOS SC: Did you take their concerns about their wages seriously? MR DA COSTA: Yes, I did. MR BIZOS SC: Now I'm going to cut short because many of the things that I would have asked you, they were already being asked our learned friend, Mr Budlender, but I just want to underline a couple important things with you and may I say with respect to you that you seem to be finding yourself in difficulties in admitting	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help in establishing what the truth may be. Your company's attitude was that, don't be in a hurry, we an agreement until 2013 and this is an agreement, never mind what they say, never mind what effect the increases that the other mines may have, never mind about their being wet at work, we must take time to examine the matter, time is on our
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was? MR DA COSTA: Ja, that's correct, yes. MR BIZOS SC: Did you take their concerns about their wages seriously? MR DA COSTA: Yes, I did. MR BIZOS SC: Now I'm going to cut short because many of the things that I would have asked you, they were already being asked our learned friend, Mr Budlender, but I just want to underline a couple important things with you and may I say with respect to you that you seem to be finding yourself in difficulties in admitting the obvious. I appeal to you to answer the few questions	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help in establishing what the truth may be. Your company's attitude was that, don't be in a hurry, we an agreement until 2013 and this is an agreement, never mind what they say, never mind what effect the increases that the other mines may have, never mind about their being wet at work, we must take time to examine the matter, time is on our side.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was? MR DA COSTA: Ja, that's correct, yes. MR BIZOS SC: Did you take their concerns about their wages seriously? MR DA COSTA: Yes, I did. MR BIZOS SC: Now I'm going to cut short because many of the things that I would have asked you, they were already being asked our learned friend, Mr Budlender, but I just want to underline a couple important things with you and may I say with respect to you that you seem to be finding yourself in difficulties in admitting the obvious. I appeal to you to answer the few questions that I have to put to you, to try and answer them without any fear or favour, will you do that? MR DA COSTA: Yes, I will.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help in establishing what the truth may be. Your company's attitude was that, don't be in a hurry, we an agreement until 2013 and this is an agreement, never mind what they say, never mind what effect the increases that the other mines may have, never mind about their being wet at work, we must take time to examine the matter, time is on our side. MR DA COSTA: Mr Chair, I don't think that that was the position or the attitude. As I said in hindsight it may well have happened faster, but the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was? MR DA COSTA: Ja, that's correct, yes. MR BIZOS SC: Did you take their concerns about their wages seriously? MR DA COSTA: Yes, I did. MR BIZOS SC: Now I'm going to cut short because many of the things that I would have asked you, they were already being asked our learned friend, Mr Budlender, but I just want to underline a couple important things with you and may I say with respect to you that you seem to be finding yourself in difficulties in admitting the obvious. I appeal to you to answer the few questions that I have to put to you, to try and answer them without any fear or favour, will you do that?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help in establishing what the truth may be. Your company's attitude was that, don't be in a hurry, we an agreement until 2013 and this is an agreement, never mind what they say, never mind what effect the increases that the other mines may have, never mind about their being wet at work, we must take time to examine the matter, time is on our side. MR DA COSTA: Mr Chair, I don't think that that was the position or the attitude. As I said in
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was? MR DA COSTA: Ja, that's correct, yes. MR BIZOS SC: Did you take their concerns about their wages seriously? MR DA COSTA: Yes, I did. MR BIZOS SC: Now I'm going to cut short because many of the things that I would have asked you, they were already being asked our learned friend, Mr Budlender, but I just want to underline a couple important things with you and may I say with respect to you that you seem to be finding yourself in difficulties in admitting the obvious. I appeal to you to answer the few questions that I have to put to you, to try and answer them without any fear or favour, will you do that? MR DA COSTA: Yes, I will.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help in establishing what the truth may be. Your company's attitude was that, don't be in a hurry, we an agreement until 2013 and this is an agreement, never mind what they say, never mind what effect the increases that the other mines may have, never mind about their being wet at work, we must take time to examine the matter, time is on our side. MR DA COSTA: Mr Chair, I don't think that that was the position or the attitude. As I said in hindsight it may well have happened faster, but the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was? MR DA COSTA: Ja, that's correct, yes. MR BIZOS SC: Did you take their concerns about their wages seriously? MR DA COSTA: Yes, I did. MR BIZOS SC: Now I'm going to cut short because many of the things that I would have asked you, they were already being asked our learned friend, Mr Budlender, but I just want to underline a couple important things with you and may I say with respect to you that you seem to be finding yourself in difficulties in admitting the obvious. I appeal to you to answer the few questions that I have to put to you, to try and answer them without any fear or favour, will you do that? MR BIZOS SC: Now from the 21st of June to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help in establishing what the truth may be. Your company's attitude was that, don't be in a hurry, we an agreement until 2013 and this is an agreement, never mind what they say, never mind what effect the increases that the other mines may have, never mind about their being wet at work, we must take time to examine the matter, time is on our side. MR DA COSTA: Mr Chair, I don't think that that was the position or the attitude. As I said in hindsight it may well have happened faster, but the attitude was not, you know kicking the can down the road
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was? MR DA COSTA: Ja, that's correct, yes. MR BIZOS SC: Did you take their concerns about their wages seriously? MR DA COSTA: Yes, I did. MR BIZOS SC: Now I'm going to cut short because many of the things that I would have asked you, they were already being asked our learned friend, Mr Budlender, but I just want to underline a couple important things with you and may I say with respect to you that you seem to be finding yourself in difficulties in admitting the obvious. I appeal to you to answer the few questions that I have to put to you, to try and answer them without any fear or favour, will you do that? MR BIZOS SC: Now from the 21st of June to the day that 34 people were killed and 76 were seriously injured, there is a span of over 50 days, do you agree with that?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help in establishing what the truth may be. Your company's attitude was that, don't be in a hurry, we an agreement until 2013 and this is an agreement, never mind what they say, never mind what effect the increases that the other mines may have, never mind about their being wet at work, we must take time to examine the matter, time is on our side. MR DA COSTA: Mr Chair, I don't think that that was the position or the attitude. As I said in hindsight it may well have happened faster, but the attitude was not, you know kicking the can down the road and hopefully this goes away. I mean there was some
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	COMMISSIONER HEMRAJ: Yes, thank you. CHAIRPERSON: Mr Bizos? CROSS-EXAMINATION BY MR BIZOS SC: Thank you, Mr Chairman. Mr Da Costa, representatives of the workers came to you on the 21st of May, you say, - the 21st of June 2012, I think that was? MR DA COSTA: Ja, that's correct, yes. MR BIZOS SC: Did you take their concerns about their wages seriously? MR DA COSTA: Yes, I did. MR BIZOS SC: Now I'm going to cut short because many of the things that I would have asked you, they were already being asked our learned friend, Mr Budlender, but I just want to underline a couple important things with you and may I say with respect to you that you seem to be finding yourself in difficulties in admitting the obvious. I appeal to you to answer the few questions that I have to put to you, to try and answer them without any fear or favour, will you do that? MR DA COSTA: Yes, I will. MR BIZOS SC: Now from the 21st of June to the day that 34 people were killed and 76 were seriously injured, there is a span of over 50 days, do you agree with	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	other players in the industry and that sort of thing. MR BIZOS SC: The question – MR DA COSTA: So it takes some time. MR BIZOS SC: The question is, could it have been done with more deliberate speed or not? MR DA COSTA: In hindsight it could have been, in hindsight it could have been done. MR BIZOS SC: Yes, - MR DA COSTA: A bit faster. MR BIZOS SC: Well, hindsight does help in establishing what the truth may be. Your company's attitude was that, don't be in a hurry, we an agreement until 2013 and this is an agreement, never mind what they say, never mind what effect the increases that the other mines may have, never mind about their being wet at work, we must take time to examine the matter, time is on our side. MR DA COSTA: Mr Chair, I don't think that that was the position or the attitude. As I said in hindsight it may well have happened faster, but the attitude was not, you know kicking the can down the road and hopefully this goes away. I mean there was some urgency in getting to some sort of resolution of the matter

	Page 30148		Page 30150
1	that actually called the shots in Lonmin?	1	he said and the evidence was –
2	MR DA COSTA: The CEO.	2	CHAIRPERSON: I don't think –
3	CHAIRPERSON: Who called the shots in	3	MR BHAM SC: They did have regard to what
4	respect of an issue like this?	4	-
5	MR BIZOS SC: Yes, on this issue.	5	CHAIRPERSON: Let's not speak over each
6	CHAIRPERSON: Ja, there may have been	6	other. My impression was that he didn't say that they had
7	various shot callers in other issues –	7	no regard, in fact they were doing what he called a
8	MR BIZOS SC: Yes –	8	benchmarking exercise in respect of what was happening
9	CHAIRPERSON: - but on this issue?	9	elsewhere in the industry. He took time, he conceded that
10	MR BIZOS SC: Yes, thank you for the	10	in hindsight it should have been done more, should or could
11	clarification.	11	have been done more quickly but he didn't say, we weren't
12	MR DA COSTA: No, no –	12	interested at all in what was happening, we were sticking
13	MR BIZOS SC: Who called the shots on	13	to the letter of agreement, that's not his evidence. I
14	this issue that was raised by the workers?	14	think you should reformulate the question, was that your
15	MR DA COSTA: Well, as I said previously	15	objection, Mr Bham? Was that your objection, Mr Bham?
16	generally these decisions were made in the Executive	16	MR BHAM SC: Definitely, Mr Chairman.
17	Committee and that committee was chaired by the –	17	CHAIRPERSON: Yes, I uphold it. Please
18	MR BIZOS SC: Well, have you –	18	reformulate your question?
19	MR DA COSTA: - Chief Executive officer	19	MR BIZOS SC: Yes. Did anyone during
20	who was Ian Farmer at that time.	20	this period of over 50 days say that this is an urgent
21	MR BIZOS SC: Yes, is he still in the	21	matter, did anyone say it, of those responsible, did anyone
22	employ of Lonmin?	22	say that it is an urgent matter, the workers are concerned
23	MR DA COSTA: No, he is not.	23	about the fact that their complaint is not being seriously
24	MR BIZOS SC: Who was his/her deputy?	24	considered?
25	MR DA COSTA: Well, normally the Chief	25	MR DA COSTA: Yes, I impressed on the
	Page 30149		Page 30151
1	Page 30149 Financial officer deputises, so it was Simon Scott.	1	Page 30151 executive that it was a serious matter and my understanding
1 2		1 2	
	Financial officer deputises, so it was Simon Scott.		executive that it was a serious matter and my understanding
2	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that?	2	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and
2 3	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott.	2 3	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter.
2 3 4	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part	2 3 4	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate
2 3 4 5	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question,	2 3 4 5	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may
2 3 4 5 6	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility,	2 3 4 5 6	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and
2 3 4 5 6 7	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility.	2 3 4 5 6 7	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they
2 3 4 5 6 7 8	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who	2 3 4 5 6 7 8	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do
2 3 4 5 6 7 8 9 10 11	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who were the other members on the Executive Committee?	2 3 4 5 6 7 8 9 10 11	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do anything about it as a matter of urgency. What do you say
2 3 4 5 6 7 8 9 10 11 12	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who were the other members on the Executive Committee? MR BIZOS SC: We have the names as a	2 3 4 5 6 7 8 9 10 11 12	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do anything about it as a matter of urgency. What do you say to that?
2 3 4 5 6 7 8 9 10 11 12 13	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who were the other members on the Executive Committee? MR BIZOS SC: We have the names as a matter of record or do you want to repeat them for us?	2 3 4 5 6 7 8 9 10 11 12 13	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do anything about it as a matter of urgency. What do you say to that? MR DA COSTA: No, I don't think that was
2 3 4 5 6 7 8 9 10 11 12 13 14	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who were the other members on the Executive Committee? MR BIZOS SC: We have the names as a matter of record or do you want to repeat them for us? MR DA COSTA: If you're satisfied that	2 3 4 5 6 7 8 9 10 11 12 13 14	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do anything about it as a matter of urgency. What do you say to that? MR DA COSTA: No, I don't think that was the case, Chair. The fact that there were these divisions
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who were the other members on the Executive Committee? MR BIZOS SC: We have the names as a matter of record or do you want to repeat them for us? MR DA COSTA: If you're satisfied that they're on record then I wouldn't repeat them unless you	2 3 4 5 6 7 8 9 10 11 12 13 14 15	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do anything about it as a matter of urgency. What do you say to that? MR DA COSTA: No, I don't think that was the case, Chair. The fact that there were these divisions and that there tensions between the two unions made it
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who were the other members on the Executive Committee? MR BIZOS SC: We have the names as a matter of record or do you want to repeat them for us? MR DA COSTA: If you're satisfied that they're on record then I wouldn't repeat them unless you want me to, Chair?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do anything about it as a matter of urgency. What do you say to that? MR DA COSTA: No, I don't think that was the case, Chair. The fact that there were these divisions and that there tensions between the two unions made it difficult from an operational perspective to engage and to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who were the other members on the Executive Committee? MR BIZOS SC: We have the names as a matter of record or do you want to repeat them for us? MR DA COSTA: If you're satisfied that they're on record then I wouldn't repeat them unless you want me to, Chair? MR BIZOS SC: Yes, well, we can save time	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do anything about it as a matter of urgency. What do you say to that? MR DA COSTA: No, I don't think that was the case, Chair. The fact that there were these divisions and that there tensions between the two unions made it difficult from an operational perspective to engage and to find solutions to issues and so on, but I think
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who were the other members on the Executive Committee? MR BIZOS SC: We have the names as a matter of record or do you want to repeat them for us? MR DA COSTA: If you're satisfied that they're on record then I wouldn't repeat them unless you want me to, Chair? MR BIZOS SC: Yes, well, we can save time because you have already made mention of it. I want to put	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do anything about it as a matter of urgency. What do you say to that? MR DA COSTA: No, I don't think that was the case, Chair. The fact that there were these divisions and that there tensions between the two unions made it difficult from an operational perspective to engage and to find solutions to issues and so on, but I think particularly in the instance of Karee, I was and my
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who were the other members on the Executive Committee? MR BIZOS SC: We have the names as a matter of record or do you want to repeat them for us? MR DA COSTA: If you're satisfied that they're on record then I wouldn't repeat them unless you want me to, Chair? MR BIZOS SC: Yes, well, we can save time because you have already made mention of it. I want to put to you, Mr Da Costa, that your attitude that we won't have	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do anything about it as a matter of urgency. What do you say to that? MR DA COSTA: No, I don't think that was the case, Chair. The fact that there were these divisions and that there tensions between the two unions made it difficult from an operational perspective to engage and to find solutions to issues and so on, but I think particularly in the instance of Karee, I was and my management team was trying very hard to get some sort of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who were the other members on the Executive Committee? MR BIZOS SC: We have the names as a matter of record or do you want to repeat them for us? MR DA COSTA: If you're satisfied that they're on record then I wouldn't repeat them unless you want me to, Chair? MR BIZOS SC: Yes, well, we can save time because you have already made mention of it. I want to put to you, Mr Da Costa, that your attitude that we won't have any regard to the increases given by others, we are going	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do anything about it as a matter of urgency. What do you say to that? MR DA COSTA: No, I don't think that was the case, Chair. The fact that there were these divisions and that there tensions between the two unions made it difficult from an operational perspective to engage and to find solutions to issues and so on, but I think particularly in the instance of Karee, I was and my management team was trying very hard to get some sort of conciliation between the two unions, so that we could in
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who were the other members on the Executive Committee? MR BIZOS SC: We have the names as a matter of record or do you want to repeat them for us? MR DA COSTA: If you're satisfied that they're on record then I wouldn't repeat them unless you want me to, Chair? MR BIZOS SC: Yes, well, we can save time because you have already made mention of it. I want to put to you, Mr Da Costa, that your attitude that we won't have any regard to the increases given by others, we are going to stick to the letter of the 2013 –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do anything about it as a matter of urgency. What do you say to that? MR DA COSTA: No, I don't think that was the case, Chair. The fact that there were these divisions and that there tensions between the two unions made it difficult from an operational perspective to engage and to find solutions to issues and so on, but I think particularly in the instance of Karee, I was and my management team was trying very hard to get some sort of conciliation between the two unions, so that we could in fact engage on a proper basis and on a proper level in
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who were the other members on the Executive Committee? MR BIZOS SC: We have the names as a matter of record or do you want to repeat them for us? MR DA COSTA: If you're satisfied that they're on record then I wouldn't repeat them unless you want me to, Chair? MR BIZOS SC: Yes, well, we can save time because you have already made mention of it. I want to put to you, Mr Da Costa, that your attitude that we won't have any regard to the increases given by others, we are going to stick to the letter of the 2013 – MR BHAM SC: Mr Chairman, sorry, the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do anything about it as a matter of urgency. What do you say to that? MR DA COSTA: No, I don't think that was the case, Chair. The fact that there were these divisions and that there tensions between the two unions made it difficult from an operational perspective to engage and to find solutions to issues and so on, but I think particularly in the instance of Karee, I was and my management team was trying very hard to get some sort of conciliation between the two unions, so that we could in fact engage on a proper basis and on a proper level in order to move thing forward in general.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who were the other members on the Executive Committee? MR BIZOS SC: We have the names as a matter of record or do you want to repeat them for us? MR DA COSTA: If you're satisfied that they're on record then I wouldn't repeat them unless you want me to, Chair? MR BIZOS SC: Yes, well, we can save time because you have already made mention of it. I want to put to you, Mr Da Costa, that your attitude that we won't have any regard to the increases given by others, we are going to stick to the letter of the 2013 – MR BHAM SC: Mr Chairman, sorry, the witness said in granting the allowance –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do anything about it as a matter of urgency. What do you say to that? MR DA COSTA: No, I don't think that was the case, Chair. The fact that there were these divisions and that there tensions between the two unions made it difficult from an operational perspective to engage and to find solutions to issues and so on, but I think particularly in the instance of Karee, I was and my management team was trying very hard to get some sort of conciliation between the two unions, so that we could in fact engage on a proper basis and on a proper level in order to move thing forward in general. MR BIZOS SC: Now do you agree that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Financial officer deputises, so it was Simon Scott. MR BIZOS SC: Who was that? MR DA COSTA: Simon Scott. MR BIZOS SC: Who else was on this committee and I'll tell you why I'm asking this question, it is the function of the Commission as to may be in part or in whole to blame. We want to know or want the Commission to know that if there was any responsibility, was it your responsibility. MR DA COSTA: Well, is the question, who were the other members on the Executive Committee? MR BIZOS SC: We have the names as a matter of record or do you want to repeat them for us? MR DA COSTA: If you're satisfied that they're on record then I wouldn't repeat them unless you want me to, Chair? MR BIZOS SC: Yes, well, we can save time because you have already made mention of it. I want to put to you, Mr Da Costa, that your attitude that we won't have any regard to the increases given by others, we are going to stick to the letter of the 2013 – MR BHAM SC: Mr Chairman, sorry, the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	executive that it was a serious matter and my understanding is that they were dealing with it as a fairly serious and urgent matter. MR BIZOS SC: Yes. Now the unfortunate differences between NUM and AMCU, we will deal with others. If I were to put to you that you as an employer, rather than regretting the differences between the unions, you may have been happy that they exploited those differences and said, let us not do anything. They are not united, if they want to strike let them strike, we are not going to do anything about it as a matter of urgency. What do you say to that? MR DA COSTA: No, I don't think that was the case, Chair. The fact that there were these divisions and that there tensions between the two unions made it difficult from an operational perspective to engage and to find solutions to issues and so on, but I think particularly in the instance of Karee, I was and my management team was trying very hard to get some sort of conciliation between the two unions, so that we could in fact engage on a proper basis and on a proper level in order to move thing forward in general.

	Page 30152		Page 30154
1	employer?	1	extra 34 people died, why was it, - was it not unfair to do
2	MR DA COSTA: Yes, I do.	2	that before the 34 people died?
3	MR BIZOS SC: And you need good	3	MR DA COSTA: Mr Chair, I did say earlier
4	negotiators in order to try and settle the differences	4	on in response to Mr Budlender that after the events of the
5	between the two?	5	afternoon of the 16th of August, all parties softened their
6	MR DA COSTA: Yes, you do and I think	6	positions.
7	sometimes you even need good mediators and people who are	7	[10:17] There were mediators that came in. There were
8	able to bring parties together, yes.	8	people, a lot of – I shouldn't say a lot, but a number of
9	MR BIZOS SC: Now you see would you agree	9	parties who intervened in the process to get the parties
10	that the employers have the money and they have a duty to	10	closer together, and that really culminated in the
11	their shareholders, we know all that, but the workers have	11	negotiation process that concluded the impasse.
12	only one trump card, if I may use the expression, and that	12	MR BIZOS SC: If I understood your
13	is to withhold their labour. Would you agree with that?	13	evidence correctly you suggested that the workers should be
14	MR DA COSTA: I agree with that the trump	14	given an extra R750 a months. Did I understand you
15	card in the hands of the workers is to withhold their	15	correctly?
16	money, - I mean to withhold their labour, my apologies.	16	CHAIRPERSON: No, no, he suggested a
17	The –	17	thousand.
18	MR BIZOS SC: That's enough.	18	MR BIZOS SC: I beg your pardon?
19	MR DA COSTA: No, I just need to –	19	CHAIRPERSON: He suggested a thousand and
20	CHAIRPERSON: To introduce a	20	if you look at the – it's in exhibit XXX3 there's a
21	qualification, I think, we must give him a chance.	21	document which is headed 448, which is the internal
22	MR DA COSTA: Yes.	22	pagination of Lonmin in their documents, it's a memorandum
23	CHAIRPERSON: What qualification do you	23	the witness wrote on the 27th of June 2012 to the EXCO, in
24 25	want to – MR DA COSTA: Yes, the perception that	24 25	which he deals fully with the matter and makes his
25	MR DA COSTA: Yes, the perception that	20	proposals, and his proposal was R1 000 per month for
	Page 30153		Page 30155
1	the employers are always sitting on a big bag of money is	1	single-handed drillers, R800 per month for drillers who are
2	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that.	2	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His
	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute	2 3	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications.
2 3 4	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work	2 3 4	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes.
2 3 4 5	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you	2 3 4 5	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his
2 3 4 5 6	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and	2 3 4 5 6	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the –
2 3 4 5 6 7	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card	2 3 4 5 6 7	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that.
2 3 4 5 6 7 8	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we	2 3 4 5 6 7 8	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750
2 3 4 5 6 7 8 9	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that	2 3 4 5 6 7 8 9	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct.
2 3 4 5 6 7 8 9 10	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers?	2 3 4 5 6 7 8 9 10	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was
2 3 4 5 6 7 8 9 10 11	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers? MR DA COSTA: Mr Chair, I think this	2 3 4 5 6 7 8 9 10 11	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was reminded were slightly different to the figures that I put
2 3 4 5 6 7 8 9 10 11 12	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers? MR DA COSTA: Mr Chair, I think this whole, the whole situation around strikes and how they	2 3 4 5 6 7 8 9 10 11 12	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was reminded were slightly different to the figures that I put to you, but having regard to those figures, did I
2 3 4 5 6 7 8 9 10 11 12 13	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers? MR DA COSTA: Mr Chair, I think this whole, the whole situation around strikes and how they should happen and how labour, how employees have the right	2 3 4 5 6 7 8 9 10 11 12 13	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was reminded were slightly different to the figures that I put to you, but having regard to those figures, did I understand you correctly that your proposal was rejected by
2 3 4 5 6 7 8 9 10 11 12 13 14	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers? MR DA COSTA: Mr Chair, I think this whole, the whole situation around strikes and how they should happen and how labour, how employees have the right to play that trump card in withdrawing their labour is all	2 3 4 5 6 7 8 9 10 11 12 13 14	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was reminded were slightly different to the figures that I put to you, but having regard to those figures, did I understand you correctly that your proposal was rejected by the executive, was it?
2 3 4 5 6 7 8 9 10 11 12 13 14 15	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers? MR DA COSTA: Mr Chair, I think this whole, the whole situation around strikes and how they should happen and how labour, how employees have the right to play that trump card in withdrawing their labour is all governed by legislation. So in the case of a protected	2 3 4 5 6 7 8 9 10 11 12 13 14 15	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was reminded were slightly different to the figures I was reminded were slightly different to the secutive, was it? MR DA COSTA: Ja, the proposal wasn't
2 3 4 5 6 7 8 9 10 11 12 13 14	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers? MR DA COSTA: Mr Chair, I think this whole, the whole situation around strikes and how they should happen and how labour, how employees have the right to play that trump card in withdrawing their labour is all governed by legislation. So in the case of a protected strike it would be unfair to say to people, go back to work	2 3 4 5 6 7 8 9 10 11 12 13 14	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was reminded were slightly different to the figures that I put to you, but having regard to those figures, did I understand you correctly that your proposal was rejected by the executive, was it? MR DA COSTA: Ja, the proposal wasn't rejected in its entirety. They did not agree with the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers? MR DA COSTA: Mr Chair, I think this whole, the whole situation around strikes and how they should happen and how labour, how employees have the right to play that trump card in withdrawing their labour is all governed by legislation. So in the case of a protected strike it would be unfair to say to people, go back to work	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was reminded were slightly different to the figures that I put to you, but having regard to those figures, did I understand you correctly that your proposal was rejected by the executive, was it? MR DA COSTA: Ja, the proposal wasn't rejected in its entirety. They did not agree with the amounts that I was proposing, but I think they did, they
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers? MR DA COSTA: Mr Chair, I think this whole, the whole situation around strikes and how they should happen and how labour, how employees have the right to play that trump card in withdrawing their labour is all governed by legislation. So in the case of a protected strike it would be unfair to say to people, go back to work before I talk to you and before you've reached a, you know before the dispute has been concluded through some sort of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was reminded were slightly different to the figures that I put to you, but having regard to those figures, did I understand you correctly that your proposal was rejected by the executive, was it? MR DA COSTA: Ja, the proposal wasn't rejected in its entirety. They did not agree with the amounts that I was proposing, but I think they did, they more or less went ahead with the – I'd given them two
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers? MR DA COSTA: Mr Chair, I think this whole, the whole situation around strikes and how they should happen and how labour, how employees have the right to play that trump card in withdrawing their labour is all governed by legislation. So in the case of a protected strike it would be unfair to say to people, go back to work before I talk to you and before you've reached a, you know before the dispute has been concluded through some sort of signed agreement, but in this case the strike was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was reminded were slightly different to the figures that I put to you, but having regard to those figures, did I understand you correctly that your proposal was rejected by the executive, was it? MR DA COSTA: Ja, the proposal wasn't rejected in its entirety. They did not agree with the amounts that I was proposing, but I think they did, they
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers? MR DA COSTA: Mr Chair, I think this whole, the whole situation around strikes and how they should happen and how labour, how employees have the right to play that trump card in withdrawing their labour is all governed by legislation. So in the case of a protected strike it would be unfair to say to people, go back to work before I talk to you and before you've reached a, you know before the dispute has been concluded through some sort of signed agreement, but in this case the strike was unprotected. There was a court interdict in the conduct of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was reminded were slightly different to the figures that I put to you, but having regard to those figures, did I understand you correctly that your proposal was rejected by the executive, was it? MR DA COSTA: Ja, the proposal wasn't rejected in its entirety. They did not agree with the amounts that I was proposing, but I think they did, they more or less went ahead with the – I'd given them two proposals, but they then accepted the one proposal and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers? MR DA COSTA: Mr Chair, I think this whole, the whole situation around strikes and how they should happen and how labour, how employees have the right to play that trump card in withdrawing their labour is all governed by legislation. So in the case of a protected strike it would be unfair to say to people, go back to work before I talk to you and before you've reached a, you know before the dispute has been concluded through some sort of signed agreement, but in this case the strike was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was reminded were slightly different to the figures that I put to you, but having regard to those figures, did I understand you correctly that your proposal was rejected by the executive, was it? MR DA COSTA: Ja, the proposal wasn't rejected in its entirety. They did not agree with the amounts that I was proposing, but I think they did, they more or less went ahead with the – I'd given them two proposals, but they then accepted the one proposal and amended the amounts –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers? MR DA COSTA: Mr Chair, I think this whole, the whole situation around strikes and how they should happen and how labour, how employees have the right to play that trump card in withdrawing their labour is all governed by legislation. So in the case of a protected strike it would be unfair to say to people, go back to work before I talk to you and before you've reached a, you know before the dispute has been concluded through some sort of signed agreement, but in this case the strike was unprotected. There was a court interdict in the conduct of the employees, so I wouldn't say it was unfair to say,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was reminded were slightly different to the figures that I put to you, but having regard to those figures, did I understand you correctly that your proposal was rejected by the executive, was it? MR DA COSTA: Ja, the proposal wasn't rejected in its entirety. They did not agree with the amounts that I was proposing, but I think they did, they more or less went ahead with the – I'd given them two proposals, but they then accepted the one proposal and amended the amounts – CHAIRPERSON: They did make other – you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers? MR DA COSTA: Mr Chair, I think this whole, the whole situation around strikes and how they should happen and how labour, how employees have the right to play that trump card in withdrawing their labour is all governed by legislation. So in the case of a protected strike it would be unfair to say to people, go back to work before I talk to you and before you've reached a, you know before the dispute has been concluded through some sort of signed agreement, but in this case the strike was unprotected. There was a court interdict in the conduct of the employees, so I wouldn't say it was unfair to say, return to work.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was reminded were slightly different to the figures that I put to you, but having regard to those figures, did I understand you correctly that your proposal was rejected by the executive, was it? MR DA COSTA: Ja, the proposal wasn't rejected in its entirety. They did not agree with the amounts that I was proposing, but I think they did, they more or less went ahead with the – I'd given them two proposals, but they then accepted the one proposal and amended the amounts – CHAIRPERSON: They did make other – you did make other proposals too, didn't you? You proposed
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	the employers are always sitting on a big bag of money is not always true, so ja, I just wanted to qualify that. MR BIZOS SC: To say whilst the dispute is going on and there is a strike to say, come back to work and then we will talk to you, as happened here, do you reasonably expect workers to throw that trump card away and come back to work without any prospect of using that card in order to get more money? Is it fair to say, go away, we will not talk to you until you come back to work, is that fair and a just way in which to negotiate with workers? MR DA COSTA: Mr Chair, I think this whole, the whole situation around strikes and how they should happen and how labour, how employees have the right to play that trump card in withdrawing their labour is all governed by legislation. So in the case of a protected strike it would be unfair to say to people, go back to work before I talk to you and before you've reached a, you know before the dispute has been concluded through some sort of signed agreement, but in this case the strike was unprotected. There was a court interdict in the conduct of the employees, so I wouldn't say it was unfair to say, return to work. MR BIZOS SC: Well, I want to remind you	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	single-handed drillers, R800 per month for drillers who are assisted, and R500 per month for the assistants. His proposal spells out the financial implications. MR DA COSTA: Yes. CHAIRPERSON: EXCO didn't accept his proposal in its entirety and came up with the – MR BIZOS SC: Yes, I recall that. CHAIRPERSON: - came up with the 750 figure. So what you put isn't correct. MR BIZOS SC: Well, the figures I was reminded were slightly different to the figures that I put to you, but having regard to those figures, did I understand you correctly that your proposal was rejected by the executive, was it? MR DA COSTA: Ja, the proposal wasn't rejected in its entirety. They did not agree with the amounts that I was proposing, but I think they did, they more or less went ahead with the – I'd given them two proposals, but they then accepted the one proposal and amended the amounts – CHAIRPERSON: They did make other – you did make other proposals too, didn't you? You proposed that the EXCO should engage both NUM and AMCU at a national

	Page 30156		Page 30158
1	and then you went on to say, "Given the fact that both	1	CHAIRPERSON: Yes, yes, well he does
2	Impala and Anglo American Platinum have increased their	2	know, doesn't he? The witness can answer the question.
3	rock drill operators' wages, it will be extremely difficult	3	You understand the question, Mr Da Costa?
4	for Lonmin to resist for very long without some level of	4	MR DA COSTA: I'm sorry, I've been
5	labour unrest developing," therefore you proposed a	5	distracted now. If you don't mind repeating it –
6	drilling bonus be increased by 20% and then you also	6	CHAIRPERSON: Mr Bizos should repeat his
7	proposed the allowance. They accepted that part of your	7	question. He's referring to something that was done after
8	proposal.	8	an agreement, and he's suggesting it could have been done
9	MR DA COSTA: Ja, the –	9	earlier before the agreement. Mr Bham raised the question
10	CHAIRPERSON: What happened to the other	10	what agreement is being referred to and I said as I
11	proposal?	11	understand it, it was reference to the so-called addendum
12	MR DA COSTA: I was proposing that it was	12	to the wage agreement which was concluded after those
13	either the 20% or, either the bonus increment or the	13	intermediaries and other people intervened, was concluded
14	allowance.	14	on the 18th of September 2012.
15	CHAIRPERSON: Yes, it's ambiguous but it	15	MR DA COSTA: Yes.
16	could mean – you were the author; it could mean what you	16	CHAIRPERSON: And I understood Mr Bizos
17 18	say. MR DA COSTA: That's –	17 18	to accept that that's what you meant. So you now understand the question. Mr Bizos, repeat the question for
10	CHAIRPERSON: But the first part, the	10	the witness. There's been a bit of water under the bridge
20	engaging both NUM and AMCU at a national level –	20	since you first asked it.
20	MR DA COSTA: Ja.	20	MR BIZOS SC: Yes, if Lonmin had come off
22	CHAIRPERSON: - to inform them of the	22	its high horse and negotiated with the workers earlier on
23	developments and solicit their opinion, was that	23	instead of saying we will not talk to you, might the
24	implemented?	24	tragedy have been avoided?
25	MR DA COSTA: I think it was. I don't	25	MR DA COSTA: Ja, I guess when you, you
	Page 30157		Page 30159
1	know for sure from a EXCO perspective, but you know,	1	know, again with the benefit of hindsight that's a fair
2	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we	2	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events
2 3	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes.	2 3	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and
2 3 4	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic	2 3 4	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged
2 3 4 5	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if	2 3 4 5	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and
2 3 4 5 6	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of	2 3 4 5 6	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and
2 3 4 5 6 7	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back	2 3 4 5 6 7	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort
2 3 4 5 6 7 8	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the	2 3 4 5 6 7 8	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not
2 3 4 5 6 7 8 9	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy?	2 3 4 5 6 7 8 9	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences
2 3 4 5 6 7 8 9 10	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an	2 3 4 5 6 7 8 9 10	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would
2 3 4 5 6 7 8 9 10 11	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an objection, it's just a request for clarification in the	2 3 4 5 6 7 8 9 10 11	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would be a consequence of so many people losing their lives in
2 3 4 5 6 7 8 9 10 11 12	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an objection, it's just a request for clarification in the question. The very last part of the question was "and not	2 3 4 5 6 7 8 9 10 11 12	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would be a consequence of so many people losing their lives in such a tragic way was difficult. I think I said earlier on
2 3 4 5 6 7 8 9 10 11	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an objection, it's just a request for clarification in the question. The very last part of the question was "and not coming up with a comprise figure any earlier." I'm not	2 3 4 5 6 7 8 9 10 11	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would be a consequence of so many people losing their lives in such a tragic way was difficult. I think I said earlier on in my testimony that in my wildest imagination I didn't
2 3 4 5 6 7 8 9 10 11 12 13	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an objection, it's just a request for clarification in the question. The very last part of the question was "and not coming up with a comprise figure any earlier." I'm not sure if my learned friend Mr Bizos is referring to the	2 3 4 5 6 7 8 9 10 11 12 13	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would be a consequence of so many people losing their lives in such a tragic way was difficult. I think I said earlier on
2 3 4 5 6 7 8 9 10 11 12 13 14	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an objection, it's just a request for clarification in the question. The very last part of the question was "and not coming up with a comprise figure any earlier." I'm not	2 3 4 5 6 7 8 9 10 11 12 13 14	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would be a consequence of so many people losing their lives in such a tragic way was difficult. I think I said earlier on in my testimony that in my wildest imagination I didn't think that anything like that could ever possibly happen.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an objection, it's just a request for clarification in the question. The very last part of the question was "and not coming up with a comprise figure any earlier." I'm not sure if my learned friend Mr Bizos is referring to the allowance that was granted or something else, because the	2 3 4 5 6 7 8 9 10 11 12 13 14 15	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would be a consequence of so many people losing their lives in such a tragic way was difficult. I think I said earlier on in my testimony that in my wildest imagination I didn't think that anything like that could ever possibly happen. So you know, it's – again I'm saying that hindsight is a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an objection, it's just a request for clarification in the question. The very last part of the question was "and not coming up with a comprise figure any earlier." I'm not sure if my learned friend Mr Bizos is referring to the allowance that was granted or something else, because the events from the 9th occurred after the allowance was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would be a consequence of so many people losing their lives in such a tragic way was difficult. I think I said earlier on in my testimony that in my wildest imagination I didn't think that anything like that could ever possibly happen. So you know, it's – again I'm saying that hindsight is a great thing, but at the time, difficult to concede to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an objection, it's just a request for clarification in the question. The very last part of the question was "and not coming up with a comprise figure any earlier." I'm not sure if my learned friend Mr Bizos is referring to the allowance that was granted or something else, because the events from the 9th occurred after the allowance was granted.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would be a consequence of so many people losing their lives in such a tragic way was difficult. I think I said earlier on in my testimony that in my wildest imagination I didn't think that anything like that could ever possibly happen. So you know, it's – again I'm saying that hindsight is a great thing, but at the time, difficult to concede to something like that.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an objection, it's just a request for clarification in the question. The very last part of the question was "and not coming up with a comprise figure any earlier." I'm not sure if my learned friend Mr Bizos is referring to the allowance that was granted or something else, because the events from the 9th occurred after the allowance was granted. CHAIRPERSON: I think he's referring to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would be a consequence of so many people losing their lives in such a tragic way was difficult. I think I said earlier on in my testimony that in my wildest imagination I didn't think that anything like that could ever possibly happen. So you know, it's – again I'm saying that hindsight is a great thing, but at the time, difficult to concede to something like that. MR BIZOS SC: Finally, did it come across
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an objection, it's just a request for clarification in the question. The very last part of the question was "and not coming up with a comprise figure any earlier." I'm not sure if my learned friend Mr Bizos is referring to the allowance that was granted or something else, because the events from the 9th occurred after the allowance was granted. CHAIRPERSON: I think he's referring to exhibit OO10, which is the addendum to the wage agreement,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would be a consequence of so many people losing their lives in such a tragic way was difficult. I think I said earlier on in my testimony that in my wildest imagination I didn't think that anything like that could ever possibly happen. So you know, it's – again I'm saying that hindsight is a great thing, but at the time, difficult to concede to something like that. MR BIZOS SC: Finally, did it come across to you that the workers did not want police intervention in
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an objection, it's just a request for clarification in the question. The very last part of the question was "and not coming up with a comprise figure any earlier." I'm not sure if my learned friend Mr Bizos is referring to the allowance that was granted or something else, because the events from the 9th occurred after the allowance was granted. CHAIRPERSON: I think he's referring to exhibit OO10, which is the addendum to the wage agreement, which was dated 18 September 2012. Am I right, Mr Bizos?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would be a consequence of so many people losing their lives in such a tragic way was difficult. I think I said earlier on in my testimony that in my wildest imagination I didn't think that anything like that could ever possibly happen. So you know, it's – again I'm saying that hindsight is a great thing, but at the time, difficult to concede to something like that. MR BIZOS SC: Finally, did it come across to you that the workers did not want police intervention in the dispute between Lonmin and them?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an objection, it's just a request for clarification in the question. The very last part of the question was "and not coming up with a comprise figure any earlier." I'm not sure if my learned friend Mr Bizos is referring to the allowance that was granted or something else, because the events from the 9th occurred after the allowance was granted. CHAIRPERSON: I think he's referring to exhibit OO10, which is the addendum to the wage agreement, which was dated 18 September 2012. Am I right, Mr Bizos? MR BIZOS SC: Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would be a consequence of so many people losing their lives in such a tragic way was difficult. I think I said earlier on in my testimony that in my wildest imagination I didn't think that anything like that could ever possibly happen. So you know, it's – again I'm saying that hindsight is a great thing, but at the time, difficult to concede to something like that. MR BIZOS SC: Finally, did it come across to you that the workers did not want police intervention in the dispute between Lonmin and them? MR DA COSTA: I'm sorry, did it come
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an objection, it's just a request for clarification in the question. The very last part of the question was "and not coming up with a comprise figure any earlier." I'm not sure if my learned friend Mr Bizos is referring to the allowance that was granted or something else, because the events from the 9th occurred after the allowance was granted. CHAIRPERSON: I think he's referring to exhibit OO10, which is the addendum to the wage agreement, which was dated 18 September 2012. Am I right, Mr Bizos? MR BIZOS SC: Yes. CHAIRPERSON: Does that give you the clarity you seek? MR BHAM SC: I just think the witness	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would be a consequence of so many people losing their lives in such a tragic way was difficult. I think I said earlier on in my testimony that in my wildest imagination I didn't think that anything like that could ever possibly happen. So you know, it's – again I'm saying that hindsight is a great thing, but at the time, difficult to concede to something like that. MR BIZOS SC: Finally, did it come across to you that the workers did not want police intervention in the dispute between Lonmin and them? MR DA COSTA: I'm sorry, did it come across – CHAIRPERSON: He wants to know whether did it ever come across to you –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	know for sure from a EXCO perspective, but you know, certainly at an operational level where I was we did, we did engage them, yes. MR BIZOS SC: Finally, Sir, the tragic results that we well know, do you or Lonmin feel that if they had acted with greater consideration for the rights of workers and not setting up conditions, or not coming back with any compromise figure earlier on, may have avoided the tragedy? MR BHAM SC: Sorry, Mr Chair, it's not an objection, it's just a request for clarification in the question. The very last part of the question was "and not coming up with a comprise figure any earlier." I'm not sure if my learned friend Mr Bizos is referring to the allowance that was granted or something else, because the events from the 9th occurred after the allowance was granted. CHAIRPERSON: I think he's referring to exhibit OO10, which is the addendum to the wage agreement, which was dated 18 September 2012. Am I right, Mr Bizos? MR BIZOS SC: Yes. CHAIRPERSON: Does that give you the clarity you seek?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	know, again with the benefit of hindsight that's a fair question, but you know, at the time and before the events of the 16th there were a lot of different considerations and there were considerations of, you know, if we had engaged with delegates from the striking workers on the koppie and they, we weren't able to accede to the demand of 12 500 and they then went back to the koppie and they gave that sort of feedback that management couldn't accede, would that not have angered the people more? What would the consequences of that have been? And for us to foresee that there would be a consequence of so many people losing their lives in such a tragic way was difficult. I think I said earlier on in my testimony that in my wildest imagination I didn't think that anything like that could ever possibly happen. So you know, it's – again I'm saying that hindsight is a great thing, but at the time, difficult to concede to something like that. MR BIZOS SC: Finally, did it come across to you that the workers did not want police intervention in the dispute between Lonmin and them? MR DA COSTA: I'm sorry, did it come across – CHAIRPERSON: He wants to know whether

1	Page 30160	1	Page 30162
1	CHAIRPERSON: - or ever occur to you,	1	employer. Isn't that right? MR DA COSTA: They may well have been in
2 3	whether you ever realised that the workers, as he puts it, didn't want police intervention in the dispute? That's the	2 3	MR DA COSTA: They may well have been in a difficult position. I think all parties were in a
4	question. Is that right, Mr Bizos?	4	difficult position under those circumstances. These were
5	MR BIZOS SC: The intermediaries, the	5	pretty unprecedented circumstances. You know this level of
6	police to be intermediaries –	6	anger and violence and so on had not been seen in a
7	CHAIRPERSON: Ja.	7	protected or unprotected strike in the industry for many,
8	MR BIZOS SC: - between them and your	8	many years. So –
9	,	9	CHAIRPERSON: Yes.
10	company. MR DA COSTA: I think by some of the	10	MR DA COSTA: So it, I think everybody
11	actions from the striking workers who were on the koppie,	11	was in a difficult position at that point in time.
12	their actions and their animosity towards the police would	12	CHAIRPERSON: Yes, well of course we may
13	have suggested that they didn't want the police there, but	13	have evidence about to what extent the action of Lonmin was
14	you know, I mean the situation was fairly – I hesitate to	14	precedented or unprecedented in similar circumstances, but
15	say out of control, but it was lawless. There was, there	15	I want to ask you another question before we take the short
16	were a lot of assaults taking place, a lot of murders	16	adjournment, and that is I referred to the memorandum you
17	taking place. I think the police had to be there to	17	wrote to EXCO on the 27th of June 2012, which is exhibit
18	address those issues.	18	XXX3 and it's headed 448, which I think is an internal
19	CHAIRPERSON: A follow-up question to Mr	19	Lonmin number, I take it you've got that file in front of
20	Bizos's question is, because of the stance adopted by	20	you.
21	Lonmin didn't that put the police in a very difficult	21	MR DA COSTA: I have it somewhere.
22	position, because they were in effect obliged to try to act	22	CHAIRPERSON: On page 449 you set out
23	as some kind of intermediary to get some movement because	23	your proposal, and I've read part of it already, "Engage
24	of the stance that Lonmin adopted? What do you say to	24	both NUM and AMCU at national level to inform them of this
25	that?	25	development, solicit their opinion on the matter." Then
	Page 30161		Page 30163
1	MR DA COSTA: Ja, I don't think the – I	1	you say, "Given the fact both Impala and Anglo American
2	don't think Lonmin's intention or request from the police	2	Platinum have increased their rock drill operators' wages,
3	was ever to act as some sort of intermediary in terms of	-	
1 4	-	3	it will be extremely difficult for Lonmin to resist for
4	solving the impasse.	4	very long without some level of labour unrest developing.
5	solving the impasse. CHAIRPERSON: No, I don't think anyone	4 5	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by
5 6	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were	4 5 6	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages,
5 6 7	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception,	4 5 6 7	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus.
5 6 7 8	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The	4 5 6 7 8	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock
5 6 7 8 9	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious	4 5 6 7 8 9	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward
5 6 7 8 9 10	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were	4 5 7 8 9 10	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative
5 6 7 8 9 10 11	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were being killed. People had been injured. Properties had	4 5 7 8 9 10 11	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative to increasing the drilling bonus, but we don't have to
5 6 7 8 9 10 11 12	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were being killed. People had been injured. Properties had been damaged. There had been intimation and so forth. The	4 5 7 8 9 10 11 12	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative to increasing the drilling bonus, but we don't have to debate that, but I'll just tell you I revise my opinion, I
5 6 7 8 9 10 11 12 13	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were being killed. People had been injured. Properties had been damaged. There had been intimation and so forth. The unprotected strike was being enforced by violence and	4 5 7 8 9 10 11 12 13	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative to increasing the drilling bonus, but we don't have to debate that, but I'll just tell you I revise my opinion, I don't think what you said earlier was right.
5 6 7 8 9 10 11 12 13 14	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were being killed. People had been injured. Properties had been damaged. There had been intimation and so forth. The unprotected strike was being enforced by violence and intimidation as far as we can see from the evidence. The	4 5 7 8 9 10 11 12 13 14	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative to increasing the drilling bonus, but we don't have to debate that, but I'll just tell you I revise my opinion, I don't think what you said earlier was right. But then you go on to say this on the next page,
5 6 7 8 9 10 11 12 13 14 15	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were being killed. People had been injured. Properties had been damaged. There had been intimation and so forth. The unprotected strike was being enforced by violence and intimidation as far as we can see from the evidence. The police had to come to stop the violence and the	4 5 7 8 9 10 11 12 13 14 15	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative to increasing the drilling bonus, but we don't have to debate that, but I'll just tell you I revise my opinion, I don't think what you said earlier was right. But then you go on to say this on the next page, and this is the last point in your proposal and before I
5 6 7 8 9 10 11 12 13 14 15 16	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were being killed. People had been injured. Properties had been damaged. There had been intimation and so forth. The unprotected strike was being enforced by violence and intimidation as far as we can see from the evidence. The police had to come to stop the violence and the intimidation, but because as long as the labour dispute	4 5 6 7 8 9 10 11 12 13 14 15 16	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative to increasing the drilling bonus, but we don't have to debate that, but I'll just tell you I revise my opinion, I don't think what you said earlier was right. But then you go on to say this on the next page, and this is the last point in your proposal and before I read it to you I remind you the stance that Lonmin adopted,
5 6 7 8 9 10 11 12 13 14 15 16 17	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were being killed. People had been injured. Properties had been damaged. There had been intimation and so forth. The unprotected strike was being enforced by violence and intimidation as far as we can see from the evidence. The police had to come to stop the violence and the intimidation, but because as long as the labour dispute continued, the wage dispute or whatever one wants to call	4 5 6 7 8 9 10 11 12 13 14 15 16 17	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative to increasing the drilling bonus, but we don't have to debate that, but I'll just tell you I revise my opinion, I don't think what you said earlier was right. But then you go on to say this on the next page, and this is the last point in your proposal and before I read it to you I remind you the stance that Lonmin adopted, we're not prepared to allow AMCU to be involved in
5 6 7 8 9 10 11 12 13 14 15 16 17 18	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were being killed. People had been injured. Properties had been damaged. There had been intimation and so forth. The unprotected strike was being enforced by violence and intimidation as far as we can see from the evidence. The police had to come to stop the violence and the intimidation, but because as long as the labour dispute continued, the wage dispute or whatever one wants to call it continued, and as long as Lonmin were adopting the	4 5 6 7 8 9 10 11 12 13 14 15 16	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative to increasing the drilling bonus, but we don't have to debate that, but I'll just tell you I revise my opinion, I don't think what you said earlier was right. But then you go on to say this on the next page, and this is the last point in your proposal and before I read it to you I remind you the stance that Lonmin adopted, we're not prepared to allow AMCU to be involved in discussions relating to the wages, they haven't got
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were being killed. People had been injured. Properties had been damaged. There had been intimation and so forth. The unprotected strike was being enforced by violence and intimidation as far as we can see from the evidence. The police had to come to stop the violence and the intimidation, but because as long as the labour dispute continued, the wage dispute or whatever one wants to call it continued, and as long as Lonmin were adopting the attitude we'll only negotiate with NUM – and Mr Budlender	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative to increasing the drilling bonus, but we don't have to debate that, but I'll just tell you I revise my opinion, I don't think what you said earlier was right. But then you go on to say this on the next page, and this is the last point in your proposal and before I read it to you I remind you the stance that Lonmin adopted, we're not prepared to allow AMCU to be involved in discussions relating to the wages, they haven't got negotiating rights, they won't have a seat at the table
5 6 7 8 9 10 11 12 13 14 15 16 17 18	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were being killed. People had been injured. Properties had been damaged. There had been intimation and so forth. The unprotected strike was being enforced by violence and intimidation as far as we can see from the evidence. The police had to come to stop the violence and the intimidation, but because as long as the labour dispute continued, the wage dispute or whatever one wants to call it continued, and as long as Lonmin were adopting the attitude we'll only negotiate with NUM – and Mr Budlender has gone into all of that – there wasn't going to be any	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative to increasing the drilling bonus, but we don't have to debate that, but I'll just tell you I revise my opinion, I don't think what you said earlier was right. But then you go on to say this on the next page, and this is the last point in your proposal and before I read it to you I remind you the stance that Lonmin adopted, we're not prepared to allow AMCU to be involved in discussions relating to the wages, they haven't got negotiating rights, they won't have a seat at the table when the wages are discussed. So only NUM can be there.
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were being killed. People had been injured. Properties had been damaged. There had been intimation and so forth. The unprotected strike was being enforced by violence and intimidation as far as we can see from the evidence. The police had to come to stop the violence and the intimidation, but because as long as the labour dispute continued, the wage dispute or whatever one wants to call it continued, and as long as Lonmin were adopting the attitude we'll only negotiate with NUM – and Mr Budlender	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative to increasing the drilling bonus, but we don't have to debate that, but I'll just tell you I revise my opinion, I don't think what you said earlier was right. But then you go on to say this on the next page, and this is the last point in your proposal and before I read it to you I remind you the stance that Lonmin adopted, we're not prepared to allow AMCU to be involved in discussions relating to the wages, they haven't got negotiating rights, they won't have a seat at the table
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were being killed. People had been injured. Properties had been damaged. There had been intimation and so forth. The unprotected strike was being enforced by violence and intimidation as far as we can see from the evidence. The police had to come to stop the violence and the intimidation, but because as long as the labour dispute continued, the wage dispute or whatever one wants to call it continued, and as long as Lonmin were adopting the attitude we'll only negotiate with NUM – and Mr Budlender has gone into all of that – there wasn't going to be any movement and in order to try to bring the breach of the law	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative to increasing the drilling bonus, but we don't have to debate that, but I'll just tell you I revise my opinion, I don't think what you said earlier was right. But then you go on to say this on the next page, and this is the last point in your proposal and before I read it to you I remind you the stance that Lonmin adopted, we're not prepared to allow AMCU to be involved in discussions relating to the wages, they haven't got negotiating rights, they won't have a seat at the table when the wages are discussed. So only NUM can be there. What you say in your last paragraph of your proposal – have
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were being killed. People had been injured. Properties had been damaged. There had been intimation and so forth. The unprotected strike was being enforced by violence and intimidation as far as we can see from the evidence. The police had to come to stop the violence and the intimidation, but because as long as the labour dispute continued, the wage dispute or whatever one wants to call it continued, and as long as Lonmin were adopting the attitude we'll only negotiate with NUM – and Mr Budlender has gone into all of that – there wasn't going to be any movement and in order to try to bring the breach of the law and the disorder to a stop the police were forced almost to	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative to increasing the drilling bonus, but we don't have to debate that, but I'll just tell you I revise my opinion, I don't think what you said earlier was right. But then you go on to say this on the next page, and this is the last point in your proposal and before I read it to you I remind you the stance that Lonmin adopted, we're not prepared to allow AMCU to be involved in discussions relating to the wages, they haven't got negotiating rights, they won't have a seat at the table when the wages are discussed. So only NUM can be there. What you say in your last paragraph of your proposal – have you got it in front of you now?
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	solving the impasse. CHAIRPERSON: No, I don't think anyone would suggest the contrary, but what I'm asking you is were the police not – and this is just a prima facie perception, it may be wrong, that's why I'm putting it to you. The impression I get is the police were put in a very invidious position. There was a law and order problem. People were being killed. People had been injured. Properties had been damaged. There had been intimation and so forth. The unprotected strike was being enforced by violence and intimidation as far as we can see from the evidence. The police had to come to stop the violence and the intimidation, but because as long as the labour dispute continued, the wage dispute or whatever one wants to call it continued, and as long as Lonmin were adopting the attitude we'll only negotiate with NUM – and Mr Budlender has gone into all of that – there wasn't going to be any movement and in order to try to bring the breach of the law and the disorder to a stop the police were forced almost to act in two capacities – negotiators in relation to the	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	very long without some level of labour unrest developing. Therefore, first proposal is increase the drilling bonus by 20%." I'm not sure that's a proposal that is the wages, but the drilling bonus. Then you go on, "Consider the payment of a rock drill operator allowance rather than a straightforward increase in wages." So I'm not sure that's an alternative to increasing the drilling bonus, but we don't have to debate that, but I'll just tell you I revise my opinion, I don't think what you said earlier was right. But then you go on to say this on the next page, and this is the last point in your proposal and before I read it to you I remind you the stance that Lonmin adopted, we're not prepared to allow AMCU to be involved in discussions relating to the wages, they haven't got negotiating rights, they won't have a seat at the table when the wages are discussed. So only NUM can be there. What you say in your last paragraph of your proposal – have you got it in front of you now? MR DA COSTA: Yes, sorry.

	Page 30164		Page 30166
1	you were proposing in fact a departure from the strict line	1	Karee people. Is that right?
2	that was later taken by Lonmin, AMCU's not welcome to be	2	MR DA COSTA: Yes, my discussions were –
3	part of the negotiation or discussions about wages; you in	3	yes, I mean I was speaking to those representatives from
4	fact proposed, if I may say so very sensibly, that Lonmin	4	the union from a Karee perspective.
5	should engage in discussions at Marikana with both NUM and	5	CHAIRPERSON: Yes, that's right, and did
6	AMCU. In retrospect do you think that if your proposal in	6	you engage with the NUM and AMCU at Marikana, to quote your
7	that regard had been accepted a lot of trouble might have	7	words, to reach an agreement on the matter, or just to
8	been avoided?	8	explain it to them?
9	MR DA COSTA: Well, I think just to	9	MR DA COSTA: Well, to explain it to them
10	clarify that proposal, when I, what I was saying there is	10	and hopefully they would say yes, we agree, implement the
11	that we should engage with NUM and AMCU at Marikana, so	11	bonus.
12	AMCU had representation at Karee at that stage, to engage	12	CHAIRPERSON: I see, thank you. We'll
13	with them and get agreement on the implementation of the	13	now take the first comfort break. As I've said, I'd like
14	allowance, not necessarily on the amount of the allowance	14	to have a short meeting with the other parties proposing to
15	and so on, but on the implementation of the allowance.	15	cross-examine now, just to discuss the time. Mr Wesley
16	CHAIRPERSON: [Microphone off, inaudible]	16	must please accompany me, and thereafter I understand the
17	extra money being paid to the workers. Whether it's	17	evidence leaders want to have a discussion among themselves
18	categorised as allowance or wages or salary or whatever,	18	relating to the application and then we will resume. So we
19	it's remuneration. They wouldn't have bothered what you	19	probably won't take just quarter of an hour, we may take
20	called it, as long as you gave it to them. Isn't that	20	slightly longer, but we'll obviously come back as soon as
21	right? The point is – sorry, you don't have to answer the	21	we can.
22	question. I'll take it the answer is an implicit yes. The	22	[COMMISSION ADJOURNS COMMISSION RESUMES]
23	point is that AMCU's rights were fairly limited. They had	23	[11:00] CHAIRPERSON: The Commission resumes.
24	rights to do various things, which are spelt out in the	24	The application will be argued after tea. Mr Da Costa,
25	agreement that was concluded with them, but it didn't	25	you're still under oath.
	Page 30165		Page 30167
1	include any involvement in relation to discussing salaries	1	MR DA COSTA: Yes, Chair.
2	or wages. Isn't that right?	2	MICHAEL GOMES DA COSTA: (s.u.o.)
3		~	
	MR DA COSTA: No, they didn't have	3	CHAIRPERSON: Mr Bizos, I understand
4	bargaining rights, so –	4	you've got two or three, you weren't quite sure which, two
4 5	bargaining rights, so – CHAIRPERSON: That's right.	4 5	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd
6	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in	4 5 6	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip
6 7	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing.	4 5 6 7	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM.
6 7 8	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So –	4 5 6 7 8	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.):
6 7 8 9	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly.	4 5 6 7 8 9	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of
6 7 8 9 10	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did	4 5 7 8 9 10	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that
6 7 8 9 10 11	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did it, I mean I – before the allowance was communicated,	4 5 7 8 9 10 11	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that I am the negotiator and I want to negotiate a possible
6 7 8 9 10 11 12	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did it, I mean I – before the allowance was communicated, before it was implemented I met with a representative from	4 5 7 8 9 10 11 12	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that I am the negotiator and I want to negotiate a possible solution to the problem that we are facing? Did that
6 7 8 9 10 11 12 13	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did it, I mean I – before the allowance was communicated, before it was implemented I met with a representative from the NUM and I met with representatives from AMCU and I	4 5 7 8 9 10 11 12 13	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that I am the negotiator and I want to negotiate a possible solution to the problem that we are facing? Did that happen at all?
6 7 8 9 10 11 12 13 14	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did it, I mean I – before the allowance was communicated, before it was implemented I met with a representative from the NUM and I met with representatives from AMCU and I shared with them that I had had this approach from the rock	4 5 7 8 9 10 11 12 13 14	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that I am the negotiator and I want to negotiate a possible solution to the problem that we are facing? Did that happen at all? MR DA COSTA: I'm not aware of any
6 7 8 9 10 11 12 13 14 15	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did it, I mean I – before the allowance was communicated, before it was implemented I met with a representative from the NUM and I met with representatives from AMCU and I shared with them that I had had this approach from the rock drill operators, that this is how I'd approached the	4 5 6 7 8 9 10 11 12 13 14 15	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that I am the negotiator and I want to negotiate a possible solution to the problem that we are facing? Did that happen at all? MR DA COSTA: I'm not aware of any approach as far as that is concerned. It may have
6 7 8 9 10 11 12 13 14 15 16	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did it, I mean I – before the allowance was communicated, before it was implemented I met with a representative from the NUM and I met with representatives from AMCU and I shared with them that I had had this approach from the rock drill operators, that this is how I'd approached the executive; the executive had made a decision to implement	4 5 6 7 8 9 10 11 12 13 14 15 16	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that I am the negotiator and I want to negotiate a possible solution to the problem that we are facing? Did that happen at all? MR DA COSTA: I'm not aware of any approach as far as that is concerned. It may have happened, you know, with one of our other executives or so
6 7 8 9 10 11 12 13 14 15 16 17	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did it, I mean I – before the allowance was communicated, before it was implemented I met with a representative from the NUM and I met with representatives from AMCU and I shared with them that I had had this approach from the rock drill operators, that this is how I'd approached the executive; the executive had made a decision to implement this rock drill operator bonus and that we were now going	4 5 6 7 8 9 10 11 12 13 14 15 16 17	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that I am the negotiator and I want to negotiate a possible solution to the problem that we are facing? Did that happen at all? MR DA COSTA: I'm not aware of any approach as far as that is concerned. It may have happened, you know, with one of our other executives or so on but I am not aware of it.
6 7 8 9 10 11 12 13 14 15 16 17 18	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did it, I mean I – before the allowance was communicated, before it was implemented I met with a representative from the NUM and I met with representatives from AMCU and I shared with them that I had had this approach from the rock drill operators, that this is how I'd approached the executive; the executive had made a decision to implement this rock drill operator bonus and that we were now going to – sorry, not bonus, rock drill operator allowance, and	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that I am the negotiator and I want to negotiate a possible solution to the problem that we are facing? Did that happen at all? MR DA COSTA: I'm not aware of any approach as far as that is concerned. It may have happened, you know, with one of our other executives or so on but I am not aware of it. MR BIZOS SC: It certainly didn't come to
6 7 8 9 10 11 12 13 14 15 16 17 18 19	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did it, I mean I – before the allowance was communicated, before it was implemented I met with a representative from the NUM and I met with representatives from AMCU and I shared with them that I had had this approach from the rock drill operators, that this is how I'd approached the executive; the executive had made a decision to implement this rock drill operator bonus and that we were now going to – sorry, not bonus, rock drill operator allowance, and that we were now going to implement it. So I actually did	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that I am the negotiator and I want to negotiate a possible solution to the problem that we are facing? Did that happen at all? MR DA COSTA: I'm not aware of any approach as far as that is concerned. It may have happened, you know, with one of our other executives or so on but I am not aware of it. MR BIZOS SC: It certainly didn't come to your attention.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did it, I mean I – before the allowance was communicated, before it was implemented I met with a representative from the NUM and I met with representatives from AMCU and I shared with them that I had had this approach from the rock drill operators, that this is how I'd approached the executive; the executive had made a decision to implement this rock drill operator bonus and that we were now going to – sorry, not bonus, rock drill operator allowance, and that we were now going to implement it. So I actually did what I was proposing there.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that I am the negotiator and I want to negotiate a possible solution to the problem that we are facing? Did that happen at all? MR DA COSTA: I'm not aware of any approach as far as that is concerned. It may have happened, you know, with one of our other executives or so on but I am not aware of it. MR BIZOS SC: It certainly didn't come to your attention. MR DA COSTA: No.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did it, I mean I – before the allowance was communicated, before it was implemented I met with a representative from the NUM and I met with representatives from AMCU and I shared with them that I had had this approach from the rock drill operators, that this is how I'd approached the executive; the executive had made a decision to implement this rock drill operator bonus and that we were now going to – sorry, not bonus, rock drill operator allowance, and that we were now going to implement it. So I actually did what I was proposing there. CHAIRPERSON: Yes, but you weren't	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that I am the negotiator and I want to negotiate a possible solution to the problem that we are facing? Did that happen at all? MR DA COSTA: I'm not aware of any approach as far as that is concerned. It may have happened, you know, with one of our other executives or so on but I am not aware of it. MR BIZOS SC: It certainly didn't come to your attention. MR DA COSTA: No. MR BIZOS SC: Would you have expected to
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did it, I mean I – before the allowance was communicated, before it was implemented I met with a representative from the NUM and I met with representatives from AMCU and I shared with them that I had had this approach from the rock drill operators, that this is how I'd approached the executive; the executive had made a decision to implement this rock drill operator bonus and that we were now going to – sorry, not bonus, rock drill operator allowance, and that we were now going to implement it. So I actually did what I was proposing there. CHAIRPERSON: Yes, but you weren't engaging with NUM and AMCU at Marikana to reach an	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that I am the negotiator and I want to negotiate a possible solution to the problem that we are facing? Did that happen at all? MR DA COSTA: I'm not aware of any approach as far as that is concerned. It may have happened, you know, with one of our other executives or so on but I am not aware of it. MR BIZOS SC: It certainly didn't come to your attention. MR DA COSTA: No. MR BIZOS SC: Would you have expected to have been informed if such a request was made?
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did it, I mean I – before the allowance was communicated, before it was implemented I met with a representative from the NUM and I met with representatives from AMCU and I shared with them that I had had this approach from the rock drill operators, that this is how I'd approached the executive; the executive had made a decision to implement this rock drill operator bonus and that we were now going to – sorry, not bonus, rock drill operator allowance, and that we were now going to implement it. So I actually did what I was proposing there. CHAIRPERSON: Yes, but you weren't engaging with NUM and AMCU at Marikana to reach an agreement on the matter, were you? You were only dealing	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that I am the negotiator and I want to negotiate a possible solution to the problem that we are facing? Did that happen at all? MR DA COSTA: I'm not aware of any approach as far as that is concerned. It may have happened, you know, with one of our other executives or so on but I am not aware of it. MR BIZOS SC: It certainly didn't come to your attention. MR DA COSTA: No. MR BIZOS SC: Would you have expected to have been informed if such a request was made? MR DA COSTA: Not necessarily. I wasn't,
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	bargaining rights, so – CHAIRPERSON: That's right. MR DA COSTA: They weren't involved in discussions around wage increases and that sort of thing. So – CHAIRPERSON: Exactly. MR DA COSTA: My proposal here, and I did it, I mean I – before the allowance was communicated, before it was implemented I met with a representative from the NUM and I met with representatives from AMCU and I shared with them that I had had this approach from the rock drill operators, that this is how I'd approached the executive; the executive had made a decision to implement this rock drill operator bonus and that we were now going to – sorry, not bonus, rock drill operator allowance, and that we were now going to implement it. So I actually did what I was proposing there. CHAIRPERSON: Yes, but you weren't engaging with NUM and AMCU at Marikana to reach an agreement on the matter, were you? You were only dealing	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	you've got two or three, you weren't quite sure which, two or three questions to ask the witness. I thought you'd finished but please carry on, then Mr NUM – sorry Mr Tip will cross-examine on behalf of NUM. CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): Mr Da Costa, either on the 14th, the 15th or the 16th of August did any police negotiator come to Lonmin to say that I am the negotiator and I want to negotiate a possible solution to the problem that we are facing? Did that happen at all? MR DA COSTA: I'm not aware of any approach as far as that is concerned. It may have happened, you know, with one of our other executives or so on but I am not aware of it. MR BIZOS SC: It certainly didn't come to your attention. MR DA COSTA: No. MR BIZOS SC: Would you have expected to have been informed if such a request was made?

	Page 30168		Page 30170
1	MR BIZOS SC: Who was involved in those	1	my recollection, I don't remember –
2	days?	2	CHAIRPERSON: Yes, but you put the
3	MR DA COSTA: I think it was some of our	3	proposition more widely than that. The truth of the matter
4	senior HR executives, so most likely Barnard Mokwena and -	4	is that some of the cartridges, particularly in relation to
5	MR BIZOS SC: Please give us a name or	5	I think it was pellets, were not official police issue. It
6	two.	6	doesn't - there are two, there are a number of
7	CHAIRPERSON: He's given a name, he said	7	possibilities, the two main ones are that it was possibly
8	Barnard Mokwena.	8	Lonmin people, Lonmin security people who fired –
9	MR DA COSTA: Most likely Barnard Mokwena	9	MR BIZOS SC: That's what I'm putting –
10	-	10	CHAIRPERSON: The other possibility is
11	CHAIRPERSON: He's going to give another	11	that some overzealous policeman, dissatisfied at the ban on
12	name as well, you said Barnard Mokwena and, and then you	12	the use of pellets, official ban on pellets by the police,
13	were interrupted. Was it just Barnard Mokwena?	13	did what some other policemen did subsequently in the
14	MR DA COSTA: Ja, I would think it was	14	course of this year, acquired his own pellets, took them
15	him.	15	along and put them in his shotgun which he's supposed to
16	MR BIZOS SC: Now –	16	use for firing rubber balls. So I'm not sure which of
17	CHAIRPERSON: If there's someone who has	17	those two is correct but I think they're both possibilities
18	got a cell phone on, would that person please leave. Carry	18	on the table. You can put it to the witness on a
19	on, Mr Bizos.	19	restricted basis which captures that in its entirety, then
20	MR BIZOS SC: Now were you informed that,	20	there won't be a problem but Mr Bham's complaint was that
21	specifically informed that the strikers did not want the	21	you put it virtually as an accepted fact, which is not so.
22	police to negotiate on their behalf, they wanted direct	22	MR BIZOS SC: This is the way that I
23	contact with Lonmin? Were you ever told that on those	23	think, if I remember correctly, I said a suggestion has
24	three dates?	24	been made that some of your security people may have taken
25	MR DA COSTA: I personally was not	25	part in the shooting.
	Page 30169		Page 30171
1	specifically informed about any request like that or any	1	CHAIRPERSON: What's the question that
2	issue as far as that is concerned.	2	you attach to that proposition? Do you ask him just to
3	MR BIZOS SC: Finally, was there a cosy	3	comment on that?
4	relationship, Lonmin and the police on those days?	4	MR BIZOS SC: To comment.
5	MR DA COSTA: I'm not sure what is meant	5	CHAIRPERSON: How do you comment, are you
6	by a cosy relationship.	6	able to comment –
7	MR BIZOS SC: Well, let me give you what	7	MR DA COSTA: I understood the question
8	the evidence seems to suggest, that your security men	8	was if Lonmin was in a cosy relationship with the South
9	worked in close co-operation with the police and it may be	9	African Police Services and my answer to that is no, I
10	shown that they actually may have taken part in the	10	don't think so.
11	shooting on the 16th.	11	MR BIZOS SC: You see it isn't only that,
	MR BHAM SC: Sorry, Mr Chairman, I don't	12	a helicopter owned or hired by Lonmin was used during the
12	····· · · · · · · · · · · · · · · · ·		
	think there's any evidence which suggests that Lonmin	13	operation.
13	5	13 14	operation. MR BHAM SC: Again Mr Chairman, I don't
13 14	think there's any evidence which suggests that Lonmin security took part in the shooting on the 16th. If there is, it should be pointed out –		MR BHAM SC: Again Mr Chairman, I don't recall that evidence. If I'm wrong then –
12 13 14 15 16	think there's any evidence which suggests that Lonmin security took part in the shooting on the 16th. If there	14	MR BHAM SC: Again Mr Chairman, I don't
13 14 15 16	think there's any evidence which suggests that Lonmin security took part in the shooting on the 16th. If there is, it should be pointed out –	14 15	MR BHAM SC: Again Mr Chairman, I don't recall that evidence. If I'm wrong then –
13 14 15 16 17	think there's any evidence which suggests that Lonmin security took part in the shooting on the 16th. If there is, it should be pointed out – CHAIRPERSON: You dropped your voice so	14 15 16	MR BHAM SC: Again Mr Chairman, I don't recall that evidence. If I'm wrong then – CHAIRPERSON: It was the Protea Coin helicopter – MR BHAM SC: Yes –
13 14 15 16 17 18	think there's any evidence which suggests that Lonmin security took part in the shooting on the 16th. If there is, it should be pointed out – CHAIRPERSON: You dropped your voice so please repeat the last sentence? No evidence that?	14 15 16 17	MR BHAM SC: Again Mr Chairman, I don't recall that evidence. If I'm wrong then – CHAIRPERSON: It was the Protea Coin helicopter –
13 14 15	think there's any evidence which suggests that Lonmin security took part in the shooting on the 16th. If there is, it should be pointed out – CHAIRPERSON: You dropped your voice so please repeat the last sentence? No evidence that? MR BHAM SC: That Lonmin security took	14 15 16 17 18	MR BHAM SC: Again Mr Chairman, I don't recall that evidence. If I'm wrong then – CHAIRPERSON: It was the Protea Coin helicopter – MR BHAM SC: Yes –
13 14 15 16 17 18 19 20	think there's any evidence which suggests that Lonmin security took part in the shooting on the 16th. If there is, it should be pointed out – CHAIRPERSON: You dropped your voice so please repeat the last sentence? No evidence that? MR BHAM SC: That Lonmin security took part in the shooting on the 16th. If there is any such	14 15 16 17 18 19	MR BHAM SC: Again Mr Chairman, I don't recall that evidence. If I'm wrong then – CHAIRPERSON: It was the Protea Coin helicopter – MR BHAM SC: Yes – CHAIRPERSON: - which was there, which
13 14 15 16 17 18 19 20 21	think there's any evidence which suggests that Lonmin security took part in the shooting on the 16th. If there is, it should be pointed out – CHAIRPERSON: You dropped your voice so please repeat the last sentence? No evidence that? MR BHAM SC: That Lonmin security took part in the shooting on the 16th. If there is any such evidence we should be pointed out to that.	14 15 16 17 18 19 20	MR BHAM SC: Again Mr Chairman, I don't recall that evidence. If I'm wrong then – CHAIRPERSON: It was the Protea Coin helicopter – MR BHAM SC: Yes – CHAIRPERSON: - which was there, which was paid for by Lonmin which was made available to the
 13 14 15 16 17 18 19 20 21 22 	think there's any evidence which suggests that Lonmin security took part in the shooting on the 16th. If there is, it should be pointed out – CHAIRPERSON: You dropped your voice so please repeat the last sentence? No evidence that? MR BHAM SC: That Lonmin security took part in the shooting on the 16th. If there is any such evidence we should be pointed out to that. CHAIRPERSON: Well, I think he's right,	14 15 16 17 18 19 20 21	MR BHAM SC: Again Mr Chairman, I don't recall that evidence. If I'm wrong then – CHAIRPERSON: It was the Protea Coin helicopter – MR BHAM SC: Yes – CHAIRPERSON: - which was there, which was paid for by Lonmin which was made available to the police at a certain stage. That evidence is correct.
13 14 15 16 17 18 19	think there's any evidence which suggests that Lonmin security took part in the shooting on the 16th. If there is, it should be pointed out – CHAIRPERSON: You dropped your voice so please repeat the last sentence? No evidence that? MR BHAM SC: That Lonmin security took part in the shooting on the 16th. If there is any such evidence we should be pointed out to that. CHAIRPERSON: Well, I think he's right, Mr Bizos.	14 15 16 17 18 19 20 21 22	MR BHAM SC: Again Mr Chairman, I don't recall that evidence. If I'm wrong then – CHAIRPERSON: It was the Protea Coin helicopter – MR BHAM SC: Yes – CHAIRPERSON: - which was there, which was paid for by Lonmin which was made available to the police at a certain stage. That evidence is correct. MR BHAM SC: That's a slightly different
 13 14 15 16 17 18 19 20 21 22 23 	think there's any evidence which suggests that Lonmin security took part in the shooting on the 16th. If there is, it should be pointed out – CHAIRPERSON: You dropped your voice so please repeat the last sentence? No evidence that? MR BHAM SC: That Lonmin security took part in the shooting on the 16th. If there is any such evidence we should be pointed out to that. CHAIRPERSON: Well, I think he's right, Mr Bizos. MR BIZOS SC: No, I recollect that the	14 15 16 17 18 19 20 21 22 23	MR BHAM SC: Again Mr Chairman, I don't recall that evidence. If I'm wrong then – CHAIRPERSON: It was the Protea Coin helicopter – MR BHAM SC: Yes – CHAIRPERSON: - which was there, which was paid for by Lonmin which was made available to the police at a certain stage. That evidence is correct. MR BHAM SC: That's a slightly different proposition.

Page 30172	Page 30174
1 clarified what the proposition is so carry on with the 1 events at Lonmin but I ha	
2 question, Mr Bizos, and let's get the witness's answer. 2 CHAIRPERSON:	I'm sorry to interrupt you,
	ngs. You indicated you wanted to
	vit. We need it, in fact, because
5 used in the operation on the 16th? 5 the affidavit of Mr Patel re	efers to it.
	Yes.
7 Protea helicopter on hire that the government was paying 7 CHAIRPERSON:	And incorporates, as it
8 for. Its main purpose was for our people to do fly-overs 8 were by reference, a num	ber of things that are part of that
9 and for use as surveillance and mapping out what was going 9 affidavit. So that's why w	ve need it. That's why I was
10 out on the ground.10 happy to mark it, I didn't	know we didn't have copies to
11 MR BIZOS SC: That was in conjunction 11 mark but you've now got	copies and they will be received as
12 with the police operation.12 exhibit XXX6.	
13 MR DA COSTA: Well, as I said, for the 13 MR TIP SC:	Yes, thank you, Chair. We
14 period leading up to the 16th that helicopter was available 14 don't have copies for all t	he parties, we hadn't
15 for our security personnel to do observations from the air 15 anticipated that this migh	t come up today but we will
16 and to serve as a reconnaissance and information for us. 16 certainly by Monday –	
17 If it was then used by the SAPS on the 16th, that may well 17 CHAIRPERSON:	Alright, I don't think
18 be. So our co-operation with the SAPS was to make 18 unless it's important for the	•
	eed to hand them in now and at a
	row or after that you can hand
	you should make them available to
22 police as far as I know. 22 everybody because –	
	We will, Chair.
24 Lonmin that in providing space for police tents on their 24 CHAIRPERSON:	I'm sure you will. So
	· · · · · · · · · · · · · · · · · · ·
25 premises, making a helicopter available, making 25 anyway –	
25 premises, making a helicopter available, making 25 anyway –	
	Page 30175
Page 30173	Page 30175 But may I –
Page 30173	-
Page 30173 1 interpreters available, may have sent the wrong message to 2 the people that considered Lonmin their adversary in this 2 CHAIRPERSON:	But may I –
Page 30173 1 interpreters available, may have sent the wrong message to 1 MR TIP SC: 2 the people that considered Lonmin their adversary in this 2 CHAIRPERSON: 3 dispute? 3 has already been establisities	But may I – - your right to put it in
Page 30173 1 interpreters available, may have sent the wrong message to 2 the people that considered Lonmin their adversary in this 3 dispute? 4 MR DA COSTA: I don't know if I'm able to 4 exhibit number, it's deem	But may I – - your right to put it in hed. It's already been given an
Page 30173 1 interpreters available, may have sent the wrong message to 2 the people that considered Lonmin their adversary in this 3 dispute? 4 MR DA COSTA: I don't know if I'm able to 4 exhibit number, it's deem	But may I – - your right to put it in hed. It's already been given an ed to be here and the deemed
Page 30173 1 interpreters available, may have sent the wrong message to 2 the people that considered Lonmin their adversary in this 3 dispute? 4 MR DA COSTA: 1 don't know if I'm able to 5 answer you, whether that was considered, but you know given 6 the level of violence and I'm almost tempted to say anarchy	But may I – - your right to put it in hed. It's already been given an ed to be here and the deemed
Page 301731interpreters available, may have sent the wrong message to1MR TIP SC:2the people that considered Lonmin their adversary in this2CHAIRPERSON:3dispute?3has already been establish4MR DA COSTA:I don't know if I'm able to4exhibit number, it's deem5answer you, whether that was considered, but you know given5presence will be followed6the level of violence and I'm almost tempted to say anarchy6you can arrange it.7that was taking place at the time, I think, I think Lonmin7MR TIP SC:	But may I – - your right to put it in hed. It's already been given an ed to be here and the deemed up by actual presence as soon as
Page 301731interpreters available, may have sent the wrong message to1MR TIP SC:2the people that considered Lonmin their adversary in this2CHAIRPERSON:3dispute?3has already been establish4MR DA COSTA:I don't know if I'm able to4exhibit number, it's deem5answer you, whether that was considered, but you know given5presence will be followed6the level of violence and I'm almost tempted to say anarchy5you can arrange it.7that was taking place at the time, I think, I think Lonmin7MR TIP SC:8was of the view that if it was, you know, if making8thing with it which will no	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further
Page 301731interpreters available, may have sent the wrong message to1MR TIP SC:2the people that considered Lonmin their adversary in this2CHAIRPERSON:3dispute?3has already been establisi4MR DA COSTA:I don't know if I'm able to4exhibit number, it's deem5answer you, whether that was considered, but you know given5presence will be followed6the level of violence and I'm almost tempted to say anarchy6you can arrange it.7that was taking place at the time, I think, I think Lonmin7MR TIP SC:8was of the view that if it was, you know, if making8thing with it which will no9facilities available on the mine would make it easier for9but passages have been r	But may I – - your right to put it in hed. It's already been given an ed to be here and the deemed up by actual presence as soon as I want to do one further ot constitute cross-examination
Page 301731interpreters available, may have sent the wrong message to1MR TIP SC:2the people that considered Lonmin their adversary in this2CHAIRPERSON:3dispute?3has already been establish4MR DA COSTA:I don't know if I'm able to35answer you, whether that was considered, but you know given4exhibit number, it's deem6the level of violence and I'm almost tempted to say anarchy5presence will be followed7that was taking place at the time, I think, I think Lonmin7MR TIP SC:8was of the view that if it was, you know, if making8thing with it which will no9facilities available on the mine would make it easier for9but passages have been r10the South African Police to do what they – to address the10friend Mr Budlender from	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further of constitute cross-examination read onto the record by my learned
Page 301731interpreters available, may have sent the wrong message to1MR TIP SC:2the people that considered Lonmin their adversary in this2CHAIRPERSON:3dispute?3has already been establisi4MR DA COSTA:I don't know if I'm able to35answer you, whether that was considered, but you know given4exhibit number, it's deem6the level of violence and I'm almost tempted to say anarchy5presence will be followed7that was taking place at the time, I think, I think Lonmin7MR TIP SC:8was of the view that if it was, you know, if making8thing with it which will no9facilities available on the mine would make it easier for9but passages have been r10the South African Police to do what they – to address the1to ensure a balanced record	But may I – - your right to put it in hed. It's already been given an ed to be here and the deemed up by actual presence as soon as I want to do one further ot constitute cross-examination read onto the record by my learned the Patel affidavit and in order
Page 301731interpreters available, may have sent the wrong message to2the people that considered Lonmin their adversary in this3dispute?4MR DA COSTA:1don't know if I'm able to5answer you, whether that was considered, but you know given6the level of violence and I'm almost tempted to say anarchy7that was taking place at the time, I think, I think Lonmin8was of the view that if it was, you know, if making9facilities available on the mine would make it easier for10the South African Police to do what they – to address the11situation, then I think it was done more out of the point12of view of trying to assist really.	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further of constitute cross-examination read onto the record by my learned the Patel affidavit and in order ord I propose to read one or two
Page 301731interpreters available, may have sent the wrong message to2the people that considered Lonmin their adversary in this3dispute?4MR DA COSTA:4MR DA COSTA:5answer you, whether that was considered, but you know given6the level of violence and I'm almost tempted to say anarchy7that was taking place at the time, I think, I think Lonmin8was of the view that if it was, you know, if making9facilities available on the mine would make it easier for10the South African Police to do what they – to address the11situation, then I think it was done more out of the point12of view of trying to assist really.13CHAIRPERSON:14That was your final	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further ot constitute cross-examination read onto the record by my learned the Patel affidavit and in order ord I propose to read one or two ffidavit which, as you've observed, tel affidavit. Tansy's affidavit
Page 301731interpreters available, may have sent the wrong message to2the people that considered Lonmin their adversary in this3dispute?4MR DA COSTA:4MR DA COSTA:5answer you, whether that was considered, but you know given6the level of violence and I'm almost tempted to say anarchy7that was taking place at the time, I think, I think Lonmin8was of the view that if it was, you know, if making9facilities available on the mine would make it easier for10the South African Police to do what they – to address the11situation, then I think it was done more out of the point12of view of trying to assist really.13CHAIRPERSON:14That was your final	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further ot constitute cross-examination read onto the record by my learned the Patel affidavit and in order ord I propose to read one or two ffidavit which, as you've observed,
Page 301731interpreters available, may have sent the wrong message to1MR TIP SC:2the people that considered Lonmin their adversary in this2CHAIRPERSON:3dispute?3has already been establisi4MR DA COSTA:I don't know if I'm able to4exhibit number, it's deem5answer you, whether that was considered, but you know given5presence will be followed6the level of violence and I'm almost tempted to say anarchy6you can arrange it.7that was taking place at the time, I think, I think Lonmin7MR TIP SC:8was of the view that if it was, you know, if making8thing with it which will no9facilities available on the mine would make it easier for9but passages have been r10the South African Police to do what they – to address the10friend Mr Budlender from11situation, then I think it was done more out of the point11to ensure a balanced reco12of view of trying to assist really.12sentences from Tansy's a13CHAIRPERSON:That was your final13is the precursor to the Pa14question, Mr Bizos. Are we going to have final question14includes a full set of the r	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further ot constitute cross-examination read onto the record by my learned the Patel affidavit and in order ord I propose to read one or two ffidavit which, as you've observed, tel affidavit. Tansy's affidavit minutes of the negotiations at
Page 301731interpreters available, may have sent the wrong message to2the people that considered Lonmin their adversary in this3dispute?4MR DA COSTA:5answer you, whether that was considered, but you know given6the level of violence and I'm almost tempted to say anarchy7that was taking place at the time, I think, I think Lonmin8was of the view that if it was, you know, if making9facilities available on the mine would make it easier for10the South African Police to do what they – to address the11situation, then I think it was done more out of the point12of view of trying to assist really.13CHAIRPERSON:14question, Mr Bizos. Are we going to have final question15third series now?16MR BIZOS SC:7Thank you, Mr Chairman, I16MR BIZOS SC:	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further ot constitute cross-examination read onto the record by my learned the Patel affidavit and in order ord I propose to read one or two ffidavit which, as you've observed, tel affidavit. Tansy's affidavit minutes of the negotiations at Those were things that Mr
Page 301731interpreters available, may have sent the wrong message to2the people that considered Lonmin their adversary in this3dispute?4MR DA COSTA:4MR DA COSTA:5answer you, whether that was considered, but you know given6the level of violence and I'm almost tempted to say anarchy7that was taking place at the time, I think, I think Lonmin8was of the view that if it was, you know, if making9facilities available on the mine would make it easier for10the South African Police to do what they – to address the11situation, then I think it was done more out of the point12of view of trying to assist really.13CHAIRPERSON:14question, Mr Bizos. Are we going to have final question15third series now?16MR BIZOS SC:17have no further questions.	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further ot constitute cross-examination read onto the record by my learned the Patel affidavit and in order ord I propose to read one or two ffidavit which, as you've observed, tel affidavit. Tansy's affidavit minutes of the negotiations at Those were things that Mr were by reference –
Page 301731interpreters available, may have sent the wrong message to2the people that considered Lonmin their adversary in this3dispute?4MR DA COSTA:1don't know if I'm able to5answer you, whether that was considered, but you know given6the level of violence and I'm almost tempted to say anarchy7that was taking place at the time, I think, I think Lonmin8was of the view that if it was, you know, if making9facilities available on the mine would make it easier for10the South African Police to do what they – to address the11to ensure a balanced record12of view of trying to assist really.13CHAIRPERSON:14question, Mr Bizos. Are we going to have final question15third series now?16MR BIZOS SC:17have no further questions.18CHAIRPERSON:18CHAIRPERSON:10That was you, Mr Bizos. Mr18CHAIRPERSON:10That weak you, Mr Bizos. Mr11to ensure a solar of the point12sentences from Tansy's a13CHAIRPERSON:14MR BIZOS SC:15MR BIZOS SC:16MR BIZOS SC:17have no further questions.18CHAIRPERSON:19MR TIP SC:	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further ot constitute cross-examination read onto the record by my learned the Patel affidavit and in order ord I propose to read one or two ffidavit which, as you've observed, tel affidavit. Tansy's affidavit minutes of the negotiations at Those were things that Mr vere by reference – He does.
Page 301731interpreters available, may have sent the wrong message to2the people that considered Lonmin their adversary in this3dispute?4MR DA COSTA:1don't know if I'm able to5answer you, whether that was considered, but you know given6the level of violence and I'm almost tempted to say anarchy7that was taking place at the time, I think, I think Lonmin8was of the view that if it was, you know, if making9facilities available on the mine would make it easier for10the South African Police to do what they – to address the11situation, then I think it was done more out of the point12of view of trying to assist really.13CHAIRPERSON:14question, Mr Bizos. Are we going to have final question15third series now?16MR BIZOS SC:17have no further questions.18CHAIRPERSON:19Tip?19Tip?	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further to constitute cross-examination read onto the record by my learned the Patel affidavit and in order ord I propose to read one or two ffidavit which, as you've observed, tel affidavit. Tansy's affidavit minutes of the negotiations at Those were things that Mr vere by reference – He does. - in his affidavit.
Page 301731interpreters available, may have sent the wrong message to2the people that considered Lonmin their adversary in this3dispute?4MR DA COSTA:I don't know if I'm able to5answer you, whether that was considered, but you know given6the level of violence and I'm almost tempted to say anarchy7that was taking place at the time, I think, I think Lonmin8was of the view that if it was, you know, if making9facilities available on the mine would make it easier for10the South African Police to do what they – to address the11to ensure a balanced record12of view of trying to assist really.13CHAIRPERSON:14question, Mr Bizos. Are we going to have final question15third series now?16MR BIZOS SC:17have no further questions.18CHAIRPERSON:19Tip?20MR TIP SC:20MR TIP SC:20MR TIP SC:	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further ot constitute cross-examination read onto the record by my learned the Patel affidavit and in order ord I propose to read one or two ffidavit which, as you've observed, tel affidavit. Tansy's affidavit minutes of the negotiations at Those were things that Mr vere by reference – He does. - in his affidavit. He does, and at paragraph 10,
Page 301731interpreters available, may have sent the wrong message to1MR TIP SC:2the people that considered Lonmin their adversary in this2CHAIRPERSON:3dispute?3has already been establisi4MR DA COSTA:I don't know if I'm able to55answer you, whether that was considered, but you know given6you can arrange it.6the level of violence and I'm almost tempted to say anarchy6you can arrange it.7that was taking place at the time, I think, I think Lonmin7MR TIP SC:8was of the view that if it was, you know, if making8thing with it which will no9facilities available on the mine would make it easier for9but passages have been r10the South African Police to do what they – to address the10friend Mr Budlender from11to ensure a balanced reco11to ensure a balanced reco12of view of trying to assist really.12sentences from Tansy's a13CHAIRPERSON:Thank you, Mr Chairman, I16CHAIRPERSON:14question, Mr Bizos. Are we going to have final question16MR BIZOS SC:Thank you, Mr Bizos. Mr18CHAIRPERSON:Thank you, Mr Chairman, I16CHAIRPERSON:19Tip?19CHAIRPERSON:1920MR TIP SC:Thank you, Mr Chair. Before20MR TIP SC:21I begin with the cross-examination of Mr Da Costa I want21paragra	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further ot constitute cross-examination read onto the record by my learned the Patel affidavit and in order ord I propose to read one or two ffidavit which, as you've observed, tel affidavit. Tansy's affidavit minutes of the negotiations at Those were things that Mr vere by reference – He does. - in his affidavit. He does, and at paragraph 10, says "As is apparent from the
Page 301731interpreters available, may have sent the wrong message to2the people that considered Lonmin their adversary in this3dispute?4MR DA COSTA:I don't know if I'm able to5answer you, whether that was considered, but you know given6the level of violence and I'm almost tempted to say anarchy7that was taking place at the time, I think, I think Lonmin8was of the view that if it was, you know, if making9facilities available on the mine would make it easier for10the South African Police to do what they – to address the11situation, then I think it was done more out of the point12of view of trying to assist really.13CHAIRPERSON:14question, Mr Bizos. Are we going to have final question15third series now?16MR BIZOS SC:17have no further questions.18CHAIRPERSON:19Tip?20MR TIP SC:21I begin with the cross-examination of Mr Da Costa I want22briefly to deal with a matter which I touched on earlier22summary" – those are the	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further to constitute cross-examination read onto the record by my learned the Patel affidavit and in order ord I propose to read one or two ffidavit which, as you've observed, tel affidavit. Tansy's affidavit minutes of the negotiations at Those were things that Mr vere by reference – He does. - in his affidavit. He does, and at paragraph 10, says "As is apparent from the e minutes – "there was at no stage
Page 301731interpreters available, may have sent the wrong message to2the people that considered Lonmin their adversary in this3dispute?4MR DA COSTA:I don't know if I'm able to5answer you, whether that was considered, but you know given6the level of violence and I'm almost tempted to say anarchy7that was taking place at the time, I think, I think Lonmin8was of the view that if it was, you know, if making9facilities available on the mine would make it easier for10the South African Police to do what they – to address the11situation, then I think it was done more out of the point12of view of trying to assist really.13CHAIRPERSON:14question, Mr Bizos. Are we going to have final question15third series now?16MR BIZOS SC:17have no further questions.18CHAIRPERSON:19Tip?20MR TIP SC:21I begin with the cross-examination of Mr Da Costa I want22briefly to deal with a matter which I touched on earlier23today and that is the position at Impale.24today and that is the position at Impale.25today and that is the position at Impale.26today and that is the position at Impale.27today and that is the position at Impale.28today and that is the position at Impale.29today and that is the position at Impale.20today an	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further of constitute cross-examination read onto the record by my learned the Patel affidavit and in order ord I propose to read one or two ffidavit which, as you've observed, tel affidavit. Tansy's affidavit minutes of the negotiations at Those were things that Mr vere by reference – He does. - in his affidavit. He does, and at paragraph 10, says "As is apparent from the e minutes – "there was at no stage additional increase for RDOs that
Page 301731interpreters available, may have sent the wrong message to2the people that considered Lonmin their adversary in this3dispute?4MR DA COSTA:I don't know if I'm able to5answer you, whether that was considered, but you know given6the level of violence and I'm almost tempted to say anarchy7that was taking place at the time, I think, I think Lonmin8was of the view that if it was, you know, if making9facilities available on the mine would make it easier for10the South African Police to do what they – to address the11situation, then I think it was done more out of the point12of view of trying to assist really.13CHAIRPERSON:14question, Mr Bizos. Are we going to have final question15third series now?16MR BIZOS SC:17have no further questions.18CHAIRPERSON:19Tip?20MR TIP SC:21I begin with the cross-examination of Mr Da Costa I want22briefly to deal with a matter which I touched on earlier23today and that is the position at Impale.24today and that is the position at Impale.25today and that is the position at Impale.26today and that is the position at Impale.27today and that is the position at Impale.28today and that is the position at Impale.29today and that is the position at Impale.20today an	But may I – - your right to put it in hed. It's already been given an red to be here and the deemed up by actual presence as soon as I want to do one further to constitute cross-examination read onto the record by my learned the Patel affidavit and in order ord I propose to read one or two ffidavit which, as you've observed, tel affidavit. Tansy's affidavit minutes of the negotiations at Those were things that Mr vere by reference – He does. - in his affidavit. He does, and at paragraph 10, says "As is apparent from the e minutes – "there was at no stage

	Page 30176		Page 30178
1	CHAIRPERSON: It now is.	1	MR TIP SC: It is, Chair, I'm looking at
2	MR TIP SC: It is, yes, good. And then	2	our paginated XX2 which bears numbers on the top right-hand
3	it also reflects that in fact the agreement that was	3	corner.
4	concluded involved a differential of 5 400 for RDOs and	4	SPEAKER: Sorry Craig, try 85.
5	5 100 for other employees in that category but I have one	5	MR TIP SC: Yes, thank you.
6	full set, may I hand that up –	6	CHAIRPERSON: We've got 86 at the moment.
7	CHAIRPERSON: Thank you, hand the full	7	The suggestion is we look at 85. Which paragraph number?
8	set in now and then make sure that other people get copies	8	MR TIP SC: This is the typed pagination.
9	later on.	9	I don't know whether the –
10	MR TIP SC: The others will get that at a	10	MR DA COSTA: The page number 84 is in
11	later stage -	11	the top left-hand corner.
12	CHAIRPERSON: I'll mark that XXX6 in the	12	MR TIP SC: Yes. Just go up to the top
13	meantime.	13	if you can. Well, that's 83. We've got the –
14	CROSS-EXAMINATION BY MR TIP SC: Thank	14	CHAIRPERSON: We need the next page.
15	you, Chair. Now, Mr Da Costa, I act for NUM, as you have	15	MR TIP SC: Yes, 84.
16	heard. I also act for Mrs Fundi and I intend to put	16	CHAIRPERSON: Which paragraph number?
17	questions to you not only on behalf of NUM in that sense	17	MR TIP SC: It is paragraph 12.
18	but also on behalf of Mrs Fundi who of course has a	18	CHAIRPERSON: I see, thank you.
19	particular concern with the events of 12 August 2012 where	19	MR TIP SC: I'll read it out, if I may.
20	her husband lost his life.	20	"Superintendent Mabelane, who was in charge of our group,
21	CHAIRPERSON: I'm sorry to interrupt you.	21	gave instruction that we must stop the protesters not to go
22	Is it possible for those responsible for this room to turn	22	and burn NUM offices He ordered us to block the road in
23	the air conditioning on? I think it makes things a bit	23	such a way that the protesters cannot move forward, meaning
24	easier for everybody. Anyway, perhaps that message can be	24	parking our security vehicles across the road in one line.
25	conveyed to those responsible for these matters. Mr Tip,	25	I informed him that 'let us not block the road on line
	Page 30177		Page 30179
1	Page 30177 I'm sorry to have interrupted you.	1	Page 30179 because if there is a need to escape it will be difficult
1 2		1 2	
	I'm sorry to have interrupted you.	_	because if there is a need to escape it will be difficult
2	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular	2	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of
2 3	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating	2 3	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case
2 3 4	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that	2 3 4	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they
2 3 4 5	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me?	2 3 4 5	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm
2 3 4 5 6	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do.	2 3 4 5 6	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the
2 3 4 5 6 7	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of	2 3 4 5 6 7	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an
2 3 4 5 6 7 8	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put	2 3 4 5 6 7 8	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances,
2 3 4 5 6 7 8 9	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put specific questions to you, I'm just setting that out by way	2 3 4 5 6 7 8 9	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances, was a very, very important consideration and I am using
2 3 4 5 6 7 8 9 10 11 12	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put specific questions to you, I'm just setting that out by way of background and I will, in order to perhaps illustrate	2 3 4 5 6 7 8 9 10 11 12	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances, was a very, very important consideration and I am using that, as I said, as an illustration of the need to
2 3 4 5 6 7 8 9 10 11 12 13	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put specific questions to you, I'm just setting that out by way of background and I will, in order to perhaps illustrate and to some extent anchor these concerns I'm going to refer	2 3 4 5 6 7 8 9 10 11 12 13	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances, was a very, very important consideration and I am using that, as I said, as an illustration of the need to understand what the training was that had been offered by
2 3 4 5 6 7 8 9 10 11 12 13 14	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put specific questions to you, I'm just setting that out by way of background and I will, in order to perhaps illustrate and to some extent anchor these concerns I'm going to refer you to the statement of Mr Motlagewa who was one of the	2 3 4 5 6 7 8 9 10 11 12 13 14	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances, was a very, very important consideration and I am using that, as I said, as an illustration of the need to understand what the training was that had been offered by Lonmin in how to deal with a situation of that kind. Do
2 3 4 5 6 7 8 9 10 11 12 13 14 15	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put specific questions to you, I'm just setting that out by way of background and I will, in order to perhaps illustrate and to some extent anchor these concerns I'm going to refer you to the statement of Mr Motlagewa who was one of the security officers there, which is in exhibit XX2 at page	2 3 4 5 6 7 8 9 10 11 12 13 14 15	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances, was a very, very important consideration and I am using that, as I said, as an illustration of the need to understand what the training was that had been offered by Lonmin in how to deal with a situation of that kind. Do you follow that?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put specific questions to you, I'm just setting that out by way of background and I will, in order to perhaps illustrate and to some extent anchor these concerns I'm going to refer you to the statement of Mr Motlagewa who was one of the security officers there, which is in exhibit XX2 at page 84. I'd ask that that be placed on the screen.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances, was a very, very important consideration and I am using that, as I said, as an illustration of the need to understand what the training was that had been offered by Lonmin in how to deal with a situation of that kind. Do you follow that? MR DA COSTA: I do.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put specific questions to you, I'm just setting that out by way of background and I will, in order to perhaps illustrate and to some extent anchor these concerns I'm going to refer you to the statement of Mr Motlagewa who was one of the security officers there, which is in exhibit XX2 at page 84. I'd ask that that be placed on the screen. CHAIRPERSON: I think you said 84, didn't	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances, was a very, very important consideration and I am using that, as I said, as an illustration of the need to understand what the training was that had been offered by Lonmin in how to deal with a situation of that kind. Do you follow that? MR DA COSTA: I do. MR TIP SC: And in order to facilitate
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put specific questions to you, I'm just setting that out by way of background and I will, in order to perhaps illustrate and to some extent anchor these concerns I'm going to refer you to the statement of Mr Motlagewa who was one of the security officers there, which is in exhibit XX2 at page 84. I'd ask that that be placed on the screen. CHAIRPERSON: I think you said 84, didn't you?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances, was a very, very important consideration and I am using that, as I said, as an illustration of the need to understand what the training was that had been offered by Lonmin in how to deal with a situation of that kind. Do you follow that? MR DA COSTA: I do. MR TIP SC: And in order to facilitate your answer to the question, I'm going to give you the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put specific questions to you, I'm just setting that out by way of background and I will, in order to perhaps illustrate and to some extent anchor these concerns I'm going to refer you to the statement of Mr Motlagewa who was one of the security officers there, which is in exhibit XX2 at page 84. I'd ask that that be placed on the screen. CHAIRPERSON: I think you said 84, didn't you? MR TIP SC: 84, yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances, was a very, very important consideration and I am using that, as I said, as an illustration of the need to understand what the training was that had been offered by Lonmin in how to deal with a situation of that kind. Do you follow that? MR TIP SC: And in order to facilitate your answer to the question, I'm going to give you the second example that I want to draw from this statement.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put specific questions to you, I'm just setting that out by way of background and I will, in order to perhaps illustrate and to some extent anchor these concerns I'm going to refer you to the statement of Mr Motlagewa who was one of the security officers there, which is in exhibit XX2 at page 84. I'd ask that that be placed on the screen. CHAIRPERSON: I think you said 84, didn't you? MR TIP SC: 84, yes. CHAIRPERSON: What paragraph of the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances, was a very, very important consideration and I am using that, as I said, as an illustration of the need to understand what the training was that had been offered by Lonmin in how to deal with a situation of that kind. Do you follow that? MR DA COSTA: I do. MR TIP SC: And in order to facilitate your answer to the question, I'm going to give you the second example that I want to draw from this statement. [11:20] And that is in paragraph 14 a call is made to the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put specific questions to you, I'm just setting that out by way of background and I will, in order to perhaps illustrate and to some extent anchor these concerns I'm going to refer you to the statement of Mr Motlagewa who was one of the security officers there, which is in exhibit XX2 at page 84. I'd ask that that be placed on the screen. CHAIRPERSON: I think you said 84, didn't you? MR TIP SC: 84, yes. CHAIRPERSON: What paragraph of the affidavit are you referring to?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances, was a very, very important consideration and I am using that, as I said, as an illustration of the need to understand what the training was that had been offered by Lonmin in how to deal with a situation of that kind. Do you follow that? MR TIP SC: And in order to facilitate your answer to the question, I'm going to give you the second example that I want to draw from this statement. [11:20] And that is in paragraph 14 a call is made to the advancing protesters to stop and then says Mr Motlagewa,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put specific questions to you, I'm just setting that out by way of background and I will, in order to perhaps illustrate and to some extent anchor these concerns I'm going to refer you to the statement of Mr Motlagewa who was one of the security officers there, which is in exhibit XX2 at page 84. I'd ask that that be placed on the screen. CHAIRPERSON: I think you said 84, didn't you? MR TIP SC: 84, yes. CHAIRPERSON: What paragraph of the affidavit are you referring to? MR TIP SC: It is the –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances, was a very, very important consideration and I am using that, as I said, as an illustration of the need to understand what the training was that had been offered by Lonmin in how to deal with a situation of that kind. Do you follow that? MR TIP SC: And in order to facilitate your answer to the question, I'm going to give you the second example that I want to draw from this statement. [11:20] And that is in paragraph 14 a call is made to the advancing protesters to stop and then says Mr Motlagewa, "The protesters ignored our call and kept coming closer and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put specific questions to you, I'm just setting that out by way of background and I will, in order to perhaps illustrate and to some extent anchor these concerns I'm going to refer you to the statement of Mr Motlagewa who was one of the security officers there, which is in exhibit XX2 at page 84. I'd ask that that be placed on the screen. CHAIRPERSON: I think you said 84, didn't you? MR TIP SC: 84, yes. CHAIRPERSON: What paragraph of the affidavit are you referring to? MR TIP SC: It is the – CHAIRPERSON: That's 83, we need 84 on	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances, was a very, very important consideration and I am using that, as I said, as an illustration of the need to understand what the training was that had been offered by Lonmin in how to deal with a situation of that kind. Do you follow that? MR DA COSTA: I do. MR TIP SC: And in order to facilitate your answer to the question, I'm going to give you the second example that I want to draw from this statement. [11:20] And that is in paragraph 14 a call is made to the advancing protesters to stop and then says Mr Motlagewa, "The protesters ignored our call and kept coming closer and closer on us with pangas, knobkieries and other sharp
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	I'm sorry to have interrupted you. MR TIP SC: Now, one of the particular concerns that arise is what the circumstances were relating to the deployment of Mr Fundi and his colleagues to that scene on 12 August, do you follow me? MR DA COSTA: Yes, I do. MR TIP SC: And the particular aspect of that that I want to begin with, to seek your assistance on, is what the level was of the training and equipment and instructions that accompanied that deployment? I'll put specific questions to you, I'm just setting that out by way of background and I will, in order to perhaps illustrate and to some extent anchor these concerns I'm going to refer you to the statement of Mr Motlagewa who was one of the security officers there, which is in exhibit XX2 at page 84. I'd ask that that be placed on the screen. CHAIRPERSON: I think you said 84, didn't you? MR TIP SC: 84, yes. CHAIRPERSON: What paragraph of the affidavit are you referring to? MR TIP SC: It is the –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	because if there is a need to escape it will be difficult to escape'." Then the next paragraph, "All the vehicles of my colleagues parked facing opposite direction for in case if there is a need to escape from the protesters as they were many, it will be easy for us to do so." Now what I'm going to put to you arising from that is that the superintendent, the person who is in charge gives an instruction about how vehicles are to be parked, another security officer queries it and says that that will leave us with no escape possibility which, in the circumstances, was a very, very important consideration and I am using that, as I said, as an illustration of the need to understand what the training was that had been offered by Lonmin in how to deal with a situation of that kind. Do you follow that? MR TIP SC: And in order to facilitate your answer to the question, I'm going to give you the second example that I want to draw from this statement. [11:20] And that is in paragraph 14 a call is made to the advancing protesters to stop and then says Mr Motlagewa, "The protesters ignored our call and kept coming closer and

	Page 30180		Page 30182
1	to shoot at the protesters with rubber bullets. We shot	1	may pursue that with Mr Da Costa, Mr Sinclair was indeed
2	with rubber bullets, without success in scaring them away	2	the head of security and his name appears from time to time
3	and the protesters kept coming on us and there was no sign	3	in the statements that we do have, including yours. It was
4	of them being affected by our attempt to shoot them with	4	Mr Sinclair who dealt with you during the critical events,
5	stun guns and trying to stop them. We all decided to run	5	and not Mr Blaauw, correct?
6	away."	6	MR DA COSTA: Yes, that's correct.
7	Now as we know some 10 of those managed to run	7	MR TIP SC: Yes, now are you able to tell
8	away. Mr Mabelane and Mr Fundi were not successful and	8	us why at this stage some 20, 21 months after this
9	died. You're familiar with all that?	9	Commission began its work, it still has not received a
10	MR DA COSTA: Yes, I am.	10	statement from the head of security at Lonmin where a
11	MR TIP SC: Yes, and the point that I'm	11	number of persons lost their lives, including many
12	now placing before you for your assistance, please, is	12	employees of Lonmin?
13	whether these security officers and Superintendent Mabelane	13	MR DA COSTA: I'm not at – I'm not sure
14	in particular would have received proper training in	14	why he hasn't submitted a statement, no.
15	respect of how to deal with a crowd of this nature, and in	15	MR TIP SC: When you were preparing to
16	particular whether part of that training would have been	16	give evidence was there not any discussion about who else
17	that rubber bullets should be used on the basis that that	17	would testify in this Commission?
18	would be effective in containing that situation.	18	MR DA COSTA: There was. As far as I was
19	MR DA COSTA: Ja, I'm not well positioned	19	aware there's a possibility of Mr Seedat testifying and
20	to answer that question because I wasn't involved with the	20	then a number of security officials, including Mr Blaauw,
21	security and the management of the security, so	21	and a possibility of Mr Sinclair, but I didn't know that he
22	unfortunately I think it would be better placed to place a	22	would testify for sure.
23	question to one of our security managers.	23	MR TIP SC: Well, let us narrow this
24	MR TIP SC: Yes, Mr Da Costa, I entirely	24	notion of the possibility of Mr Sinclair. You were at the
25	accept that that's an appropriate answer from you. The	25	time the vice president for Karee.
	Page 30181		Page 30183
1	point of raising those examples was to underline the	1	MR DA COSTA: That's correct, yes.
2	point of raising those examples was to underline the necessity for this Commission to be properly informed by	2	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior of
2 3	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the	2 3	MR DA COSTA: That's correct, yes. MR TIP SC: Were you the most senior of the managers at Karee?
2 3 4	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the	2 3 4	MR DA COSTA: That's correct, yes. MR TIP SC: Were you the most senior of the managers at Karee? MR DA COSTA: Yes, that's right.
2 3 4 5	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to	2 3 4 5	MR DA COSTA: That's correct, yes. MR TIP SC: Were you the most senior of the managers at Karee? MR DA COSTA: Yes, that's right. MR TIP SC: And some of your employees at
2 3 4 5 6	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or	2 3 4 5 6	MR DA COSTA: That's correct, yes. MR TIP SC: Were you the most senior of the managers at Karee? MR DA COSTA: Yes, that's right. MR TIP SC: And some of your employees at Karee died during these events.
2 3 4 5 6 7	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be?	2 3 4 5 6 7	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR DA COSTA:MR DA COSTA:Yes, they did.
2 3 4 5 6 7 8	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the	2 3 4 5 6 7 8	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:MR TIP SC:And some of your employees atKaree died during these events.MR DA COSTA:MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th of
2 3 4 5 6 7 8 9	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person	2 3 4 5 6 7 8 9	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR DA COSTA:MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Karee Servers
2 3 4 5 6 7 8 9 10	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence.	2 3 4 5 6 7 8 9 10	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR DA COSTA:MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Yes.
2 3 4 5 6 7 8 9 10 11	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence. CHAIRPERSON: What about Mr Sinclair?	2 3 4 5 6 7 8 9 10 11	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR TIP SC:MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Yes.MR DA COSTA:Yes.MR DA COSTA:Yes.MR DA COSTA:Yes.MR DA COSTA:Yes.MR DA COSTA:Yes.MR TIP SC:Now as the senior manager at
2 3 4 5 6 7 8 9 10 11 12	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence. CHAIRPERSON: What about Mr Sinclair? Would he be able to help us?	2 3 4 5 6 7 8 9 10 11 12	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR TIP SC:MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Yes.MR TIP SC:Now as the senior manager atKaree were you not correct that you should learn at least
2 3 4 5 6 7 8 9 10 11 12 13	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence. CHAIRPERSON: What about Mr Sinclair? Would he be able to help us? MR DA COSTA: He may be able to. He was	2 3 4 5 6 7 8 9 10 11 12 13	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR DA COSTA:MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Yes.MR TIP SC:Now as the senior manager atKaree were you not correct that you should learn at leastabout such employees proventsHer Correct that you should learn at least
2 3 4 5 6 7 8 9 10 11 12 13 14	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence. CHAIRPERSON: What about Mr Sinclair? Would he be able to help us? MR DA COSTA: He may be able to. He was the emergency and disaster management manager at that point	2 3 4 5 6 7 8 9 10 11 12 13 14	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR DA COSTA:MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Yes.MR TIP SC:Now as the senior manager atKaree were you not concerned that you should learn at leastabout such employees precisely what the circumstances thathad led to their loss of life?
2 3 4 5 6 7 8 9 10 11 12 13 14 15	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence. CHAIRPERSON: What about Mr Sinclair? Would he be able to help us? MR DA COSTA: He may be able to. He was the emergency and disaster management manager at that point in time.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR DA COSTA:MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Yes.MR TIP SC:Now as the senior manager atKaree were you not corcerned that you should learn at leastabout such employees precisely what the circumstances thathad led to their loss of life?MR DA COSTA:Yes, I was.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence. CHAIRPERSON: What about Mr Sinclair? Would he be able to help us? MR DA COSTA: He may be able to. He was the emergency and disaster management manager at that point in time. CHAIRPERSON: Did security fall under	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:Yes, that's right.MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Yes.MR DA COSTA:Yes.MR TIP SC:Now as the senior manager atKaree were you not correct that you should learn at leastabout such employees precisely what the circumstances thathad led to their loss of life?MR TIP SC:Yes, I was.MR TIP SC:Yes, I was.MR TIP SC:Were you not of a mind that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence. CHAIRPERSON: What about Mr Sinclair? Would he be able to help us? MR DA COSTA: He may be able to. He was the emergency and disaster management manager at that point in time. CHAIRPERSON: Did security fall under him?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:Yes, that's right.MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Yes.MR TIP SC:Now as the senior manager atKaree were you not correct that you should learn at leastabout such employees precisely what the circumstances thathad led to their loss of life?MR TIP SC:Yes, I was.MR TIP SC:Yes you not of a mind thatyou should for that purporeYes af ull account from the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence. CHAIRPERSON: What about Mr Sinclair? Would he be able to help us? MR DA COSTA: He may be able to. He was the emergency and disaster management manager at that point in time. CHAIRPERSON: Did security fall under him? MR DA COSTA: Yes, it did. It –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:Yes, that's right.MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Including on the 12th ofMR TIP SC:Now as the senior manager atKaree were you not correct that you should learn at leastabout such employees or life?Yes, I was.MR TIP SC:Yes, I was.MR TIP SC: <t< td=""></t<>
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence. CHAIRPERSON: What about Mr Sinclair? Would he be able to help us? MR DA COSTA: He may be able to. He was the emergency and disaster management manager at that point in time. CHAIRPERSON: Did security fall under him? MR DA COSTA: Yes, it did. It – CHAIRPERSON: We have been waiting –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:Yes, that's right.MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.MR DA COSTA:Yes.MR DA COSTA:Yes.MR TIP SC:Now as the senior manager atKaree were you not concerned that you should learn at leastabout such employees precisely what the circumstances thathad led to their loss of life?MR TIP SC:Yes, I was.MR TIP SC:Yes, I was.MR TIP SC:Yes, I was.MR TIP SC:Yes, I was.Yes, I was.MR TIP SC:Yes, I was.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence. CHAIRPERSON: What about Mr Sinclair? Would he be able to help us? MR DA COSTA: He may be able to. He was the emergency and disaster management manager at that point in time. CHAIRPERSON: Did security fall under him? MR DA COSTA: Yes, it did. It – CHAIRPERSON: We have been waiting – MR DA COSTA: Security reported in to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:Yes, that's right.MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Yes.MR TIP SC:Now as the senior manager atKaree were you not concerned that you should learn at leastabout such employees precisely what the circumstances thathad led to their loss of life?MR TIP SC:Yes, I was.MR TIP SC:Were you not of a mind thatyou should for that purpose receive a full account from thesecurity of Lonmin and why events of that kind had takenplace and why employees had lost their lives?MR DA COSTA:I was. I mean I was
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence. CHAIRPERSON: What about Mr Sinclair? Would he be able to help us? MR DA COSTA: He may be able to. He was the emergency and disaster management manager at that point in time. CHAIRPERSON: Did security fall under him? MR DA COSTA: Yes, it did. It – CHAIRPERSON: We have been waiting – MR DA COSTA: Security reported in to Henry Blaauw, which reported in to Mr Sinclair.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:Yes, that's right.MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR DA COSTA:Yes, they did.MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Yes.MR TIP SC:Now as the senior manager atKaree were you not concerned that you should learn at leastabout such employees precisely what the circumstances thathad led to their loss of life?MR DA COSTA:MR TIP SC:Yes, I was.MR TIP SC:Yes, I was.MR TIP SC:Were you not of a mind thatyou should for that purpose receive a full account from thesecurity of Lonmin and why events of that kind had takenplace and why employees had lost their lives?MR DA COSTA:I was. I mean I wasbriefed on it, not, there's no report as such, but I was
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence. CHAIRPERSON: What about Mr Sinclair? Would he be able to help us? MR DA COSTA: He may be able to. He was the emergency and disaster management manager at that point in time. CHAIRPERSON: Did security fall under him? MR DA COSTA: Yes, it did. It – CHAIRPERSON: We have been waiting – MR DA COSTA: Security reported in to Henry Blaauw, which reported in to Mr Sinclair. CHAIRPERSON: Yes, yes, I understand.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:Yes, that's right.MR DA COSTA:Yes, that's right.MR TIP SC:MR DA COSTA:Yes, they did.MR TIP SC:MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Yes.MR TIP SC:Now as the senior manager atKaree were you not concerned that you should learn at leastabout such employees precisely what the circumstances thathad led to their loss of life?MR TIP SC:MR DA COSTA:Yes, I was.MR TIP SC:Were you not of a mind thatyou should for that purpose receive a full account from thesecurity of Lonmin and why events of that kind had takenplace and why employees had lost their lives?MR DA COSTA:I was. I mean I wasbriefed on it, not, there's no report as such, but I wasbriefed on what occurred there.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence. CHAIRPERSON: What about Mr Sinclair? Would he be able to help us? MR DA COSTA: He may be able to. He was the emergency and disaster management manager at that point in time. CHAIRPERSON: Did security fall under him? MR DA COSTA: Yes, it did. It – CHAIRPERSON: We have been waiting – MR DA COSTA: Security reported in to Henry Blaauw, which reported in to Mr Sinclair. CHAIRPERSON: Yes, yes, I understand. We've been waiting for a statement from Mr Sinclair. I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:Yes, that's right.MR TIP SC:And some of your employees atKaree died during these events.MR DA COSTA:Yes, they did.MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Yes.MR DA COSTA:Yes.MR TIP SC:Now as the senior manager atKaree were you not concerned that you should learn at leastabout such employees precisely what the circumstances thathad led to their loss of life?MR TIP SC:Yes, I was.MR TIP SC:Were you not of a mind thatyou should for that purpose receive a full account from thesecurity of Lonmin and why events of that kind had takenplace and why employees had lost their lives?MR DA COSTA:I was. I mean I wasbriefed on it, not, there's no report as such, but I wasbriefed on what occurred there.MR TIP SC:Well yes, I'm not sure what
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	point of raising those examples was to underline the necessity for this Commission to be properly informed by persons from Lonmin who can deal comprehensively with the issue of the training of the security officers, the planning that went into the deployment of a dozen people to deal with that situation. Now who would that person or persons be? MR DA COSTA: It would most likely be the security manager, Henry Blaauw, I would suggest is a person who would be in a position to give that evidence. CHAIRPERSON: What about Mr Sinclair? Would he be able to help us? MR DA COSTA: He may be able to. He was the emergency and disaster management manager at that point in time. CHAIRPERSON: Did security fall under him? MR DA COSTA: Yes, it did. It – CHAIRPERSON: We have been waiting – MR DA COSTA: Security reported in to Henry Blaauw, which reported in to Mr Sinclair. CHAIRPERSON: Yes, yes, I understand.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR DA COSTA:That's correct, yes.MR TIP SC:Were you the most senior ofthe managers at Karee?MR DA COSTA:Yes, that's right.MR DA COSTA:Yes, that's right.MR TIP SC:MR DA COSTA:Yes, they did.MR TIP SC:MR DA COSTA:Yes, they did.MR TIP SC:Including on the 12th ofAugust at K4 Shaft.Yes.MR TIP SC:Now as the senior manager atKaree were you not concerned that you should learn at leastabout such employees precisely what the circumstances thathad led to their loss of life?MR TIP SC:MR DA COSTA:Yes, I was.MR TIP SC:Were you not of a mind thatyou should for that purpose receive a full account from thesecurity of Lonmin and why events of that kind had takenplace and why employees had lost their lives?MR DA COSTA:I was. I mean I wasbriefed on it, not, there's no report as such, but I wasbriefed on what occurred there.

		1	
1	Page 30184	1	Page 30186
1	specific question, that you should in my suggestion to you	1	have the benefit of a proper analysis of the circumstances,
2	have made it your business to obtain a full account from	2	understand what had taken place and inter alia take steps
3	the most senior person in Lonmin's security establishment	3	to ensure that nothing like that could occur again. Did
4	as to why these events had taken place; how could people	4	that happen?
5	have died going to work at your shaft. You should have	5	MR DA COSTA: Yes, there was a full, what
6	made sure that you got that report. That's what I'm	6	we call an ICAM conducted, which is an incident analysis
7	putting to you.	7	methodology that we use in the, in mining operations to get
8	MR DA COSTA: Yes, I received a verbal	8	to the bottom of safety incidents, so one of those
9	report or briefing on what occurred there.	9	investigations was conducted. The report, there was a
10	MR TIP SC: From whom?	10	report produced, which I don't have with me right now, but
11	MR DA COSTA: From Mr Sinclair.	11	there was something like that produced, yes.
12	MR TIP SC: What did he tell you?	12	MR TIP SC: Right, now my understanding -
13	MR DA COSTA: Well, that –	13	and my colleagues, my learned friends, the evidence leaders
14	MR TIP SC: Well, let me just – before I	14	in particular, will correct me if I'm wrong – I have not
15	go there, let me be a bit more specific. Did you receive	15	seen such a report as part of the documentation that has
16	an oral report from Mr Sinclair in respect of the events of	16	been handed in to this Commission. Are you able to tell us
17	12 August?	17	whether that is correct or not?
18	MR DA COSTA: The events of –	18	MR BHAM SC: Mr Chairman, the ICAM report
19	CHAIRPERSON: I'm sorry, what do you mean	19	has been made available to the evidence leaders.
20	by events of 12 August? Remember 12 August there were	20	COMMISSIONER HEMRAJ: Was that done very
21	events in the morning where \ensuremath{Mr} Fundi and \ensuremath{Mr} Mabelane were	21	recently –
22	killed, isn't it?	22	MR BUDLENDER SC: That has recently
23	MR TIP SC: Forgive me, Chair. Thank	23	happened, yes.
24	you, yes –	24	COMMISSIONER HEMRAJ: Yes.
25	CHAIRPERSON: And there were also	25	CHAIRPERSON: It stayed with the evidence
	Page 30185		Page 30187
1	incidents that evening -	1	leaders so far. It's not been seen by the representatives
2	incidents that evening – MR TIP SC: Yes.	2	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg
	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed	2 3	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the
2 3 4	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was	2 3 4	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi.
2 3	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've	2 3	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just
2 3 4	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was	2 3 4	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by
2 3 4 5	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to.	2 3 4 5	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just
2 3 4 5 6	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair.	2 3 4 5 6	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by
2 3 4 5 6 7	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to	2 3 4 5 6 7	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more
2 3 4 5 6 7 8	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and	2 3 4 5 6 7 8	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be
2 3 4 5 6 7 8 9 10 11	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed.	2 3 4 5 6 7 8 9 10 11	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we
2 3 4 5 6 7 8 9 10 11 12	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August,	2 3 4 5 6 7 8 9 10	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we have them. That will be copied and distributed as soon as
2 3 4 5 6 7 8 9 10 11	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August, it was a Sunday, I was at home and I was telephoned to go	2 3 4 5 6 7 8 9 10 11	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we
2 3 4 5 6 7 8 9 10 11 12	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August, it was a Sunday, I was at home and I was telephoned to go out to the mine because this incident had happened. So	2 3 4 5 6 7 8 9 10 11 12 13 14	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we have them. That will be copied and distributed as soon as we get a nod. CHAIRPERSON: The Commission started
2 3 4 5 6 7 8 9 10 11 12 13	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August, it was a Sunday, I was at home and I was telephoned to go out to the mine because this incident had happened. So when I arrived at the mine –	2 3 4 5 6 7 8 9 10 11 12 13	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we have them. That will be copied and distributed as soon as we get a nod. CHAIRPERSON: The Commission started hearing evidence about November 2012, didn't it?
2 3 4 5 6 7 8 9 10 11 12 13 14	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August, it was a Sunday, I was at home and I was telephoned to go out to the mine because this incident had happened. So when I arrived at the mine – MR TIP SC: Mr Da Costa, forgive me for	2 3 4 5 6 7 8 9 10 11 12 13 14	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we have them. That will be copied and distributed as soon as we get a nod. CHAIRPERSON: The Commission started hearing evidence about November 2012, didn't it? MR WESLEY: That's correct, Chair.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August, it was a Sunday, I was at home and I was telephoned to go out to the mine because this incident had happened. So when I arrived at the mine –	2 3 4 5 6 7 8 9 10 11 12 13 14 15	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we have them. That will be copied and distributed as soon as we get a nod. CHAIRPERSON: The Commission started hearing evidence about November 2012, didn't it?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August, it was a Sunday, I was at home and I was telephoned to go out to the mine because this incident had happened. So when I arrived at the mine – MR TIP SC: Mr Da Costa, forgive me for	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we have them. That will be copied and distributed as soon as we get a nod. CHAIRPERSON: The Commission started hearing evidence about November 2012, didn't it? MR WESLEY: That's correct, Chair.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August, it was a Sunday, I was at home and I was telephoned to go out to the mine because this incident had happened. So when I arrived at the mine – MR TIP SC: Mr Da Costa, forgive me for interrupting you. I'm not wanting you to repeat what you	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we have them. That will be copied and distributed as soon as we get a nod. CHAIRPERSON: The Commission started hearing evidence about November 2012, didn't it? MR WESLEY: That's correct, Chair. CHAIRPERSON: Ja, I see. Interesting,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August, it was a Sunday, I was at home and I was telephoned to go out to the mine because this incident had happened. So when I arrived at the mine – MR TIP SC: Mr Da Costa, forgive me for interrupting you. I'm not wanting you to repeat what you set out in your statement.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we have them. That will be copied and distributed as soon as we get a nod. CHAIRPERSON: The Commission started hearing evidence about November 2012, didn't it? MR WESLEY: That's correct, Chair. CHAIRPERSON: Ja, I see. Interesting, that.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August, it was a Sunday, I was at home and I was telephoned to go out to the mine because this incident had happened. So when I arrived at the mine – MR TIP SC: Mr Da Costa, forgive me for interrupting you. I'm not wanting you to repeat what you set out in your statement. MR DA COSTA: Okay.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we have them. That will be copied and distributed as soon as we get a nod. CHAIRPERSON: The Commission started hearing evidence about November 2012, didn't it? MR WESLEY: That's correct, Chair. CHAIRPERSON: Ja, I see. Interesting, that. MR TIP SC: Chair, this is of course
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August, it was a Sunday, I was at home and I was telephoned to go out to the mine because this incident had happened. So when I arrived at the mine – MR TIP SC: Mr Da Costa, forgive me for interrupting you. I'm not wanting you to repeat what you set out in your statement. MR DA COSTA: Okay. MR TIP SC: I'm pursuing a specific	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we have them. That will be copied and distributed as soon as we get a nod. CHAIRPERSON: The Commission started hearing evidence about November 2012, didn't it? MR WESLEY: That's correct, Chair. CHAIRPERSON: Ja, I see. Interesting, that. MR TIP SC: Chair, this is of course startling information. I confirm that we were advised this
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August, it was a Sunday, I was at home and I was telephoned to go out to the mine because this incident had happened. So when I arrived at the mine – MR TIP SC: Mr Da Costa, forgive me for interrupting you. I'm not wanting you to repeat what you set out in your statement. MR TIP SC: I'm pursuing a specific question. I want to know, to put it bluntly, whether	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we have them. That will be copied and distributed as soon as we get a nod. CHAIRPERSON: The Commission started hearing evidence about November 2012, didn't it? MR WESLEY: That's correct, Chair. CHAIRPERSON: Ja, I see. Interesting, that. MR TIP SC: Chair, this is of course startling information. I confirm that we were advised this morning by email from Ms Pillay, and my learned friend Mr
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August, it was a Sunday, I was at home and I was telephoned to go out to the mine because this incident had happened. So when I arrived at the mine – MR TIP SC: Mr Da Costa, forgive me for interrupting you. I'm not wanting you to repeat what you set out in your statement. MR DA COSTA: Okay. MR TIP SC: I'm pursuing a specific question. I want to know, to put it bluntly, whether Lonmin investigated that incident in which those two	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we have them. That will be copied and distributed as soon as we get a nod. CHAIRPERSON: The Commission started hearing evidence about November 2012, didn't it? MR WESLEY: That's correct, Chair. CHAIRPERSON: Ja, I see. Interesting, that. MR TIP SC: Chair, this is of course startling information. I confirm that we were advised this morning by email from Ms Pillay, and my learned friend Mr Wesley indicated that as well, that there was now
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August, it was a Sunday, I was at home and I was telephoned to go out to the mine because this incident had happened. So when I arrived at the mine – MR TIP SC: Mr Da Costa, forgive me for interrupting you. I'm not wanting you to repeat what you set out in your statement. MR DA COSTA: Okay. MR TIP SC: I'm pursuing a specific question. I want to know, to put it bluntly, whether Lonmin investigated that incident in which those two security officers lost their lives, whether it did so	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we have them. That will be copied and distributed as soon as we get a nod. CHAIRPERSON: The Commission started hearing evidence about November 2012, didn't it? MR WESLEY: That's correct, Chair. CHAIRPERSON: Ja, I see. Interesting, that. MR TIP SC: Chair, this is of course startling information. I confirm that we were advised this morning by email from Ms Pillay, and my learned friend Mr Wesley indicated that as well, that there was now additional material and we could download it. I have not
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	incidents that evening – MR TIP SC: Yes. CHAIRPERSON: - when people were killed at, or one man was killed at Karee, another man I think was killed either on the way to or on the way from. So you've got to make it clear which events on the 12th you're referring to. MR TIP SC: I appreciate that, Chair. Thank you. I'm confining that question for the moment to the incident in which your security officers Mabelane and Fundi were killed. MR DA COSTA: Ja, on the 12th of August, it was a Sunday, I was at home and I was telephoned to go out to the mine because this incident had happened. So when I arrived at the mine – MR TIP SC: Mr Da Costa, forgive me for interrupting you. I'm not wanting you to repeat what you set out in your statement. MR TIP SC: I'm pursuing a specific question. I want to know, to put it bluntly, whether Lonmin investigated that incident in which those two security officers lost their lives, whether it did so comprehensively and fully, and whether it produced a	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	leaders so far. It's not been seen by the representatives of NUM who have an interest in the matter – or not, I beg your pardon, not the representatives of NUM, but the representatives of Mr Fundi. MR WESLEY: Yes Chair, if I can just place on record, the report has been made available now by us to the parties. The report contains approximately three lever arch files of annexures. We have not distributed those yet. We've been requested by Lonmin for some more time before they give their okay that that can be distributed, for their own business safety reasons, but we have them. That will be copied and distributed as soon as we get a nod. CHAIRPERSON: The Commission started hearing evidence about November 2012, didn't it? MR WESLEY: That's correct, Chair. CHAIRPERSON: Ja, I see. Interesting, that. MR TIP SC: Chair, this is of course startling information. I confirm that we were advised this morning by email from Ms Pillay, and my learned friend Mr Wesley indicated that as well, that there was now additional material and we could download it. I have not seen that. It is frankly extraordinary that that should

	Page 30188		Page 30190
1	for me to cross-examine properly on this really important	1	and we've done that so that we can ensure that the
2	topic is with respect very, very problematic –	2	logistics, including any documents that need to be
3	CHAIRPERSON: No, Mr Tip, what you say is	3	produced, is done in good time and parties are not placed
4	obviously correct, but there is a rider and that is this	4	in this position. This witness has come at this stage –
5	witness doesn't know much about it anyway. Clearly Lonmin	5	MR MPOFU: Chairperson –
6	will have to call more direct evidence on this point and	6	MR BHAM SC: Sorry, I'm not finished yet,
7	the arrangements that were made were they were giving	7	Chairperson –
8	evidence in July, it was because of problems in relation to	8	MR MPOFU: Oh, I'm sorry.
9	the availability of Mr X that Lonmin agreed to help us out	9	CHAIRPERSON: Mr Mpofu, please behave in
10	and lead, make some evidence available, or lead some	10	accordance with the standard you normally do.
11	evidence this week. I have no doubt that by the time the	11	MR MPOFU: No, Chairperson, I thought Mr
12	witnesses to whom you can direct questions on the merits as	12	Bham was finished obviously.
13	it were of the issue you're now touching on, by the time	13	CHAIRPERSON: Let him finish. When he's
14	they come you will have had opportunity to study the	14	turned his red light off you can start talking.
15	documents. It is a matter for comment perhaps. We haven't	15	MR BHAM SC: Mr Da Costa came at this
16	had them earlier, but it's water under the bridge. We've	16	point in time, and for a long time we had no idea when
17	got to move ahead and try to do our work as best as we can.	17	Lonmin witnesses are going to come. We're trying to sort
18	Yes, it's suggested to me that you might wish of	18	that out so we know exactly when they're going to come and
19	course to put to this witness, who was after all in charge	19	we can sort out the preparation without prejudice being
20	of Karee, certain things resulting from that investigation,	20	caused to anybody. He came in the circumstances you've
21	in which case it's difficult for you to do it not knowing	21	already explained. But once we've sorted out the schedule
22	what the results of the investigation were, but if that's	22	of Lonmin witnesses we will make sure that the
23	so then it may be necessary for this witness to come back	23	documentation which is required and relevant to them will
23	at a later stage when you're ready to do that.	23	be before the Commission and sent out to all parties.
24	Alternatively, you may be able to get what you want from	24 25	CHAIRPERSON: Yes, thank you, I'll accept
25	Alternatively, you may be able to get what you want from	25	CHARCERSON. Tes, thank you, th accept
	Page 30189		Page 30191
1	other witnesses. But the point you raise is not lacking in	1	that assurance. Mr Mpofu, in the light of the assurance do
2	validity.	2	you have to say anything further at this point?
3	MR MPOFU: Chairperson, for what it's	3	MR MPOFU: I'll defer to Mr Tip on that
4	worth I wanted to put on the record that we have an obvious	4	point, Chair.
5	and clear interest in that report as well, for the same	5	CHAIRPERSON: Alright Mr Tip, carry on.
		-	
	reason –	6	
6	reason –	6 7	MR TIP SC: Chair, I do need to say
6 7	CHAIRPERSON: I understood it was going	7	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and
6 7 8	CHAIRPERSON: I understood it was going to be, in the process of being sent to the parties, which	7 8	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission.
6 7 8 9	CHAIRPERSON: I understood it was going to be, in the process of being sent to the parties, which includes your clients.	7 8 9	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security
6 7 8 9 10	CHAIRPERSON: I understood it was going to be, in the process of being sent to the parties, which includes your clients. MR MPOFU: Well, you only mentioned one	7 8 9 10	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have
6 7 8 9 10 11	CHAIRPERSON: I understood it was going to be, in the process of being sent to the parties, which includes your clients. MR MPOFU: Well, you only mentioned one party.	7 8 9 10 11	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper
6 7 8 9 10 11 12	CHAIRPERSON:I understood it was goingto be, in the process of being sent to the parties, whichincludes your clients.MR MPOFU:Well, you only mentioned oneparty.CHAIRPERSON:Yes, but anyway, but not	7 8 9 10 11 12	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper understanding of all the other events and acts of other
6 7 8 9 10 11 12 13	CHAIRPERSON:I understood it was goingto be, in the process of being sent to the parties, which includes your clients.sent to the parties, which only mentioned oneMR MPOFU:Well, you only mentioned oneparty.CHAIRPERSON:CHAIRPERSON:Yes, but anyway, but notthe annexures.We won't debate the annexures now.	7 8 9 10 11 12 13	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper understanding of all the other events and acts of other parties. It is with great respect to my learned friend Mr
6 7 8 9 10 11 12 13 14	CHAIRPERSON:I understood it was goingto be, in the process of being sent to the parties, which includes your clients.sent to the parties, which only mentioned oneMR MPOFU:Well, you only mentioned oneparty.CHAIRPERSON:CHAIRPERSON:Yes, but anyway, but notthe annexures.We won't debate the annexures now.may be no issue in the end, but anyway, the point you make	7 8 9 10 11 12 13 14	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper understanding of all the other events and acts of other parties. It is with great respect to my learned friend Mr Bham, not satisfactory for us to be told that because the
6 7 8 9 10 11 12 13 14 15	CHAIRPERSON:I understood it was goingto be, in the process of being sent to the parties, which includes your clients.MR MPOFU:Well, you only mentioned one party.CHAIRPERSON:Yes, but anyway, but notthe annexures.We won't debate the annexures now.There may be no issue in the end, but anyway, the point you make is obviously also not without validity, but these matters	7 8 9 10 11 12 13 14 15	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper understanding of all the other events and acts of other parties. It is with great respect to my learned friend Mr Bham, not satisfactory for us to be told that because the Lonmin witnesses are now about to arrive here to assist the
6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON:I understood it was goingto be, in the process of being sent to the parties, which includes your clients.sent to the parties, which only mentioned oneMR MPOFU:Well, you only mentioned oneparty.CHAIRPERSON:Yes, but anyway, but notthe annexures.We won't debate the annexures now.Theremay be no issue in the end, but anyway, the point you make is obviously also not without validity, but these matters can be dealt with in due course.I understood it was going	7 8 9 10 11 12 13 14 15 16	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper understanding of all the other events and acts of other parties. It is with great respect to my learned friend Mr Bham, not satisfactory for us to be told that because the Lonmin witnesses are now about to arrive here to assist the Commission, this additional information is being made
6 7 8 9 10 11 12 13 14 15 16 17	CHAIRPERSON:I understood it was goingto be, in the process of being sent to the parties, which includes your clients.sent to the parties, whichMR MPOFU:Well, you only mentioned one party.CHAIRPERSON:Yes, but anyway, but notthe annexures. We won't debate the annexures now. There may be no issue in the end, but anyway, the point you make is obviously also not without validity, but these matters can be dealt with in due course.MR BHAM SC:Mr Chairman, just so that I	7 8 9 10 11 12 13 14 15 16 17	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper understanding of all the other events and acts of other parties. It is with great respect to my learned friend Mr Bham, not satisfactory for us to be told that because the Lonmin witnesses are now about to arrive here to assist the Commission, this additional information is being made available. That information should have been made
6 7 8 9 10 11 12 13 14 15 16 17 18	CHAIRPERSON:I understood it was goingto be, in the process of being sent to the parties, which includes your clients.MR MPOFU:Well, you only mentioned one party.CHAIRPERSON:Yes, but anyway, but notthe annexures.We won't debate the annexures now.the annexures.We won't debate the annexures now.may be no issue in the end, but anyway, the point you make is obviously also not without validity, but these matters can be dealt with in due course.MR BHAM SC:Mr Chairman, just so that I can place this on record, you've already explained the	7 8 9 10 11 12 13 14 15 16 17 18	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper understanding of all the other events and acts of other parties. It is with great respect to my learned friend Mr Bham, not satisfactory for us to be told that because the Lonmin witnesses are now about to arrive here to assist the Commission, this additional information is being made available. That information should have been made available 20 months ago so that this Commission and all the
6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON:I understood it was goingto be, in the process of being sent to the parties, which includes your clients.sent to the parties, whichMR MPOFU:Well, you only mentioned one party.CHAIRPERSON:Yes, but anyway, but notthe annexures. We won't debate the annexures now. There may be no issue in the end, but anyway, the point you make is obviously also not without validity, but these matters can be dealt with in due course.MR BHAM SC:Mr Chairman, just so that I can place this on record, you've already explained the circumstances in which K Da Costa has come to testify. We	7 8 9 10 11 12 13 14 15 16 17 18 19	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper understanding of all the other events and acts of other parties. It is with great respect to my learned friend Mr Bham, not satisfactory for us to be told that because the Lonmin witnesses are now about to arrive here to assist the Commission, this additional information is being made available. That information should have been made available 20 months ago so that this Commission and all the parties before it would have had a proper opportunity to
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	CHAIRPERSON:I understood it was goingto be, in the process of being sent to the parties, which includes your clients.sent to the parties, whichMR MPOFU:Well, you only mentioned one party.CHAIRPERSON:Yes, but anyway, but notthe annexures.We won't debate the annexures now. There may be no issue in the end, but anyway, the point you make is obviously also not without validity, but these matters can be dealt with in due course.MR BHAM SC:Mr Chairman, just so that I can place this on record, you've already explained the circumstances in which Mr Da Costa has come to testify. We hadn't anticipated it; it came up because there was a gap	7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper understanding of all the other events and acts of other parties. It is with great respect to my learned friend Mr Bham, not satisfactory for us to be told that because the Lonmin witnesses are now about to arrive here to assist the Commission, this additional information is being made available. That information should have been made available 20 months ago so that this Commission and all the parties before it would have had a proper opportunity to consider it, to analyse it, to form views, to undertake
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	CHAIRPERSON:I understood it was goingto be, in the process of being sent to the parties, which includes your clients.MR MPOFU:Well, you only mentioned one party.CHAIRPERSON:Yes, but anyway, but not the annexures. We won't debate the annexures now. There may be no issue in the end, but anyway, the point you make is obviously also not without validity, but these matters can be dealt with in due course.MR BHAM SC:Mr Chairman, just so that I can place this on record, you've already explained the circumstances in which Mr Da Costa has come to testify. We hadn't anticipated it; it came up because there was a gap in the Commission's calendar and we sought to assist them	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper understanding of all the other events and acts of other parties. It is with great respect to my learned friend Mr Bham, not satisfactory for us to be told that because the Lonmin witnesses are now about to arrive here to assist the Commission, this additional information is being made available. That information should have been made available 20 months ago so that this Commission and all the parties before it would have had a proper opportunity to consider it, to analyse it, to form views, to undertake supplementary investigations of their own, and for this to
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	CHAIRPERSON:I understood it was goingto be, in the process of being sent to the parties, which includes your clients.MR MPOFU:MR MPOFU:Well, you only mentioned one party.CHAIRPERSON:Yes, but anyway, but not the annexures. We won't debate the annexures now. There may be no issue in the end, but anyway, the point you make is obviously also not without validity, but these matters can be dealt with in due course.MR BHAM SC:Mr Chairman, just so that I can place this on record, you've already explained the circumstances in which Mr Da Costa has come to testify. We hadn't anticipated it; it came up because there was a gap in the Commission's calendar and we sought to assist them there. It's precisely why we have engaged with the	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper understanding of all the other events and acts of other parties. It is with great respect to my learned friend Mr Bham, not satisfactory for us to be told that because the Lonmin witnesses are now about to arrive here to assist the Commission, this additional information is being made available. That information should have been made available 20 months ago so that this Commission and all the parties before it would have had a proper opportunity to consider it, to analyse it, to form views, to undertake supplementary investigations of their own, and for this to be done on the basis well, we had to rush Mr Da Costa here,
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON:I understood it was goingto be, in the process of being sent to the parties, which includes your clients.MR MPOFU:Well, you only mentioned one party.CHAIRPERSON:Yes, but anyway, but notthe annexures.We won't debate the annexures now. There may be no issue in the end, but anyway, the point you make is obviously also not without validity, but these matters can be dealt with in due course.MR BHAM SC:Mr Chairman, just so that I can place this on record, you've already explained the circumstances in which Mr Da Costa has come to testify. We hadn't anticipated it; it came up because there was a gap in the Commission's calendar and we sought to assist them there. It's precisely why we have engaged with the evidence leaders and have asked to engage with the	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper understanding of all the other events and acts of other parties. It is with great respect to my learned friend Mr Bham, not satisfactory for us to be told that because the Lonmin witnesses are now about to arrive here to assist the Commission, this additional information is being made available. That information should have been made available 20 months ago so that this Commission and all the parties before it would have had a proper opportunity to consider it, to analyse it, to form views, to undertake supplementary investigations of their own, and for this to be done on the basis well, we had to rush Mr Da Costa here, this is at very latter stages of the Commission, now you
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	CHAIRPERSON: I understood it was going to be, in the process of being sent to the parties, which includes your clients. MR MPOFU: Well, you only mentioned one party. CHAIRPERSON: Yes, but anyway, but not the annexures. We won't debate the annexures now. There may be no issue in the end, but anyway, the point you make is obviously also not without validity, but these matters can be dealt with in due course. MR BHAM SC: Mr Chairman, just so that I can place this on record, you've already explained the circumstances in which Mr Da Costa has come to testify. We hadn't anticipated it; it came up because there was a gap in the Commission's calendar and we sought to assist them there. It's precisely why we have engaged with the evidence leaders and have asked to engage with the	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper understanding of all the other events and acts of other parties. It is with great respect to my learned friend Mr Bham, not satisfactory for us to be told that because the Lonmin witnesses are now about to arrive here to assist the Commission, this additional information is being made available. That information should have been made available 20 months ago so that this Commission and all the parties before it would have had a proper opportunity to consider it, to analyse it, to form views, to undertake supplementary investigations of their own, and for this to be done on the basis well, we had to rush Mr Da Costa here, this is at very latter stages of the Commission, now you get this information.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	CHAIRPERSON:I understood it was goingto be, in the process of being sent to the parties, which includes your clients.MR MPOFU:Well, you only mentioned one party.CHAIRPERSON:Yes, but anyway, but notthe annexures.We won't debate the annexures now. There may be no issue in the end, but anyway, the point you make is obviously also not without validity, but these matters can be dealt with in due course.MR BHAM SC:Mr Chairman, just so that I can place this on record, you've already explained the circumstances in which Mr Da Costa has come to testify. We hadn't anticipated it; it came up because there was a gap in the Commission's calendar and we sought to assist them there. It's precisely why we have engaged with the evidence leaders and have asked to engage with the	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR TIP SC: Chair, I do need to say something about what Mr Bham has just advised you on, and that relates to an approach to the work of this Commission. Lonmin is a major player in all of this and its security arrangements, its personnel, its security activities have always been of very great importance to a proper understanding of all the other events and acts of other parties. It is with great respect to my learned friend Mr Bham, not satisfactory for us to be told that because the Lonmin witnesses are now about to arrive here to assist the Commission, this additional information is being made available. That information should have been made available 20 months ago so that this Commission and all the parties before it would have had a proper opportunity to consider it, to analyse it, to form views, to undertake supplementary investigations of their own, and for this to be done on the basis well, we had to rush Mr Da Costa here, this is at very latter stages of the Commission, now you

1	Page 30192 from Mrs Fundi's particular point of view a matter of real	1	Page 30194 I'm just trying to find my own way here. It was at the
2	importance obviously for a full understanding of how her	2	stage towards the end of July when it was clear to you and
3	husband came to be in that line on that day in those	3	it may even have been as late as the 31st of July when it
4	circumstances, and for us as her legal advisors to be in	4	was clear to you that the RDO representatives who had come
5	the position to say to her in an informed way, this is what	5	to speak to you were not satisfied with Lonmin's response
6	Lonmin has said about it, should we obtain expert opinion	6	to their demand for R12 500. You then say in your
7	on whether that is satisfactory, for example, as a question	7	statement that there was a level of aggression for the
8	that might arise. That sort of investigation at this stage	8	first time and that there was a prospect of strike action
9	may not be feasible anymore, so really I know that this is	9	quite clearly. And before you answer, I'm indebted to my
10	water under the bridge, but it cannot be allowed to pass	10	learned friend Mr Mpofu, if you look at paragraph 4.5 of
11	without commentary on the unsatisfactory nature of when	11	your initial statement exhibit 0017, it was in fact on the
12	that water is passing us.	12	24th of July 2012 and where you reported to Munro. You
13	CHAIRPERSON: Right, your comments are	13	alerted him to the unhappiness and then you say in that
14	now on the record and you may proceed with your cross-	14	paragraph, "I also spoke to Lonmin security and asked that
15	examination.	15	they be on high alert." So that's 24 July. Now I want you
16	MR TIP SC: Mr Da Costa, in the light of	16	to assist the Commission. What does that actually mean if
17	this information about reports and the like I'm not going	17	the vice-president at Karee says high alert? What is the
18	to take you any further on the detail for the moment on	18	security establishment supposed to do that it hasn't been
19	events of that kind, incidents of that kind, but as the	19	doing before?
20	Chairman has indicated, it may well be necessary for you to	20	MR DA COSTA: I would have wanted them to
21	return to deal with additional questions.	21	be more vigilant, take careful note of what is happening on
22	MR DA COSTA: That's fine.	22	the surveillance infrastructure and you know, make sure
23	MR TIP SC: I'm going to look then at	23	that the guarding and everything at the shafts is at the
24	another aspect of your evidence and that relates to what	24	level that it should be.
25	Lonmin ought to have expected in the circumstances that	25	MR TIP SC: Well, you're repeating a
	Page 30193		
	5		Page 30195
1	surrounded these events and the demands that were made to	1	statement that doesn't really advance it. The levels that
2	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr	2	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to
2 3	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try	2 3	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What
2 3 4	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to	2 3 4	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that
2 3 4 5	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was	2 3 4 5	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction?
2 3 4 5 6	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in	2 3 4 5 6	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that
2 3 4 5 6 7	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about	2 3 4 5 6 7	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is
2 3 4 5 6 7 8	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as	2 3 4 5 6 7 8	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened.
2 3 4 5 6 7 8 9	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your	2 3 4 5 6 7 8 9	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance
2 3 4 5 6 7 8 9 10	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of	2 3 4 5 6 7 8 9 10	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the
2 3 4 5 6 7 8 9 10 11	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to	2 3 4 5 6 7 8 9 10 11	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that?
2 3 4 5 6 7 8 9 10 11 12	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to that.	2 3 4 5 6 7 8 9 10 11 12	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that? MR DA COSTA: Well, there's basically
2 3 4 5 6 7 8 9 10 11 12 13	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to that. MR DA COSTA: Yes, there was.	2 3 4 5 6 7 8 9 10 11 12 13	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that? MR DA COSTA: Well, there's basically networks of cameras that are deployed around our
2 3 4 5 6 7 8 9 10 11 12 13 14	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to that. MR DA COSTA: Yes, there was. [11:40] MR TIP SC: And that and similar	2 3 4 5 6 7 8 9 10 11 12 13 14	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that? MR DA COSTA: Well, there's basically networks of cameras that are deployed around our operations, some within the shaft areas, some around the
2 3 4 5 6 7 8 9 10 11 12 13 14 15	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to that. MR DA COSTA: Yes, there was. [11:40] MR TIP SC: And that and similar incidents must have conveyed to Lonmin that when there were	2 3 4 5 6 7 8 9 10 11 12 13 14 15	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that? MR DA COSTA: Well, there's basically networks of cameras that are deployed around our operations, some within the shaft areas, some around the general area of our operations and so on where you can
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to that. MR DA COSTA: Yes, there was. [11:40] MR TIP SC: And that and similar incidents must have conveyed to Lonmin that when there were demands that were placed before it that weren't met, then	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that? MR DA COSTA: Well, there's basically networks of cameras that are deployed around our operations, some within the shaft areas, some around the general area of our operations and so on where you can observe movement of people, observe to see if there is any
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to that. MR DA COSTA: Yes, there was. [11:40] MR TIP SC: And that and similar incidents must have conveyed to Lonmin that when there were demands that were placed before it that weren't met, then there was the likelihood of intense dissatisfaction which	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that? MR DA COSTA: Well, there's basically networks of cameras that are deployed around our operations, some within the shaft areas, some around the general area of our operations and so on where you can observe movement of people, observe to see if there is any incidents of intimidation starting to develop, that sort of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to that. MR DA COSTA: Yes, there was. [11:40] MR TIP SC: And that and similar incidents must have conveyed to Lonmin that when there were demands that were placed before it that weren't met, then there was the likelihood of intense dissatisfaction which could again produce a level of violence, is that fair?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that? MR DA COSTA: Well, there's basically networks of cameras that are deployed around our operations, some within the shaft areas, some around the general area of our operations and so on where you can observe movement of people, observe to see if there is any incidents of intimidation starting to develop, that sort of thing.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to that. MR DA COSTA: Yes, there was. [11:40] MR TIP SC: And that and similar incidents must have conveyed to Lonmin that when there were demands that were placed before it that weren't met, then there was the likelihood of intense dissatisfaction which could again produce a level of violence, is that fair? MR DA COSTA: There was.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that? MR DA COSTA: Well, there's basically networks of cameras that are deployed around our operations, some within the shaft areas, some around the general area of our operations and so on where you can observe movement of people, observe to see if there is any incidents of intimidation starting to develop, that sort of thing. MR TIP SC: And would that mean that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to that. MR DA COSTA: Yes, there was. [11:40] MR TIP SC: And that and similar incidents must have conveyed to Lonmin that when there were demands that were placed before it that weren't met, then there was the likelihood of intense dissatisfaction which could again produce a level of violence, is that fair? MR DA COSTA: There was. MR TIP SC: And in fact it was quite	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that? MR DA COSTA: Well, there's basically networks of cameras that are deployed around our operations, some within the shaft areas, some around the general area of our operations and so on where you can observe movement of people, observe to see if there is any incidents of intimidation starting to develop, that sort of thing. MR TIP SC: And would that mean that there would be extra care taken to ensure that all these
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to that. MR DA COSTA: Yes, there was. [11:40] MR TIP SC: And that and similar incidents must have conveyed to Lonmin that when there were demands that were placed before it that weren't met, then there was the likelihood of intense dissatisfaction which could again produce a level of violence, is that fair? MR DA COSTA: There was. MR TIP SC: And in fact it was quite early in the day that you said that security had to be	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that? MR DA COSTA: Well, there's basically networks of cameras that are deployed around our operations, some within the shaft areas, some around the general area of our operations and so on where you can observe movement of people, observe to see if there is any incidents of intimidation starting to develop, that sort of thing. MR TIP SC: And would that mean that there would be extra care taken to ensure that all these cameras were functioning properly?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to that. MR DA COSTA: Yes, there was. [11:40] MR TIP SC: And that and similar incidents must have conveyed to Lonmin that when there were demands that were placed before it that weren't met, then there was the likelihood of intense dissatisfaction which could again produce a level of violence, is that fair? MR DA COSTA: There was. MR TIP SC: And in fact it was quite	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that? MR DA COSTA: Well, there's basically networks of cameras that are deployed around our operations, some within the shaft areas, some around the general area of our operations and so on where you can observe movement of people, observe to see if there is any incidents of intimidation starting to develop, that sort of thing. MR TIP SC: And would that mean that there would be extra care taken to ensure that all these cameras were functioning properly? MR DA COSTA: Well, yes, they should have
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to that. MR DA COSTA: Yes, there was. [11:40] MR TIP SC: And that and similar incidents must have conveyed to Lonmin that when there were demands that were placed before it that weren't met, then there was the likelihood of intense dissatisfaction which could again produce a level of violence, is that fair? MR DA COSTA: There was. MR TIP SC: And in fact it was quite early in the day that you said that security had to be placed on full alert, do you recall that in your statement?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that? MR DA COSTA: Well, there's basically networks of cameras that are deployed around our operations, some within the shaft areas, some around the general area of our operations and so on where you can observe movement of people, observe to see if there is any incidents of intimidation starting to develop, that sort of thing. MR TIP SC: And would that mean that there would be extra care taken to ensure that all these cameras were functioning properly?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to that. MR DA COSTA: Yes, there was. [11:40] MR TIP SC: And that and similar incidents must have conveyed to Lonmin that when there were demands that were placed before it that weren't met, then there was the likelihood of intense dissatisfaction which could again produce a level of violence, is that fair? MR DA COSTA: There was. MR TIP SC: And in fact it was quite early in the day that you said that security had to be placed on full alert, do you recall that in your statement? MR DA COSTA: Yes, 1 recall it, 1 think.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that? MR DA COSTA: Well, there's basically networks of cameras that are deployed around our operations, some within the shaft areas, some around the general area of our operations and so on where you can observe movement of people, observe to see if there is any incidents of intimidation starting to develop, that sort of thing. MR TIP SC: And would that mean that there would be extra care taken to ensure that all these cameras were functioning properly? MR DA COSTA: Well, yes, they should have inspected that, yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	surrounded these events and the demands that were made to you from June 2012. I'm aware that my learned friend Mr Budlender has dealt with a lot of that and I'm going to try by all means not to duplicate it, but what I'm going to just perhaps put by way of summary to you is that there was some history even at Karee of incidents of violence in circumstances where there were disputes about representation, union representation, and matters such as the [indistinct] shift that you dealt with in your statement. Correct? There were numerous incidents of intimidation, violence, and even one death in relation to that. MR DA COSTA: Yes, there was. [11:40] MR TIP SC: And that and similar incidents must have conveyed to Lonmin that when there were demands that were placed before it that weren't met, then there was the likelihood of intense dissatisfaction which could again produce a level of violence, is that fair? MR DA COSTA: There was. MR TIP SC: And in fact it was quite early in the day that you said that security had to be placed on full alert, do you recall that in your statement? MR DA COSTA: Yes, I recall it, I think. I think that was somewhere around the 9th, I think.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	statement that doesn't really advance it. The levels that it should be, I'm really asking you to put some content to that. High alert, what – let me repeat the question. What does that entail that had not been in place before that day, before that instruction? MR DA COSTA: All it entailed was that they are extra-vigilant, that their vigilance is heightened. MR TIP SC: You speak about surveillance structures. Can you tell the Commission a little about the extent of that? MR DA COSTA: Well, there's basically networks of cameras that are deployed around our operations, some within the shaft areas, some around the general area of our operations and so on where you can observe movement of people, observe to see if there is any incidents of intimidation starting to develop, that sort of thing. MR TIP SC: And would that mean that there would be extra care taken to ensure that all these cameras were functioning properly? MR DA COSTA: Well, that would have been

Tel: 011 021 6457 Fax: 011 440 9119

1	Page 30196	1	Page 30198
1	embarked upon it would be crucial to do that, is that	1	unrest," what did you envisage might develop if this
2	right?	2	problem wasn't, in relation to the request for an increase,
3	MR DA COSTA: I would have expected that	3	if that wasn't addressed appropriately?
4	that surveillance equipment was in good operating order,	4	MR DA COSTA: Well, you know, my sort of
5	yes.	5	reference base at that point in time was, I was thinking in
6	MR TIP SC: And there is also, you also	6	terms of – you know, often when there are these disputes
7	have the facility of information gathering.	7	and so on going on, there's go-slows underground where
8	MR DA COSTA: There is, there is that,	8	people work, they work slower, don't complete their work in
9	yes. We have the ability to gather information.	9	a particular day, there's strained relations between
10	MR TIP SC: Yes, let's be candid about	10	employees and supervisors. It can get to the point, as we
11	that because we have seen several reports in the	11	saw with the overtime issue, that there's intimidation,
12	documentation that we have thus far received from Lonmin of	12	that people are assaulted and that, you know, a certain
13	reports from security officers in respect of what has taken	13	position of the parties that are aggrieved is enforced in
14	place at meetings of workers, correct?	14	that way. So you know those are the sort of things I was
15	MR DA COSTA: Yes.	15	thinking of.
16	MR TIP SC: Yes and that is done as an	16	CHAIRPERSON: Was that the level, the
17	important part of information gathering for Lonmin	17	last part that you were talking about, was that the level
18	management to have access to.	18	of labour unrest that you anticipated might develop if this
19	MR DA COSTA: That's right.	19	problem in relation to the request of the RDOs for an
20	MR TIP SC: And would've been in place	20	increase wasn't dealt with?
21	throughout the events that this Commission is dealing with.	21	MR DA COSTA: I thought it might develop.
22	MR DA COSTA: Yes, it would have been.	22	CHAIRPERSON: We'll take the tea
23	CHAIRPERSON: I want to take the tea	23	adjournment at this point. It's now 10 to 12, so we'll be
24	adjournment now and after that we'll have the application	24	back at five past so we can then have the application
25	argued. I take it this is a convenient stage in your	25	argued.
	Page 30197		Page 30199
1	cross-examination for an interruption of that kind.	1	[COMMISSION ADJOURNS COMMISSION RESUMES]
2	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair –	2	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes.
2 3	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you	2 3	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the
2 3 4	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I	2 3 4	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12
2 3 4 5	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action.	2 3 4 5	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting
2 3 4 5 6	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair.	2 3 4 5 6	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for
2 3 4 5 6 7	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a	2 3 4 5 6 7	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear
2 3 4 5 6 7 8	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on,	2 3 4 5 6 7 8	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the
2 3 4 5 6 7 8 9	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct?	2 3 4 5 6 7 8 9	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with
2 3 4 5 6 7 8 9 10	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean	2 3 4 5 6 7 8 9 10	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit
2 3 4 5 6 7 8 9 10 11	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour	2 3 4 5 6 7 8 9 10 11	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X
2 3 4 5 6 7 8 9 10 11 12	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour unrest, but yes.	2 3 4 5 6 7 8 9 10 11 12	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X to be presented on the 19th of June, an affidavit made by Mr
2 3 4 5 6 7 8 9 10 11 12 13	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour unrest, but yes. CHAIRPERSON: You see in the document I	2 3 4 5 6 7 8 9 10 11 12 13	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X to be presented on the 19th of June, an affidavit made by Mr Frikkie Pretorius. I take it I should make it – should I
2 3 4 5 6 7 8 9 10 11 12 13 14	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour unrest, but yes. CHAIRPERSON: You see in the document I referred you to earlier as part of exhibit XXX3 page 449,	2 3 4 5 6 7 8 9 10 11 12 13 14	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X to be presented on the 19th of June, an affidavit made by Mr Frikkie Pretorius. I take it I should make it – should I make it an exhibit probably? I'll make it exhibit Y. Oh
2 3 4 5 6 7 8 9 10 11 12 13 14 15	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour unrest, but yes. CHAIRPERSON: You see in the document I referred you to earlier as part of exhibit XXX3 page 449, this is the letter you wrote to the EXCO –	2 3 4 5 6 7 8 9 10 11 12 13 14 15	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X to be presented on the 19th of June, an affidavit made by Mr Frikkie Pretorius. I take it I should make it – should I make it an exhibit probably? I'll make it exhibit Y. Oh yes, sorry, that'll be YYY. We've already got a Y. Now
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour unrest, but yes. CHAIRPERSON: You see in the document I referred you to earlier as part of exhibit XXX3 page 449, this is the letter you wrote to the EXCO – MR DA COSTA: Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X to be presented on the 19th of June, an affidavit made by Mr Frikkie Pretorius. I take it I should make it – should I make it an exhibit probably? I'll make it exhibit Y. Oh yes, sorry, that'll be YYY. We've already got a Y. Now let me just ascertain what the position is. This is an
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour unrest, but yes. CHAIRPERSON: You see in the document I referred you to earlier as part of exhibit XXX3 page 449, this is the letter you wrote to the EXCO – MR DA COSTA: Yes. CHAIRPERSON: - on the 27th of June when	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X to be presented on the 19th of June, an affidavit made by Mr Frikkie Pretorius. I take it I should make it – should I make it an exhibit probably? I'll make it exhibit Y. Oh yes, sorry, that'll be YYY. We've already got a Y. Now let me just ascertain what the position is. This is an affidavit filed or presented by the SAPS, that means that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour unrest, but yes. CHAIRPERSON: You see in the document I referred you to earlier as part of exhibit XXX3 page 449, this is the letter you wrote to the EXCO – MR DA COSTA: Yes. CHAIRPERSON: - on the 27th of June when you talked about the desirability of dealing with this	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X to be presented on the 19th of June, an affidavit made by Mr Frikkie Pretorius. I take it I should make it – should I make it an exhibit probably? I'll make it exhibit Y. Oh yes, sorry, that'll be YYY. We've already got a Y. Now let me just ascertain what the position is. This is an affidavit filed or presented by the SAPS, that means that the SAPS will be moving the application and Mr Mathibedi, I
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour unrest, but yes. CHAIRPERSON: You see in the document I referred you to earlier as part of exhibit XXX3 page 449, this is the letter you wrote to the EXCO – MR DA COSTA: Yes. CHAIRPERSON: - on the 27th of June when you talked about the desirability of dealing with this request for an increase for the rock drill operators, you	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X to be presented on the 19th of June, an affidavit made by Mr Frikkie Pretorius. I take it I should make it – should I make it an exhibit probably? I'll make it exhibit Y. Oh yes, sorry, that'll be YYY. We've already got a Y. Now let me just ascertain what the position is. This is an affidavit filed or presented by the SAPS, that means that the SAPS will be moving the application and Mr Mathibedi, I understand you will be arguing it on behalf of the SAPS.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour unrest, but yes. CHAIRPERSON: You see in the document I referred you to earlier as part of exhibit XXX3 page 449, this is the letter you wrote to the EXCO – MR DA COSTA: Yes. CHAIRPERSON: - on the 27th of June when you talked about the desirability of dealing with this request for an increase for the rock drill operators, you said that, "Given the fact that both Impala and Anglo	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X to be presented on the 19th of June, an affidavit made by Mr Frikkie Pretorius. I take it I should make it – should I make it an exhibit probably? I'll make it exhibit Y. Oh yes, sorry, that'll be YYY. We've already got a Y. Now let me just ascertain what the position is. This is an affidavit filed or presented by the SAPS, that means that the SAPS will be moving the application and Mr Mathibedi, I understand you will be arguing it on behalf of the SAPS. MR MATHIBEDI SC: That's correct, Chair.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour unrest, but yes. CHAIRPERSON: You see in the document I referred you to earlier as part of exhibit XXX3 page 449, this is the letter you wrote to the EXCO – MR DA COSTA: Yes. CHAIRPERSON: - on the 27th of June when you talked about the desirability of dealing with this request for an increase for the rock drill operators, you said that, "Given the fact that both Impala and Anglo American Platinum have increased their rock drill	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X to be presented on the 19th of June, an affidavit made by Mr Frikkie Pretorius. I take it I should make it – should I make it an exhibit probably? I'll make it exhibit Y. Oh yes, sorry, that'll be YYY. We've already got a Y. Now let me just ascertain what the position is. This is an affidavit filed or presented by the SAPS, that means that the SAPS will be moving the application and Mr Mathibedi, I understand you will be arguing it on behalf of the SAPS. MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Which parties, if any, will
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour unrest, but yes. CHAIRPERSON: You see in the document I referred you to earlier as part of exhibit XXX3 page 449, this is the letter you wrote to the EXCO – MR DA COSTA: Yes. CHAIRPERSON: - on the 27th of June when you talked about the desirability of dealing with this request for an increase for the rock drill operators, you said that, "Given the fact that both Impala and Anglo American Platinum have increased their rock drill operators' wages it will be extremely difficult for Lonmin	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X to be presented on the 19th of June, an affidavit made by Mr Frikkie Pretorius. I take it I should make it – should I make it an exhibit probably? I'll make it exhibit Y. Oh yes, sorry, that'll be YYY. We've already got a Y. Now let me just ascertain what the position is. This is an affidavit filed or presented by the SAPS, that means that the SAPS will be moving the application and Mr Mathibedi, I understand you will be arguing it on behalf of the SAPS. MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Which parties, if any, will be supporting the application? So it'll be the I and APs,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour unrest, but yes. CHAIRPERSON: You see in the document I referred you to earlier as part of exhibit XXX3 page 449, this is the letter you wrote to the EXCO – MR DA COSTA: Yes. CHAIRPERSON: - on the 27th of June when you talked about the desirability of dealing with this request for an increase for the rock drill operators, you said that, "Given the fact that both Impala and Anglo American Platinum have increased their rock drill operators' wages it will be extremely difficult for Lonmin to resist for very long without some level of labour unrest	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X to be presented on the 19th of June, an affidavit made by Mr Frikkie Pretorius. I take it I should make it – should I make it an exhibit probably? I'll make it exhibit Y. Oh yes, sorry, that'll be YYY. We've already got a Y. Now let me just ascertain what the position is. This is an affidavit filed or presented by the SAPS, that means that the SAPS will be moving the application and Mr Mathibedi, I understand you will be arguing it on behalf of the SAPS. MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Which parties, if any, will be supporting the application? So it'll be the I and APs, the injured and arrested persons – any other parties
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour unrest, but yes. CHAIRPERSON: You see in the document I referred you to earlier as part of exhibit XXX3 page 449, this is the letter you wrote to the EXCO – MR DA COSTA: Yes. CHAIRPERSON: - on the 27th of June when you talked about the desirability of dealing with this request for an increase for the rock drill operators, you said that, "Given the fact that both Impala and Anglo American Platinum have increased their rock drill operators' wages it will be extremely difficult for Lonmin to resist for very long without some level of labour unrest developing." And therefore you made proposals, but what	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X to be presented on the 19th of June, an affidavit made by Mr Frikkie Pretorius. I take it I should make it – should I make it an exhibit probably? I'll make it exhibit Y. Oh yes, sorry, that'll be YYY. We've already got a Y. Now let me just ascertain what the position is. This is an affidavit filed or presented by the SAPS, that means that the SAPS will be moving the application and Mr Mathibedi, I understand you will be arguing it on behalf of the SAPS. MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Which parties, if any, will be supporting the application? So it'll be the I and APs, the injured and arrested persons – any other parties support the application?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	cross-examination for an interruption of that kind. MR TIP SC: Very much so, Chair – CHAIRPERSON: But I just want to ask you one question, really a couple of questions on one topic. I take it a strike is what you call industrial action. MR DA COSTA: Yes, Chair. CHAIRPERSON: And labour unrest means a situation where there is violence, intimidation and so on, is that correct? MR DA COSTA: Ja, generally, I mean industrial action is not necessarily accompanied by labour unrest, but yes. CHAIRPERSON: You see in the document I referred you to earlier as part of exhibit XXX3 page 449, this is the letter you wrote to the EXCO – MR DA COSTA: Yes. CHAIRPERSON: - on the 27th of June when you talked about the desirability of dealing with this request for an increase for the rock drill operators, you said that, "Given the fact that both Impala and Anglo American Platinum have increased their rock drill operators' wages it will be extremely difficult for Lonmin to resist for very long without some level of labour unrest	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	[COMMISSION ADJOURNS COMMISSION RESUMES] [12:16] CHAIRPERSON: The Commission resumes. I'm afraid my prediction that we could deal with the business we had to deal with in chambers by five past 12 wasn't correct. I apologise to those who have been waiting since then in the chamber. Mr Da Costa, you're excused for the moment. Don't go too far away, we're now going to hear an application and we'll resume your evidence once the application has been argued and Mr Tip will continue with his cross-examination. We have here a supporting affidavit in respect of the SAPS application for the evidence of Mr X to be presented on the 19th of June, an affidavit made by Mr Frikkie Pretorius. I take it I should make it – should I make it an exhibit probably? I'll make it exhibit Y. Oh yes, sorry, that'll be YYY. We've already got a Y. Now let me just ascertain what the position is. This is an affidavit filed or presented by the SAPS, that means that the SAPS will be moving the application and Mr Mathibedi, I understand you will be arguing it on behalf of the SAPS. MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Which parties, if any, will be supporting the application? So it'll be the I and APs, the injured and arrested persons – any other parties

	Page 30200		Page 30202
1	support the application subject to –	1	MS LE ROUX: Yes, Chair, the Human Rights
2	CHAIRPERSON: Alright, the families as	2	Commission. The Human Rights Commission has a very similar
3	well.	3	position to the LRC that we would abide by this. We don't
4	MR NTSEBEZA SC: - some submissions we'll	4	oppose it but subject to the exception that the experts be
5	make in regard to what happens next week.	5	called to give evidence in the week of the 23rd.
6	CHAIRPERSON: The families as well, thank	6	CHAIRPERSON: Thank you. Anybody else
7	you. Anyone oppose the application?	7	wish to say anything before we – I'm just ascertaining who
8	MR TIP SC: Chair, sorry –	8	is on what side, as it were. So we've now ascertained
9	CHAIRPERSON: Sorry?	9	that. Alright, Mr Mathibedi?
10	MR TIP SC: Can I just say that –	10	MR MATHIBEDI SC: Thanks, Chairperson.
11	CHAIRPERSON: Mr Tip, I beg your pardon,	11	Chair, the South African Police Services applies for a
12	sorry. You turned your light on.	12	ruling that the evidence of Mr X be presented on the 19th of
13	MR TIP SC: I've just turned it on, my	13	June 2014 instead of the 9th of June but however, Chair, we
14	apologies. Rather similarly, subject to what is said in	14 15	have no problem if the ruling is made in favour of the
15	the course of this hearing, there is every prospect that we too would support it but not having been party to any	15 16	South African Police subject to the rider suggested by Adv Bizos.
16 17	discussions beforehand, it's a little difficult for us to	17	Chair, in the event that a ruling is granted in
18	say definitively now.	18	favour of the South African Police Services, we submit that
19	CHAIRPERSON: Mr Bizos, I understand you	19	for next week Captain Kidd and Lieutenant-Colonel Modiba
20	turned your light on also?	20	are available to, you know, occupy part of the week but
20	MR BIZOS SC: Yes, Mr Chairman, we have	21	however, Chairperson, it is critical to state at this stage
22	no objection to the application subject to bringing to the	22	that the Commission is not only about the witnesses of the
23	court's, to the Commission's attention that we thought we	23	South African Police Services. We submit, Chair, that Mr X
24	had a binding agreement that the experts would be called on		is a very important witness for the South African Police
25	the 23rd of June.	25	Services who, at the same time, will play a critical role
		1	
	Page 30201		Page 30203
1	CHAIRPERSON: Mr Bizos, you're now in	1	in enabling the Commission to understand the mindset of
2	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're	2	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during
2 3	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you	2 3	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt
2 3 4	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider	2 3 4	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during
2 3 4 5	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts	2 3 4 5	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane
2 3 4 5 6	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd.	2 3 4 5 6	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission.
2 3 4 5 6 7	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd. MR BIZOS SC: Of the 23rd.	2 3 4 5 6 7	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also
2 3 4 5 6 7 8	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd. MR BIZOS SC: Of the 23rd. CHAIRPERSON: Yes.	2 3 4 5 6 7 8	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da
2 3 4 5 6 7 8 9	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd. MR BIZOS SC: Of the 23rd. CHAIRPERSON: Yes. MR BIZOS SC: Subject to that, we will	2 3 4 5 6 7 8 9	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to
2 3 4 5 6 7 8	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd. MR BIZOS SC: Of the 23rd. CHAIRPERSON: Yes. MR BIZOS SC: Subject to that, we will abide the decide the decision of the court, Mr Chairman –	2 3 4 5 6 7 8	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to establish, would like to find out the circumstances
2 3 4 5 6 7 8 9 10	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd. MR BIZOS SC: Of the 23rd. CHAIRPERSON: Yes. MR BIZOS SC: Subject to that, we will abide the decide the decision of the court, Mr Chairman – of the Commission.	2 3 4 5 6 7 8 9 10	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to
2 3 4 5 6 7 8 9 10 11	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd. MR BIZOS SC: Of the 23rd. CHAIRPERSON: Yes. MR BIZOS SC: Subject to that, we will abide the decide the decision of the court, Mr Chairman –	2 3 4 5 6 7 8 9 10 11	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to establish, would like to find out the circumstances surrounding the death of their loved one and it is hoped,
2 3 4 5 6 7 8 9 10 11 12	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd. MR BIZOS SC: Of the 23rd. CHAIRPERSON: Yes. MR BIZOS SC: Subject to that, we will abide the decide the decision of the court, Mr Chairman – of the Commission. MR BUDLENDER SC: Chairperson, the	2 3 4 5 6 7 8 9 10 11 12	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to establish, would like to find out the circumstances surrounding the death of their loved one and it is hoped, Mr Chair, that the evidence of Mr X will deal with this
2 3 4 5 6 7 8 9 10 11 12 13	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd. MR BIZOS SC: Of the 23rd. CHAIRPERSON: Yes. MR BIZOS SC: Subject to that, we will abide the decide the decision of the court, Mr Chairman – of the Commission. MR BUDLENDER SC: Chairperson, the evidence leaders oppose this application.	2 3 4 5 6 7 8 9 10 11 12 13	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to establish, would like to find out the circumstances surrounding the death of their loved one and it is hoped, Mr Chair, that the evidence of Mr X will deal with this aspect. It is hoped that the evidence of Mr X will enable
2 3 4 5 6 7 8 9 10 11 12 13 14	CHAIRPERSON:Mr Bizos, you're now ineffect addressing the merits of the matter. So what you'resaying is you don't object to the objection – sorry, youdon't object to the application but subject to the riderthat you would insist that whatever happens, the expertsshould give evidence in the week beginning the 23rd.MR BIZOS SC:Of the 23rd.CHAIRPERSON:Yes.MR BIZOS SC:Subject to that, we willabide the decide the decision of the court, Mr Chairman –of the Commission.Chairperson, theMR BUDLENDER SC:Chairperson, theevidence leaders oppose this application.Yes, and Mr Gotz, you've	2 3 4 5 6 7 8 9 10 11 12 13 14	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to establish, would like to find out the circumstances surrounding the death of their loved one and it is hoped, Mr Chair, that the evidence of Mr X will deal with this aspect. It is hoped that the evidence of Mr X will enable the families affected by the killings of their loved ones
2 3 4 5 6 7 8 9 10 11 12 13 14 15	CHAIRPERSON:Mr Bizos, you're now ineffect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd. MR BIZOS SC:MR BIZOS SC:Of the 23rd. CHAIRPERSON:MR BIZOS SC:Subject to that, we will abide the decide the decision of the court, Mr Chairman – of the Commission.MR BUDLENDER SC:Chairperson, the evidence leaders oppose this application. CHAIRPERSON:CHAIRPERSON:Yes, and Mr Gotz, you've turned your light on?	2 3 4 5 6 7 8 9 10 11 12 13 14 15	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to establish, would like to find out the circumstances surrounding the death of their loved one and it is hoped, Mr Chair, that the evidence of Mr X will deal with this aspect. It is hoped that the evidence of Mr X will enable the families affected by the killings of their loved ones to find closure. We respectfully submit, Chair, that –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON:Mr Bizos, you're now ineffect addressing the merits of the matter. So what you'resaying is you don't object to the objection – sorry, youdon't object to the application but subject to the riderthat you would insist that whatever happens, the expertsshould give evidence in the week beginning the 23rd.MR BIZOS SC:Of the 23rd.CHAIRPERSON:Yes.MR BIZOS SC:Subject to that, we willabide the decide the decision of the court, Mr Chairman –of the Commission.MR BUDLENDER SC:MR BUDLENDER SC:Chairperson, theevidence leaders oppose this application.CHAIRPERSON:Yes, and Mr Gotz, you'veturned your light on?Yes. Similarly to the Legal	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to establish, would like to find out the circumstances surrounding the death of their loved one and it is hoped, Mr Chair, that the evidence of Mr X will deal with this aspect. It is hoped that the evidence of Mr X will enable the families affected by the killings of their loved ones to find closure. We respectfully submit, Chair, that – CHAIRPERSON: Those are all arguments as
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	CHAIRPERSON:Mr Bizos, you're now ineffect addressing the merits of the matter. So what you'resaying is you don't object to the objection – sorry, youdon't object to the application but subject to the riderthat you would insist that whatever happens, the expertsshould give evidence in the week beginning the 23rd.MR BIZOS SC:Of the 23rd.CHAIRPERSON:Yes.MR BIZOS SC:Subject to that, we willabide the decide the decision of the court, Mr Chairman –of the Commission.Chairperson, theMR BUDLENDER SC:Chairperson, theevidence leaders oppose this application.Yes, and Mr Gotz, you'veturned your light on?Yes. Similarly to the LegalResources Centre, we abide the decision, ultimate decision	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to establish, would like to find out the circumstances surrounding the death of their loved one and it is hoped, Mr Chair, that the evidence of Mr X will deal with this aspect. It is hoped that the evidence of Mr X will enable the families affected by the killings of their loved ones to find closure. We respectfully submit, Chair, that – CHAIRPERSON: Those are all arguments as to why Mr X must give evidence. No-one disputes that. The
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	CHAIRPERSON:Mr Bizos, you're now ineffect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd. MR BIZOS SC:MR BIZOS SC:Of the 23rd. CHAIRPERSON:MR BIZOS SC:Subject to that, we will abide the decide the decision of the court, Mr Chairman – of the Commission.MR BUDLENDER SC:Chairperson, the evidence leaders oppose this application. CHAIRPERSON:MR GOTZ:Yes. Similarly to the Legal Resources Centre, we abide the decision, ultimate decision as to whether or not the evidence should commence on the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to establish, would like to find out the circumstances surrounding the death of their loved one and it is hoped, Mr Chair, that the evidence of Mr X will deal with this aspect. It is hoped that the evidence of Mr X will enable the families affected by the killings of their loved ones to find closure. We respectfully submit, Chair, that – CHAIRPERSON: Those are all arguments as to why Mr X must give evidence. No-one disputes that. The real question is, should he give evidence – I mean you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON:Mr Bizos, you're now ineffect addressing the merits of the matter. So what you'resaying is you don't object to the objection – sorry, youdon't object to the application but subject to the riderthat you would insist that whatever happens, the expertsshould give evidence in the week beginning the 23rd.MR BIZOS SC:Of the 23rd.CHAIRPERSON:Yes.MR BIZOS SC:Subject to that, we willabide the decide the decision of the court, Mr Chairman –of the Commission.MR BUDLENDER SC:MR BUDLENDER SC:Chairperson, theevidence leaders oppose this application.CHAIRPERSON:Yes, and Mr Gotz, you'veturned your light on?Yes. Similarly to the LegalResources Centre, we abide the decision, ultimate decisionas to whether or not the evidence should commence on the19th, subject to some qualifications and exceptions.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to establish, would like to find out the circumstances surrounding the death of their loved one and it is hoped, Mr Chair, that the evidence of Mr X will deal with this aspect. It is hoped that the evidence of Mr X will enable the families affected by the killings of their loved ones to find closure. We respectfully submit, Chair, that – CHAIRPERSON: Those are all arguments as to why Mr X must give evidence. No-one disputes that. The real question is, should he give evidence – I mean you originally undertook that he was going to give evidence,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd. MR BIZOS SC: Of the 23rd. CHAIRPERSON: Yes. MR BIZOS SC: Subject to that, we will abide the decide the decision of the court, Mr Chairman – of the Commission. MR BUDLENDER SC: Chairperson, the evidence leaders oppose this application. CHAIRPERSON: Yes, and Mr Gotz, you've turned your light on? MR GOTZ: Yes. Similarly to the Legal Resources Centre, we abide the decision, ultimate decision as to whether or not the evidence should commence on the 19th, subject to some qualifications and exceptions. CHAIRPERSON: Yes. Anybody else wish to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to establish, would like to find out the circumstances surrounding the death of their loved one and it is hoped, Mr Chair, that the evidence of Mr X will deal with this aspect. It is hoped that the evidence of Mr X will enable the families affected by the killings of their loved ones to find closure. We respectfully submit, Chair, that – CHAIRPERSON: Those are all arguments as to why Mr X must give evidence. No-one disputes that. The real question is, should he give evidence – I mean you originally undertook that he was going to give evidence, the original proposal was seven days after you had complied
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd. MR BIZOS SC: Of the 23rd. CHAIRPERSON: Yes. MR BIZOS SC: Subject to that, we will abide the decide the decision of the court, Mr Chairman – of the Commission. MR BUDLENDER SC: Chairperson, the evidence leaders oppose this application. CHAIRPERSON: Yes, and Mr Gotz, you've turned your light on? MR GOTZ: Yes. Similarly to the Legal Resources Centre, we abide the decision, ultimate decision as to whether or not the evidence should commence on the 19th, subject to some qualifications and exceptions. CHAIRPERSON: Yes. Anybody else wish to indicate, any other party wish to indicate a stance? Lonmin, have you got a stance – MR BURGER SC: We, too, abide.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to establish, would like to find out the circumstances surrounding the death of their loved one and it is hoped, Mr Chair, that the evidence of Mr X will deal with this aspect. It is hoped that the evidence of Mr X will enable the families affected by the killings of their loved ones to find closure. We respectfully submit, Chair, that – CHAIRPERSON: Those are all arguments as to why Mr X must give evidence. No-one disputes that. The real question is, should he give evidence – I mean you originally undertook that he was going to give evidence, the original proposal was seven days after you had complied with the requirements set out in the ruling. You asked for
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd. MR BIZOS SC: Of the 23rd. CHAIRPERSON: Yes. MR BIZOS SC: Subject to that, we will abide the decide the decision of the court, Mr Chairman – of the Commission. MR BUDLENDER SC: Chairperson, the evidence leaders oppose this application. CHAIRPERSON: Yes, and Mr Gotz, you've turned your light on? MR GOTZ: Yes. Similarly to the Legal Resources Centre, we abide the decision, ultimate decision as to whether or not the evidence should commence on the 19th, subject to some qualifications and exceptions. CHAIRPERSON: Yes. Anybody else wish to indicate, any other party wish to indicate a stance? Lonmin, have you got a stance – MR BURGER SC: We, too, abide. CHAIRPERSON: Anybody, any other party	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to establish, would like to find out the circumstances surrounding the death of their loved one and it is hoped, Mr Chair, that the evidence of Mr X will deal with this aspect. It is hoped that the evidence of Mr X will enable the families affected by the killings of their loved ones to find closure. We respectfully submit, Chair, that – CHAIRPERSON: Those are all arguments as to why Mr X must give evidence. No-one disputes that. The real question is, should he give evidence – I mean you originally undertook that he was going to give evidence, the original proposal was seven days after you had complied with the requirements set out in the ruling. You asked for the parties to waive the 14 day requirement in the order, in the ruling, and they declined. So you then said fine, on the 14th day we'll lead his evidence. Then we were told
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	CHAIRPERSON: Mr Bizos, you're now in effect addressing the merits of the matter. So what you're saying is you don't object to the objection – sorry, you don't object to the application but subject to the rider that you would insist that whatever happens, the experts should give evidence in the week beginning the 23rd. MR BIZOS SC: Of the 23rd. CHAIRPERSON: Yes. MR BIZOS SC: Subject to that, we will abide the decide the decision of the court, Mr Chairman – of the Commission. MR BUDLENDER SC: Chairperson, the evidence leaders oppose this application. CHAIRPERSON: Yes, and Mr Gotz, you've turned your light on? MR GOTZ: Yes. Similarly to the Legal Resources Centre, we abide the decision, ultimate decision as to whether or not the evidence should commence on the 19th, subject to some qualifications and exceptions. CHAIRPERSON: Yes. Anybody else wish to indicate, any other party wish to indicate a stance? Lonmin, have you got a stance – MR BURGER SC: We, too, abide.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	in enabling the Commission to understand the mindset of some of the protesters and the events that unfolded during the period of the unprotected strike. Mr X will no doubt shed light on some of the issues that were raised during the cross-examination of the SAPS witnesses and are germane to the issues to be determined by the Commission. Chair, you will bear in mind and this is also what transpired today during the cross-examination of Mr Da Costa, that members of the families would like to establish, would like to find out the circumstances surrounding the death of their loved one and it is hoped, Mr Chair, that the evidence of Mr X will deal with this aspect. It is hoped that the evidence of Mr X will enable the families affected by the killings of their loved ones to find closure. We respectfully submit, Chair, that – CHAIRPERSON: Those are all arguments as to why Mr X must give evidence. No-one disputes that. The real question is, should he give evidence – I mean you originally undertook that he was going to give evidence, the original proposal was seven days after you had complied with the requirements set out in the ruling. You asked for the parties to waive the 14 day requirement in the order, in the ruling, and they declined. So you then said fine,

1	Page 30204	1	Page 30206
1	consent from the Provincial Director of Public Prosecutions	1	evidence, I would think, if he implicates them. So my mind
2	to make certain dockets available and we were told as soon as those, you get that consent, you can go ahead. Well,	2 3	is not closed to the prospect of their coming earlier but that is a factor we have to consider. What other witnesses
3			are there? The two ministers, I understand arrangements
4	consent was then given but we were told you were making	4 5	-
5	preparations already so that the dockets that were the		have been made for them to come in July, they are people with busy programmes, we have difficulty in getting dates
6	subject of the request to the DPP could be made available	6 7	when they will be available. The Lonmin witnesses are
7	immediately.	8	coming in July. The reason for that is that quite a long
8	Well, I still haven't got the dockets. You got permission last Friday and you will understand we are	9	time ago they were told this was the plan and they all made
9 10	operating on a very tight schedule at the moment. Even if	9 10	their arrangements on the basis of that and we can't go
11	we get the extension, we're not sure – sorry, even if we	11	back on that. They have agreed to help us this week as far
12	get the extension, we're not sure – sony, even i we get the extension we'll still have to operate on a tight	12	as the present witness is concerned and Mr Seedat, if
13	schedule but not quite as tight as the one at the moment.	13	there's time for him, but the Lonmin witnesses, I don't
14	Of course it would be irresponsible for us to assume we	14	think there's any realistic possibility of them coming
15	will get the extension because if we don't get then we'll	15	before July. The same applies to the ministers. What
16	be in very great difficulty in dealing with the matter so	16	other witnesses are you talking about who can come? The
17	what I'm saying to you, the question is not whether Mr X	17	experts we've heard about and you've indicated that you,
18	must come, clearly Mr X must come. Clearly Mr X's	18	you as the SAPS, wouldn't object to the experts coming from
19	evidence, if believed, will be very important on a number	19	I think it's the week of the 23rd, is that correct?
20	of issues. Insofar as his evidence will be adverse to the	20	MR MATHIBEDI SC: That's correct, Chair.
21	case of some of the parties, they'll want to cross-examine	21	CHAIRPERSON: But effectively the
22	him thoroughly, I understand that too but it doesn't help,	22	question is what do we do from the end of tomorrow until
23	with respect, to tell me that X is an important witness, we	23	the 19th? Do we just – I know we can all sit in chambers
24	all know that. The question is, on what basis are we able	24	and read reports and statements and that kind of thing but
25	to grant you the relief you seek, what are the consequences	25	the fact of the matter is sitting time will be lost and if
	Page 30205		Page 30207
1	of that, particularly in regard to the fact that there's	1	
	Alata Alman Banda and Alama and some some stated and blance		we – so we have to be able to deal appropriately with that.
2	this time limit and there are very, very strict problems	2	Anyway you say next week Colonel Modiba can come. How long
3	that we have to deal with in order to try to finish our	2 3	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd
3 4	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is	2 3 4	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence
3 4 5	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't	2 3 4 5	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr
3 4 5 6	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be	2 3 4 5 6	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by
3 4 5 6 7	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be.	2 3 4 5 6 7	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in
3 4 5 6 7 8	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson.	2 3 4 5 6	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind?
3 4 5 6 7	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration	2 3 4 5 6 7 8	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind?
3 4 5 6 7 8 9	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson.	2 3 4 5 6 7 8 9	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in
3 4 5 6 7 8 9 10	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration that has to be taken into account. I have already	2 3 4 5 6 7 8 9 10	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in mind that the witnesses of SAPS that have already
3 4 5 6 7 8 9 10 11	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration that has to be taken into account. I have already indicated, Chair, that for next week Colonel Modiba and	2 3 4 5 6 7 8 9 10 11	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in mind that the witnesses of SAPS that have already indicated, it was put to them that if the need arises that
3 4 5 6 7 8 9 10 11 12	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration that has to be taken into account. I have already indicated, Chair, that for next week Colonel Modiba and Captain Kidd are available to testify. And the other	2 3 4 5 6 7 8 9 10 11 12	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in mind that the witnesses of SAPS that have already indicated, it was put to them that if the need arises that they should be called then that will happen. So assuming
3 4 5 6 7 8 9 10 11 12 13	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration that has to be taken into account. I have already indicated, Chair, that for next week Colonel Modiba and Captain Kidd are available to testify. And the other aspect is the fact that we are not only dealing with the	2 3 4 5 6 7 8 9 10 11 12 13	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in mind that the witnesses of SAPS that have already indicated, it was put to them that if the need arises that they should be called then that will happen. So assuming the witnesses of Mr Mpofu, if he's ready, they come and
3 4 5 6 7 8 9 10 11 12 13 14	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration that has to be taken into account. I have already indicated, Chair, that for next week Colonel Modiba and Captain Kidd are available to testify. And the other aspect is the fact that we are not only dealing with the witness of the South African Police Services. Other	2 3 4 5 6 7 8 9 10 11 12 13 14	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in mind that the witnesses of SAPS that have already indicated, it was put to them that if the need arises that they should be called then that will happen. So assuming the witnesses of Mr Mpofu, if he's ready, they come and testify, then if there is any evidence that implicates them
3 4 5 6 7 8 9 10 11 12 13 14 15	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration that has to be taken into account. I have already indicated, Chair, that for next week Colonel Modiba and Captain Kidd are available to testify. And the other aspect is the fact that we are not only dealing with the witness of the South African Police Services. Other parties are obliged and can make witnesses available to	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in mind that the witnesses of SAPS that have already indicated, it was put to them that if the need arises that they should be called then that will happen. So assuming the witnesses of Mr Mpofu, if he's ready, they come and testify, then if there is any evidence that implicates them there's nothing that precludes Mr Mpofu making an
3 4 5 7 8 9 10 11 12 13 14 15 16	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration that has to be taken into account. I have already indicated, Chair, that for next week Colonel Modiba and Captain Kidd are available to testify. And the other aspect is the fact that we are not only dealing with the witness of the South African Police Services. Other parties are obliged and can make witnesses available to deal with this issue and that will –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in mind that the witnesses of SAPS that have already indicated, it was put to them that if the need arises that they should be called then that will happen. So assuming the witnesses of Mr Mpofu, if he's ready, they come and testify, then if there is any evidence that implicates them there's nothing that precludes Mr Mpofu making an application that the witnesses be recalled, but nonetheless
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration that has to be taken into account. I have already indicated, Chair, that for next week Colonel Modiba and Captain Kidd are available to testify. And the other aspect is the fact that we are not only dealing with the witness of the South African Police Services. Other parties are obliged and can make witnesses available to deal with this issue and that will – CHAIRPERSON: Which parties are you	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in mind that the witnesses of SAPS that have already indicated, it was put to them that if the need arises that they should be called then that will happen. So assuming the witnesses of Mr Mpofu, if he's ready, they come and testify, then if there is any evidence that implicates them there's nothing that precludes Mr Mpofu making an application that the witnesses be recalled, but nonetheless even if we are going to have two days open, Chairperson, we
3 4 5 7 8 9 10 11 12 13 14 15 16 17 18	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration that has to be taken into account. I have already indicated, Chair, that for next week Colonel Modiba and Captain Kidd are available to testify. And the other aspect is the fact that we are not only dealing with the witness of the South African Police Services. Other parties are obliged and can make witnesses available to deal with this issue and that will – CHAIRPERSON: Which parties are you referring to and which witnesses are you referring to? MR MATHIBEDI SC: Chair – CHAIRPERSON: As far as the injured and	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in mind that the witnesses of SAPS that have already indicated, it was put to them that if the need arises that they should be called then that will happen. So assuming the witnesses of Mr Mpofu, if he's ready, they come and testify, then if there is any evidence that implicates them there's nothing that precludes Mr Mpofu making an application that the witnesses be recalled, but nonetheless even if we are going to have two days open, Chairperson, we respectfully submit that that time can be fruitfully used by the legal teams in preparing for Mr X. Chair, you will bear in mind that we have a
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration that has to be taken into account. I have already indicated, Chair, that for next week Colonel Modiba and Captain Kidd are available to testify. And the other aspect is the fact that we are not only dealing with the witness of the South African Police Services. Other parties are obliged and can make witnesses available to deal with this issue and that will – CHAIRPERSON: Which parties are you referring to and which witnesses are you referring to? MR MATHIBEDI SC: Chair – CHAIRPERSON: As far as the injured and arrested persons are concerned, they have indicated they	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in mind that the witnesses of SAPS that have already indicated, it was put to them that if the need arises that they should be called then that will happen. So assuming the witnesses of Mr Mpofu, if he's ready, they come and testify, then if there is any evidence that implicates them there's nothing that precludes Mr Mpofu making an application that the witnesses be recalled, but nonetheless even if we are going to have two days open, Chairperson, we respectfully submit that that time can be fruitfully used by the legal teams in preparing for Mr X. Chair, you will bear in mind that we have a situation wherein the legal practitioners during the course
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration that has to be taken into account. I have already indicated, Chair, that for next week Colonel Modiba and Captain Kidd are available to testify. And the other aspect is the fact that we are not only dealing with the witness of the South African Police Services. Other parties are obliged and can make witnesses available to deal with this issue and that will – CHAIRPERSON: Which parties are you referring to and which witnesses are you referring to? MR MATHIBEDI SC: Chair – CHAIRPERSON: As far as the injured and arrested persons are concerned, they have indicated they can call three witnesses. These are all witnesses who, I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in mind that the witnesses of SAPS that have already indicated, it was put to them that if the need arises that they should be called then that will happen. So assuming the witnesses of Mr Mpofu, if he's ready, they come and testify, then if there is any evidence that implicates them there's nothing that precludes Mr Mpofu making an application that the witnesses be recalled, but nonetheless even if we are going to have two days open, Chairperson, we respectfully submit that that time can be fruitfully used by the legal teams in preparing for Mr X. Chair, you will bear in mind that we have a situation wherein the legal practitioners during the course of the day are taking part in the proceedings of the
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration that has to be taken into account. I have already indicated, Chair, that for next week Colonel Modiba and Captain Kidd are available to testify. And the other aspect is the fact that we are not only dealing with the witness of the South African Police Services. Other parties are obliged and can make witnesses available to deal with this issue and that will – CHAIRPERSON: Which parties are you referring to and which witnesses are you referring to? MR MATHIBEDI SC: Chair – CHAIRPERSON: As far as the injured and arrested persons are concerned, they have indicated they can call three witnesses. These are all witnesses who, I would imagine, would be witnesses who would more	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in mind that the witnesses of SAPS that have already indicated, it was put to them that if the need arises that they should be called then that will happen. So assuming the witnesses of Mr Mpofu, if he's ready, they come and testify, then if there is any evidence that implicates them there's nothing that precludes Mr Mpofu making an application that the witnesses be recalled, but nonetheless even if we are going to have two days open, Chairperson, we respectfully submit that that time can be fruitfully used by the legal teams in preparing for Mr X. Chair, you will bear in mind that we have a situation wherein the legal practitioners during the course of the day are taking part in the proceedings of the Commission which means that after hours and over weekends
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration that has to be taken into account. I have already indicated, Chair, that for next week Colonel Modiba and Captain Kidd are available to testify. And the other aspect is the fact that we are not only dealing with the witness of the South African Police Services. Other parties are obliged and can make witnesses available to deal with this issue and that will – CHAIRPERSON: Which parties are you referring to and which witnesses are you referring to? MR MATHIBEDI SC: Chair – CHAIRPERSON: As far as the injured and arrested persons are concerned, they have indicated they can call three witnesses. These are all witnesses who, I would imagine, would be witnesses who would more appropriately give evidence after X has testified otherwise	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in mind that the witnesses of SAPS that have already indicated, it was put to them that if the need arises that they should be called then that will happen. So assuming the witnesses of Mr Mpofu, if he's ready, they come and testify, then if there is any evidence that implicates them there's nothing that precludes Mr Mpofu making an application that the witnesses be recalled, but nonetheless even if we are going to have two days open, Chairperson, we respectfully submit that that time can be fruitfully used by the legal teams in preparing for Mr X. Chair, you will bear in mind that we have a situation wherein the legal practitioners during the course of the day are taking part in the proceedings of the Commission which means that after hours and over weekends preparations, consultations, perusal of documents will have
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	that we have to deal with in order to try to finish our work before the, as far as hearing evidence and argument is concerned, before the end of July. So as I say, we can't assume the extension will be granted. It would be irresponsible for us to plan on the basis that it will be. MR MATHIBEDI SC: Thanks, Chairperson. We are not submitting that that is the only consideration that has to be taken into account. I have already indicated, Chair, that for next week Colonel Modiba and Captain Kidd are available to testify. And the other aspect is the fact that we are not only dealing with the witness of the South African Police Services. Other parties are obliged and can make witnesses available to deal with this issue and that will – CHAIRPERSON: Which parties are you referring to and which witnesses are you referring to? MR MATHIBEDI SC: Chair – CHAIRPERSON: As far as the injured and arrested persons are concerned, they have indicated they can call three witnesses. These are all witnesses who, I would imagine, would be witnesses who would more	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Anyway you say next week Colonel Modiba can come. How long is he likely to be, about two days I believe? Captain Kidd is nearly finished. He mainly stood over for the evidence leaders to lead him. We'll hear in a moment from Mr Chaskalson about that – to be cross-examined, I think, by the evidence leaders. What other witnesses do you have in mind? MR MATHIBEDI SC: Chair, you'll bear in mind that the witnesses of SAPS that have already indicated, it was put to them that if the need arises that they should be called then that will happen. So assuming the witnesses of Mr Mpofu, if he's ready, they come and testify, then if there is any evidence that implicates them there's nothing that precludes Mr Mpofu making an application that the witnesses be recalled, but nonetheless even if we are going to have two days open, Chairperson, we respectfully submit that that time can be fruitfully used by the legal teams in preparing for Mr X. Chair, you will bear in mind that we have a situation wherein the legal practitioners during the course of the day are taking part in the proceedings of the Commission which means that after hours and over weekends

	Page 30208		Page 30210
1	can be fruitfully utilised, you know, by the parties in	1	being merely done so that the Commission should conclude
2	consulting with their	2	its work because at the end of the day we expect the
3	witnesses.	3	Commission to come out with a report that will be helpful,
4	The important aspect, Chairperson, is the reality	4	that will be meaningful going forward. And also we
5	is that we had situations wherein SAPS witnesses were given	5	respectfully submit that we need to have a situation
6	documents which were used for their cross-examination	6	wherein if the loved ones of the victims have to find
7	whilst they were under cross-examination. That had the	7	closure, they have got to do that, Chairperson.
8	challenges of witnesses having to read statements and	8	We respectfully submit that it is not in the
9	documents, apply their minds to information that they saw	9	interests of this Commission and all the role players that
10	for the first time when they were under cross-examination.	10	Mr X should not testify until that he is ready to testify
11	Now the difficulty with that, I remember even during the	11	and all the other parties whose clients are affected are in
12	evidence of Captain Thupe the Chairperson even had to bend	12	a meaningful position to can deal with the evidence to be
13	the rules, give SAPS legal team an indulgence to consult	13	presented by Mr X. That is our submission, Chairperson.
14	with Captain Thupe whilst he was under cross-examination.	14	CHAIRPERSON: What you're telling me, as
15	We respectfully submit that that kind of situation is	15	I understand, is there are basically two aspects that you
16	unbearable. Not only that but it is also prejudicial to	16	rely on in support of your contention that he should only
17	the party who is busy presenting his case because we	17	give evidence on the 19th. The first is the period of time
18	respectfully submit that prior notice should be given to	18	which will be required by the parties to go through these
19	the parties to know what documents or evidence other	19	dockets and other documents you're making available, to
20	parties are going to rely on.	20	identify those they want to rely on for the purposes of
21	The important aspect is that X is not that kind	21	cross-examining him. That's the first period and also
22	of witness who can be given documents and be expected that	22	presumably to take instructions from their clients in
23	he should read and understand the contents thereof. It's a	23	respect of some of the things he may say in the statement
24	situation wherein the legal team will have to sit with him	24	that was provided previously which had blanks in it. I
25	because of his level of education unfortunately, that each	25	take it you're now giving a statement in which the blanks
	Page 30209		Page 30211
1	Page 30209 and every document, each and every page should be read to	1	Page 30211 are filled in. Anyway, that's the first period. Then the
1 2	6	1 2	-
	and every document, each and every page should be read to		are filled in. Anyway, that's the first period. Then the
2	and every document, each and every page should be read to him, not only that he should grasp that and there is also a	2	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down,
2 3	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration,	2 3	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take
2 3 4	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted	2 3 4	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination.
2 3 4 5	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the	2 3 4 5	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination.
2 3 4 5 6	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation.	2 3 4 5 6	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them
2 3 4 5 6 7	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a	2 3 4 5 6 7	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So
2 3 4 5 6 7 8	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the	2 3 4 5 6 7 8	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between
2 3 4 5 6 7 8 9	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on	2 3 4 5 6 7 8 9	 are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct?
2 3 4 5 6 7 8 9 10	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on for his cross-examination. That should take place prior to	2 3 4 5 6 7 8 9 10	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct? MR MATHIBEDI SC: That's correct, Chair.
2 3 4 5 6 7 8 9 10 11	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on for his cross-examination. That should take place prior to the commencement of his evidence. And I respectfully	2 3 4 5 6 7 8 9 10 11	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct? MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Now how are we able to
2 3 4 5 6 7 8 9 10 11 12	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on for his cross-examination. That should take place prior to the commencement of his evidence. And I respectfully submit that the problem also will be experienced by the	2 3 4 5 6 7 8 9 10 11 12	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct? MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Now how are we able to quantify that? On what basis do we say well today is the 5th, so we would be sitting tomorrow, that's effectively from the 7th through to the 18th that you will be available
2 3 4 5 6 7 8 9 10 11 12 13	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on for his cross-examination. That should take place prior to the commencement of his evidence. And I respectfully submit that the problem also will be experienced by the other practitioners, that they would like to know which	2 3 4 5 6 7 8 9 10 11 12 13	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct? MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Now how are we able to quantify that? On what basis do we say well today is the 5th, so we would be sitting tomorrow, that's effectively
2 3 4 5 6 7 8 9 10 11 12 13 14	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on for his cross-examination. That should take place prior to the commencement of his evidence. And I respectfully submit that the problem also will be experienced by the other practitioners, that they would like to know which documents and exhibits inside the documents – sorry, inside	2 3 4 5 6 7 8 9 10 11 12 13 14	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct? MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Now how are we able to quantify that? On what basis do we say well today is the 5th, so we would be sitting tomorrow, that's effectively from the 7th through to the 18th that you will be available
2 3 4 5 6 7 8 9 10 11 12 13 14 15	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on for his cross-examination. That should take place prior to the commencement of his evidence. And I respectfully submit that the problem also will be experienced by the other practitioners, that they would like to know which documents and exhibits inside the documents – sorry, inside the dockets – reliance is going to be placed on during the	2 3 4 5 6 7 8 9 10 11 12 13 14 15	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct? MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Now how are we able to quantify that? On what basis do we say well today is the 5th, so we would be sitting tomorrow, that's effectively from the 7th through to the 18th that you will be available for this purpose, and I understand that the 16th and the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on for his cross-examination. That should take place prior to the commencement of his evidence. And I respectfully submit that the problem also will be experienced by the other practitioners, that they would like to know which documents and exhibits inside the documents – sorry, inside the dockets – reliance is going to be placed on during the evidence of Mr X. That will give them an idea, they will	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct? MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Now how are we able to quantify that? On what basis do we say well today is the 5th, so we would be sitting tomorrow, that's effectively from the 7th through to the 18th that you will be available for this purpose, and I understand that the 16th and the 18th we won't be sitting anyway because the 16th is a public
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on for his cross-examination. That should take place prior to the commencement of his evidence. And I respectfully submit that the problem also will be experienced by the other practitioners, that they would like to know which documents and exhibits inside the documents – sorry, inside the dockets – reliance is going to be placed on during the evidence of Mr X. That will give them an idea, they will be in a position to can know which witnesses they should	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct? MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Now how are we able to quantify that? On what basis do we say well today is the 5th, so we would be sitting tomorrow, that's effectively from the 7th through to the 18th that you will be available for this purpose, and I understand that the 16th and the 18th we won't be sitting anyway because the 16th is a public holiday and the 18th this chamber won't be available, but on
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on for his cross-examination. That should take place prior to the commencement of his evidence. And I respectfully submit that the problem also will be experienced by the other practitioners, that they would like to know which documents and exhibits inside the documents – sorry, inside the dockets – reliance is going to be placed on during the evidence of Mr X. That will give them an idea, they will be in a position to can know which witnesses they should call, which witnesses they should consult with.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct? MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Now how are we able to quantify that? On what basis do we say well today is the 5th, so we would be sitting tomorrow, that's effectively from the 7th through to the 18th that you will be available for this purpose, and I understand that the 16th and the 18th we won't be sitting anyway because the 16th is a public holiday and the 18th this chamber won't be available, but on what basis do I arrive at the 19th, apart from those two
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on for his cross-examination. That should take place prior to the commencement of his evidence. And I respectfully submit that the problem also will be experienced by the other practitioners, that they would like to know which documents and exhibits inside the documents – sorry, inside the dockets – reliance is going to be placed on during the evidence of Mr X. That will give them an idea, they will be in a position to can know which witnesses they should call, which witnesses they should consult with. Chairperson, I am – we are mindful of the fact	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct? MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Now how are we able to quantify that? On what basis do we say well today is the 5th, so we would be sitting tomorrow, that's effectively from the 7th through to the 18th that you will be available for this purpose, and I understand that the 16th and the 18th we won't be sitting anyway because the 16th is a public holiday and the 18th this chamber won't be available, but on what basis do I arrive at the 19th, apart from which, to which you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on for his cross-examination. That should take place prior to the commencement of his evidence. And I respectfully submit that the problem also will be experienced by the other practitioners, that they would like to know which documents and exhibits inside the documents – sorry, inside the dockets – reliance is going to be placed on during the evidence of Mr X. That will give them an idea, they will be in a position to can know which witnesses they should call, which witnesses they should consult with. Chairperson, I am – we are mindful of the fact that there are time constraints within which we have got to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct? MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Now how are we able to quantify that? On what basis do we say well today is the 5th, so we would be sitting tomorrow, that's effectively from the 7th through to the 18th that you will be available for this purpose, and I understand that the 16th and the 18th we won't be sitting anyway because the 16th is a public holiday and the 18th this chamber won't be available, but on what basis do I arrive at the 19th, apart from thick, to which you ask that his examination-in-chief be held over?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on for his cross-examination. That should take place prior to the commencement of his evidence. And I respectfully submit that the problem also will be experienced by the other practitioners, that they would like to know which documents and exhibits inside the documents – sorry, inside the dockets – reliance is going to be placed on during the evidence of Mr X. That will give them an idea, they will be in a position to can know which witnesses they should call, which witnesses they should consult with. Chairperson, I am – we are mindful of the fact that there are time constraints within which we have got to operate but at the same time it is in the interests of the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct? MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Now how are we able to quantify that? On what basis do we say well today is the 5th, so we would be sitting tomorrow, that's effectively from the 7th through to the 18th that you will be available for this purpose, and I understand that the 16th and the 18th we won't be sitting anyway because the 16th is a public holiday and the 18th this chamber won't be available, but on what basis do I arrive at the 19th, apart from those two dies non, the 19th as being the day from which, to which you ask that his examination-in-chief be held over? MR MATHIBEDI SC: Chairperson, at this
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on for his cross-examination. That should take place prior to the commencement of his evidence. And I respectfully submit that the problem also will be experienced by the other practitioners, that they would like to know which documents and exhibits inside the documents – sorry, inside the dockets – reliance is going to be placed on during the evidence of Mr X. That will give them an idea, they will be in a position to can know which witnesses they should call, which witnesses they should consult with. Chairperson, I am – we are mindful of the fact that there are time constraints within which we have got to operate but at the same time it is in the interests of the public at large, the role players, that a proper and full	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct? MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Now how are we able to quantify that? On what basis do we say well today is the 5th, so we would be sitting tomorrow, that's effectively from the 7th through to the 18th that you will be available for this purpose, and I understand that the 16th and the 18th we won't be sitting anyway because the 16th is a public holiday and the 18th this chamber won't be available, but on what basis do I arrive at the 19th, apart from those two dies non, the 19th as being the day from which, to which you ask that his examination-in-chief be held over? MR MATHIBEDI SC: Chairperson, at this stage we have already started consulting with Mr X and we
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	and every document, each and every page should be read to him, not only that he should grasp that and there is also a barrier language that has to be taken into consideration, that the services of a person who is fluent and acquainted with the language that he speaks should assist during the consultation. It is also important, Chairperson, that a consultation should take place with him with all the necessary documents that other parties are going to rely on for his cross-examination. That should take place prior to the commencement of his evidence. And I respectfully submit that the problem also will be experienced by the other practitioners, that they would like to know which documents and exhibits inside the documents – sorry, inside the dockets – reliance is going to be placed on during the evidence of Mr X. That will give them an idea, they will be in a position to can know which witnesses they should call, which witnesses they should consult with. Chairperson, I am – we are mindful of the fact that there are time constraints within which we have got to operate but at the same time it is in the interests of the public at large, the role players, that a proper and full ventilation of the issues on which the Commission should	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	are filled in. Anyway, that's the first period. Then the second period is the period that you require to sit down, you or those assisting you, to sit down with Mr X, to take him through the documents which are going to be relied on in cross-examination. [12:36] Take him through them in the sense that read them out to him, translate them into his home language. So that's the second period that is part of the period between now and the 19th. Is that correct? MR MATHIBEDI SC: That's correct, Chair. CHAIRPERSON: Now how are we able to quantify that? On what basis do we say well today is the 5th, so we would be sitting tomorrow, that's effectively from the 7th through to the 18th that you will be available for this purpose, and I understand that the 16th and the 18th we won't be sitting anyway because the 16th is a public holiday and the 18th this chamber won't be available, but on what basis do I arrive at the 19th, apart from those two dies non, the 19th as being the day from which, to which you ask that his examination-in-chief be held over? MR MATHIBEDI SC: Chairperson, at this stage we have already started consulting with Mr X and we have to a certain extent identified some of the documents

	Page 30212		Page 30214
1	understanding on what basis you could have thought you	1	MR MATHIBEDI SC: Chairperson –
2	could have led him seven days after you complied with the	2	CHAIRPERSON: As soon as the DPP gave his
3	facts as set out in the ruling and thereafter say well you	3	permission, could those 11 not have been provided on the
4	could lead him 14 days after that. Then you, that I think	4	basis that more are coming?
5	was last Wednesday. You were only waiting for permission	5	MR MATHIBEDI SC: Chairperson,
6	from the DPP in order to put these documents up, but what	6	unfortunately probably we were naïve. We thought that we
7	have you been doing all this time? Were you not conscious	7	should make all the dockets available, but we respectfully
8	of the time constraints that are applicable to this	8	submit that the dockets have been photocopied. The
9	Commission?	9	Chairperson will have to bear in mind that there are 20
10	MR MATHIBEDI SC: Chairperson, we are	10	dockets and we've got to make four copies, two for the
11	very conscious of the time constraints applicable to this	11	Commissioners, one for the Chairperson and one for the
			-
12	Commission, but when we made the first indication that X	12	assistant of the Commission. So there are also logistical
13	could be led after the expiry of 14 days – seven days,	13	problems, Chairperson.
14	Chairperson unfortunately at that stage we expected that we		CHAIRPERSON: What about the parties?
15	would have obtained the permission from the Director of	15	Isn't the arrangement that the parties are supposed to see
16	Public Prosecution North West, but however, one aspect that		these documents? They are the ones after all who've got to
17	cropped up is that the person who's dealing with the	17	go through them and decide what documents, if any, in these
18	dockets, Adv Carpenter, we are being advised that he's ill	18	dockets they wish to rely on in cross-examination.
19	now, it's been for quite some time and probably somebody	19	MR MATHIBEDI SC: Chairperson, I'm
20	who was not dealing with the dockets had to peruse the	20	advised that some of the dockets have already been made
21	dockets and find out what is contained in the dockets, and	21	available to the evidence leaders and have been
22	we could not afford a situation wherein we make dockets	22	distributed.
23	available or distribute them without the necessary consent	23	CHAIRPERSON: Electronically?
24	of the Director of Public Prosecutions –	24	MR MATHIBEDI SC: Electronically. They
25	CHAIRPERSON: Yes.	25	were made available.
		1	
	Page 30213		Page 30215
1	MR MATHIBEDI SC: But however –	1	CHAIRPERSON: [Microphone off, inaudible]
1 2	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you.	1 2	CHAIRPERSON: [Microphone off, inaudible] that?
	MR MATHIBEDI SC: But however –		CHAIRPERSON: [Microphone off, inaudible]
2	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you.	2	CHAIRPERSON: [Microphone off, inaudible] that?
2 3	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession?	2 3	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made
2 3 4	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets,	2 3 4	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I
2 3 4 5	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson.	2 3 4 5	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson.
2 3 4 5 6	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't	2 3 4 5 6	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi,
2 3 4 5 6 7	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already	2 3 4 5 6 7	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some
2 3 4 5 6 7 8	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were	2 3 4 5 6 7 8	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct?
2 3 4 5 6 7 8 9	MR MATHIBEDI SC:But however –CHAIRPERSON:I'm sorry to interrupt you.Did you have the dockets in your possession?MR MATHIBEDI SC:Not all the dockets,Chairperson.CHAIRPERSON:You see, what I don'tunderstand is I was under the impression that you'd alreadyphotostatted the documents, you had them ready, you werejust waiting for the consent of the DPP.	2 3 4 5 6 7 8 9	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct,
2 3 4 5 6 7 8 9 10	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were just waiting for the consent of the DPP. Once the consent of the DPP was available, which was last Friday, I expected	2 3 4 5 6 7 8 9 10	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct, Chairperson, we're talking about –
2 3 4 5 6 7 8 9 10 11	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were just waiting for the consent of the DPP. Once the consent of the DPP was available, which was last Friday, I expected to get the documents that day, or the day after, but I'm	2 3 4 5 6 7 8 9 10 11	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct, Chairperson, we're talking about – MR CHASKALSON SC: Chairperson, we've
2 3 4 5 6 7 8 9 10 11 12	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were just waiting for the consent of the DPP. Once the consent of the DPP was available, which was last Friday, I expected to get the documents that day, or the day after, but I'm still in the position, I haven't got them. I was hoping	2 3 4 5 6 7 8 9 10 11 12	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct, Chairperson, we're talking about – MR CHASKALSON SC: Chairperson, we've counted the pages, they're 1034, the majority of which are
2 3 4 5 6 7 8 9 10 11 12 13	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were just waiting for the consent of the DPP. Once the consent of the DPP was available, which was last Friday, I expected to get the documents that day, or the day after, but I'm still in the position, I haven't got them. I was hoping that I'd get them yesterday so I could look at them to see what time I thought was reasonably required in order to	2 3 4 5 6 7 8 9 10 11 12 13	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct, Chairperson, we're talking about – MR CHASKALSON SC: Chairperson, we've counted the pages, they're 1034, the majority of which are old documents that have appeared on the SAPS hard drive and
2 3 4 5 6 7 8 9 10 11 12 13 14	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were just waiting for the consent of the DPP. Once the consent of the DPP was available, which was last Friday, I expected to get the documents that day, or the day after, but I'm still in the position, I haven't got them. I was hoping that I'd get them yesterday so I could look at them to see what time I thought was reasonably required in order to peruse them to do what is required in what I call the first	2 3 4 5 6 7 8 9 10 11 12 13 14	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct, Chairperson, we're talking about – MR CHASKALSON SC: Chairperson, we've counted the pages, they're 1034, the majority of which are old documents that have appeared on the SAPS hard drive and have been in possession of the parties for the better part of two years.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were just waiting for the consent of the DPP. Once the consent of the DPP was available, which was last Friday, I expected to get the documents that day, or the day after, but I'm still in the position, I haven't got them. I was hoping that I'd get them yesterday so I could look at them to see what time I thought was reasonably required in order to peruse them to do what is required in what I call the first period, but I still haven't got them. So what's been	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct, Chairperson, we're talking about – MR CHASKALSON SC: Chairperson, we've counted the pages, they're 1034, the majority of which are old documents that have appeared on the SAPS hard drive and have been in possession of the parties for the better part of two years. CHAIRPERSON: So I've asked you my
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were just waiting for the consent of the DPP. Once the consent of the DPP was available, which was last Friday, I expected to get the documents that day, or the day after, but I'm still in the position, I haven't got them. I was hoping that I'd get them yesterday so I could look at them to see what time I thought was reasonably required in order to peruse them to do what is required in what I call the first period, but I still haven't got them. So what's been happening? Or not happened, as the case may be.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct, Chairperson, we're talking about – MR CHASKALSON SC: Chairperson, we've counted the pages, they're 1034, the majority of which are old documents that have appeared on the SAPS hard drive and have been in possession of the parties for the better part of two years. CHAIRPERSON: So I've asked you my question. Is there anything you wish to add, Mr Mathibedi?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were just waiting for the consent of the DPP. Once the consent of the DPP was available, which was last Friday, I expected to get the documents that day, or the day after, but I'm still in the position, I haven't got them. I was hoping that I'd get them yesterday so I could look at them to see what time I thought was reasonably required in order to peruse them to do what is required in what I call the first period, but I still haven't got them. So what's been happening? Or not happened, as the case may be. MR MATHIBEDI SC: Chairperson, we did not	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct, Chairperson, we're talking about – MR CHASKALSON SC: Chairperson, we've counted the pages, they're 1034, the majority of which are old documents that have appeared on the SAPS hard drive and have been in possession of the parties for the better part of two years. CHAIRPERSON: So I've asked you my question. Is there anything you wish to add, Mr Mathibedi? MR MATHIBEDI SC: Chairperson, I also
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were just waiting for the consent of the DPP. Once the consent of the DPP was available, which was last Friday, I expected to get the documents that day, or the day after, but I'm still in the position, I haven't got them. I was hoping that I'd get them yesterday so I could look at them to see what time I thought was reasonably required in order to peruse them to do what is required in what I call the first period, but I still haven't got them. So what's been happening? Or not happened, as the case may be. MR MATHIBEDI SC: Chairperson, we did not have all the dockets with us.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct, Chairperson, we're talking about – MR CHASKALSON SC: Chairperson, we've counted the pages, they're 1034, the majority of which are old documents that have appeared on the SAPS hard drive and have been in possession of the parties for the better part of two years. CHAIRPERSON: So I've asked you my question. Is there anything you wish to add, Mr Mathibedi? MR MATHIBEDI SC: Chairperson, I also would like the Chairperson to take into account that Mr X
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were just waiting for the consent of the DPP. Once the consent of the DPP was available, which was last Friday, I expected to get the documents that day, or the day after, but I'm still in the position, I haven't got them. I was hoping that I'd get them yesterday so I could look at them to see what time I thought was reasonably required in order to peruse them to do what is required in what I call the first period, but I still haven't got them. So what's been happening? Or not happened, as the case may be. MR MATHIBEDI SC: Chairperson, we did not have all the dockets with us. CHAIRPERSON: How many of them did you	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct, Chairperson, we're talking about – MR CHASKALSON SC: Chairperson, we've counted the pages, they're 1034, the majority of which are old documents that have appeared on the SAPS hard drive and have been in possession of the parties for the better part of two years. CHAIRPERSON: So I've asked you my question. Is there anything you wish to add, Mr Mathibedi? MR MATHIBEDI SC: Chairperson, I also would like the Chairperson to take into account that Mr X is currently in witness protection programme, so whenever
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were just waiting for the consent of the DPP. Once the consent of the DPP was available, which was last Friday, I expected to get the documents that day, or the day after, but I'm still in the position, I haven't got them. I was hoping that I'd get them yesterday so I could look at them to see what time I thought was reasonably required in order to peruse them to do what is required in what I call the first period, but I still haven't got them. So what's been happening? Or not happened, as the case may be. MR MATHIBEDI SC: Chairperson, we did not have all the dockets with us. CHAIRPERSON: How many of them did you have?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct, Chairperson, we're talking about – MR CHASKALSON SC: Chairperson, we've counted the pages, they're 1034, the majority of which are old documents that have appeared on the SAPS hard drive and have been in possession of the parties for the better part of two years. CHAIRPERSON: So I've asked you my question. Is there anything you wish to add, Mr Mathibedi? MR MATHIBEDI SC: Chairperson, I also would like the Chairperson to take into account that Mr X is currently in witness protection programme, so whenever consultations are to be held with him security
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were just waiting for the consent of the DPP. Once the consent of the DPP was available, which was last Friday, I expected to get the documents that day, or the day after, but I'm still in the position, I haven't got them. I was hoping that I'd get them yesterday so I could look at them to see what time I thought was reasonably required in order to peruse them to do what is required in what I call the first period, but I still haven't got them. So what's been happening? Or not happened, as the case may be. MR MATHIBEDI SC: Chairperson, we did not have all the dockets with us. CHAIRPERSON: How many of them did you have? MR MATHIBEDI SC: We have about 11	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct, Chairperson, we're talking about – MR CHASKALSON SC: Chairperson, we've counted the pages, they're 1034, the majority of which are old documents that have appeared on the SAPS hard drive and have been in possession of the parties for the better part of two years. CHAIRPERSON: So I've asked you my question. Is there anything you wish to add, Mr Mathibedi? MR MATHIBEDI SC: Chairperson, I also would like the Chairperson to take into account that Mr X is currently in witness protection programme, so whenever consultations are to be held with him security considerations also play a very important role because it's
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were just waiting for the consent of the DPP. Once the consent of the DPP was available, which was last Friday, I expected to get the documents that day, or the day after, but I'm still in the position, I haven't got them. I was hoping that I'd get them yesterday so I could look at them to see what time I thought was reasonably required in order to peruse them to do what is required in what I call the first period, but I still haven't got them. So what's been happening? Or not happened, as the case may be. MR MATHIBEDI SC: Chairperson, we did not have all the dockets with us. CHAIRPERSON: How many of them did you have? MR MATHIBEDI SC: We have about 11 dockets.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct, Chairperson, we're talking about – MR CHASKALSON SC: Chairperson, we've counted the pages, they're 1034, the majority of which are old documents that have appeared on the SAPS hard drive and have been in possession of the parties for the better part of two years. CHAIRPERSON: So I've asked you my question. Is there anything you wish to add, Mr Mathibedi? MR MATHIBEDI SC: Chairperson, I also would like the Chairperson to take into account that Mr X is currently in witness protection programme, so whenever consultations are to be held with him security considerations also play a very important role because it's not a situation wherein we can willy-nilly consult with him
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR MATHIBEDI SC: But however – CHAIRPERSON: I'm sorry to interrupt you. Did you have the dockets in your possession? MR MATHIBEDI SC: Not all the dockets, Chairperson. CHAIRPERSON: You see, what I don't understand is I was under the impression that you'd already photostatted the documents, you had them ready, you were just waiting for the consent of the DPP. Once the consent of the DPP was available, which was last Friday, I expected to get the documents that day, or the day after, but I'm still in the position, I haven't got them. I was hoping that I'd get them yesterday so I could look at them to see what time I thought was reasonably required in order to peruse them to do what is required in what I call the first period, but I still haven't got them. So what's been happening? Or not happened, as the case may be. MR MATHIBEDI SC: Chairperson, we did not have all the dockets with us. CHAIRPERSON: How many of them did you have? MR MATHIBEDI SC: We have about 11	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	CHAIRPERSON: [Microphone off, inaudible] that? MR MATHIBEDI SC: No, they were made available on Monday to evidence leaders. The last two I think were sent yesterday, Chairperson. COMMISSIONER HEMRAJ: Mr Mathibedi, someone mentioned to us that these 20 dockets run into some 15 lever arch files. Is that correct? MR MATHIBEDI SC: That's correct, Chairperson, we're talking about – MR CHASKALSON SC: Chairperson, we've counted the pages, they're 1034, the majority of which are old documents that have appeared on the SAPS hard drive and have been in possession of the parties for the better part of two years. CHAIRPERSON: So I've asked you my question. Is there anything you wish to add, Mr Mathibedi? MR MATHIBEDI SC: Chairperson, I also would like the Chairperson to take into account that Mr X is currently in witness protection programme, so whenever consultations are to be held with him security considerations also play a very important role because it's

		1	
1	Page 30216	1	Page 30218
1	been made available for consultations with him. CHAIRPERSON: Thank you. Who else wishes	1	allegations against your clients made by other witnesses which are not supported by X's own evidence.
2	5	2 3	MR MPOFU: No, fair enough, Chair.
3	to speak in support of the application? MR MPOFU: Thank you, Chairperson. Well,	4	· 5·
4			That's true, but one has to presume that the purpose of
5	I just want to preface my address by saying I never thought		producing those dockets prior to Mr X's testimony is exactly so that those allegations are either going to be
6	the day will come, but I support the SAPS application.	6	tested or confirmed with him. That can be the only reason
7	Chairperson, I think there are two issues, or two topics	7	why the two things are linked, and therefore naturally
8	that I want to address. One I will call the big elephant	8 9	
9	and the other one the small elephant.		flowing from whatever he's going to say about those
10 11	I'll start with the small elephant, which is the issue of this application, but I must mention that in my	10 11	allegations, what will flow is cross-examination on those issues by those people who represent the people against
12	view the real issue here is this imposed deadline of the	12	whom such allegations are made.
13		12	To borrow Mr Semenya's expression, just to
	31st of July. That's the real big elephant behind what is		complicate it even further, Chairperson, the one person
14	happening here.	14	
15	But let me start with the application itself. Chair, we support the application for some of the reasons	15	that I was able to even do a telephonic consultation with
16		16	who is seriously implicated in the dockets, told me that
17 18	advanced by SAPS. We obviously differ with some of the reasons that they have advanced, or are neutral. For	17 18	those are statements that were extracted by means of torture and that that is one of the people, you'll
19	example as to whether it's their own fault that they are	19	remember, Chair, round about October when there was a group
20	not ready and so on, between them and the NPA and so on,	20	of people who were arrested and we came to report for the
20	that it might well be so, but the fact that it's their own	20	record one of them had soiled himself, another one, his
22	fault doesn't mean that the consequences of that are not	22	ears were affected, and so on. He's one of those people.
23	felt adversely by parties like ourselves.	23	So there's no way that I can even allow those statements to
24	Chairperson, you correctly said - and it doesn't	24	be canvassed with Mr X if indeed it turns out that they
25	even need to be repeated - that Mr X is a very important	25	were extracted by means of torture. So that's just a side
	· · · · · · · · · · · · · · · · · · ·		, , , , , , , , , , , , , , , , , , ,
	Page 30217		Page 30219
1	Page 30217 witness particularly for the parties that I represent. He,	1	Page 30219 complication. As I say –
1 2	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious	1 2	complication. As I say – CHAIRPERSON: Sorry, I don't understand.
	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious -		complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming
2	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre,	2	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who
2 3	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I	2 3	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations –
2 3 4	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr	2 3 4	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja.
2 3 4 5 6 7	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of	2 3 4 5	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a
2 3 4 5 6 7 8	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the	2 3 4 5 6 7 8	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people –
2 3 4 5 6 7 8 9	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of	2 3 4 5 6 7 8 9	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure.
2 3 4 5 6 7 8 9 10	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite	2 3 4 5 6 7 8 9 10	complication. As I say –CHAIRPERSON:Sorry, I don't understand.How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations –MR MPOFU:Ja.CHAIRPERSON:You've then got astatements by two other people –MR MPOFU:Sure.CHAIRPERSON:- who make other
2 3 4 5 6 7 8 9 10 11	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite serious statements which contain serious allegations	2 3 4 5 6 7 8 9 10 11	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure. CHAIRPERSON: - who make other allegations. Now there's no way those allegations can be
2 3 4 5 6 7 8 9 10 11 12	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite serious statements which contain serious allegations against some of the people I represent, which will	2 3 4 5 6 7 8 9 10 11 12	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure. CHAIRPERSON: - who make other allegations. Now there's no way those allegations can be canvassed with Mr X, and remember we have a rule in this
2 3 4 5 6 7 8 9 10 11 12 13	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite serious statements which contain serious allegations against some of the people I represent, which will necessitate that I do some thorough consultations before I	2 3 4 5 6 7 8 9 10 11 12 13	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure. CHAIRPERSON: - who make other allegations. Now there's no way those allegations can be canvassed with Mr X, and remember we have a rule in this Commission that you're supposed to lead in chief, you're
2 3 4 5 6 7 8 9 10 11 12 13 14	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite serious statements which contain serious allegations against some of the people I represent, which will necessitate that I do some thorough consultations before I can, well either before Mr X is called or secondly before I	2 3 4 5 6 7 8 9 10 11 12 13 14	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure. CHAIRPERSON: - who make other allegations. Now there's no way those allegations can be canvassed with Mr X, and remember we have a rule in this Commission that you're supposed to lead in chief, you're supposed to give a statement in advance of the evidence to
2 3 4 5 6 7 8 9 10 11 12 13 14 15	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite serious statements which contain serious allegations against some of the people I represent, which will necessitate that I do some thorough consultations before I can, well either before Mr X is called or secondly before I can be in a position to cross-examine him.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure. CHAIRPERSON: - who make other allegations. Now there's no way those allegations can be canvassed with Mr X, and remember we have a rule in this Commission that you're supposed to lead in chief, you're supposed to give a statement in advance of the evidence to be led in chief, and that's a rule that hasn't always been
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite serious statements which contain serious allegations against some of the people I represent, which will necessitate that I do some thorough consultations before I can, well either before Mr X is called or secondly before I can be in a position to cross-examine him. CHAIRPERSON: Can I ask you a question	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure. CHAIRPERSON: - who make other allegations. Now there's no way those allegations can be canvassed with Mr X, and remember we have a rule in this Commission that you're supposed to lead in chief, you're supposed to give a statement in advance of the evidence to be led in chief, and that's a rule that hasn't always been strictly adhered to but as far as Mr X is concerned, as far
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite serious statements which contain serious allegations against some of the people I represent, which will necessitate that I do some thorough consultations before I can, well either before Mr X is called or secondly before I can be in a position to cross-examine him. CHAIRPERSON: Can I ask you a question about that?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure. CHAIRPERSON: - who make other allegations. Now there's no way those allegations can be canvassed with Mr X, and remember we have a rule in this Commission that you're supposed to lead in chief, you're supposed to give a statement in advance of the evidence to be led in chief, and that's a rule that hasn't always been strictly adhered to but as far as Mr X is concerned, as far as I'm concerned it's going to be strictly adhered to. It
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite serious statements which contain serious allegations against some of the people I represent, which will necessitate that I do some thorough consultations before I can, well either before Mr X is called or secondly before I can be in a position to cross-examine him. CHAIRPERSON: Can I ask you a question about that? MR MPOFU: Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure. CHAIRPERSON: - who make other allegations. Now there's no way those allegations can be canvassed with Mr X, and remember we have a rule in this Commission that you're supposed to lead in chief, you're supposed to give a statement in advance of the evidence to be led in chief, and that's a rule that hasn't always been strictly adhered to but as far as Mr X is concerned, as far as I'm concerned it's going to be strictly adhered to. It would be very inappropriate for extra stuff to come from Mr
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite serious statements which contain serious allegations against some of the people I represent, which will necessitate that I do some thorough consultations before I can, well either before Mr X is called or secondly before I can be in a position to cross-examine him. CHAIRPERSON: Can I ask you a question about that? MR MPOFU: Yes. CHAIRPERSON: I can understand the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure. CHAIRPERSON: - who make other allegations. Now there's no way those allegations can be canvassed with Mr X, and remember we have a rule in this Commission that you're supposed to lead in chief, you're supposed to give a statement in advance of the evidence to be led in chief, and that's a rule that hasn't always been strictly adhered to but as far as Mr X is concerned, as far as I'm concerned it's going to be strictly adhered to. It would be very inappropriate for extra stuff to come from Mr X's mouth in chief in respect of which there's no statement
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite serious statements which contain serious allegations against some of the people I represent, which will necessitate that I do some thorough consultations before I can, well either before Mr X is called or secondly before I can be in a position to cross-examine him. CHAIRPERSON: Can I ask you a question about that? MR MPOFU: Yes. CHAIRPERSON: I can understand the serious allegations that Mr X makes, but if there are other	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure. CHAIRPERSON: - who make other allegations. Now there's no way those allegations can be canvassed with Mr X, and remember we have a rule in this Commission that you're supposed to lead in chief, you're supposed to give a statement in advance of the evidence to be led in chief, and that's a rule that hasn't always been strictly adhered to but as far as Mr X is concerned, as far as I'm concerned it's going to be strictly adhered to. It would be very inappropriate for extra stuff to come from Mr X's mouth in chief in respect of which there's no statement from him beforehand.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite serious statements which contain serious allegations against some of the people I represent, which will necessitate that I do some thorough consultations before I can, well either before Mr X is called or secondly before I can be in a position to cross-examine him. CHAIRPERSON: Can I ask you a question about that? MR MPOFU: Yes. CHAIRPERSON: I can understand the serious allegations that Mr X makes, but if there are other serious allegations made by other witnesses, the mere fact	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure. CHAIRPERSON: - who make other allegations. Now there's no way those allegations can be canvassed with Mr X, and remember we have a rule in this Commission that you're supposed to lead in chief, you're supposed to give a statement in advance of the evidence to be led in chief, and that's a rule that hasn't always been strictly adhered to but as far as Mr X is concerned, as far as I'm concerned it's going to be strictly adhered to. It would be very inappropriate for extra stuff to come from Mr X's mouth in chief in respect of which there's no statement from him beforehand. MR MPOFU: Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite serious statements which contain serious allegations against some of the people I represent, which will necessitate that I do some thorough consultations before I can, well either before Mr X is called or secondly before I can be in a position to cross-examine him. CHAIRPERSON: Can I ask you a question about that? MR MPOFU: Yes. CHAIRPERSON: I can understand the serious allegations that Mr X makes, but if there are other serious allegations made by other witnesses, the mere fact that the documents have been put before us would not be a	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure. CHAIRPERSON: - who make other allegations. Now there's no way those allegations can be canvassed with Mr X, and remember we have a rule in this Commission that you're supposed to lead in chief, you're supposed to give a statement in advance of the evidence to be led in chief, and that's a rule that hasn't always been strictly adhered to but as far as Mr X is concerned, as far as I'm concerned it's going to be strictly adhered to. It would be very inappropriate for extra stuff to come from Mr X's mouth in chief in respect of which there's no statement from him beforehand. MR MPOFU: Yes. CHAIRPERSON: So in the hypothetical case
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite serious statements which contain serious allegations against some of the people I represent, which will necessitate that I do some thorough consultations before I can, well either before Mr X is called or secondly before I can be in a position to cross-examine him. CHAIRPERSON: Can I ask you a question about that? MR MPOFU: Yes. CHAIRPERSON: I can understand the serious allegations that Mr X makes, but if there are other serious allegations made by other witnesses, the mere fact that the documents have been put before us would not be a basis necessarily for us to rely on them. It would depend	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure. CHAIRPERSON: - who make other allegations. Now there's no way those allegations can be canvassed with Mr X, and remember we have a rule in this Commission that you're supposed to lead in chief, you're supposed to give a statement in advance of the evidence to be led in chief, and that's a rule that hasn't always been strictly adhered to but as far as Mr X is concerned, as far as I'm concerned it's going to be strictly adhered to. It would be very inappropriate for extra stuff to come from Mr X's mouth in chief in respect of which there's no statement from him beforehand. MR MPOFU: Yes. CHAIRPERSON: So in the hypothetical case I put to you of a docket, three statements, one by X,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	witness particularly for the parties that I represent. He, as is suggested in the SAPS affidavit, makes quite serious allegations - some of them outrageous, but still serious - about some of the victims of the tragedy, or massacre, whether they are survivors or whether they are deceased. I don't think I've got all the documents from what Mr Chaskalson and Mr Mathibedi have said, but I have some of the dockets, I suspect, and in between preparing for the cross-examination of Mr Da Costa I paged through some of the dockets yesterday and I found that there are quite serious statements which contain serious allegations against some of the people I represent, which will necessitate that I do some thorough consultations before I can, well either before Mr X is called or secondly before I can be in a position to cross-examine him. CHAIRPERSON: Can I ask you a question about that? MR MPOFU: Yes. CHAIRPERSON: I can understand the serious allegations that Mr X makes, but if there are other serious allegations made by other witnesses, the mere fact that the documents have been put before us would not be a	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	complication. As I say – CHAIRPERSON: Sorry, I don't understand. How can the statements be canvassed by Mr X? Assuming you've got a docket, it contains a statement by Mr X who makes certain allegations – MR MPOFU: Ja. CHAIRPERSON: You've then got a statements by two other people – MR MPOFU: Sure. CHAIRPERSON: - who make other allegations. Now there's no way those allegations can be canvassed with Mr X, and remember we have a rule in this Commission that you're supposed to lead in chief, you're supposed to give a statement in advance of the evidence to be led in chief, and that's a rule that hasn't always been strictly adhered to but as far as Mr X is concerned, as far as I'm concerned it's going to be strictly adhered to. It would be very inappropriate for extra stuff to come from Mr X's mouth in chief in respect of which there's no statement from him beforehand. MR MPOFU: Yes. CHAIRPERSON: So in the hypothetical case

Pretoria

1	Page 30220	1	Page 30222
1	CHAIRPERSON: And I would assume that that would be in his statement anyway. As far as the other	1	paragraph 17 of Mr X's statement as it stands now. "On Monday, on the 13th, the early hours of the morning, the
2	statements are concerned, that material can't be canvassed	2	committee decided that we must proceed to Eastern Platinum.
4	with him and so I don't quite see how there's a problem in	4	Members of the committee, makarapa and other striking
5	that regard.	5	miners went to the Eastern Platinum Shaft to stop people
6	MR MPOFU: Well, Chairperson, that's the	6	from working. We were a group of 600 people. From the
7	point; it's the chicken and egg. To answer even the	7	group I remember the following people who were present,
8	questions that you are raising, you are posing to me, one	8	that is," blank, blank, blank, blank, blank, and Mr Blank.
9	has to go through the dockets and be able to isolate which	9	CHAIRPERSON: Yes, I understand that, Mr
10	statements are Mr X, which ones are by the alleged person,	10	Mpofu, by am I correct in thinking that one of the
11	the perpetrator himself, which ones are by someone about	11	paragraphs in the ruling was that before the 14-day period
12	the perpetrator, and all that. That's exactly the point	12	started running you had to be given certain information –
13	that one has to go through those statements carefully and	13	MR MPOFU: That's correct.
14	meticulously to even make those challenges or objections,	14	CHAIRPERSON: - which included full
15	such as the one that the Chairperson is raising now.	15	statements with the blanks filled in?
16	CHAIRPERSON: You were touching on the	16	MR MPOFU: Absolutely.
17	problem that I'd put to Mr Mathibedi that the period from	17	CHAIRPERSON: So you've been in
18	the end of tomorrow to the 19th is effectively only	18	possession of that information for more than 14 days.
19	justifiable on the basis that it consists of two periods,	19	MR MPOFU: No. Well, Chairperson, that
20	the one when the preparation is done to indicate what	20	would be -
21	matters will be covered with him in cross-examination, and	21	CHAIRPERSON: Is that right?
22	secondly time then spent in dealing, in discussing these	22	MR MPOFU: No. That's the whole point,
23	with him, reading them to him and consulting with him on	23	Chairperson. It means if there was such a ruling I wasn't
24	those points. Now Mr Mathibedi couldn't tell me how long	24	even aware of it. Well, the news I'm telling you is that
25	either of those two periods would be. Are you able to	25	it has not been complied with because all I know is that it
			·
	Page 30221		Page 30223
1	assist me?	1	says "Mr [blank] is well-known to me. His real name is
2	assist me? MR MPOFU: No, well, I can't put an exact	2	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with
	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi		says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say,
2	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who	2	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is.
2 3 4 5	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is	2 3 4 5	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a
2 3 4 5 6	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how	2 3 4 5 6	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I –
2 3 4 5 6 7	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he	2 3 4 5 6 7	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's
2 3 4 5 6 7 8	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that	2 3 4 5 6 7 8	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the
2 3 4 5 6 7 8 9	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you	2 3 4 5 6 7 8 9	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier.
2 3 4 5 6 7 8 9 10	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments.	2 3 4 5 6 7 8 9 10	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that.
2 3 4 5 6 7 8 9 10 11	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments. This is going to be a painstaking exercise of ensuring that	2 3 4 5 6 7 8 9 10 11	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that. MR MPOFU: That's the bottom line, thank
2 3 4 5 6 7 8 9 10 11 12	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments. This is going to be a painstaking exercise of ensuring that I'm able, assuming, despite what the Chair has said, that	2 3 4 5 6 7 8 9 10 11 12	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that. MR MPOFU: That's the bottom line, thank you, Chairperson, yes. And then, Chairperson, just lastly
2 3 4 5 6 7 8 9 10 11 12 13	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments. This is going to be a painstaking exercise of ensuring that I'm able, assuming, despite what the Chair has said, that some of those statements somehow find their way into the	2 3 4 5 6 7 8 9 10 11 12 13	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that. MR MPOFU: That's the bottom line, thank you, Chairperson, yes. And then, Chairperson, just lastly on this; so, Chairperson, to cut it short, I mean even the
2 3 4 5 6 7 8 9 10 11 12 13 14	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments. This is going to be a painstaking exercise of ensuring that I'm able, assuming, despite what the Chair has said, that some of those statements somehow find their way into the evidence of Mr X, I must be in a position to have consulted	2 3 4 5 6 7 8 9 10 11 12 13 14	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that. MR MPOFU: That's the bottom line, thank you, Chairperson, yes. And then, Chairperson, just lastly on this; so, Chairperson, to cut it short, I mean even the 19th, to be honest with you, Chair, I'm not sure that I
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments. This is going to be a painstaking exercise of ensuring that I'm able, assuming, despite what the Chair has said, that some of those statements somehow find their way into the evidence of Mr X, I must be in a position to have consulted with the affected persons, even as I say for the purposes	2 3 4 5 6 7 8 9 10 11 12 13 14 15	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that. MR MPOFU: That's the bottom line, thank you, Chairperson, yes. And then, Chairperson, just lastly on this; so, Chairperson, to cut it short, I mean even the 19th, to be honest with you, Chair, I'm not sure that I would be in a position to cross-examine, so I suppose my
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments. This is going to be a painstaking exercise of ensuring that I'm able, assuming, despite what the Chair has said, that some of those statements somehow find their way into the evidence of Mr X, I must be in a position to have consulted with the affected persons, even as I say for the purposes of object, as the Chair has hinted, as to whether is this	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that. MR MPOFU: That's the bottom line, thank you, Chairperson, yes. And then, Chairperson, just lastly on this; so, Chairperson, to cut it short, I mean even the 19th, to be honest with you, Chair, I'm not sure that I would be in a position to cross-examine, so I suppose my take is that it cannot happen before the 19th. If it can
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments. This is going to be a painstaking exercise of ensuring that I'm able, assuming, despite what the Chair has said, that some of those statements somehow find their way into the evidence of Mr X, I must be in a position to have consulted with the affected persons, even as I say for the purposes of object, as the Chair has hinted, as to whether is this relative, can it be used, and so on and so on. All that is	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that. MR MPOFU: That's the bottom line, thank you, Chairperson, yes. And then, Chairperson, just lastly on this; so, Chairperson, to cut it short, I mean even the 19th, to be honest with you, Chair, I'm not sure that I would be in a position to cross-examine, so I suppose my take is that it cannot happen before the 19th. If it can possibly even happen thereafter, well depending on what
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments. This is going to be a painstaking exercise of ensuring that I'm able, assuming, despite what the Chair has said, that some of those statements somehow find their way into the evidence of Mr X, I must be in a position to have consulted with the affected persons, even as I say for the purposes of object, as the Chair has hinted, as to whether is this relative, can it be used, and so on and so on. All that is matter that needs to be considered only after I've gone	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that. MR MPOFU: That's the bottom line, thank you, Chairperson, yes. And then, Chairperson, just lastly on this; so, Chairperson, to cut it short, I mean even the 19th, to be honest with you, Chair, I'm not sure that I would be in a position to cross-examine, so I suppose my take is that it cannot happen before the 19th. If it can possibly even happen thereafter, well depending on what arrangements can be reached. I've had some discussion with
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments. This is going to be a painstaking exercise of ensuring that I'm able, assuming, despite what the Chair has said, that some of those statements somehow find their way into the evidence of Mr X, I must be in a position to have consulted with the affected persons, even as I say for the purposes of object, as the Chair has hinted, as to whether is this relative, can it be used, and so on and so on. All that is matter that needs to be considered only after I've gone through the 1034 pages, and also consulted with the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that. MR MPOFU: That's the bottom line, thank you, Chairperson, yes. And then, Chairperson, just lastly on this; so, Chairperson, to cut it short, I mean even the 19th, to be honest with you, Chair, I'm not sure that I would be in a position to cross-examine, so I suppose my take is that it cannot happen before the 19th. If it can possibly even happen thereafter, well depending on what arrangements can be reached. I've had some discussion with Mr Chaskalson, he'll mention some of the variations when he
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments. This is going to be a painstaking exercise of ensuring that I'm able, assuming, despite what the Chair has said, that some of those statements somehow find their way into the evidence of Mr X, I must be in a position to have consulted with the affected persons, even as I say for the purposes of object, as the Chair has hinted, as to whether is this relative, can it be used, and so on and so on. All that is matter that needs to be considered only after I've gone through the 1034 pages, and also consulted with the affected persons.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that. MR MPOFU: That's the bottom line, thank you, Chairperson, yes. And then, Chairperson, just lastly on this; so, Chairperson, to cut it short, I mean even the 19th, to be honest with you, Chair, I'm not sure that I would be in a position to cross-examine, so I suppose my take is that it cannot happen before the 19th. If it can possibly even happen thereafter, well depending on what arrangements can be reached. I've had some discussion with Mr Chaskalson, he'll mention some of the variations when he speaks, but the point of the matter is that certainly by
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments. This is going to be a painstaking exercise of ensuring that I'm able, assuming, despite what the Chair has said, that some of those statements somehow find their way into the evidence of Mr X, I must be in a position to have consulted with the affected persons, even as I say for the purposes of object, as the Chair has hinted, as to whether is this relative, can it be used, and so on and so on. All that is matter that needs to be considered only after I've gone through the 1034 pages, and also consulted with the affected persons. But Chairperson, putting that aside; to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that. MR MPOFU: That's the bottom line, thank you, Chairperson, yes. And then, Chairperson, just lastly on this; so, Chairperson, to cut it short, I mean even the 19th, to be honest with you, Chair, I'm not sure that I would be in a position to cross-examine, so I suppose my take is that it cannot happen before the 19th. If it can possibly even happen thereafter, well depending on what arrangements can be reached. I've had some discussion with Mr Chaskalson, he'll mention some of the variations when he speaks, but the point of the matter is that certainly by next Monday, which was the date that was put, one won't
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments. This is going to be a painstaking exercise of ensuring that I'm able, assuming, despite what the Chair has said, that some of those statements somehow find their way into the evidence of Mr X, I must be in a position to have consulted with the affected persons, even as I say for the purposes of object, as the Chair has hinted, as to whether is this relative, can it be used, and so on and so on. All that is matter that needs to be considered only after I've gone through the 1034 pages, and also consulted with the affected persons. But Chairperson, putting that aside; to complicate it even further, we are sitting here, I'm	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that. MR MPOFU: That's the bottom line, thank you, Chairperson, yes. And then, Chairperson, just lastly on this; so, Chairperson, to cut it short, I mean even the 19th, to be honest with you, Chair, I'm not sure that I would be in a position to cross-examine, so I suppose my take is that it cannot happen before the 19th. If it can possibly even happen thereafter, well depending on what arrangements can be reached. I've had some discussion with Mr Chaskalson, he'll mention some of the variations when he speaks, but the point of the matter is that certainly by next Monday, which was the date that was put, one won't even be able to make head or tail of this evidence, if,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments. This is going to be a painstaking exercise of ensuring that I'm able, assuming, despite what the Chair has said, that some of those statements somehow find their way into the evidence of Mr X, I must be in a position to have consulted with the affected persons, even as I say for the purposes of object, as the Chair has hinted, as to whether is this relative, can it be used, and so on and so on. All that is matter that needs to be considered only after I've gone through the 1034 pages, and also consulted with the affected persons. But Chairperson, putting that aside; to complicate it even further, we are sitting here, I'm sitting here right now with a statement of Mr X that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that. MR MPOFU: That's the bottom line, thank you, Chairperson, yes. And then, Chairperson, just lastly on this; so, Chairperson, to cut it short, I mean even the 19th, to be honest with you, Chair, I'm not sure that I would be in a position to cross-examine, so I suppose my take is that it cannot happen before the 19th. If it can possibly even happen thereafter, well depending on what arrangements can be reached. I've had some discussion with Mr Chaskalson, he'll mention some of the variations when he speaks, but the point of the matter is that certainly by next Monday, which was the date that was put, one won't
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Assist me? MR MPOFU: No, well, I can't put an exact time, Chair. All I can say is simply this; if Mr Mathibedi has a problem with what he calls an uneducated witness who has to go through these files and so on, all I can say is that well, in my case multiply that by 300. You know, how am I supposed to consult with hundreds of people – as he correctly says, these are not the kinds of witnesses that you can just dump arch lever files and memory sticks, you know, and then say I'll come back and get your comments. This is going to be a painstaking exercise of ensuring that I'm able, assuming, despite what the Chair has said, that some of those statements somehow find their way into the evidence of Mr X, I must be in a position to have consulted with the affected persons, even as I say for the purposes of object, as the Chair has hinted, as to whether is this relative, can it be used, and so on and so on. All that is matter that needs to be considered only after I've gone through the 1034 pages, and also consulted with the affected persons. But Chairperson, putting that aside; to complicate it even further, we are sitting here, I'm	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	says "Mr [blank] is well-known to me. His real name is [blank]." So how are we going to even begin to engage with this witness given this situation? And as I say, Chairperson, I'm not in the realm of whose fault it is. The point is that that is what I'm faced with now, with a situation where I – CHAIRPERSON: I understand whoever's fault it is, well particularly if it's the fault of the police, should have given you the information earlier. Your clients can't be prejudiced because of that. MR MPOFU: That's the bottom line, thank you, Chairperson, yes. And then, Chairperson, just lastly on this; so, Chairperson, to cut it short, I mean even the 19th, to be honest with you, Chair, I'm not sure that I would be in a position to cross-examine, so I suppose my take is that it cannot happen before the 19th. If it can possibly even happen thereafter, well depending on what arrangements can be reached. I've had some discussion with Mr Chaskalson, he'll mention some of the variations when he speaks, but the point of the matter is that certainly by next Monday, which was the date that was put, one won't even be able to make head or tail of this evidence, if, let's just take one example, these blanks have not been

1	Page 30224	1	Page 30226 heard. Yes, please carry on, Mr Mpofu.
1	a statement which fills in the blanks? MR MPOFU: No, Chairperson.	2	
2 3	CHAIRPERSON: Why is that not – you	2	MR MPOFU: Thank you. Thank you, Chairperson. Chairperson, I now then move – well, save to
4	didn't need the permission of the DPP of North West to give	4	say that even if Mr Mathibedi was correct that I'll get the
5	a statement with the blanks filled in to Mr Mpofu, did you?	5	statement today, does that only -1 don't have to repeat
6	MR MATHIBEDI SC: Chairperson, the	6	what the implications of that alone would be to the
7	statement, it's a 204 statement.	7	question of Monday, which is in a few days' time and as the
8	CHAIRPERSON: So?	8	Chairperson correctly said, the blank statements, and we
9	MR MATHIBEDI SC: So we respectfully	9	raised these objections in Rustenburg already that the
10	submit that we required the permission to make that	9 10	original blank statements were given in October/November
11	available.	11	last year so there can't be any – presumably those names
12	CHAIRPERSON: We saw the statement long	12	were there and they were blanked out at that point so I
13	ago. I understand it may have been part of a docket, but	13	can't understand why we could not simply have been given
14	it's been taken out of the docket and copies had been made	14	these at least in the past few weeks. But Chairperson, I
15	available with blanks long ago in this Commission. So it	15	said with respect the real issue here is this issue of the
16	was no longer in the docket. So are you suggesting that	16	31st of July. You know –
17	you needed the permission of the DPP to fill the blanks in	17	CHAIRPERSON: Before we get to the 31st of
18	as well? And if you got the permission last Friday, why	18	July –
19	didn't you have the statement ready because you knew the	19	MR MPOFU: Yes.
20	permission was coming, and make it available that very day	20	CHAIRPERSON: - which, as you know, is
20	to Mr Mpofu?	20	something that I can do, all that I can do about it is what
22	MR MATHIBEDI SC: Chairperson, I've	22	I did, which was to apply to the President for an
23	already indicated that we had some logistical challenges,	23	extension.
24	but we undertake that -	24	MR MPOFU: I know.
25	[12:55] CHAIRPERSON: - in regard to the	25	CHAIRPERSON: And I understand the reason
	Page 30225		Page 30227
1	Page 30225 statement that we've had for months and months, I think	1	Page 30227 they fixed the date was based inter alia on financial
1 2	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a	1 2	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an
	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare		they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't
2	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it	2	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may
2 3	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that	2 3	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the
2 3 4	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting?	2 3 4	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter
2 3 4 5	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the	2 3 4 5	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at
2 3 4 5 6	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates	2 3 4 5 6	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's
2 3 4 5 6 7 8 9	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to	2 3 4 5 6 7 8 9	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will
2 3 4 5 6 7 8 9 10	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties.	2 3 4 5 6 7 8 9 10	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for.
2 3 4 5 6 7 8 9 10 11	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr	2 3 4 5 6 7 8 9 10 11	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that.
2 3 4 5 6 7 8 9 10 11 12	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr Mpofu presumably needed the statement with the blanks	2 3 4 5 6 7 8 9 10 11 12	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that. CHAIRPERSON: But let me ask you my
2 3 4 5 6 7 8 9 10 11 12 13	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr Mpofu presumably needed the statement with the blanks filled in as soon as possible so he could start consulting	2 3 4 5 6 7 8 9 10 11 12 13	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that. CHAIRPERSON: But let me ask you my question before you get to the 31st of July.
2 3 4 5 6 7 8 9 10 11 12 13 14	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr Mpofu presumably needed the statement with the blanks filled in as soon as possible so he could start consulting with the people identified as being effectively the blanks,	2 3 4 5 6 7 8 9 10 11 12 13 14	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that. CHAIRPERSON: But let me ask you my question before you get to the 31st of July. MR MPOFU: Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr Mpofu presumably needed the statement with the blanks filled in as soon as possible so he could start consulting with the people identified as being effectively the blanks, so that he could get their response to the allegations	2 3 4 5 6 7 8 9 10 11 12 13 14 15	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that. CHAIRPERSON: But let me ask you my question before you get to the 31st of July. MR MPOFU: Yes. CHAIRPERSON: What Mr Mathibedi suggested
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr Mpofu presumably needed the statement with the blanks filled in as soon as possible so he could start consulting with the people identified as being effectively the blanks, so that he could get their response to the allegations made. Surely it wasn't sensible to say he could only get	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that. CHAIRPERSON: But let me ask you my question before you get to the 31st of July. MR MPOFU: Yes. CHAIRPERSON: What Mr Mathibedi suggested was, it's not a total loss of sitting days because in the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr Mpofu presumably needed the statement with the blanks filled in as soon as possible so he could start consulting with the people identified as being effectively the blanks, so that he could get their response to the allegations made. Surely it wasn't sensible to say he could only get that statement when all the other dockets were available,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that. CHAIRPERSON: But let me ask you my question before you get to the 31st of July. MR MPOFU: Yes. CHAIRPERSON: What Mr Mathibedi suggested was, it's not a total loss of sitting days because in the interim while we're waiting for Mr X to come on the 19th,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr Mpofu presumably needed the statement with the blanks filled in as soon as possible so he could start consulting with the people identified as being effectively the blanks, so that he could get their response to the allegations made. Surely it wasn't sensible to say he could only get that statement when all the other dockets were available, was it?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that. CHAIRPERSON: But let me ask you my question before you get to the 31st of July. MR MPOFU: Yes. CHAIRPERSON: What Mr Mathibedi suggested was, it's not a total loss of sitting days because in the interim while we're waiting for Mr X to come on the 19th, assuming that's the date that's granted, we can hear the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr Mpofu presumably needed the statement with the blanks filled in as soon as possible so he could start consulting with the people identified as being effectively the blanks, so that he could get their response to the allegations made. Surely it wasn't sensible to say he could only get that statement when all the other dockets were available, was it? MR MATHIBEDI SC: Chairperson, unless I'm	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that. CHAIRPERSON: But let me ask you my question before you get to the 31st of July. MR MPOFU: Yes. CHAIRPERSON: What Mr Mathibedi suggested was, it's not a total loss of sitting days because in the interim while we're waiting for Mr X to come on the 19th, assuming that's the date that's granted, we can hear the evidence of Colonel Modiba and if necessary we can hear the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr Mpofu presumably needed the statement with the blanks filled in as soon as possible so he could start consulting with the people identified as being effectively the blanks, so that he could get their response to the allegations made. Surely it wasn't sensible to say he could only get that statement when all the other dockets were available, was it? MR MATHIBEDI SC: Chairperson, unless I'm mistaken Mr Mpofu does not say that is the only document	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that. CHAIRPERSON: But let me ask you my question before you get to the 31st of July. MR MPOFU: Yes. CHAIRPERSON: What Mr Mathibedi suggested was, it's not a total loss of sitting days because in the interim while we're waiting for Mr X to come on the 19th, assuming that's the date that's granted, we can hear the evidence of Colonel Modiba and if necessary we can hear the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr Mpofu presumably needed the statement with the blanks filled in as soon as possible so he could start consulting with the people identified as being effectively the blanks, so that he could get their response to the allegations made. Surely it wasn't sensible to say he could only get that statement when all the other dockets were available, was it? MR MATHIBEDI SC: Chairperson, unless I'm mistaken Mr Mpofu does not say that is the only document that he requires to consult with the witnesses but	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that. CHAIRPERSON: But let me ask you my question before you get to the 31st of July. MR MPOFU: Yes. CHAIRPERSON: What Mr Mathibedi suggested was, it's not a total loss of sitting days because in the interim while we're waiting for Mr X to come on the 19th, assuming that's the date that's granted, we can hear the evidence of Colonel Modiba and if necessary we can hear the continued cross-examination by the evidence leaders.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr Mpofu presumably needed the statement with the blanks filled in as soon as possible so he could start consulting with the people identified as being effectively the blanks, so that he could get their response to the allegations made. Surely it wasn't sensible to say he could only get that statement when all the other dockets were available, was it? MR MATHIBEDI SC: Chairperson, unless I'm mistaken Mr Mpofu does not say that is the only document that he requires to consult with the witnesses but nonetheless that statement will be made available today to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that. CHAIRPERSON: But let me ask you my question before you get to the 31st of July. MR MPOFU: Yes. CHAIRPERSON: What Mr Mathibedi suggested was, it's not a total loss of sitting days because in the interim while we're waiting for Mr X to come on the 19th, assuming that's the date that's granted, we can hear the evidence of Colonel Modiba and if necessary we can hear the continued cross-examination of Captain Kidd whose evidence stands over for cross-examination by the evidence leaders. I don't know whether they're going to avail themselves of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr Mpofu presumably needed the statement with the blanks filled in as soon as possible so he could start consulting with the people identified as being effectively the blanks, so that he could get their response to the allegations made. Surely it wasn't sensible to say he could only get that statement when all the other dockets were available, was it? MR MATHIBEDI SC: Chairperson, unless I'm mistaken Mr Mpofu does not say that is the only document that he requires to consult with the witnesses but nonetheless that statement will be made available today to Mr Mpofu.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that. CHAIRPERSON: But let me ask you my question before you get to the 31st of July. MR MPOFU: Yes. CHAIRPERSON: What Mr Mathibedi suggested was, it's not a total loss of sitting days because in the interim while we're waiting for Mr X to come on the 19th, assuming that's the date that's granted, we can hear the evidence of Colonel Modiba and if necessary we can hear the continued cross-examination of Captain Kidd whose evidence stands over for cross-examination by the evidence leaders. I don't know whether they're going to avail themselves of that reservation but that is the position as it stands at
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr Mpofu presumably needed the statement with the blanks filled in as soon as possible so he could start consulting with the people identified as being effectively the blanks, so that he could get their response to the allegations made. Surely it wasn't sensible to say he could only get that statement when all the other dockets were available, was it? MR MATHIBEDI SC: Chairperson, unless I'm mistaken Mr Mpofu does not say that is the only document that he requires to consult with the witnesses but nonetheless that statement will be made available today to Mr Mpofu. CHAIRPERSON: [Microphone off, inaudible]	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that. CHAIRPERSON: But let me ask you my question before you get to the 31st of July. MR MPOFU: Yes. CHAIRPERSON: What Mr Mathibedi suggested was, it's not a total loss of sitting days because in the interim while we're waiting for Mr X to come on the 19th, assuming that's the date that's granted, we can hear the evidence of Colonel Modiba and if necessary we can hear the continued cross-examination of Captain Kidd whose evidence stands over for cross-examination by the evidence leaders. I don't know whether they're going to avail themselves of that reservation but that is the position as it stands at the moment. Colonel Modiba is quite an important witness
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	statement that we've had for months and months, I think well over a year, with the blanks in it. You had a logistical problem, you couldn't get, you couldn't prepare his statement in advance with the names filled in, give it to Mr Mpofu immediately, you got the permission – is that what you're seriously suggesting? MR MATHIBEDI SC: Chairperson, the problem does not only relate to this statement. It relates to making available the documents, all documents to Mr – to the other parties. CHAIRPERSON: I understand that but Mr Mpofu presumably needed the statement with the blanks filled in as soon as possible so he could start consulting with the people identified as being effectively the blanks, so that he could get their response to the allegations made. Surely it wasn't sensible to say he could only get that statement when all the other dockets were available, was it? MR MATHIBEDI SC: Chairperson, unless I'm mistaken Mr Mpofu does not say that is the only document that he requires to consult with the witnesses but nonetheless that statement will be made available today to Mr Mpofu.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	they fixed the date was based inter alia on financial considerations but anyway, be that as it may, we put an application up to the President, more than that we can't do. We can't assume he will grant our application. He may take the view that there were good reasons why he fixed the 31st of July and those reasons still exist. That's a matter that I can't do anything more about so the 31st July is, at the moment, what I have to bear in mind. It's irresponsible for me to assume that the President will necessarily give the extension I've asked for. MR MPOFU: I accept that. CHAIRPERSON: But let me ask you my question before you get to the 31st of July. MR MPOFU: Yes. CHAIRPERSON: What Mr Mathibedi suggested was, it's not a total loss of sitting days because in the interim while we're waiting for Mr X to come on the 19th, assuming that's the date that's granted, we can hear the evidence of Colonel Modiba and if necessary we can hear the continued cross-examination of Captain Kidd whose evidence stands over for cross-examination by the evidence leaders. I don't know whether they're going to avail themselves of that reservation but that is the position as it stands at

1	Page 30228 clarity in respect of a good deal of what happened at scene	1	Page 30230 We've been working under very extreme conditions and it's
2	2, there are three discreet incidents which took place	2	certainly not of our own making, that I can assure you, but
3	almost on the periphery of scene 2 in respect of which	3	that's not even what I'm addressing. All I'm saying is
4	there is evidence. We've heard the evidence of two of	4	that because of those conditions I can't be everywhere. I
4 5	those. The last one relates to the evidence of Colonel	4 5	-
			have to be either – it's disgraceful conduct really on the
6	Modiba who was the commander as I understand it, of the NIU	6	part of the authorities to put us in this position but we
7	unit which approached from, I think the north-east and to	7	have no choice, we can't abandon these people now. The
8	which General Naidoo referred in his evidence. His	8	point of the matter is that if Colonel Modiba is being
9	evidence is quite important.	9	called, Chairperson, then I again on my own have to be
10	Now, and in order for us to do justice to what	10	here, prepare for his cross-examination, give you an
11	happened at scene 2 insofar as one can do it on the	11	application with the questions and the documents and all
12	evidence there is, Colonel Modiba seems to me to be quite	12	that goes with all this rushed situation that we have been
13	an important witness and what Mr Mathibedi suggests is that	13	placed into and at the same time –
14	at least some of the days between now and the 19th will not	14	CHAIRPERSON: I'm sorry – why is that,
15	be wasted if we spend those days listening to Colonel	15	because Colonel Modiba in fact testifies as to some people
16	Modiba's evidence and, if necessary, the resumed cross-	16	who were killed and arrangements have been made in the past
17	examination of Captain Kidd. Now what is your response to	17	for not only sharing cross-examination but one party
18	that?	18	dealing with cross-examination, others not. Now I would
19	MR MPOFU: Chairperson, unfortunately my	19	expect that Mr Ntsebeza would be cross-examining Colonel
20	response to that is that that's not helpful to me, to my	20	Modiba. I would imagine he'll be cross-examining him
21	cause because as you correctly point out, Colonel Modiba is	21	fairly fully because it would relate to the deceased
22	an important witness so I'm going to have to be here.	22	persons whose family members he represents. So it's not
23	Remember that I'm working under very extreme conditions, I	23	immediately apparent to me why arrangements couldn't be
24	don't even want to go there. You know, we haven't even	24	made with him for him to deal with that aspect because I
25	been paid since March of last year and I'm working on my	25	wouldn't imagine that you and he would wish to repeat your
	Page 30229		Page 30231
1	Page 30229 own and those are conditions that –	1	Page 30231 cross-examination and such points as you've got you could
1 2		1 2	
	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid –		cross-examination and such points as you've got you could
2	own and those are conditions that – CHAIRPERSON: There was a court order in	2	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid.
2 3	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid –	2 3	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not
2 3 4	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well –	2 3 4	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear
2 3 4 5	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether	2 3 4 5	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is
2 3 4 5 6	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if	2 3 4 5 6	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that
2 3 4 5 6 7	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you.	2 3 4 5 6 7	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors
2 3 4 5 6 7 8	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll	2 3 4 5 6 7 8	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as
2 3 4 5 6 7 8 9	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that.	2 3 4 5 6 7 8 9	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of
2 3 4 5 6 7 8 9 10	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this	2 3 4 5 6 7 8 9 10	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I
2 3 4 5 6 7 8 9 10 11	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this difficulty then you are wrong –	2 3 4 5 6 7 8 9 10 11	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I don't know even how many people, let's say 10 or 20 people
2 3 4 5 6 7 8 9 10 11 12	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this difficulty then you are wrong – CHAIRPERSON: No – no.	2 3 4 5 6 7 8 9 10 11 12	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I don't know even how many people, let's say 10 or 20 people under the conditions that I've described, give them files,
2 3 4 5 6 7 8 9 10 11 12 13	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this difficulty then you are wrong – CHAIRPERSON: No – no. MR MPOFU: I'll tell you what happened.	2 3 4 5 6 7 8 9 10 11 12 13	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I don't know even how many people, let's say 10 or 20 people under the conditions that I've described, give them files, do – I must do all these things that have been explained
2 3 4 5 6 7 8 9 10 11 12 13 14	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this difficulty then you are wrong – CHAIRPERSON: No – no. MR MPOFU: I'll tell you what happened. Let me tell you –	2 3 4 5 6 7 8 9 10 11 12 13 14	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I don't know even how many people, let's say 10 or 20 people under the conditions that I've described, give them files, do – I must do all these things that have been explained here of being the interpreter and this and all that and
2 3 4 5 6 7 8 9 10 11 12 13 14 15	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this difficulty then you are wrong – CHAIRPERSON: No – no. MR MPOFU: I'll tell you what happened. Let me tell you – CHAIRPERSON: I said I don't know if	2 3 4 5 6 7 8 9 10 11 12 13 14 15	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I don't know even how many people, let's say 10 or 20 people under the conditions that I've described, give them files, do – I must do all these things that have been explained here of being the interpreter and this and all that and then be in a position next Monday to deal with the evidence
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this difficulty then you are wrong – CHAIRPERSON: No – no. MR MPOFU: I'll tell you what happened. Let me tell you – CHAIRPERSON: I said I don't know if you've submitted a fee list. I didn't make any positive –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I don't know even how many people, let's say 10 or 20 people under the conditions that I've described, give them files, do – I must do all these things that have been explained here of being the interpreter and this and all that and then be in a position next Monday to deal with the evidence of Mr X. That is simply, in one word, impossible
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this difficulty then you are wrong – CHAIRPERSON: No – no. MR MPOFU: I'll tell you what happened. Let me tell you – CHAIRPERSON: I said I don't know if you've submitted a fee list. I didn't make any positive – MR MPOFU: Ja, well, I might as well, since you've raised it, tell you that despite the judgment	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I don't know even how many people, let's say 10 or 20 people under the conditions that I've described, give them files, do – I must do all these things that have been explained here of being the interpreter and this and all that and then be in a position next Monday to deal with the evidence of Mr X. That is simply, in one word, impossible Chairperson. That's what I'm trying to explain to you. As I say, I'm not, I don't want to apportion blame as to – or
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this difficulty then you are wrong – CHAIRPERSON: No – no. MR MPOFU: I'll tell you what happened. Let me tell you – CHAIRPERSON: I said I don't know if you've submitted a fee list. I didn't make any positive – MR MPOFU: Ja, well, I might as well, since you've raised it, tell you that despite the judgment in our favour – and I didn't want to get into this because	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I don't know even how many people, let's say 10 or 20 people under the conditions that I've described, give them files, do – I must do all these things that have been explained here of being the interpreter and this and all that and then be in a position next Monday to deal with the evidence of Mr X. That is simply, in one word, impossible Chairperson. That's what I'm trying to explain to you. As I say, I'm not, I don't want to apportion blame as to – or I'm not fishing for sympathy from anyone but I'm telling
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this difficulty then you are wrong – CHAIRPERSON: No – no. MR MPOFU: I'll tell you what happened. Let me tell you – CHAIRPERSON: I said I don't know if you've submitted a fee list. I didn't make any positive – MR MPOFU: Ja, well, I might as well, since you've raised it, tell you that despite the judgment in our favour – and I didn't want to get into this because I'm actually tired of it – despite the judgment in our	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I don't know even how many people, let's say 10 or 20 people under the conditions that I've described, give them files, do – I must do all these things that have been explained here of being the interpreter and this and all that and then be in a position next Monday to deal with the evidence of Mr X. That is simply, in one word, impossible Chairperson. That's what I'm trying to explain to you. As I say, I'm not, I don't want to apportion blame as to – or I'm not fishing for sympathy from anyone but I'm telling you the objective situation of what I'm facing and that it
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this difficulty then you are wrong – CHAIRPERSON: No – no. MR MPOFU: I'll tell you what happened. Let me tell you – CHAIRPERSON: I said I don't know if you've submitted a fee list. I didn't make any positive – MR MPOFU: Ja, well, I might as well, since you've raised it, tell you that despite the judgment in our favour – and I didn't want to get into this because I'm actually tired of it – despite the judgment in our favour, both the Legal Aid Board and the government have	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I don't know even how many people, let's say 10 or 20 people under the conditions that I've described, give them files, do – I must do all these things that have been explained here of being the interpreter and this and all that and then be in a position next Monday to deal with the evidence of Mr X. That is simply, in one word, impossible Chairperson. That's what I'm trying to explain to you. As I say, I'm not, I don't want to apportion blame as to – or I'm not fishing for sympathy from anyone but I'm telling you the objective situation of what I'm facing and that it is impossible to perform.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this difficulty then you are wrong – CHAIRPERSON: No – no. MR MPOFU: I'll tell you what happened. Let me tell you – CHAIRPERSON: I said I don't know if you've submitted a fee list. I didn't make any positive – MR MPOFU: Ja, well, I might as well, since you've raised it, tell you that despite the judgment in our favour – and I didn't want to get into this because I'm actually tired of it – despite the judgment in our favour, both the Legal Aid Board and the government have been so obstructive. Obviously they resent the fact that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I don't know even how many people, let's say 10 or 20 people under the conditions that I've described, give them files, do – I must do all these things that have been explained here of being the interpreter and this and all that and then be in a position next Monday to deal with the evidence of Mr X. That is simply, in one word, impossible Chairperson. That's what I'm trying to explain to you. As I say, I'm not, I don't want to apportion blame as to – or I'm not fishing for sympathy from anyone but I'm telling you the objective situation of what I'm facing and that it is impossible to perform. CHAIRPERSON: What you've put to me isn't
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this difficulty then you are wrong – CHAIRPERSON: No – no. MR MPOFU: I'll tell you what happened. Let me tell you – CHAIRPERSON: I said I don't know if you've submitted a fee list. I didn't make any positive – MR MPOFU: Ja, well, I might as well, since you've raised it, tell you that despite the judgment in our favour – and I didn't want to get into this because I'm actually tired of it – despite the judgment in our favour, both the Legal Aid Board and the government have been so obstructive. Obviously they resent the fact that we got that judgment in our favour. The reality of the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I don't know even how many people, let's say 10 or 20 people under the conditions that I've described, give them files, do – I must do all these things that have been explained here of being the interpreter and this and all that and then be in a position next Monday to deal with the evidence of Mr X. That is simply, in one word, impossible Chairperson. That's what I'm trying to explain to you. As I say, I'm not, I don't want to apportion blame as to – or I'm not fishing for sympathy from anyone but I'm telling you the objective situation of what I'm facing and that it is impossible to perform. CHAIRPERSON: What you've put to me isn't entirely correct because the proposal is that X, Mr X gives
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this difficulty then you are wrong – CHAIRPERSON: No – no. MR MPOFU: I'll tell you what happened. Let me tell you – CHAIRPERSON: I said I don't know if you've submitted a fee list. I didn't make any positive – MR MPOFU: Ja, well, I might as well, since you've raised it, tell you that despite the judgment in our favour – and I didn't want to get into this because I'm actually tired of it – despite the judgment in our favour, both the Legal Aid Board and the government have been so obstructive. Obviously they resent the fact that we got that judgment in our favour. The reality of the situation, to cut it short, is that as from the 10th of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I don't know even how many people, let's say 10 or 20 people under the conditions that I've described, give them files, do – I must do all these things that have been explained here of being the interpreter and this and all that and then be in a position next Monday to deal with the evidence of Mr X. That is simply, in one word, impossible Chairperson. That's what I'm trying to explain to you. As I say, I'm not, I don't want to apportion blame as to – or I'm not fishing for sympathy from anyone but I'm telling you the objective situation of what I'm facing and that it is impossible to perform. CHAIRPERSON: What you've put to me isn't entirely correct because the proposal is that X, Mr X gives evidence from the 19th which is the Thursday of the week
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	own and those are conditions that – CHAIRPERSON: There was a court order in your favour that you get legal aid – MR MPOFU: Well – CHAIRPERSON: - and I don't know whether you've submitted a fee list to the Legal Aid Board but if you have I would have expected them to have paid you. MR MPOFU: Well, I can assist you, I'll help you. Well, Chairperson, you are incorrect in that. If you think we're deliberately getting ourselves into this difficulty then you are wrong – CHAIRPERSON: No – no. MR MPOFU: I'll tell you what happened. Let me tell you – CHAIRPERSON: I said I don't know if you've submitted a fee list. I didn't make any positive – MR MPOFU: Ja, well, I might as well, since you've raised it, tell you that despite the judgment in our favour – and I didn't want to get into this because I'm actually tired of it – despite the judgment in our favour, both the Legal Aid Board and the government have been so obstructive. Obviously they resent the fact that we got that judgment in our favour. The reality of the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	cross-examination and such points as you've got you could put to him. So I don't understand that, I'm afraid. MR MPOFU: Well, Chairperson, you may not understand it but my instructions are to be here, to hear witnesses and to cross-examine them insofar as it is necessary and I intend to carry out that. The fact that I'm the only person who works on my own without any juniors is not of my making. I'm just telling you my situation as it is. The point of the matter is that in the middle of all that, I'm also going to have to go and meet with, I don't know even how many people, let's say 10 or 20 people under the conditions that I've described, give them files, do – I must do all these things that have been explained here of being the interpreter and this and all that and then be in a position next Monday to deal with the evidence of Mr X. That is simply, in one word, impossible Chairperson. That's what I'm trying to explain to you. As I say, I'm not, I don't want to apportion blame as to – or I'm not fishing for sympathy from anyone but I'm telling you the objective situation of what I'm facing and that it is impossible to perform. CHAIRPERSON: What you've put to me isn't entirely correct because the proposal is that X, Mr X gives

	Page 30232		Page 30234
1	got to be ready on Monday. Anyway Monday the 16th is a	1	Lonmin witnesses can also not fill the gap if the gap has
2	public holiday in any event.	2	to be filled but – ja. Well, just because of prior
3	MR MPOFU: No, I'm talking about the 9th.	3	arrangements, we all have to twist our prior arrangements.
4	The application is to move it from the 9th, if you've	4	The point, Chairperson, is that -
5	forgotten Chair –	5	CHAIRPERSON: I'm sorry, Mr Mpofu, how
6	CHAIRPERSON: No – no, I'm fully aware of	6	long are you likely to be?
7	that. Thank you for reminding me of something I'm aware of	7	MR MPOFU: I'll be short, I'll be short
8	already but still thank you. I was asking you about an	8	because I'm going to –
9	alternative aspect of the matter and that is, the first	9	CHAIRPERSON: I propose to take the
10	thing is whether the application should be granted as asked	10	adjournment when you've finished.
11	for by the police. The second question is what does that	11	MR MPOFU: Yes, Chairperson. Let me
12	mean to the sitting of the Commission? Does it mean the	12	rather –
13	Commission just doesn't sit between now and the 19th or does	13	CHAIRPERSON: While you're speaking to
14	it mean the Commission uses the time or some of the time	14	your attorney, one of the matters I'd like you to deal with
15	that would otherwise be lost in other matters?	15	is the suggestion Mr Bizos made that the experts then come
16	MR MPOFU: Yes.	16	and give evidence from the 23rd, which of course you
17	CHAIRPERSON: And it's in the context of	17	understand would involve, presumably, the calling of the
18	that that I put the question to you about Colonel Modiba.	18	experts after Mr X has finished in chief.
19	MR MPOFU: No, I accept that –	19	MR MPOFU: Yes.
20	CHAIRPERSON: And Captain Kidd.	20	CHAIRPERSON: I'd like to hear your
21	MR MPOFU: Yes. Thank you, Chairperson,	21	submissions on that.
22	I accept that. I think, well, in one sentence what I'm	22	MR MPOFU: Thank you, Chairperson, yes.
23	saying is if that period is used or rather is used for	23	That is, if we can jump to that quickly, that is a matter
24	other witnesses, the only implication for me is that I will	24	that is also a subject of what I alluded to of the
25	have to miss out on all that because I can't be in two	25	discussion, short discussion I had with Mr Chaskalson. It
	Page 30233		Page 30235
1	places at one time. I can't be bridging the gap that is	1	might well work in my favour in the sense that if there is
2	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time	2	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then
2 3	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission –	2 3	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time,
2 3 4	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you –	2 3 4	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just
2 3 4 5	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry.	2 3 4 5	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The
2 3 4 5 6	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is	2 3 4 5 6	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is
2 3 4 5 6 7	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel	2 3 4 5 6 7	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So
2 3 4 5 6 7 8	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your	2 3 4 5 6 7 8	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not
2 3 4 5 6 7 8 9	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to	2 3 4 5 6 7 8 9	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better.
2 3 4 5 6 7 8 9 10	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel	2 3 4 5 6 7 8 9 10	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said
2 3 4 5 6 7 8 9 10 11	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel Modiba talks about people who were killed at scene 2. Why	2 3 4 5 6 7 8 9 10 11	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said that the matter of the date is something that is beyond
2 3 4 5 6 7 8 9 10 11 12	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel Modiba talks about people who were killed at scene 2. Why is it necessary for you to come along and either repeat the	2 3 4 5 6 7 8 9 10 11 12	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said that the matter of the date is something that is beyond your control but what I do want to place is that when
2 3 4 5 6 7 8 9 10 11 12 13	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel Modiba talks about people who were killed at scene 2. Why is it necessary for you to come along and either repeat the cross-examination, which I won't allow you to do anyway,	2 3 4 5 6 7 8 9 10 11 12 13	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said that the matter of the date is something that is beyond your control but what I do want to place is that when President Zuma set this date of the 31st of July, clearly it
2 3 4 5 6 7 8 9 10 11 12 13 14	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel Modiba talks about people who were killed at scene 2. Why is it necessary for you to come along and either repeat the cross-examination, which I won't allow you to do anyway, alternatively to deal with other matters relating to his	2 3 4 5 6 7 8 9 10 11 12 13 14	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said that the matter of the date is something that is beyond your control but what I do want to place is that when President Zuma set this date of the 31st of July, clearly it was not done with, you know, with applying his mind to the
2 3 4 5 6 7 8 9 10 11 12 13 14 15	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel Modiba talks about people who were killed at scene 2. Why is it necessary for you to come along and either repeat the cross-examination, which I won't allow you to do anyway, alternatively to deal with other matters relating to his evidence which can as easily be dealt with by Mr Ntsebeza?	2 3 4 5 6 7 8 9 10 11 12 13 14 15	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said that the matter of the date is something that is beyond your control but what I do want to place is that when President Zuma set this date of the 31st of July, clearly it was not done with, you know, with applying his mind to the realities. Let's assume you are right, Chairperson, that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel Modiba talks about people who were killed at scene 2. Why is it necessary for you to come along and either repeat the cross-examination, which I won't allow you to do anyway, alternatively to deal with other matters relating to his evidence which can as easily be dealt with by Mr Ntsebeza? MR MPOFU: Well, Chairperson, you can't	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said that the matter of the date is something that is beyond your control but what I do want to place is that when President Zuma set this date of the 31st of July, clearly it was not done with, you know, with applying his mind to the realities. Let's assume you are right, Chairperson, that it was for financial considerations, well that is also,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel Modiba talks about people who were killed at scene 2. Why is it necessary for you to come along and either repeat the cross-examination, which I won't allow you to do anyway, alternatively to deal with other matters relating to his evidence which can as easily be dealt with by Mr Ntsebeza? MR MPOFU: Well, Chairperson, you can't expect me to answer that question off the cuff. I would	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said that the matter of the date is something that is beyond your control but what I do want to place is that when President Zuma set this date of the 31st of July, clearly it was not done with, you know, with applying his mind to the realities. Let's assume you are right, Chairperson, that it was for financial considerations, well that is also, that is –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel Modiba talks about people who were killed at scene 2. Why is it necessary for you to come along and either repeat the cross-examination, which I won't allow you to do anyway, alternatively to deal with other matters relating to his evidence which can as easily be dealt with by Mr Ntsebeza? MR MPOFU: Well, Chairperson, you can't expect me to answer that question off the cuff. I would have to make that determination. All I'm saying is	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said that the matter of the date is something that is beyond your control but what I do want to place is that when President Zuma set this date of the 31st of July, clearly it was not done with, you know, with applying his mind to the realities. Let's assume you are right, Chairperson, that it was for financial considerations, well that is also, that is – CHAIRPERSON: [Microphone off, inaudible]
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel Modiba talks about people who were killed at scene 2. Why is it necessary for you to come along and either repeat the cross-examination, which I won't allow you to do anyway, alternatively to deal with other matters relating to his evidence which can as easily be dealt with by Mr Ntsebeza? MR MPOFU: Well, Chairperson, you can't expect me to answer that question off the cuff. I would have to make that determination. All I'm saying is whatever is happening in the Commission, if in your view	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said that the matter of the date is something that is beyond your control but what I do want to place is that when President Zuma set this date of the 31st of July, clearly it was not done with, you know, with applying his mind to the realities. Let's assume you are right, Chairperson, that it was for financial considerations, well that is also, that is – CHAIRPERSON: [Microphone off, inaudible] - my understanding is at least in part –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel Modiba talks about people who were killed at scene 2. Why is it necessary for you to come along and either repeat the cross-examination, which I won't allow you to do anyway, alternatively to deal with other matters relating to his evidence which can as easily be dealt with by Mr Ntsebeza? MR MPOFU: Well, Chairperson, you can't expect me to answer that question off the cuff. I would have to make that determination. All I'm saying is whatever is happening in the Commission, if in your view it's something that doesn't concern us, well, that may well	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said that the matter of the date is something that is beyond your control but what I do want to place is that when President Zuma set this date of the 31st of July, clearly it was not done with, you know, with applying his mind to the realities. Let's assume you are right, Chairperson, that it was for financial considerations, well that is also, that is – CHAIRPERSON: [Microphone off, inaudible] - my understanding is at least in part – MR MPOFU: Yes, no, no -
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel Modiba talks about people who were killed at scene 2. Why is it necessary for you to come along and either repeat the cross-examination, which I won't allow you to do anyway, alternatively to deal with other matters relating to his evidence which can as easily be dealt with by Mr Ntsebeza? MR MPOFU: Well, Chairperson, you can't expect me to answer that question off the cuff. I would have to make that determination. All I'm saying is whatever is happening in the Commission, if in your view it's something that doesn't concern us, well, that may well be so but I would have to make that determination in order	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said that the matter of the date is something that is beyond your control but what I do want to place is that when President Zuma set this date of the 31st of July, clearly it was not done with, you know, with applying his mind to the realities. Let's assume you are right, Chairperson, that it was for financial considerations, well that is also, that is – CHAIRPERSON: [Microphone off, inaudible] - my understanding is at least in part – MR MPOFU: Yes, no, no - CHAIRPERSON: - entirely, I don't know
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel Modiba talks about people who were killed at scene 2. Why is it necessary for you to come along and either repeat the cross-examination, which I won't allow you to do anyway, alternatively to deal with other matters relating to his evidence which can as easily be dealt with by Mr Ntsebeza? MR MPOFU: Well, Chairperson, you can't expect me to answer that question off the cuff. I would have to make that determination. All I'm saying is whatever is happening in the Commission, if in your view it's something that doesn't concern us, well, that may well be so but I would have to make that determination in order to discharge my professional duties. I can't just accept	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said that the matter of the date is something that is beyond your control but what I do want to place is that when President Zuma set this date of the 31st of July, clearly it was not done with, you know, with applying his mind to the realities. Let's assume you are right, Chairperson, that it was for financial considerations, well that is also, that is – CHAIRPERSON: [Microphone off, inaudible] - my understanding is at least in part – MR MPOFU: Yes, no, no - CHAIRPERSON: - entirely, I don't know but –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel Modiba talks about people who were killed at scene 2. Why is it necessary for you to come along and either repeat the cross-examination, which I won't allow you to do anyway, alternatively to deal with other matters relating to his evidence which can as easily be dealt with by Mr Ntsebeza? MR MPOFU: Well, Chairperson, you can't expect me to answer that question off the cuff. I would have to make that determination. All I'm saying is whatever is happening in the Commission, if in your view it's something that doesn't concern us, well, that may well be so but I would have to make that determination in order to discharge my professional duties. I can't just accept that there's nothing that I want to put to Colonel Modiba	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said that the matter of the date is something that is beyond your control but what I do want to place is that when President Zuma set this date of the 31st of July, clearly it was not done with, you know, with applying his mind to the realities. Let's assume you are right, Chairperson, that it was for financial considerations, well that is also, that is – CHAIRPERSON: [Microphone off, inaudible] - my understanding is at least in part – MR MPOFU: Yes, no, no - CHAIRPERSON: - entirely, I don't know
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	places at one time. I can't be bridging the gap that is caused by the delays of Mr X and at the same time participate in the Commission – CHAIRPERSON: Sorry to interrupt you – MR MPOFU: Sorry. CHAIRPERSON: - what I'm asking you is why do you have to participate in the evidence of Colonel Modiba if your learned colleague who is sitting on your left who represents the families will obviously have to deal fully with Colonel Modiba's evidence because Colonel Modiba talks about people who were killed at scene 2. Why is it necessary for you to come along and either repeat the cross-examination, which I won't allow you to do anyway, alternatively to deal with other matters relating to his evidence which can as easily be dealt with by Mr Ntsebeza? MR MPOFU: Well, Chairperson, you can't expect me to answer that question off the cuff. I would have to make that determination. All I'm saying is whatever is happening in the Commission, if in your view it's something that doesn't concern us, well, that may well be so but I would have to make that determination in order to discharge my professional duties. I can't just accept	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	might well work in my favour in the sense that if there is that interposition before my cross-examination occurs, then it would, as I've alluded earlier, even give me more time, more time beyond the 19th to do the things that I've just mentioned. So I'm not averse to that suggestion, ja. The only – so as I've said, for me the 19th or after the 19th is good. What I'm busy debating about is the 9th. So anything, if it's the 19th or six months after that, I'm not particularly affected, the longer the better. Chairperson, I know and as you correctly said that the matter of the date is something that is beyond your control but what I do want to place is that when President Zuma set this date of the 31st of July, clearly it was not done with, you know, with applying his mind to the realities. Let's assume you are right, Chairperson, that it was for financial considerations, well that is also, that is – CHAIRPERSON: [Microphone off, inaudible] - my understanding is at least in part – MR MPOFU: Yes, no, no - CHAIRPERSON: - entirely, I don't know but –

	5		
1	Page 30236 MR MPOFU: No, no, I accept that.	1	Page 30238 one of this Commission that we have to balance the
2	CHAIRPERSON: Financial aspects were	2	interests of expedition with the interests of fairness and
3	mentioned to me after the decision was made.	3	justice. That's what you said to us on the first day in
4	MR MPOFU: Yes.	4	Rustenburg and we cannot have then a situation where
5	CHAIRPERSON: Which I can understand.	5	expedition is just pushed and the issues of fairness and
6	MR MPOFU: No, yes Chairperson, I am not	6	justice are completely pushed aside. That balance has got
7	saying you are privy to the real reasons but I'm saying,	7	to be adhered to and if, for what it is worth and I don't
8	I'll give you an illustration. Well, my suspicion is that	8	think, Chairperson, there's any party – if there's any
9	it is for financial reasons. My clients' suspicion is that	9	party in this room or anybody in this room who thinks that
10	this is for political reasons, so we won't go there.	10	this Commission can be finished on the 31st of July and we
11	Whatever it is, it is something that is unjustifiable	11	do justice to it, that person must say so now. I don't
12	because we cannot, when we get to this stage of the	12	think there's a single person, except for the President,
13	Commission when, and as my clients put it, when the	13	who thinks that this Commission can finish on the 31st of
14	employer must now face the music and when the ministers and	14	July and therefore my view is that – and that's why we are
15	the politicians have to face the music then we'll press the	15	even here, about this application. The Commission, the
16	fast forward button so that we can't hear the song, as it	16	Arms Commission, the Pistorius trial, all sorts of things,
17	were. It's not going to –	17	they stand down when fairness demands, so why are we having
18	CHAIRPERSON: Our ministers will face the	18	this heavy weather about a standing down that is necessary?
19	music, if there will be music forthcoming –	19	It's because of the 31st of July. If there was no 31st of
20	MR MPOFU: In fast forward.	20	July we would have stood this –
21	CHAIRPERSON: - they will come, and they	21	CHAIRPERSON: I think you've made that –
22	don't have to be exposed to an ordeal by exhaustion, I'm	22	MR MPOFU: Thank you, Chairperson.
23	quite sure that pertinent, well-posed questions can be	23	CHAIRPERSON: I think you've made that
24	asked in the time they can make available and they will be,	24	point with sufficient clarity for me to understand it.
25	their versions will be adequately tested before the	25	MR MPOFU: Yes. No –
	Page 30237		Page 30239
1	Commission. You can give the clients the assurance that	1	CHAIRPERSON: But how it helps me in
2	Commission. You can give the clients the assurance that there's no reason to fear in that regard.	2	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand.
2 3	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not	2 3	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just –
2 3 4	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the	2 3 4	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've
2 3 4 5	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected	2 3 4 5	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application
2 3 4 5 6	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be	2 3 4 5 6	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not
2 3 4 5 6 7	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion.	2 3 4 5 6 7	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that.
2 3 4 5 6 7 8	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly	2 3 4 5 6 7 8	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed
2 3 4 5 6 7 8 9	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they	2 3 4 5 6 7 8 9	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear.
2 3 4 5 6 7 8 9 10	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's	2 3 4 5 6 7 8 9 10	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my -
2 3 4 5 6 7 8 9 10 11	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's the friends of the President, the President puts the fast	2 3 4 5 6 7 8 9 10 11	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my - CHAIRPERSON: I understand the connection
2 3 4 5 6 7 8 9 10 11 12	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's the friends of the President, the President puts the fast forward button. That's their view. I'm not saying I share	2 3 4 5 6 7 8 9 10 11 12	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my - CHAIRPERSON: I understand the connection but how it helps me to decide the application is another
2 3 4 5 6 7 8 9 10 11 12 13	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's the friends of the President, the President puts the fast forward button. That's their view. I'm not saying I share it. My view is that it's the, it's financial reasons but	2 3 4 5 6 7 8 9 10 11 12 13	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my - CHAIRPERSON: I understand the connection but how it helps me to decide the application is another matter but anyway, I've heard what you have to say. Mr
2 3 4 5 6 7 8 9 10 11 12 13 14	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's the friends of the President, the President puts the fast forward button. That's their view. I'm not saying I share it. My view is that it's the, it's financial reasons but whether it's me or the clients who are right, both those	2 3 4 5 6 7 8 9 10 11 12 13 14	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my - CHAIRPERSON: I understand the connection but how it helps me to decide the application is another matter but anyway, I've heard what you have to say. Mr Ntsebeza –
2 3 4 5 6 7 8 9 10 11 12 13	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's the friends of the President, the President puts the fast forward button. That's their view. I'm not saying I share it. My view is that it's the, it's financial reasons but whether it's me or the clients who are right, both those reasons are bad in law because they do not apply their	2 3 4 5 6 7 8 9 10 11 12 13	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my - CHAIRPERSON: I understand the connection but how it helps me to decide the application is another matter but anyway, I've heard what you have to say. Mr Ntsebeza – MR MPOFU: Those are my submissions.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's the friends of the President, the President puts the fast forward button. That's their view. I'm not saying I share it. My view is that it's the, it's financial reasons but whether it's me or the clients who are right, both those reasons are bad in law because they do not apply their minds to the interests of fairness and justice and the	2 3 4 5 6 7 8 9 10 11 12 13 14 15	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my - CHAIRPERSON: I understand the connection but how it helps me to decide the application is another matter but anyway, I've heard what you have to say. Mr Ntsebeza – MR MPOFU: Those are my submissions. CHAIRPERSON: I think
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's the friends of the President, the President puts the fast forward button. That's their view. I'm not saying I share it. My view is that it's the, it's financial reasons but whether it's me or the clients who are right, both those reasons are bad in law because they do not apply their minds to the interests of fairness and justice and the finding of the truth and the closure that these families	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my - CHAIRPERSON: I understand the connection but how it helps me to decide the application is another matter but anyway, I've heard what you have to say. Mr Ntsebeza – MR MPOFU: Those are my submissions. CHAIRPERSON: Thank you, yes. I think we'll now take the lunch adjournment. I think we must try
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's the friends of the President, the President puts the fast forward button. That's their view. I'm not saying I share it. My view is that it's the, it's financial reasons but whether it's me or the clients who are right, both those reasons are bad in law because they do not apply their minds to the interests of fairness and justice and the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my - CHAIRPERSON: I understand the connection but how it helps me to decide the application is another matter but anyway, I've heard what you have to say. Mr Ntsebeza – MR MPOFU: Those are my submissions. CHAIRPERSON: I think
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's the friends of the President, the President puts the fast forward button. That's their view. I'm not saying I share it. My view is that it's the, it's financial reasons but whether it's me or the clients who are right, both those reasons are bad in law because they do not apply their minds to the interests of fairness and justice and the finding of the truth and the closure that these families and these injured people must have because you can't just	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my - CHAIRPERSON: I understand the connection but how it helps me to decide the application is another matter but anyway, I've heard what you have to say. Mr Ntsebeza – MR MPOFU: Those are my submissions. CHAIRPERSON: Thank you, yes. I think we'll now take the lunch adjournment. I think we must try to come back at quarter to two. I know it's only half an hour but I think there are reasons why we should do it that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's the friends of the President, the President puts the fast forward button. That's their view. I'm not saying I share it. My view is that it's the, it's financial reasons but whether it's me or the clients who are right, both those reasons are bad in law because they do not apply their minds to the interests of fairness and justice and the finding of the truth and the closure that these families and these injured people must have because you can't just put money – if we want to save money, Chairperson, let's	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my - CHAIRPERSON: I understand the connection but how it helps me to decide the application is another matter but anyway, I've heard what you have to say. Mr Ntsebeza – MR MPOFU: Those are my submissions. CHAIRPERSON: Thank you, yes. I think we'll now take the lunch adjournment. I think we must try to come back at quarter to two. I know it's only half an
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's the friends of the President, the President puts the fast forward button. That's their view. I'm not saying I share it. My view is that it's the, it's financial reasons but whether it's me or the clients who are right, both those reasons are bad in law because they do not apply their minds to the interests of fairness and justice and the finding of the truth and the closure that these families and these injured people must have because you can't just put money – if we want to save money, Chairperson, let's stop this Commission right now. Why must we waste the next	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my - CHAIRPERSON: I understand the connection but how it helps me to decide the application is another matter but anyway, I've heard what you have to say. Mr Ntsebeza – MR MPOFU: Those are my submissions. CHAIRPERSON: Thank you, yes. I think we'll now take the lunch adjournment. I think we must try to come back at quarter to two. I know it's only half an hour but I think there are reasons why we should do it that way. [Microphone off, inaudible] – Mr Ntsebeza?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's the friends of the President, the President puts the fast forward button. That's their view. I'm not saying I share it. My view is that it's the, it's financial reasons but whether it's me or the clients who are right, both those reasons are bad in law because they do not apply their minds to the interests of fairness and justice and the finding of the truth and the closure that these families and these injured people must have because you can't just put money – if we want to save money, Chairperson, let's stop this Commission right now. Why must we waste the next two months with a fast forwarded farce of a process just so	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my - CHAIRPERSON: I understand the connection but how it helps me to decide the application is another matter but anyway, I've heard what you have to say. Mr Ntsebeza – MR MPOFU: Those are my submissions. CHAIRPERSON: I think we must try to come back at quarter to two. I know it's only half an hour but I think there are reasons why we should do it that way. [Microphone off, inaudible] – Mr Ntsebeza? MR NTSEBEZA SC: Mr Chairman, I've been
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's the friends of the President, the President puts the fast forward button. That's their view. I'm not saying I share it. My view is that it's the, it's financial reasons but whether it's me or the clients who are right, both those reasons are bad in law because they do not apply their minds to the interests of fairness and justice and the finding of the truth and the closure that these families and these injured people must have because you can't just put money – if we want to save money, Chairperson, let's stop this Commission right now. Why must we waste the next two months with a fast forwarded farce of a process just so that we can say we've finished? Let's stop now and save	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my - CHAIRPERSON: I understand the connection but how it helps me to decide the application is another matter but anyway, I've heard what you have to say. Mr Ntsebeza – MR MPOFU: Those are my submissions. CHAIRPERSON: I think we must try to come back at quarter to two. I know it's only half an hour but I think there are reasons why we should do it that way. [Microphone off, inaudible] – Mr Ntsebeza? MR NTSEBEZA SC: Mr Chairman, I've been given some lease of life where Randburg says as long as I
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Commission. You can give the clients the assurance that there's no reason to fear in that regard. MR MPOFU: Well, that assurance will not hold any water, Chairperson, to my clients to say the ministers and the other politicians will not be subjected to an ordeal by exhaustion when they, the people I'll be talking to, were subjected to exactly that exhaustion. That's not going to hold any water to them. That's exactly their point that when they had to face the music here they were grilled, as maybe they should have, but now when it's the friends of the President, the President puts the fast forward button. That's their view. I'm not saying I share it. My view is that it's the, it's financial reasons but whether it's me or the clients who are right, both those reasons are bad in law because they do not apply their minds to the interests of fairness and justice and the finding of the truth and the closure that these families and these injured people must have because you can't just put money – if we want to save money, Chairperson, let's stop this Commission right now. Why must we waste the next two months with a fast forwarded farce of a process just so that we can say we've finished? Let's stop now and save the money of the taxpayer and go home.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: But how it helps me in regard to the present application, I don't understand. MR MPOFU: Well, Chairperson, I've just – if you don't understand it, you don't understand it. I've just said there would be no so-called present application if there was no 31st of July, so if that connection is not clear, it's not clear. I can't make it clearer than that. We wouldn't be having this debate if there was no imposed date of the 31st of July. The connection is very clear. Anyway, those are my - CHAIRPERSON: I understand the connection but how it helps me to decide the application is another matter but anyway, I've heard what you have to say. Mr Ntsebeza – MR MPOFU: Those are my submissions. CHAIRPERSON: I think we must try to come back at quarter to two. I know it's only half an hour but I think there are reasons why we should do it that way. [Microphone off, inaudible] – Mr Ntsebeza? MR NTSEBEZA SC: Mr Chairman, I've been given some lease of life where Randburg says as long as I get there between three and four. They close at 4 o'clock.

1	Page 30240	1	Page 30242
1	Receiver of Revenue has given you time doesn't meant you've	1	events that the Commission is traversing. The only person
2	got to use all the time you're given by us.	2	who has been mentioned incidentally in the statements that
3	MR NTSEBEZA SC: No. Well, Mr Chairman,	3	I am aware of is Mr Noki, Mguneni Noki, sometimes referred
4	I think my position is clear.	4	to as Mambush. So whatever happens, if the order is that
5	[13:15] It seems to me that the concern is about what is	5	we should hear Mr X next week I give an indication now that
6	going to happen next week if we adjourn to the 19th, and my	6	it will be probably evidence in chief that will be led and
7	sense is that adjournment shouldn't be the consideration.	7	we will not be able to cross-examine him. So whatever
8	I think we must determine whether –	8	happens we will not be in a position.
9	CHAIRPERSON: I understand. I was simply	9	Mr Chairman, I think it is important for us to
10	asking how long are you going to argue after lunch?	10	remind ourselves again, what is important for the 33
11	MR NTSEBEZA SC: Well, as long as I just	11	families whom appear before this Commission, the same
12	indicated what my position is. Mr Chairman –	12	passion with which we addressed your good selves at the
13	CHAIRPERSON: Alright, okay.	13	beginning of it when it appeared that there was no
14	MR NTSEBEZA SC: I think I will take the	14	sensitivity that had been given by those in authority in
15	longest 15 minutes, if I have to.	15	getting the families to be present when you're proceedings
16	CHAIRPERSON: I see, alright. Well, I	16	are taking place, is the same kind of passion that we see
17	suppose we'd better than take the adjournment till 2	17	with the manner in which things are now happening. Mr
18	o'clock. It gives us three-quarters of an hour. You can	18	Chairman, we are not in the blaming game but the truth of
19	marshal your thoughts and hopefully shorten what you have	19	the matter is that we seem to have moved from one extreme
20	to say, otherwise – I know it's easier to make a short	20	to the other to provide some form of accommodation for the
21	prepared speech than a short unprepared speech. And who	21	circumstances in which we find ourselves. We have moved
22	else wants to address me in support of the application?	22	from a situation where Magidiwana would be cross-examined
23	know Mr Chaskalson, that you go against. I picked that up,	23	by my colleague, Mr Ngalwana for five days on end, to one
24	yes, but who wants to address me against the application?	24	where you are lucky if you get two hours of cross-
25	I knew the view has been expressed by Mr Bizos that the	25	examination. I understand why it is happening, but Mr
	· · · · · · · · · · · · · · · · · · ·		
	Page 30241		Page 30243
1	Page 30241 expert should come on the 23rd, and I think some of the	1	Page 30243 Chairman, let's not forget, the families who are here want
1 2	5	1	Chairman, let's not forget, the families who are here want
	expert should come on the 23rd, and I think some of the		Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they
2	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also,	2	Chairman, let's not forget, the families who are here want
2 3	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza?	2 3	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots
2 3 4	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have	2 3 4	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation
2 3 4 5	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position.	2 3 4 5	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective
2 3 4 5 6	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position.	2 3 4 5 6	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was
2 3 4 5 6 7	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else?	2 3 4 5 6 7	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a
2 3 4 5 6 7 8	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer.	2 3 4 5 6 7 8	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became
2 3 4 5 6 7 8 9	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright,	2 3 4 5 6 7 8 9 10	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at
2 3 4 5 6 7 8 9 10	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long	2 3 4 5 6 7 8 9 10 11	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not
2 3 4 5 6 7 8 9 10 11	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long he takes. Alright, we'll adjourn now till 2 o'clock.	2 3 4 5 6 7 8 9 10 11 12	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not be the kinds of opinions that you will reach at the end,
2 3 4 5 6 7 8 9 10 11 12 13	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long he takes. Alright, we'll adjourn now till 2 o'clock. [COMMISSION ADJOURNS COMMISSION RESUMES]	2 3 4 5 6 7 8 9 10 11 12 13	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not be the kinds of opinions that you will reach at the end, which is why you and your Commissioners are seized with
2 3 4 5 6 7 8 9 10 11 12 13 14	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long he takes. Alright, we'll adjourn now till 2 o'clock. [COMMISSION ADJOURNS COMMISSION RESUMES] [14:02] CHAIRPERSON: The Commission resumes,	2 3 4 5 6 7 8 9 10 11 12 13 14	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not be the kinds of opinions that you will reach at the end, which is why you and your Commissioners are seized with this task, but at least we have got that other evidence
2 3 4 5 6 7 8 9 10 11 12 13 14 15	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long he takes. Alright, we'll adjourn now till 2 o'clock. [COMMISSION ADJOURNS COMMISSION RESUMES] [14:02] CHAIRPERSON: The Commission resumes, yes, Mr Ntsebeza?	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not be the kinds of opinions that you will reach at the end, which is why you and your Commissioners are seized with this task, but at least we have got that other evidence which is not dependent on any other person which we can
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long he takes. Alright, we'll adjourn now till 2 o'clock. [COMMISSION ADJOURNS COMMISSION RESUMES] [14:02] CHAIRPERSON: The Commission resumes, yes, Mr Ntsebeza? MR NTSEBEZA SC: Thank you, Mr Chairman	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not be the kinds of opinions that you will reach at the end, which is why you and your Commissioners are seized with this task, but at least we have got that other evidence which is not dependent on any other person which we can always go to. Now scene 2 is unique in the sense that the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long he takes. Alright, we'll adjourn now till 2 o'clock. [COMMISSION ADJOURNS COMMISSION RESUMES] [14:02] CHAIRPERSON: The Commission resumes, yes, Mr Ntsebeza? MR NTSEBEZA SC: Thank you, Mr Chairman and Commissioners. Mr Chairman, the families will not be	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not be the kinds of opinions that you will reach at the end, which is why you and your Commissioners are seized with this task, but at least we have got that other evidence which is not dependent on any other person which we can always go to. Now scene 2 is unique in the sense that the media were not there and therefore there is more that –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long he takes. Alright, we'll adjourn now till 2 o'clock. [COMMISSION ADJOURNS COMMISSION RESUMES] [14:02] CHAIRPERSON: The Commission resumes, yes, Mr Ntsebeza? MR NTSEBEZA SC: Thank you, Mr Chairman and Commissioners. Mr Chairman, the families will not be able to cross-examine Mr X next week, so I want to come up	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not be the kinds of opinions that you will reach at the end, which is why you and your Commissioners are seized with this task, but at least we have got that other evidence which is not dependent on any other person which we can always go to. Now scene 2 is unique in the sense that the media were not there and therefore there is more that – CHAIRPERSON: The police videographers
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long he takes. Alright, we'll adjourn now till 2 o'clock. [COMMISSION ADJOURNS COMMISSION RESUMES] [14:02] CHAIRPERSON: The Commission resumes, yes, Mr Ntsebeza? MR NTSEBEZA SC: Thank you, Mr Chairman and Commissioners. Mr Chairman, the families will not be able to cross-examine Mr X next week, so I want to come up front and say we will not be in a position to do so. If	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not be the kinds of opinions that you will reach at the end, which is why you and your Commissioners are seized with this task, but at least we have got that other evidence which is not dependent on any other person which we can always go to. Now scene 2 is unique in the sense that the media were not there and therefore there is more that – CHAIRPERSON: The police videographers weren't there either.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long he takes. Alright, we'll adjourn now till 2 o'clock. [COMMISSION ADJOURNS COMMISSION RESUMES] [14:02] CHAIRPERSON: The Commission resumes, yes, Mr Ntsebeza? MR NTSEBEZA SC: Thank you, Mr Chairman and Commissioners. Mr Chairman, the families will not be able to cross-examine Mr X next week, so I want to come up front and say we will not be in a position to do so. If for no other reason but for the reason that as late as on	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not be the kinds of opinions that you will reach at the end, which is why you and your Commissioners are seized with this task, but at least we have got that other evidence which is not dependent on any other person which we can always go to. Now scene 2 is unique in the sense that the media were not there and therefore there is more that – CHAIRPERSON: The police videographers weren't there either. MR NTSEBEZA SC: Indeed, so it seems to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long he takes. Alright, we'll adjourn now till 2 o'clock. [COMMISSION ADJOURNS COMMISSION RESUMES] [14:02] CHAIRPERSON: The Commission resumes, yes, Mr Ntsebeza? MR NTSEBEZA SC: Thank you, Mr Chairman and Commissioners. Mr Chairman, the families will not be able to cross-examine Mr X next week, so I want to come up front and say we will not be in a position to do so. If for no other reason but for the reason that as late as on the 4th of June, which was yesterday, there is an email that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not be the kinds of opinions that you will reach at the end, which is why you and your Commissioners are seized with this task, but at least we have got that other evidence which is not dependent on any other person which we can always go to. Now scene 2 is unique in the sense that the media were not there and therefore there is more that – CHAIRPERSON: The police videographers weren't there either. MR NTSEBEZA SC: Indeed, so it seems to us that scene 2 relies on your, Captain, - Colonel
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long he takes. Alright, we'll adjourn now till 2 o'clock. [COMMISSION ADJOURNS COMMISSION RESUMES] [14:02] CHAIRPERSON: The Commission resumes, yes, Mr Ntsebeza? MR NTSEBEZA SC: Thank you, Mr Chairman and Commissioners. Mr Chairman, the families will not be able to cross-examine Mr X next week, so I want to come up front and say we will not be in a position to do so. If for no other reason but for the reason that as late as on the 4th of June, which was yesterday, there is an email that one of my juniors was sending out requesting the attorneys	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not be the kinds of opinions that you will reach at the end, which is why you and your Commissioners are seized with this task, but at least we have got that other evidence which is not dependent on any other person which we can always go to. Now scene 2 is unique in the sense that the media were not there and therefore there is more that – CHAIRPERSON: The police videographers weren't there either. MR NTSEBEZA SC: Indeed, so it seems to us that scene 2 relies on your, Captain, - Colonel Vermaak's videos and a lot of other sort of objective
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long he takes. Alright, we'll adjourn now till 2 o'clock. [COMMISSION ADJOURNS COMMISSION RESUMES] [14:02] CHAIRPERSON: The Commission resumes, yes, Mr Ntsebeza? MR NTSEBEZA SC: Thank you, Mr Chairman and Commissioners. Mr Chairman, the families will not be able to cross-examine Mr X next week, so I want to come up front and say we will not be in a position to do so. If for no other reason but for the reason that as late as on the 4th of June, which was yesterday, there is an email that one of my juniors was sending out requesting the attorneys who instruct us to urgently require the SAPS to provide us	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not be the kinds of opinions that you will reach at the end, which is why you and your Commissioners are seized with this task, but at least we have got that other evidence which is not dependent on any other person which we can always go to. Now scene 2 is unique in the sense that the media were not there and therefore there is more that – CHAIRPERSON: The police videographers weren't there either. MR NTSEBEZA SC: Indeed, so it seems to us that scene 2 relies on your, Captain, - Colonel Vermaak's videos and a lot of other sort of objective evidence which is why we have been irritating your good
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long he takes. Alright, we'll adjourn now till 2 o'clock. [COMMISSION ADJOURNS COMMISSION RESUMES] [14:02] CHAIRPERSON: The Commission resumes, yes, Mr Ntsebeza? MR NTSEBEZA SC: Thank you, Mr Chairman and Commissioners. Mr Chairman, the families will not be able to cross-examine Mr X next week, so I want to come up front and say we will not be in a position to do so. If for no other reason but for the reason that as late as on the 4th of June, which was yesterday, there is an email that one of my juniors was sending out requesting the attorneys who instruct us to urgently require the SAPS to provide us with statements from Mr X wherein Mr X fills in the gaps of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not be the kinds of opinions that you will reach at the end, which is why you and your Commissioners are seized with this task, but at least we have got that other evidence which is not dependent on any other person which we can always go to. Now scene 2 is unique in the sense that the media were not there and therefore there is more that – CHAIRPERSON: The police videographers weren't there either. MR NTSEBEZA SC: Indeed, so it seems to us that scene 2 relies on your, Captain, - Colonel Vermaak's videos and a lot of other sort of objective evidence which is why we have been irritating your good selves and everybody else by presentations and all of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	expert should come on the 23rd, and I think some of the others have indicated already they agree with that also, but who else wishes to speak after Mr Ntsebeza? MR GOTZ: Chair, we intend to address you for a minute or two at most on the conditions that we have in relation to our position. CHAIRPERSON: Alright, anybody else? MS LE ROUX: Chair, similarly Human Rights Commission, but also for two minutes, not longer. CHAIRPERSON: I see, alright. Alright, and that's it, and then Mr Chaskalson, we will see how long he takes. Alright, we'll adjourn now till 2 o'clock. [COMMISSION ADJOURNS COMMISSION RESUMES] [14:02] CHAIRPERSON: The Commission resumes, yes, Mr Ntsebeza? MR NTSEBEZA SC: Thank you, Mr Chairman and Commissioners. Mr Chairman, the families will not be able to cross-examine Mr X next week, so I want to come up front and say we will not be in a position to do so. If for no other reason but for the reason that as late as on the 4th of June, which was yesterday, there is an email that one of my juniors was sending out requesting the attorneys who instruct us to urgently require the SAPS to provide us	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Chairman, let's not forget, the families who are here want four things. They want the truth, they want justice, they want fairness but above all they want closure. Now scene 1 is where the first volley of shots took place and where 17 people were killed, and in relation to scene 1 there has been independent and objective footage, even before your Commission started there was television coverage of what had happened and there was a lot of views, even for the families, those who then became aware and were able to look at what happened. They at least could form their own opinions, which may or may not be the kinds of opinions that you will reach at the end, which is why you and your Commissioners are seized with this task, but at least we have got that other evidence which is not dependent on any other person which we can always go to. Now scene 2 is unique in the sense that the media were not there and therefore there is more that – CHAIRPERSON: The police videographers weren't there either. MR NTSEBEZA SC: Indeed, so it seems to us that scene 2 relies on your, Captain, - Colonel Vermaak's videos and a lot of other sort of objective evidence which is why we have been irritating your good

	Page 30244		Page 30246
1	CHAIRPERSON: We weren't irritated by the	1	MR BUDLENDER SC: That's correct, Chair.
2	presentations, if we gave that impression it was erroneous.	2	CHAIRPERSON: I think, he doesn't want to
3	MR NTSEBEZA SC: No, Mr Chairman, the	3	disclose matters that invade his privacy but I understand
4	context is this, one would - the presentation because one	4	he hasn't been well for some time and there are serious
5	is conscious of time and there are some aspects of	5	concerns he won't be able to give evidence, is that
6	presentations which we didn't pursue when, for instance we	6	correct?
7	have a witness who will not see what you would like the	7	MR BUDLENDER SC: That is correct, Chair.
8	witness to see, probably justifiably, but with a little bit	8	MR NTSEBEZA SC: Mr Chair, -
9	of patience you would have got to where you wanted to get	9	CHAIRPERSON: He is obviously an
10	to, but those things didn't happen and it is all because	10	important witness, if it is at all possible to give
11	there was premium put on now having to do things more	11	evidence he should and I understand that, but I'm just
12	expeditiously than they ever had been done before. And	12	mentioning to you that he may not come for reasons beyond
13	therefore there was an understanding that we should hasten,	13	our control.
14	but the balance was becoming difficult to now strike the	14	MR NTSEBEZA SC: Ja, Mr Chair, thanks
15	balance between what is fair because, Mr Chairman, you are	15	very much for that, but the long and short of it all is
16	going to have us as representatives of the parties at the	16	this, that to the extent that there may be on the part of
17	end of it, making submissions and you are going to be at	17	the evidence leaders a concern that a week might go if Mr X
18	loggerheads with us when we say, this objective evidence	18	is not called on Monday and we've already put our position
19	leads to this conclusion and then you will say, but it was	19	as families clear, what is going to happen, we'll make an
20	never put to witness but then we will say, -	20	application for us to be given an opportunity to go and
21	CHAIRPERSON: We already indicated that	21	prepare. We would benefit if he was called because at
22	that's not going to happen, the mere fact that, if there is	22	least we would have heard him in chief, but that's not what
23	objective evidence, the fact that it wasn't put to a	23	we are stating for, we are simply saying, we will not, even
24	witness in the circumstances in which we've been operating	24	as we sit they will not be able to cross-examine him
25	will not be held against you. If - makes the point it	25	properly. But if then the evidence leaders have a concern
	Page 30245		Page 30247
1	Page 30245 makes the point.	1	Page 30247 that we will have a week going by we say it seems to us
1 2		1 2	5
	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might		that we will have a week going by we say it seems to us
2	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been	2	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but
2	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might	2 3	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an
2 3 4	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter.	2 3 4	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be
2 3 4 5	makes the point.MR NTSEBEZA SC:Yes.CHAIRPERSON:Where the witness mighthave said something differently and whether we have beenfoolish enough to contradict the objective evidence that isanother matter.MR NTSEBEZA SC:Yes, yes, Mr Chairman.	2 3 4 5 6 7	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment –
2 3 4 5 6 7 8	makes the point.MR NTSEBEZA SC:Yes.CHAIRPERSON:Where the witness mighthave said something differently and whether we have beenfoolish enough to contradict the objective evidence that isanother matter.MR NTSEBEZA SC:Yes, yes, Mr Chairman.Well, that's reassuring to the extent that I had forgotten	2 3 4 5 6 7 8	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way?
2 3 4 5 6 7 8 9	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is	2 3 4 5 6 7 8 9	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense
2 3 4 5 6 7 8 9 10	makes the point.MR NTSEBEZA SC:Yes.CHAIRPERSON:Where the witness mighthave said something differently and whether we have beenfoolish enough to contradict the objective evidence that isanother matter.MR NTSEBEZA SC:Yes, yes, Mr Chairman.Well, that's reassuring to the extent that I had forgottenthat that was the position, but the long and short of it isthis.There are witnesses who for us are critical,	2 3 4 5 6 7 8 9 10	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I
2 3 4 5 6 7 8 9 10 11	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is this. There are witnesses who for us are critical, relevant to scene 2 and they are named there. Well, to all	2 3 4 5 6 7 8 9 10 11	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I know there is a disinclination on the part of my colleague
2 3 4 5 6 7 8 9 10 11 12	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is this. There are witnesses who for us are critical, relevant to scene 2 and they are named there. Well, to all the scenes, Mr Modiba as the chair has indicated. Now I	2 3 4 5 6 7 8 9 10 11 12	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I know there is a disinclination on the part of my colleague or not a disinclination, but a view that it is not
2 3 4 5 6 7 8 9 10 11 12 13	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is this. There are witnesses who for us are critical, relevant to scene 2 and they are named there. Well, to all the scenes, Mr Modiba as the chair has indicated. Now I don't know how to pronounce this word, whether it is Mphe,	2 3 4 5 6 7 8 9 10 11 12 13	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I know there is a disinclination on the part of my colleague or not a disinclination, but a view that it is not necessary for him.
2 3 4 5 6 7 8 9 10 11 12 13 14	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is this. There are witnesses who for us are critical, relevant to scene 2 and they are named there. Well, to all the scenes, Mr Modiba as the chair has indicated. Now I don't know how to pronounce this word, whether it is Mphe, or Mere, M-E-R-E, Mere –	2 3 4 5 6 7 8 9 10 11 12 13 14	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I know there is a disinclination on the part of my colleague or not a disinclination, but a view that it is not necessary for him. CHAIRPERSON: But he was quite
2 3 4 5 6 7 8 9 10 11 12 13 14 15	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is this. There are witnesses who for us are critical, relevant to scene 2 and they are named there. Well, to all the scenes, Mr Modiba as the chair has indicated. Now I don't know how to pronounce this word, whether it is Mphe, or Mere, M-E-R-E, Mere – CHAIRPERSON: But M-E-R-E, isn't it?	2 3 4 5 6 7 8 9 10 11 12 13 14 15	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I know there is a disinclination on the part of my colleague or not a disinclination, but a view that it is not necessary for him. CHAIRPERSON: But he was quite comprehensively cross-examined by the various parties and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is this. There are witnesses who for us are critical, relevant to scene 2 and they are named there. Well, to all the scenes, Mr Modiba as the chair has indicated. Now I don't know how to pronounce this word, whether it is Mphe, or Mere, M-E-R-E, Mere – CHAIRPERSON: But M-E-R-E, isn't it? Well, r may actually a "G" which you pronounced properly.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I know there is a disinclination on the part of my colleague or not a disinclination, but a view that it is not necessary for him. CHAIRPERSON: But he was quite comprehensively cross-examined by the various parties and if there is anything that Mr Chaskalson wants to ask him he
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is this. There are witnesses who for us are critical, relevant to scene 2 and they are named there. Well, to all the scenes, Mr Modiba as the chair has indicated. Now I don't know how to pronounce this word, whether it is Mphe, or Mere, M-E-R-E, Mere – CHAIRPERSON: But M-E-R-E, isn't it? Well, r may actually a "G" which you pronounced properly. MR NTSEBEZA SC: We hold something that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I know there is a disinclination on the part of my colleague or not a disinclination, but a view that it is not necessary for him. CHAIRPERSON: But he was quite comprehensively cross-examined by the various parties and if there is anything that Mr Chaskalson wants to ask him he has got to consider whether –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is this. There are witnesses who for us are critical, relevant to scene 2 and they are named there. Well, to all the scenes, Mr Modiba as the chair has indicated. Now I don't know how to pronounce this word, whether it is Mphe, or Mere, M-E-R-E, Mere – CHAIRPERSON: But M-E-R-E, isn't it? Well, r may actually a "G" which you pronounced properly. MR NTSEBEZA SC: We hold something that there is merit in us seeking Mr Kuhn to be called.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I know there is a disinclination on the part of my colleague or not a disinclination, but a view that it is not necessary for him. CHAIRPERSON: But he was quite comprehensively cross-examined by the various parties and if there is anything that Mr Chaskalson wants to ask him he has got to consider whether – MR NTSEBEZA SC: Well, we'll be honoured
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is this. There are witnesses who for us are critical, relevant to scene 2 and they are named there. Well, to all the scenes, Mr Modiba as the chair has indicated. Now I don't know how to pronounce this word, whether it is Mphe, or Mere, M-E-R-E, Mere – CHAIRPERSON: But M-E-R-E, isn't it? Well, r may actually a "G" which you pronounced properly. MR NTSEBEZA SC: We hold something that there is merit in us seeking Mr Kuhn to be called. CHAIRPERSON: Oh, but there is a very	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I know there is a disinclination on the part of my colleague or not a disinclination, but a view that it is not necessary for him. CHAIRPERSON: But he was quite comprehensively cross-examined by the various parties and if there is anything that Mr Chaskalson wants to ask him he has got to consider whether – MR NTSEBEZA SC: Well, we'll be honoured if Mr Chaskalson –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is this. There are witnesses who for us are critical, relevant to scene 2 and they are named there. Well, to all the scenes, Mr Modiba as the chair has indicated. Now I don't know how to pronounce this word, whether it is Mphe, or Mere, M-E-R-E, Mere – CHAIRPERSON: But M-E-R-E, isn't it? Well, r may actually a "G" which you pronounced properly. MR NTSEBEZA SC: We hold something that there is merit in us seeking Mr Kuhn to be called. CHAIRPERSON: Oh, but there is a very serious possibility that Warrant-Officer Kuhn will not be	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I know there is a disinclination on the part of my colleague or not a disinclination, but a view that it is not necessary for him. CHAIRPERSON: But he was quite comprehensively cross-examined by the various parties and if there is anything that Mr Chaskalson wants to ask him he has got to consider whether – MR NTSEBEZA SC: Well, we'll be honoured if Mr Chaskalson – CHAIRPERSON: You can take your time on
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is this. There are witnesses who for us are critical, relevant to scene 2 and they are named there. Well, to all the scenes, Mr Modiba as the chair has indicated. Now I don't know how to pronounce this word, whether it is Mphe, or Mere, M-E-R-E, Mere – CHAIRPERSON: But M-E-R-E, isn't it? Well, r may actually a "G" which you pronounced properly. MR NTSEBEZA SC: We hold something that there is merit in us seeking Mr Kuhn to be called. CHAIRPERSON: Oh, but there is a very serious possibility that Warrant-Officer Kuhn will not be able to be called on medical grounds, the final word has	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I know there is a disinclination on the part of my colleague or not a disinclination, but a view that it is not necessary for him. CHAIRPERSON: But he was quite comprehensively cross-examined by the various parties and if there is anything that Mr Chaskalson wants to ask him he has got to consider whether – MR NTSEBEZA SC: Well, we'll be honoured if Mr Chaskalson – CHAIRPERSON: You can take your time on that, I don't know what point –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is this. There are witnesses who for us are critical, relevant to scene 2 and they are named there. Well, to all the scenes, Mr Modiba as the chair has indicated. Now I don't know how to pronounce this word, whether it is Mphe, or Mere, M-E-R-E, Mere – CHAIRPERSON: But M-E-R-E, isn't it? Well, r may actually a "G" which you pronounced properly. MR NTSEBEZA SC: We hold something that there is merit in us seeking Mr Kuhn to be called. CHAIRPERSON: Oh, but there is a very serious possibility that Warrant-Officer Kuhn will not be able to be called on medical grounds, the final word has not been spoken on that. I think I'm correct in saying, if	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I know there is a disinclination on the part of my colleague or not a disinclination, but a view that it is not necessary for him. CHAIRPERSON: But he was quite comprehensively cross-examined by the various parties and if there is anything that Mr Chaskalson wants to ask him he has got to consider whether – MR NTSEBEZA SC: Well, we'll be honoured if Mr Chaskalson – CHAIRPERSON: You can take your time on that, I don't know what point – MR NTSEBEZA SC: - that we did –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is this. There are witnesses who for us are critical, relevant to scene 2 and they are named there. Well, to all the scenes, Mr Modiba as the chair has indicated. Now I don't know how to pronounce this word, whether it is Mphe, or Mere, M-E-R-E, Mere – CHAIRPERSON: But M-E-R-E, isn't it? Well, r may actually a "G" which you pronounced properly. MR NTSEBEZA SC: We hold something that there is merit in us seeking Mr Kuhn to be called. CHAIRPERSON: Oh, but there is a very serious possibility that Warrant-Officer Kuhn will not be able to be called on medical grounds, the final word has not been spoken on that. I think I'm correct in saying, if I'm wrong I'll be corrected, that the evidence leaders have	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I know there is a disinclination on the part of my colleague or not a disinclination, but a view that it is not necessary for him. CHAIRPERSON: But he was quite comprehensively cross-examined by the various parties and if there is anything that Mr Chaskalson wants to ask him he has got to consider whether – MR NTSEBEZA SC: Well, we'll be honoured if Mr Chaskalson – CHAIRPERSON: You can take your time on that, I don't know what point – MR NTSEBEZA SC: - that we did – CHAIRPERSON: I don't know what point, if
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	makes the point. MR NTSEBEZA SC: Yes. CHAIRPERSON: Where the witness might have said something differently and whether we have been foolish enough to contradict the objective evidence that is another matter. MR NTSEBEZA SC: Yes, yes, Mr Chairman. Well, that's reassuring to the extent that I had forgotten that that was the position, but the long and short of it is this. There are witnesses who for us are critical, relevant to scene 2 and they are named there. Well, to all the scenes, Mr Modiba as the chair has indicated. Now I don't know how to pronounce this word, whether it is Mphe, or Mere, M-E-R-E, Mere – CHAIRPERSON: But M-E-R-E, isn't it? Well, r may actually a "G" which you pronounced properly. MR NTSEBEZA SC: We hold something that there is merit in us seeking Mr Kuhn to be called. CHAIRPERSON: Oh, but there is a very serious possibility that Warrant-Officer Kuhn will not be able to be called on medical grounds, the final word has not been spoken on that. I think I'm correct in saying, if	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	that we will have a week going by we say it seems to us that in the unsatisfactory way in which things are now happening, you know putting, calling a witness and then interposing others and what have you, it is not ideal but it has worked because all of us are trying to meet an exigency. Now to that extent I think next week can be utilised, instead of it being an adjournment – CHAIRPERSON: Utilised in what way? MR NTSEBEZA SC: In the way, in the sense of calling Mr Modiba and calling Mr Mere, Captain Kidd, I know there is a disinclination on the part of my colleague or not a disinclination, but a view that it is not necessary for him. CHAIRPERSON: But he was quite comprehensively cross-examined by the various parties and if there is anything that Mr Chaskalson wants to ask him he has got to consider whether – MR NTSEBEZA SC: Well, we'll be honoured if Mr Chaskalson – CHAIRPERSON: You can take your time on that, I don't know what point – MR NTSEBEZA SC: - that we did –

Page 302481MR NTSEBEZA SC:We would be honoured to1is not called on Monday should be grant2think that Mr Chaskalson thinks that we did a very good job2can be used by calling Colonel Modiba, or3or we did a job that was sufficient for purposes of cross-3Mere, recalling Kidd if Mr Chaskalson has4examination that he doesn't need to do any, but if the4left for him, calling Kuhn if he is medical5concern is that there is a week that may go unused then our5to do so, and then calling, if that doesn't6own submission will be that it should be utilised by6because some of them may not be availant7calling the witnesses that we have indicated.17	calling Colonel as got any questions ally fit and able
 2 think that Mr Chaskalson thinks that we did a very good job 3 or we did a job that was sufficient for purposes of cross- 4 examination that he doesn't need to do any, but if the 5 concern is that there is a week that may go unused then our 6 own submission will be that it should be utilised by 7 calling the witnesses that we have indicated. I 2 can be used by calling Colonel Modiba, or 3 Mere, recalling Kidd if Mr Chaskalson has 4 left for him, calling Kuhn if he is medical 5 to do so, and then calling, if that doesn't 6 because some of them may not be availant 7 calling X say Thursday and Friday in chief 	calling Colonel as got any questions ally fit and able
3or we did a job that was sufficient for purposes of cross- examination that he doesn't need to do any, but if the 53Mere, recalling Kidd if Mr Chaskalson has 44left for him, calling Kuhn if he is medical 555concern is that there is a week that may go unused then our 65to do so, and then calling, if that doesn't 66own submission will be that it should be utilised by 76because some of them may not be availa 77calling the witnesses that we have indicated. I7calling X say Thursday and Friday in chief	as got any questions ally fit and able
 4 examination that he doesn't need to do any, but if the 5 concern is that there is a week that may go unused then our 6 own submission will be that it should be utilised by 7 calling the witnesses that we have indicated. I 4 left for him, calling Kuhn if he is medical 5 to do so, and then calling, if that doesn't 6 because some of them may not be available 7 calling X say Thursday and Friday in chief 	ally fit and able
5concern is that there is a week that may go unused then our5to do so, and then calling, if that doesn't6own submission will be that it should be utilised by6because some of them may not be availant7calling the witnesses that we have indicated. I7calling X say Thursday and Friday in chief	•
6own submission will be that it should be utilised by 76because some of them may not be available 77calling the witnesses that we have indicated. I7calling X say Thursday and Friday in chief	I LUSE UP LITE WEEK
7 calling the witnesses that we have indicated. I 7 calling X say Thursday and Friday in chief	vilable or needed then
8 understand, there was merit in those words said, there is a 8 understanding that the applications to c	
9 Mr Sinclair now that Mr Da Costa is on the stand it makes 9 wouldn't be in yet. They would only be	
10 sense that Mr Sinclair must be called, but I understand 10 Friday perhaps or possibly over the weel	
11 that the availability or non-availability, to call it 11 documents to be relied on will equally be	
12 correctly, of counsel for Lonmin is militating against that 12 that stage.	
13 being – 13 That would give the police the op	opportunity to
14 CHAIRPERSON: Yes, just to get your 14 spend Monday, Tuesday, Wednesday wi	
15 proposal, what you're saying is that we can use the week by 15 reading and translating the documents t	-
16 calling Colonel Modiba, I can't remember his rank, I think, 16 Mathibedi very fairly said that that would	
17 is it Colonel Mere, and Kidd if Mr Chaskalson has got any 17 that would obviously be quite a lengthy	·
18 questions left to ask him. 18 the examination in chief on this approac	
19 MR NTSEBEZA SC: Yes. 19 it is the right approach, I'm just asking y	
20 CHAIRPERSON: After you've covered the 20 what you're saying, the examination in c	•
21 ground as thoroughly as you have, you and your colleagues. 21 concluded on the Thursday. That's the	
22 MR NTSEBEZA SC: And Mr Kuhn, if he is 22 examination could then begin, is that eff	effectively what
	-
23 available. 23 you're suggesting?	
3 00 0	airman, I wouldn't
5 00 0	airman, I wouldn't
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai	airman, I wouldn't
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai	airman, I wouldn't Page 30251
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm	
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – Page 30249 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 2 you to go to war.	Page 30251 'm not asking
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – Page 30249 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 3 MR NTSEBEZA SC: Well, Mr	Page 30251 'm not asking r Chairman, I
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 24 MR NTSEBEZA SC: Mr Chai 26 reage 30249 1 CHAIRPERSON: No, well, I'm 2 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 3 MR NTSEBEZA SC: Well, Mr G 3 okay. 3 MR NTSEBEZA SC: Well, Mr G 4 CHAIRPERSON: Now one of the points about 4 have not really absolutely proposed that h	Page 30251 'm not asking r Chairman, I he must be called
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – Page 30249 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 3 war. 3 3 okay. 3 MR NTSEBEZA SC: Well, Mr 4 CHAIRPERSON: Now one of the points about 4 have not really absolutely proposed that h 5 Mr X in chief is that this would be on the basis that, 5 in chief, that was not part of my proposal.	Page 30251 'm not asking r Chairman, I he must be called al.
24CHAIRPERSON:Well, yes, whether, if24MR NTSEBEZA SC:Mr Chai25Kuhn, - well, it is a possibility, ja, but the other thing24MR NTSEBEZA SC:Mr Chai2Page 302491CHAIRPERSON:No, well, I'm2MR NTSEBEZA SC:Yes, no, that would be1CHAIRPERSON:No, well, I'm2MR NTSEBEZA SC:Yes, no, that would be3MR NTSEBEZA SC:Well, Mr G3okay.3MR NTSEBEZA SC:Well, Mr G4CHAIRPERSON:Now one of the points about4have not really absolutely proposed that his5Mr X in chief is that this would be on the basis that,5in chief, that was not part of my proposal.6CHAIRPERSON:No, but you	Page 30251 'm not asking r Chairman, I he must be called al. u did mention –
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – 20 Page 30249 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 3 MR NTSEBEZA SC: Well, Mr 3 okay. 3 MR NTSEBEZA SC: Well, Mr 4 4 CHAIRPERSON: Now one of the points about 4 have not really absolutely proposed that he 5 Mr X in chief is that this would be on the basis that, 6 CHAIRPERSON: No, but you 6 would this be on the basis that the application for cross- 7 MR NTSEBEZA SC: But if it is 7 examination plus the documents to be relied on could be 7 MR NTSEBEZA SC: But if it is	Page 30251 'm not asking r Chairman, I he must be called al. u did mention –
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – 24 Page 30249 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 3 MR NTSEBEZA SC: Well, Mr G 3 okay. 3 MR NTSEBEZA SC: Well, Mr G 4 CHAIRPERSON: Now one of the points about 4 have not really absolutely proposed that he 5 Mr X in chief is that this would be on the basis that, 6 CHAIRPERSON: No, but you 7 examination plus the documents to be relied on could be 7 MR NTSEBEZA SC: But if it is 8 made at the end of the week and the police would then have 8 mention it. 8	Page 30251 'm not asking r Chairman, I he must be called al. u did mention –
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – Page 30249 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 1 CHAIRPERSON: No, well, I'm 3 okay. 1 CHAIRPERSON: Now one of the points about 3 MR NTSEBEZA SC: Well, Mr G 4 CHAIRPERSON: Now one of the points about 4 have not really absolutely proposed that his 5 Mr X in chief is that this would be on the basis that, 6 CHAIRPERSON: No, but you 6 would this be on the basis that the application for cross- 6 CHAIRPERSON: No, but you 7 examination plus the documents to be relied on could be 8 mention it. 9 CHAIRPERSON: Yes.	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 1 CHAIRPERSON: No, well, I'm 3 okay. 1 CHAIRPERSON: Now one of the points about 4 have not really absolutely proposed that h 5 Mr X in chief is that this would be on the basis that, 5 in chief, that was not part of my proposal. 6 would this be on the basis that the application for cross- 6 CHAIRPERSON: No, but you 7 examination plus the documents to be relied on could be 7 MR NTSEBEZA SC: But if it is 8 made at the end of the week and the police would then have 9 CHAIRPERSON: Yes. 10 with the matters that Mr Mathibedi referred to, on Monday, 10 MR NTSEBEZA SC: I did mer	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – Page 30249 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 2 you to go to war. 3 okay. 3 MR NTSEBEZA SC: Well, Mr 4 4 CHAIRPERSON: Now one of the points about 5 in chief is that this would be on the basis that, 5 in chief, that was not part of my proposal. 6 would this be on the basis that the application for cross- 6 CHAIRPERSON: No, but you 7 examination plus the documents to be relied on could be 8 mention it. 9 CHAIRPERSON: Yes. 10 with the matters that Mr Mathibedi referred to, on Monday, 10 MR NTSEBEZA SC: I did mer 11 Tuesday and Wednesday of the following week, so he would 11 CHAIRPERSON: Alright.	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it.
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – Page 30249 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 2 you to go to war. 3 okay. 3 MR NTSEBEZA SC: Well, Mr 4 4 CHAIRPERSON: Now one of the points about 4 have not really absolutely proposed that he 5 Mr X in chief is that this would be on the basis that, 5 in chief, that was not part of my proposal. 6 would this be on the basis that the application for cross- 6 CHAIRPERSON: No, but you 7 examination plus the documents to be relied on could be 7 MR NTSEBEZA SC: But if it is 8 made at the end of the week and the police would then have 9 CHAIRPERSON: Yes. 10 with the matters that Mr Mathibedi referred to, on Monday, 10 MR NTSEBEZA SC: I did mer 11 Tuesday and Wednesday of the following w	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it.
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 1 CHAIRPERSON: No, well, I'm 3 okay. 3 MR NTSEBEZA SC: Well, we not really absolutely proposed that he 4 CHAIRPERSON: Now one of the points about 4 have not really absolutely proposed that he 5 Mr X in chief is that this would be on the basis that, 6 CHAIRPERSON: No, but you 7 examination plus the documents to be relied on could be 7 MR NTSEBEZA SC: But if it is 8 made at the end of the week and the police would then have 9 CHAIRPERSON: Yes. 10 with the matters that Mr Mathibedi referred to, on Monday, 10 MR NTSEBEZA SC: I did mer 11 Tuesday and Wednesday of the following week, so he would 11 CHAIRPERSON: Alright. 12 then finish his examination in chief, to gi	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it.
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – Page 30249 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 2 you to go to war. 3 3 okay. 3 MR NTSEBEZA SC: Well, were not really absolutely proposed that he 4 CHAIRPERSON: Now one of the points about 4 have not really absolutely proposed that he 5 Mr X in chief is that this would be on the basis that, 5 in chief, that was not part of my proposal. 6 would this be on the basis that the application for cross- 6 CHAIRPERSON: No, but you 7 examination plus the documents to be relied on could be 7 MR NTSEBEZA SC: But if it is 8 made at the end of the week and the police would then have 8 mention it. 9 9 the opportunity, assuming we didn't sit on Tuesday, to deal 9 CHAIRPERSON: Alight. 11	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it. u know depending t would be a
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 2 you to go to war. 3 3 okay. 3 MR NTSEBEZA SC: Well, yes, no, that would be 4 have not really absolutely proposed that he 5 Mr X in chief is that this would be on the basis that, 5 in chief, that was not part of my proposal. 6 would this be on the basis that the application for cross- 6 CHAIRPERSON: No, but you 7 examination plus the documents to be relied on could be 8 mention it. 9 CHAIRPERSON: Yes. 10 with the matters that Mr Mathibedi referred to, on Monday, 11 CHAIRPERSON: Alright. 12 then finish his examination in chief, to give such further 12 MR NTSEBEZA SC: I did mer 11 Tuesday and Wednesday of the following week, so he would 11 CHAIRPERSON: Alright. <td>Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it. u know depending t would be a her question that</td>	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it. u know depending t would be a her question that
24CHAIRPERSON:Well, yes, whether, if24MR NTSEBEZA SC:Mr Chai25Kuhn, - well, it is a possibility, ja, but the other thing25go to war against that kind of -1is, you did say something about Mr X in chief?1CHAIRPERSON:No, well, I'm2MR NTSEBEZA SC:Yes, no, that would be3MR NTSEBEZA SC:Well, Mr U3okay.3MR NTSEBEZA SC:Well, Mr U44CHAIRPERSON:Now one of the points about4have not really absolutely proposed that his5Mr X in chief is that this would be on the basis that,5in chief, that was not part of my proposal.6would this be on the basis that the application for cross-6CHAIRPERSON:No, but you7examination plus the documents to be relied on could be8mention it.9CHAIRPERSON:Yes.10with the matters that Mr Mathibedi referred to, on Monday,10MR NTSEBEZA SC:I did mer11Tuesday and Wednesday of the following week, so he would11CHAIRPERSON:Alright.12then finish his examination in chief, to give such further12MR NTSEBEZA SC:But, you13evidence as they considerate appropriate and rely to the13on what SAPS feels about it, I mean that you14documents that, if they were going to be put to him in14sensible way to go about.1515CHAIRPERSON:Now a further16that what you're proposing?16arises, I'm a littl	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it. u know depending t would be a her question that at exactly the
24CHAIRPERSON:Well, yes, whether, if24MR NTSEBEZA SC:Mr Chai25Kuhn, - well, it is a possibility, ja, but the other thing25go to war against that kind of -2Page 302491CHAIRPERSON:No, well, I'm2MR NTSEBEZA SC:Yes, no, that would be2you to go to war.3okay.3MR NTSEBEZA SC:Well, Mr 44CHAIRPERSON:Now one of the points about4have not really absolutely proposed that his would be on the basis that,5Mr X in chief is that this would be on the basis that,5in chief, that was not part of my proposal.6would this be on the basis that the application for cross-6CHAIRPERSON:7examination plus the documents to be relied on could be7MR NTSEBEZA SC:But if it is8made at the end of the week and the police would then have9CHAIRPERSON:Yes.10with the matters that Mr Mathibedi referred to, on Monday,10MR NTSEBEZA SC:I did mer11Tuesday and Wednesday of the following week, so he would11CHAIRPERSON:Alright.12then finish his examination in chief, to give such further13on what SAPS feels about it, I mean that the sensible way to go about.15cross-examination and he could then be cross-examined.15CHAIRPERSON:Now a further16that what you're proposing?17MR NTSEBEZA SC:Mr Chair, I would like17police's attitude on this is but I think to be	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it. u know depending t would be a her question that at exactly the be fair to Mr
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of - 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 1 CHAIRPERSON: No, well, I'm 3 okay. 3 MR NTSEBEZA SC: Well, yes, whether, if 2 you to go to war. 3 4 CHAIRPERSON: Now one of the points about 4 have not really absolutely proposed that his in chief, that was not part of my proposal. 6 would this be on the basis that the application for cross- 6 CHAIRPERSON: No, but you 7 examination plus the documents to be relied on could be 8 mention it. 9 CHAIRPERSON: Yes. 10 with the matters that Mr Mathibedi referred to, on Monday, 10 MR NTSEBEZA SC: I did mer 11 Tuesday and Wednesday of the following week, so he would 11 CHAIRPERSON: Alright. 12 then finish his examination in chief, to give such further 12 <td>Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it. u know depending t would be a her question that at exactly the be fair to Mr o say a very</td>	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it. u know depending t would be a her question that at exactly the be fair to Mr o say a very
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chair 25 Kuhn, - well, it is a possibility, ja, but the other thing Page 30249 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 3 MR NTSEBEZA SC: Well, Mr 4 3 okay. 3 MR NTSEBEZA SC: Well, Mr 4 4 CHAIRPERSON: Now one of the points about 4 have not really absolutely proposed that h 5 Mr X in chief is that this would be on the basis that, 6 CHAIRPERSON: No, but you 7 examination plus the documents to be relied on could be 8 mention it. 9 CHAIRPERSON: No, but you 9 the opportunity, assuming we didn't sit on Tuesday, to deal 10 MR NTSEBEZA SC: But if it is 10 with the matters that Mr Mathibedi referred to, on Monday, 11 CHAIRPERSON: Yes. 11 cusday and Wednesday of the following week, so he would 11 CHAIRPERSON: Alid mer 12	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it. u know depending t would be a her question that at exactly the be fair to Mr o say a very sharp with him I
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 3 MR NTSEBEZA SC: Well, Mr 4 3 okay. 3 MR NTSEBEZA SC: Well, Mr 4 4 CHAIRPERSON: Now one of the points about 4 have not really absolutely proposed that h 5 Mr X in chief is that this would be on the basis that, 5 in chief, that was not part of my proposal. 6 would this be on the basis that the application for cross- 6 CHAIRPERSON: No, but you 7 examination plus the documents to be relied on could be 8 mention it. 9 CHAIRPERSON: Yes. 10 with the matters that Mr Mathibedi referred to, on Monday, 10 MR NTSEBEZA SC: Lidi mer 11 Tuesday and Wednesday of the following week, so he would 11 CHAIRPERSON: Airight. 12 MR NTSEBEZA SC: But, yo	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it. u know depending t would be a her question that at exactly the be fair to Mr o say a very sharp with him I , I can see he has
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBZA SC: Mr Chai 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of - 7 Page 30249 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 3 okay. 3 MR NTSEBEZA SC: Well, Mr 4 CHAIRPERSON: Now one of the points about 3 MR NTSEBEZA SC: Well, Mr 5 Mr X in chief is that this would be on the basis that, 5 in chief, that was not part of my proposal. 6 Vould this be on the basis that the application for cross- 6 CHAIRPERSON: No, but you 7 examination plus the documents to be relied on could be 8 mention it. 9 CHAIRPERSON: Yes. 10 with the matters that Mr Mathibedi referred to, on Monday, 10 MR NTSEBEZA SC: I did mer 11 Tuesday and Wednesday of the following week, so he would 11 CHAIRPERSON: Alright. 12 then finish his examination in chief, to give such further 12 MR NTSEBEZA SC: But, you 13 <td>Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it. u know depending t would be a her question that at exactly the be fair to Mr o say a very sharp with him I , I can see he has he may have, not of</td>	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it. u know depending t would be a her question that at exactly the be fair to Mr o say a very sharp with him I , I can see he has he may have, not of
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chair 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – Page 30249 1 is, you did say something about Mr X in chief? 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 1 CHAIRPERSON: No, well, I'm 3 MR NTSEBEZA SC: Wes, no, that would be 3 MR NTSEBEZA SC: Well, Mr 4 4 CHAIRPERSON: Now one of the points about 5 in chief, that was not part of my proposal. 5 Mr X in chief is that this would be on the basis that, 6 CHAIRPERSON: No, but you 6 would this be on the basis that the application for cross- 6 CHAIRPERSON: No, but you 7 made at the end of the week and the police would then have 8 mention it. 9 CHAIRPERSON: Yes. 10 with the matters that Mr Mathibedi referred to, on Monday, 11 CHAIRPERSON: Airight. 11 then finish his examination in chief, to give such further 12 MR NTSEBEZA SC:	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it. u know depending t would be a her question that at exactly the be fair to Mr o say a very sharp with him I , I can see he has he may have, not of me of his clients,
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chair 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of – 20 Page 30249 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 3 MR NTSEBEZA SC: Well, Mr - 3 okay. 3 MR NTSEBEZA SC: Well, Mr - 4 have not really absolutely proposed that ho 5 Mr X in chief is that this would be on the basis that, 6 CHAIRPERSON: No, but you 6 would this be on the basis that the application for cross- 7 MR NTSEBEZA SC: But if it is 7 examination plus the documents to be relied on could be 7 MR NTSEBEZA SC: But if it is 8 made at the end of the week and the police would then have 9 CHAIRPERSON: Yes. 10 with the matters that Mr Mathibedi referred to, on Monday, 10 MR NTSEBEZA SC: Id id mer 11 tuesday and Wednesday of the following week, so he would 11 CHAIRPERSON: Airight. 12 MR NTSEBEZA SC: Mr C	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it. u know depending t would be a her question that at exactly the be fair to Mr o say a very sharp with him I , I can see he has he may have, not of me of his clients, ear in his
24 CHAIRPERSON: Well, yes, whether, if 24 MR NTSEBEZA SC: Mr Chair 25 Kuhn, - well, it is a possibility, ja, but the other thing 25 go to war against that kind of - 20 Page 30249 1 CHAIRPERSON: No, well, I'm 2 MR NTSEBEZA SC: Yes, no, that would be 3 MR NTSEBEZA SC: Well, Mr - 3 okay. 3 MR NTSEBEZA SC: Well, Mr - 4 have not really absolutely proposed that ho in chief, that was not part of my proposal. 4 CHAIRPERSON: Now one of the points about 5 Mr X in chief is that this would be on the basis that, 6 CHAIRPERSON: No, but you 7 examination plus the documents to be relied on could be 8 mention it. 9 CHAIRPERSON: No, but you 10 with the matters that Mr Mathibedi referred to, on Monday, 10 MR NTSEBEZA SC: I did mer 11 tuesday and Wednesday of the following week, so he would 11 CHAIRPERSON: Airight. 12 MR NTSEBEZA SC: I did mer 12 MR NTSEBEZA SC: I did mer 13 evidence as they considerate appropriate and rely to the<	Page 30251 'm not asking r Chairman, I he must be called al. u did mention – is, I did ention it. u know depending t would be a her question that at exactly the be fair to Mr o say a very sharp with him I , I can see he has he may have, not of me of his clients, ar in his did touch on, it

	David 20252		De ve 2005 (
1	Page 30252 has said, they feel that they would like the experts to be	1	Page 30254 that one has.
2	interposed from the 23rd and there are apparently practical	2	[14:22] MR NTSEBEZA SC: As I said, having sat in
3	reasons that were communicated to me outside the chamber	3	a taxi commission, Mr Chairman.
4	and bookings have been made and I think tickets have been	4	CHAIRPERSON: Yes, please accept my
5	purchased and so forth. Now it is not normally advisable	5	commiserations. The position is this; the evidence leaders
6	to interpose witnesses like that, nor is it advisable in	6	have already indicated to Lonmin some time ago already that
7	the case of this kind to call the experts until all the	7	they anticipated their witnesses would come in, as I said
8	evidence is in so that they can give evidence on the basis	8	earlier, in July, and Lonmin accepted that, made all the
9	of that, but that's what would happen in an ideal world and	9	arrangements on the basis. When it appeared that Mr X
10	I fear we're not living in an ideal world.	10	couldn't come this week the evidence leaders appealed to
11	So what is your attitude or let me ask this Mr	11	Lonmin to help us to fill the week, not waste it, hence Mr
12	Mathibedi. Mr Mathibedi, is your applications suitably	12	Da Costa has come, but that is, as I understand it, is as
13	amplified that Mr X not be called on Monday, that, with the	13	far as Lonmin can be pushed to helping us because of the
14	evidence in chief that you can deal with in reply, but are	14	arrangements made and what was said before. So Mr X can't
15	you saying that you would not stand in the way of the	15	come in July.
16	experts being interposed from the 23rd for that week? Is	16	If the expert come, in view of the arrangements
17	that, I understood you to say that but I may misunderstood	17	and so on, that would be from the 23rd. We would have two
18	you, how do you reply to that?	18	days, 19th and the 20th of the week before in which he could
19	MR MATHIBEDI SC: That's correct,	19	give evidence and it presumably, I don't know when he
20	Chairperson, we don't have a problem if his evidence is	20	starts, but if he started then I take it he'd need two days
21	interposed and then the experts are called on the 23rd.	21	in chief. Then he could then, the expert could be
22	CHAIRPERSON: What you were saying is,	22	interposed. It's not always desirable, but as I said in an
23	even though his evidence would start later if your	23	un-ideal world one has to do things like that.
24	application is granted, you accept that the consequence of	24	But what I'm really asking you is what your
25	that would be that the experts could be interposed and	25	attitude is. Mr Mathibedi has very fairly said he realises
	Page 30253		Page 30255
1	there might be a bit of inconvenience and so forth, but it	1	the problems we have and he's prepared to make the
2	is something you'll be prepared to live with, is that	2	concession. What do you say about it?
3	right?	3	MR NTSEBEZA SC: Well, Mr Chairman, we
4	MR NTSEBEZA SC: Mr Chairman, I don't	4	are quite happy to accommodate all the other parties, and
5	know, or Mr Mathibedi is still –	5	if SAPS are quite comfortable with the experts being
6	CHAIRPERSON: He is taking instructions,	6	interposed between what happens next weekend and when –
7	I understand.	7	CHAIRPERSON: I don't think we should put
8	MR NTSEBEZA SC: No, -	8	words in Mr Mathibedi's mouth. I don't think he agreed to
9	CHAIRPERSON: He can reply to my question	9	be quite comfortable, but I think he'd be prepared to say
10	and then we carry on. Yes, Mr Mathibedi?	10	he's prepared to make that concession, uncomfortable though
11 12	MR MATHIBEDI SC: Chairperson, if the week of the expert is to be respected, I don't think there	11 12	it may be. Is that right, Mr Mathibedi? MR NTSEBEZA SC: Well, Mr Chairman, six
12	would be any harm, even if Mr X comes after the experts.	12	or half a dozen, it seems to me that – let us hear.
14	MR NTSEBEZA SC: Mr Chair, that's exactly	14	CHAIRPERSON: You're not quite
15	what I was going to propose, that Mr X can come in July for	15	comfortable, but you're prepared to bear with the
16	all I, you know.	16	discomfort. Is that a fair summary?
17	MR MATHIBEDI SC: No -	17	MR MATHIBEDI SC: Chairperson, may I
18	CHAIRPERSON: As far as –	18	discuss it with Mr Semenya?
19	MR NTSEBEZA SC: No, I'm very serious.	19	CHAIRPERSON: Yes, you may.
20	CHAIRPERSON: No, no, I'm serious too,	20	MR MATHIBEDI SC: Mr Chairperson, I've
21	you know I'm serious too. You know the evidence leaders	21	already indicated the kind of witness we are dealing with,
22	are primarily responsible for determining who is called and	22	so I think it is fair and best that, you know, his evidence
23	when, but they do share their concerns with me and I hope	23	should flow uninterrupted.
24	one day you're called upon to sit in a commission like this	24	CHAIRPERSON: So are you then withdrawing
24			
25	as the chairman because you will understand the problems	25	your concession that the experts can be called for the 23rd?

Marikana Commission of Inquiry

		1	
	Page 30256		Page 30258
1	MR MATHIBEDI SC: That's correct,	1	sit until the date in September that was –
2	Chairperson.	2	CHAIRPERSON: I don't think there's any
3	CHAIRPERSON: I see, thank you. Yes,	3	point in our going back to the President. We sent him
4	sorry, Mr Ntsebeza.	4	application, which was fully motivated. I don't know if
5	MR NTSEBEZA SC: Mr Chair, the one last	5	any of the parties have communicated to him their attitude
6	point is that whilst it is prudent – and I'm sure the	6	in relation to the application, but he has it. I
7	Commission wants to be guided by prudence – whilst it is	7	understand the Minister has been briefed about it and it's
8	prudent to prepare on the basis of what we have rather than	8	in their hands at the moment. I don't think there's
9	on what we might have or hope to have, and that is what we	9	anything further that I can say or add to what's already
10	have is 31st of July 2014 as being the termination date of	10	contained in the application. If you feel that you may be
11	this Commission, it is not imprudent to indicate to the	11	able to assist by communicating directly with the office of
12	powers that be - somebody said the powers that should not	12	the Presidency and indicating such further considerations
13	be, but the powers that be -	13	as you wish, then obviously you're free to do so.
14	CHAIRPERSON: No, you mustn't say that.	14	MR NTSEBEZA SC: Those are our
15	MR NTSEBEZA SC: - that this Commission	15	submissions, Mr Chairman.
16	has already wasted millions of rands.	16	CHAIRPERSON: Thank you, Mr Ntsebeza. Mr
17	CHAIRPERSON: You say wasted.	17	Gotz, you said you had some things to say shortly?
18	MR NTSEBEZA SC: Or spent.	18	MR GOTZ: Chair yes, just very briefly.
19	CHAIRPERSON: That money has been spent	19	We do propose simply this, that to the extent that there is
20	on a very thorough investigation. In some ways it may have	20	a postponement of the evidence of Mr X, that that time be
21	been more thorough than was required, but there were	21	utilised as fully as possible and we do support the
22	reasons why lengthy cross-examination was indulged then and	22	proposal that Colonel Modiba get called. We are very keen
23	was not stopped.	23	to cross-examine Warrant Officer Kuhn and every effort
24	MR NTSEBEZA SC: Yes.	24	should be made to bring him. I think it is Colonel Mere as
25	CHAIRPERSON: Connected with, amongst	25	well, is a witness that we would like to hear.
	Page 30257		Page 30259
1	Page 30257 other things, the credibility of the Commission.	1	Page 30259 On the subject of Mr X's evidence-in-chief our
1 2	-	1 2	5
	other things, the credibility of the Commission.		On the subject of Mr X's evidence-in-chief our
2	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes.	2	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we
2 3	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been	2 3	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the
2 3 4	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather	2 3 4	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the
2 3 4 5	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted	2 3 4 5	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The
2 3 4 5 6	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal	2 3 4 5 6	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems
2 3 4 5 6 7	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the	2 3 4 5 6 7	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned
2 3 4 5 6 7 8	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct.	2 3 4 5 6 7 8	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that –
2 3 4 5 6 7 8 9	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made	2 3 4 5 6 7 8 9	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence-
2 3 4 5 6 7 8 9 10	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made it better than I would have made it. So whilst one	2 3 4 5 6 7 8 9 10	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence- in-chief separate from the cross-examination. I take it
2 3 4 5 6 7 8 9 10 11	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made it better than I would have made it. So whilst one understands that the 31st of July is a date by which we are	2 3 4 5 6 7 8 9 10 11	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence- in-chief separate from the cross-examination. I take it from what you say with regard to ameliorating problems that
2 3 4 5 6 7 8 9 10 11 12	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made it better than I would have made it. So whilst one understands that the 31st of July is a date by which we are now bound, it will be unrealistic for us not to make the	2 3 4 5 6 7 8 9 10 11 12	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence- in-chief separate from the cross-examination. I take it from what you say with regard to ameliorating problems that you would accept that the notice of documents, etcetera, to
2 3 4 5 6 7 8 9 10 11 12 13	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made it better than I would have made it. So whilst one understands that the 31st of July is a date by which we are now bound, it will be unrealistic for us not to make the submission that an approach be made - which we will fully	2 3 4 5 6 7 8 9 10 11 12 13	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence- in-chief separate from the cross-examination. I take it from what you say with regard to ameliorating problems that you would accept that the notice of documents, etcetera, to be relied on could be given at the end of his evidence-in-
2 3 4 5 6 7 8 9 10 11 12 13 14	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made it better than I would have made it. So whilst one understands that the 31st of July is a date by which we are now bound, it will be unrealistic for us not to make the submission that an approach be made - which we will fully support – that the best possible result in the	2 3 4 5 6 7 8 9 10 11 12 13 14	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence- in-chief separate from the cross-examination. I take it from what you say with regard to ameliorating problems that you would accept that the notice of documents, etcetera, to be relied on could be given at the end of his evidence- in-chief –
2 3 4 5 6 7 8 9 10 11 12 13 14 15	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made it better than I would have made it. So whilst one understands that the 31st of July is a date by which we are now bound, it will be unrealistic for us not to make the submission that an approach be made - which we will fully support – that the best possible result in the circumstances, it will not be the best result but the best	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence- in-chief separate from the cross-examination. I take it from what you say with regard to ameliorating problems that you would accept that the notice of documents, etcetera, to be relied on could be given at the end of his evidence-in- chief – MR GOTZ: Indeed. CHAIRPERSON: - his main evidence-in- chief.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made it better than I would have made it. So whilst one understands that the 31st of July is a date by which we are now bound, it will be unrealistic for us not to make the submission that an approach be made - which we will fully support – that the best possible result in the circumstances, it will not be the best result but the best possible result that we can have in the circumstances is where we could now call all the evidence that we possibly can call and do thorough justice in the best tradition of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence- in-chief separate from the cross-examination. I take it from what you say with regard to ameliorating problems that you would accept that the notice of documents, etcetera, to be relied on could be given at the end of his evidence- in-chief – MR GOTZ: Indeed. CHAIRPERSON: - his main evidence-in- chief. MR GOTZ: Indeed.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made it better than I would have made it. So whilst one understands that the 31st of July is a date by which we are now bound, it will be unrealistic for us not to make the submission that an approach be made - which we will fully support – that the best possible result in the circumstances, it will not be the best result but the best possible result that we can have in the circumstances is where we could now call all the evidence that we possibly can call and do thorough justice in the best tradition of investigations of this nature, presided by commissioners of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence- in-chief separate from the cross-examination. I take it from what you say with regard to ameliorating problems that you would accept that the notice of documents, etcetera, to be relied on could be given at the end of his evidence-in- chief – MR GOTZ: Indeed. CHAIRPERSON: - his main evidence-in- chief. MR GOTZ: Indeed. CHAIRPERSON: But his evidence-in-chief
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made it better than I would have made it. So whilst one understands that the 31st of July is a date by which we are now bound, it will be unrealistic for us not to make the submission that an approach be made - which we will fully support – that the best possible result in the circumstances, it will not be the best result but the best possible result that we can have in the circumstances is where we could now call all the evidence that we possibly can call and do thorough justice in the best tradition of investigations of this nature, presided by commissioners of your calibre and integrity, and I say so, Mr Chairman, not	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence- in-chief separate from the cross-examination. I take it from what you say with regard to ameliorating problems that you would accept that the notice of documents, etcetera, to be relied on could be given at the end of his evidence- in-chief – MR GOTZ: Indeed. CHAIRPERSON: - his main evidence-in- chief. MR GOTZ: Indeed.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made it better than I would have made it. So whilst one understands that the 31st of July is a date by which we are now bound, it will be unrealistic for us not to make the submission that an approach be made - which we will fully support – that the best possible result in the circumstances, it will not be the best result but the best possible result that we can have in the circumstances is where we could now call all the evidence that we possibly can call and do thorough justice in the best tradition of investigations of this nature, presided by commissioners of your calibre and integrity, and I say so, Mr Chairman, not because I am aware that there is a World Cup that is	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence- in-chief separate from the cross-examination. I take it from what you say with regard to ameliorating problems that you would accept that the notice of documents, etcetera, to be relied on could be given at the end of his evidence-in- chief – MR GOTZ: Indeed. CHAIRPERSON: - his main evidence-in- chief. MR GOTZ: Indeed. CHAIRPERSON: But his evidence-in-chief
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made it better than I would have made it. So whilst one understands that the 31st of July is a date by which we are now bound, it will be unrealistic for us not to make the submission that an approach be made - which we will fully support – that the best possible result in the circumstances, it will not be the best result but the best possible result that we can have in the circumstances is where we could now call all the evidence that we possibly can call and do thorough justice in the best tradition of investigations of this nature, presided by commissioners of your calibre and integrity, and I say so, Mr Chairman, not because I am aware that there is a World Cup that is looming between the 10th of June and sometime in July. That	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence- in-chief separate from the cross-examination. I take it from what you say with regard to ameliorating problems that you would accept that the notice of documents, etcetera, to be relied on could be given at the end of his evidence-in- chief – MR GOTZ: Indeed. CHAIRPERSON: - his main evidence-in- chief. MR GOTZ: Indeed. CHAIRPERSON: But his evidence-in-chief will not be regarded as having been terminated so that Mr
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made it better than I would have made it. So whilst one understands that the 31st of July is a date by which we are now bound, it will be unrealistic for us not to make the submission that an approach be made - which we will fully support – that the best possible result in the circumstances, it will not be the best result but the best possible result that we can have in the circumstances is where we could now call all the evidence that we possibly can call and do thorough justice in the best tradition of investigations of this nature, presided by commissioners of your calibre and integrity, and I say so, Mr Chairman, not because I am aware that there is a World Cup that is looming between the 10th of June and sometime in July. That should not be seen to be something that we put into the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence- in-chief separate from the cross-examination. I take it from what you say with regard to ameliorating problems that you would accept that the notice of documents, etcetera, to be relied on could be given at the end of his evidence-in- chief – MR GOTZ: Indeed. CHAIRPERSON: - his main evidence-in- chief. MR GOTZ: Indeed. CHAIRPERSON: But his evidence-in-chief will not be regarded as having been terminated so that Mr Mathibedi, if he's to call him, would be able to examine
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made it better than I would have made it. So whilst one understands that the 31st of July is a date by which we are now bound, it will be unrealistic for us not to make the submission that an approach be made - which we will fully support – that the best possible result in the circumstances, it will not be the best result but the best possible result that we can have in the circumstances is where we could now call all the evidence that we possibly can call and do thorough justice in the best tradition of investigations of this nature, presided by commissioners of your calibre and integrity, and I say so, Mr Chairman, not because I am aware that there is a World Cup that is looming between the 10th of June and sometime in July. That should not be seen to be something that we put into the equation. I'm very serious about the fact that this	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence- in-chief separate from the cross-examination. I take it from what you say with regard to ameliorating problems that you would accept that the notice of documents, etcetera, to be relied on could be given at the end of his evidence-in- chief – MR GOTZ: Indeed. CHAIRPERSON: - his main evidence-in- chief. MR GOTZ: Indeed. CHAIRPERSON: But his evidence-in- chief. MR GOTZ: Yes, indeed.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	other things, the credibility of the Commission. MR NTSEBEZA SC: Yes. CHAIRPERSON: But a lot of money has been spent. The argument would be that it would be rather unfortunate if all that money were ultimately wasted because the Commission ended in a position not able to deal adequately with its terms of reference. So if that's the point you're making, it's obviously correct. MR NTSEBEZA SC: Mr Chairman, you've made it better than I would have made it. So whilst one understands that the 31st of July is a date by which we are now bound, it will be unrealistic for us not to make the submission that an approach be made - which we will fully support – that the best possible result in the circumstances, it will not be the best result but the best possible result that we can have in the circumstances is where we could now call all the evidence that we possibly can call and do thorough justice in the best tradition of investigations of this nature, presided by commissioners of your calibre and integrity, and I say so, Mr Chairman, not because I am aware that there is a World Cup that is looming between the 10th of June and sometime in July. That should not be seen to be something that we put into the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	On the subject of Mr X's evidence-in-chief our position is that we do believe that for two reasons we think that it is desirable and indeed possible to hear the evidence-in-chief of Mr X before and separate from the cross-examination, and let me explain that, Chair. The first reason is that it ameliorates many of the problems that have been identified by the SAPS as well as my learned friend Mr Mpofu. The second reason is that – CHAIRPERSON: It's not just the evidence- in-chief separate from the cross-examination. I take it from what you say with regard to ameliorating problems that you would accept that the notice of documents, etcetera, to be relied on could be given at the end of his evidence-in- chief – MR GOTZ: Indeed. CHAIRPERSON: - his main evidence-in- chief. MR GOTZ: Indeed. CHAIRPERSON: But his evidence-in-chief will not be regarded as having been terminated so that Mr Mathibedi, if he's to call him, would be able to examine him further in chief in relation to some of the documents to be relied on.

Pretoria

1	Page 30260 would begin thereafter.	1	Page 30262 he has no availability during the course of July. So if we
2	MR GOTZ: Yes, indeed.	2	are facing a deadline of the end of July the consequence of
3	CHAIRPERSON: I think your –	3	not allowing the experts to be called in the week of the
4	MR GOTZ: And there will be an –	4	23rd is essentially that the Commission will not have the
5	CHAIRPERSON: To be fair, if you didn't	5	benefit of hearing the evidence of Mr White, and it's on
6	do it that way you wouldn't really ameliorate the problems,	6	that basis the arrangements have been made, that week was
7	which the SAPS have I think validly raised as problems.	7	previously agreed to and our position is that we do not
8	MR GOTZ: Indeed, Chair. There may be a	8	oppose the application but on condition that the experts
9	limited number of documents which we would have no	9	give evidence in the week of the 23rd of June.
9 10	objection to Mr Mathibedi, my learned friend Mr Mathibedi	10	-
10	addressing with the witness.	11	CHAIRPERSON: Yes, thank you. Can I ask you a question flowing from that? Do you know whether he
12	The other reason, Chair, is that certainly our	12	is – Mr White – is available in August? The reason I ask
12	team, you would know from the application to have Mr X's	13	the question is that of course we are all considering this
14	evidence hear in camera, is somewhat sceptical about	14	
14	whether this video link will in fact work practically and I	15	application against the background of the present situation, we will have to end on the 31st of July. If the
			5
16 17	think we would get certainly an indication of whether it is workable if we heard his evidence-in-chief in advance and	16 17	application for an extension is granted and if we learn
	separately. It would also give us an opportunity to	17	about it sooner rather than later, in other words before the 23rd, what would then be an appropriate way of
18 19	understand how we might properly cross-examine him given	18	proceeding would be to postpone the experts till say
20		20	August, if Mr White's not available in July, and carry on
20	the disabilities that the video link might impose upon the cross-examiners, and so we do believe that it will give a	20	with Mr X's evidence without interposition or interruption.
22	useful trial run as to whether or not a video link is a	22	As you'd appreciate it's a hypothetical question, but I
22	workable solution, or whether we need to approach you and	22	hope the hypothesis is not so farfetched that we can reject
24	point out some of the difficulties, whether or not those	23	it out of hand. It may well be that you haven't canvassed
25	can be ameliorated or remedied for the purposes of cross-	25	that with him, you've simply been told that he's travelling
20		20	
	Page 30261		Page 30263
1	Page 30261 examination we could then attempt to do, and failing that,	1	Page 30263 in July, he's not available, but I would appreciate it if
1 2		1 2	
	examination we could then attempt to do, and failing that,		in July, he's not available, but I would appreciate it if
2	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a	2	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be
2 3	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us	2 3	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to
2 3 4	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to	2 3 4	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be
2 3 4 5	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work.	2 3 4 5	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that?
2 3 4 5 6	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully	2 3 4 5 6	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I
2 3 4 5 6 7	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the	2 3 4 5 6 7	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any
2 3 4 5 6 7 8	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at	2 3 4 5 6 7 8	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean
2 3 4 5 6 7 8 9	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for	2 3 4 5 6 7 8 9 10 11	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? <u>MS HARDY:</u> Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an
2 3 4 5 6 7 8 9 10 11 12	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for the purposes of the experts. Thank you, Chair.	2 3 4 5 6 7 8 9 10 11 12	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an extension obviously sooner is better than later,
2 3 4 5 6 7 8 9 10 11 12 13	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for	2 3 4 5 6 7 8 9 10 11	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an extension obviously sooner is better than later, considering all the arrangements, the logistics and the
2 3 4 5 6 7 8 9 10 11 12 13 14	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for the purposes of the experts. Thank you, Chair. CHAIRPERSON: Thank you, Mr Gotz. Ms Hardy.	2 3 4 5 6 7 8 9 10 11 12 13 14	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? <u>MS HARDY:</u> Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an extension obviously sooner is better than later, considering all the arrangements, the logistics and the clearing of the diary that's already happened for, with the
2 3 4 5 6 7 8 9 10 11 12 13	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for the purposes of the experts. Thank you, Chair. CHAIRPERSON: Thank you, Mr Gotz. Ms Hardy. MS HARDY: Yes, thank you, Chair. Chair,	2 3 4 5 6 7 8 9 10 11 12 13 14 15	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an extension obviously sooner is better than later, considering all the arrangements, the logistics and the clearing of the diary that's already happened for, with the experts.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for the purposes of the experts. Thank you, Chair. CHAIRPERSON: Thank you, Mr Gotz. Ms Hardy. MS HARDY: Yes, thank you, Chair. Chair, just to reiterate that the Human Rights Commission, I think	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an extension obviously sooner is better than later, considering all the arrangements, the logistics and the clearing of the diary that's already happened for, with the experts. CHAIRPERSON: No, I understand. Clearly
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for the purposes of the experts. Thank you, Chair. CHAIRPERSON: Thank you, Mr Gotz. Ms Hardy. MS HARDY: Yes, thank you, Chair. Chair, just to reiterate that the Human Rights Commission, I think our position has been clear and that all parties are aware	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an extension obviously sooner is better than later, considering all the arrangements, the logistics and the clearing of the diary that's already happened for, with the experts. CHAIRPERSON: No, I understand. Clearly the sooner – if there is going to be an extension, the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for the purposes of the experts. Thank you, Chair. CHAIRPERSON: Thank you, Mr Gotz. Ms Hardy. MS HARDY: Yes, thank you, Chair. Chair, just to reiterate that the Human Rights Commission, I think our position has been clear and that all parties are aware of our position, that we don't oppose the application for	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an extension obviously sooner is better than later, considering all the arrangements, the logistics and the clearing of the diary that's already happened for, with the experts. CHAIRPERSON: No, I understand. Clearly the sooner – if there is going to be an extension, the sooner we know, the better, so that arrangements can be,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for the purposes of the experts. Thank you, Chair. CHAIRPERSON: Thank you, Mr Gotz. Ms Hardy. MS HARDY: Yes, thank you, Chair. Chair, just to reiterate that the Human Rights Commission, I think our position has been clear and that all parties are aware of our position, that we don't oppose the application for Mr X to give evidence later on the 19th of June on the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an extension obviously sooner is better than later, considering all the arrangements, the logistics and the clearing of the diary that's already happened for, with the experts. CHAIRPERSON: No, I understand. Clearly the sooner – if there is going to be an extension, the sooner we know, the better, so that arrangements can be, some of the existing arrangements can be changed and other
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for the purposes of the experts. Thank you, Chair. CHAIRPERSON: Thank you, Mr Gotz. Ms Hardy. MS HARDY: Yes, thank you, Chair. Chair, just to reiterate that the Human Rights Commission, I think our position has been clear and that all parties are aware of our position, that we don't oppose the application for Mr X to give evidence later on the 19th of June on the condition really that the 23rd of June be retained for the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an extension obviously sooner is better than later, considering all the arrangements, the logistics and the clearing of the diary that's already happened for, with the experts. CHAIRPERSON: No, I understand. Clearly the sooner – if there is going to be an extension, the sooner we know, the better, so that arrangements can be, some of the existing arrangements can be changed and other arrangements can be put in place and the sooner we do that,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for the purposes of the experts. Thank you, Chair. CHAIRPERSON: Thank you, Mr Gotz. Ms Hardy. MS HARDY: Yes, thank you, Chair. Chair, just to reiterate that the Human Rights Commission, I think our position has been clear and that all parties are aware of our position, that we don't oppose the application for Mr X to give evidence later on the 19th of June on the condition really that the 23rd of June be retained for the experts.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an extension obviously sooner is better than later, considering all the arrangements, the logistics and the clearing of the diary that's already happened for, with the experts. CHAIRPERSON: No, I understand. Clearly the sooner – if there is going to be an extension, the sooner we know, the better, so that arrangements can be, some of the existing arrangements can be changed and other arrangements can be put in place and the sooner we do that, the better. But obviously it's dependent upon our hearing
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for the purposes of the experts. Thank you, Chair. CHAIRPERSON: Thank you, Mr Gotz. Ms Hardy. MS HARDY: Yes, thank you, Chair. Chair, just to reiterate that the Human Rights Commission, I think our position has been clear and that all parties are aware of our position, that we don't oppose the application for Mr X to give evidence later on the 19th of June on the condition really that the 23rd of June be retained for the experts. Chairperson, the position for Mr White, our	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an extension obviously sooner is better than later, considering all the arrangements, the logistics and the clearing of the diary that's already happened for, with the experts. CHAIRPERSON: No, I understand. Clearly the sooner – if there is going to be an extension, the sooner we know, the better, so that arrangements can be, some of the existing arrangements can be changed and other arrangements can be put in place and the sooner we do that, the better. But obviously it's dependent upon our hearing the fate of our application.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for the purposes of the experts. Thank you, Chair. CHAIRPERSON: Thank you, Mr Gotz. Ms Hardy. MS HARDY: Yes, thank you, Chair. Chair, just to reiterate that the Human Rights Commission, I think our position has been clear and that all parties are aware of our position, that we don't oppose the application for Mr X to give evidence later on the 19th of June on the condition really that the 23rd of June be retained for the experts. Chairperson, the position for Mr White, our policing expert in particular is that he is not available	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an extension obviously sooner is better than later, considering all the arrangements, the logistics and the clearing of the diary that's already happened for, with the experts. CHAIRPERSON: No, I understand. Clearly the sooner – if there is going to be an extension, the sooner we know, the better, so that arrangements can be, some of the existing arrangements can be changed and other arrangements can be put in place and the sooner we do that, the better. But obviously it's dependent upon our hearing the fate of our application. MS HARDY: Thank you, Chair.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for the purposes of the experts. Thank you, Chair. CHAIRPERSON: Thank you, Mr Gotz. Ms Hardy. MS HARDY: Yes, thank you, Chair. Chair, just to reiterate that the Human Rights Commission, I think our position has been clear and that all parties are aware of our position, that we don't oppose the application for Mr X to give evidence later on the 19th of June on the condition really that the 23rd of June be retained for the experts. Chairperson, the position for Mr White, our policing expert in particular is that he is not available in July. He will be travelling. We have actually spoken	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an extension obviously sooner is better than later, considering all the arrangements, the logistics and the clearing of the diary that's already happened for, with the experts. CHAIRPERSON: No, I understand. Clearly the sooner – if there is going to be an extension, the sooner we know, the better, so that arrangements can be, some of the existing arrangements can be changed and other arrangements can be put in place and the sooner we do that, the better. But obviously it's dependent upon our hearing the fate of our application. MS HARDY: Thank you, Chair. CHAIRPERSON: Anybody else going to speak
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	examination we could then attempt to do, and failing that, then we would approach you in the light of your order for a different regime to be put in place. But it would give us at least as it were a trial run and an opportunity to assess whether or not the video link is to work. So we would propose that the time be fully utilised, in summary, the time be fully utilised with the calling of those witnesses that we've proposed, then the evidence of Mr X, if there's time available, and then of course I think it's pretty well agreed by all parties at the moment that the week of the 23rd should be utilised for the purposes of the experts. Thank you, Chair. CHAIRPERSON: Thank you, Mr Gotz. Ms Hardy. MS HARDY: Yes, thank you, Chair. Chair, just to reiterate that the Human Rights Commission, I think our position has been clear and that all parties are aware of our position, that we don't oppose the application for Mr X to give evidence later on the 19th of June on the condition really that the 23rd of June be retained for the experts. Chairperson, the position for Mr White, our policing expert in particular is that he is not available	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	in July, he's not available, but I would appreciate it if you could tell me at some stage what the position would be if the extension were granted and it would be possible to have the experts give evidence in August. Would you be prepared to do that? MS HARDY: Yes, Chairperson, I would. I unfortunately can't answer now whether he has any availability in August. We haven't in fact canvassed that with him on the basis of the current deadline, but I would definitely be happy to. I would just request that – I mean obviously it's out of our control, but if there is an extension obviously sooner is better than later, considering all the arrangements, the logistics and the clearing of the diary that's already happened for, with the experts. CHAIRPERSON: No, I understand. Clearly the sooner – if there is going to be an extension, the sooner we know, the better, so that arrangements can be, some of the existing arrangements can be changed and other arrangements can be put in place and the sooner we do that, the better. But obviously it's dependent upon our hearing the fate of our application. MS HARDY: Thank you, Chair.

		1	
1	Page 30264 MR BIZOS SC: Mr Chairman, I find it very	1	Page 30266 MR BIZOS SC: On the assumption that he
2	surprising to hear the representative of the South African	2	may, even on the assumption that he may in some future
3	Police withdrawing the concession that he – well, the	3	date, if we get an extension, he is able to come,
4	conversation between the two of us on at least two	4	considerable expenses have been incurred for him to be here
5	occasions that they had no objection to the experts being	5	on the 23rd of June and he is a person with an international
6	called on the 23rd. I don't know the reasons why the	6	practice. He has set the week aside. I don't know whether
7	undertaking made earlier to you in the Commission and to me	7	he would be prepared to put our funders to the expense of
8	privately at least twice before should now be withdrawn.	8	paying double fees, Mr Chairman, for travelling and –
9	Mr Chairman, we have made arrangements for particularly Mr	9	[14:42] CHAIRPERSON: What you're telling me is
10	Hendrickx to be here on the 23rd of July – I beg your	10	it may not be possible –
11	pardon, June.	11	MR BIZOS SC: It may not be possible –
12	I don't know the reason for the volte-face and I	12	CHAIRPERSON: - even if we get the
13	submit that if we expect serious and world-renowned and	13	extension, to change the dates on which –
14	make an arrangement in concurrence with our colleagues,	14	MR BIZOS SC: It would be very difficult,
15	that that should not be granted, Mr Chairman. I'm sorry to	14	Mr Chairman. You know my learned friends who charge fees,
16	use the word; we thought that we had a non-negotiable	16	sometimes if you have been booked and there are changes,
17	alternative, but I can only repeat what I have said and I	17	you want to charge. I don't know that we can approach an
18	don't wish to be dramatic, but if we expect an important	17	international expert to do, to forego the time that he has
19	expert witness who has gone to the trouble to furnish a	19	set aside even if we can fix a further date. I think that
20	document of about 120 pages and he isn't called, we don't	20	it was agreed and it should be non-negotiable and there are
20	know whether there will be an extension to August and I	20	other alternatives of having Mr X in July, but let's keep
22	don't know that arrangements should be changed once there	22	to what we have told Mr Hendrickx that he will be expected
22	was an agreement that the 23rd would be reserved, that	22	to be here on the 23rd of June. And we beseech the
23	people can get out of it –	23	Commission not to set aside that understanding upon which
24	CHAIRPERSON: You know, Mr Bizos –	24	we made an arrangement with Mr Hendrickx to be here.
20	CHAIR ERSON. TOURIOW, WE BILOS	25	we made an arrangement with wir hendricky to be here.
	Page 30265		Page 30267
1	Page 30265 MR BIZOS SC: - in the middle of their	1	Page 30267 CHAIRPERSON: Mr Semenya, are you going
1 2		1 2	
	MR BIZOS SC: - in the middle of their		CHAIRPERSON: Mr Semenya, are you going
2	MR BIZOS SC: - in the middle of their argument.	2	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr
2 3	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think	2 3	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies?
2 3 4	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all	2 3 4	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson,
2 3 4 5	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so	2 3 4 5	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me.
2 3 4 5 6	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the	2 3 4 5 6	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr
2 3 4 5 6 7	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we	2 3 4 5 6 7	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely
2 3 4 5 6 7 8	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get	2 3 4 5 6 7 8	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson?
2 3 4 5 6 7 8 9	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the	2 3 4 5 6 7 8 9	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that
2 3 4 5 6 7 8 9 10	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the assumption that those things happen, and assuming we get it	2 3 4 5 6 7 8 9 10	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that there has been a misunderstanding. There is no
2 3 4 5 6 7 8 9 10 11	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the assumption that those things happen, and assuming we get it before, far enough before the 23rd for the arrangements for	2 3 4 5 6 7 8 9 10 11	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that there has been a misunderstanding. There is no genuflecting or volte face on our part. We merely stated
2 3 4 5 6 7 8 9 10 11 12	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the assumption that those things happen, and assuming we get it before, far enough before the 23rd for the arrangements for the 23rd to be cancelled and to be substituted by	2 3 4 5 6 7 8 9 10 11 12	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that there has been a misunderstanding. There is no genuflecting or volte face on our part. We merely stated that the week of the 23rd must still be maintained for the
2 3 4 5 6 7 8 9 10 11 12 13	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the assumption that those things happen, and assuming we get it before, far enough before the 23rd for the arrangements for the 23rd to be cancelled and to be substituted by arrangements for August, that is the question I asked.	2 3 4 5 6 7 8 9 10 11 12 13	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that there has been a misunderstanding. There is no genuflecting or volte face on our part. We merely stated that the week of the 23rd must still be maintained for the experts. The only difference, we don't mind White coming
2 3 4 5 6 7 8 9 10 11 12 13 14	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the assumption that those things happen, and assuming we get it before, far enough before the 23rd for the arrangements for the 23rd to be cancelled and to be substituted by arrangements for August, that is the question I asked. Obviously if the arrangements can't be changed,	2 3 4 5 6 7 8 9 10 11 12 13 14	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that there has been a misunderstanding. There is no genuflecting or volte face on our part. We merely stated that the week of the 23rd must still be maintained for the experts. The only difference, we don't mind White coming after that week. So there's no genuflexion on our part.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the assumption that those things happen, and assuming we get it before, far enough before the 23rd for the arrangements for the 23rd to be cancelled and to be substituted by arrangements for August, that is the question I asked. Obviously if the arrangements can't be changed, then the question falls away. Obviously, however, if they can be changed, it would clearly desirably, I would think, for the experts to come later, if that can be done, and	2 3 4 5 6 7 8 9 10 11 12 13 14 15	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that there has been a misunderstanding. There is no genuflecting or volte face on our part. We merely stated that the week of the 23rd must still be maintained for the experts. The only difference, we don't mind White coming after that week. So there's no genuflexion on our part. [Microphone off, inaudible] X.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the assumption that those things happen, and assuming we get it before, far enough before the 23rd for the arrangements for the 23rd to be cancelled and to be substituted by arrangements for August, that is the question I asked. Obviously if the arrangements can't be changed, then the question falls away. Obviously, however, if they can be changed, it would clearly desirably, I would think,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that there has been a misunderstanding. There is no genuflecting or volte face on our part. We merely stated that the week of the 23rd must still be maintained for the experts. The only difference, we don't mind White coming after that week. So there's no genuflexion on our part. [Microphone off, inaudible] X. CHAIRPERSON: You say X can come after Y,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the assumption that those things happen, and assuming we get it before, far enough before the 23rd for the arrangements for the 23rd to be cancelled and to be substituted by arrangements for August, that is the question I asked. Obviously if the arrangements can't be changed, then the question falls away. Obviously, however, if they can be changed, it would clearly desirably, I would think, for the experts to come later, if that can be done, and	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that there has been a misunderstanding. There is no genuflecting or volte face on our part. We merely stated that the week of the 23rd must still be maintained for the experts. The only difference, we don't mind White coming after that week. So there's no genuflexion on our part. [Microphone off, inaudible] X. CHAIRPERSON: You say X can come after Y, after the experts. [Microphone off, inaudible.] No – no,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the assumption that those things happen, and assuming we get it before, far enough before the 23rd for the arrangements for the 23rd to be cancelled and to be substituted by arrangements for August, that is the question I asked. Obviously if the arrangements can't be changed, then the question falls away. Obviously, however, if they can be changed, it would clearly desirably, I would think, for the experts to come later, if that can be done, and that was the basis on which the question was asked. Some	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that there has been a misunderstanding. There is no genuflecting or volte face on our part. We merely stated that the week of the 23rd must still be maintained for the experts. The only difference, we don't mind White coming after that week. So there's no genuflexion on our part. [Microphone off, inaudible] X. CHAIRPERSON: You say X can come after Y, after the experts. [Microphone off, inaudible.] No – no, I understand that but the point has been raised in some
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the assumption that those things happen, and assuming we get it before, far enough before the 23rd for the arrangements for the 23rd to be cancelled and to be substituted by arrangements for August, that is the question I asked. Obviously if the arrangements can't be changed, then the question falls away. Obviously, however, if they can be changed, it would clearly desirably, I would think, for the experts to come later, if that can be done, and that was the basis on which the question is based may fall away, and that I think is what you're addressing, but on the assumptions that I put to you, then – and if Mr	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that there has been a misunderstanding. There is no genuflecting or volte face on our part. We merely stated that the week of the 23rd must still be maintained for the experts. The only difference, we don't mind White coming after that week. So there's no genuflexion on our part. [Microphone off, inaudible] X. CHAIRPERSON: You say X can come after Y, after the experts. [Microphone off, inaudible.] No – no, I understand that but the point has been raised in some circles that it's desirable the experts give evidence after
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the assumption that those things happen, and assuming we get it before, far enough before the 23rd for the arrangements for the 23rd to be cancelled and to be substituted by arrangements for August, that is the question I asked. Obviously if the arrangements can't be changed, then the question falls away. Obviously, however, if they can be changed, it would clearly desirably, I would think, for the experts to come later, if that can be done, and that was the basis on which the question is based may fall away, and that I think is what you're addressing, but on the assumptions that I put to you, then – and if Mr Hendrickx can come in August and Mr White and Mr De Rover	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that there has been a misunderstanding. There is no genuflecting or volte face on our part. We merely stated that the week of the 23rd must still be maintained for the experts. The only difference, we don't mind White coming after that week. So there's no genuflexion on our part. [Microphone off, inaudible] X. CHAIRPERSON: You say X can come after Y, after the experts. [Microphone off, inaudible.] No – no, I understand that but the point has been raised in some circles that it's desirable the experts give evidence after X but what you're saying is, you understand that but you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the assumption that those things happen, and assuming we get it before, far enough before the 23rd for the arrangements for the 23rd to be cancelled and to be substituted by arrangements for August, that is the question I asked. Obviously if the arrangements can't be changed, then the question falls away. Obviously, however, if they can be changed, it would clearly desirably, I would think, for the experts to come later, if that can be done, and that was the basis on which the question is based may fall away, and that I think is what you're addressing, but on the assumptions that I put to you, then – and if Mr Hendrickx can come in August and Mr White and Mr De Rover can come in August, and if there's an extension which makes	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that there has been a misunderstanding. There is no genuflecting or volte face on our part. We merely stated that the week of the 23rd must still be maintained for the experts. The only difference, we don't mind White coming after that week. So there's no genuflexion on our part. [Microphone off, inaudible] X. CHAIRPERSON: You say X can come after Y, after the experts. [Microphone off, inaudible.] No – no, I understand that but the point has been raised in some circles that it's desirable the experts give evidence after X but what you're saying is, you understand that but you would be prepared to agree to a situation where he comes after the experts. I understand. Alright, thank you. Mr Chaskalson?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the assumption that those things happen, and assuming we get it before, far enough before the 23rd for the arrangements for the 23rd to be cancelled and to be substituted by arrangements for August, that is the question I asked. Obviously if the arrangements can't be changed, then the question falls away. Obviously, however, if they can be changed, it would clearly desirably, I would think, for the experts to come later, if that can be done, and that was the basis on which the question is based may fall away, and that I think is what you're addressing, but on the assumptions that I put to you, then – and if Mr Hendrickx can come in August and Mr White and Mr De Rover can come in August, and if there's an extension which makes it possible for them to come in August, what should happen?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that there has been a misunderstanding. There is no genuflecting or volte face on our part. We merely stated that the week of the 23rd must still be maintained for the experts. The only difference, we don't mind White coming after that week. So there's no genuflexion on our part. [Microphone off, inaudible] X. CHAIRPERSON: You say X can come after Y, after the experts. [Microphone off, inaudible.] No – no, I understand that but the point has been raised in some circles that it's desirable the experts give evidence after X but what you're saying is, you understand that but you would be prepared to agree to a situation where he comes after the experts. I understand. Alright, thank you. Mr Chaskalson? MR CHASKALSON SC: Thank you, Chair.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	MR BIZOS SC: - in the middle of their argument. CHAIRPERSON: Mr Bizos, I don't think you're understanding what I put to Ms Hardy. This is all dependent upon what conclusion I ultimately come to, so it's hypothetical on that basis. It's hypothetical on the further basis that assuming we get the extension and we know about it fairly soon – we don't know whether we'll get it and we don't know if we'll get it soon, but on the assumption that those things happen, and assuming we get it before, far enough before the 23rd for the arrangements for the 23rd to be cancelled and to be substituted by arrangements for August, that is the question I asked. Obviously if the arrangements can't be changed, then the question falls away. Obviously, however, if they can be changed, it would clearly desirably, I would think, for the experts to come later, if that can be done, and that was the basis on which the question is based may fall away, and that I think is what you're addressing, but on the assumptions that I put to you, then – and if Mr Hendrickx can come in August and Mr White and Mr De Rover can come in August, and if there's an extension which makes	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: Mr Semenya, are you going to reply or are you just going to say something before Mr Mathibedi replies? MR CHASKALSON SC: Sorry, Chairperson, I'd like to have my say before people reply to me. CHAIRPERSON: No, you're absolutely right, it's obviously not a reply. You're quite right. Mr Semenya, do you want to say something before Mr Chaskalson? MR SEMENYA SC: It is clear to us that there has been a misunderstanding. There is no genuflecting or volte face on our part. We merely stated that the week of the 23rd must still be maintained for the experts. The only difference, we don't mind White coming after that week. So there's no genuflexion on our part. [Microphone off, inaudible] X. CHAIRPERSON: You say X can come after Y, after the experts. [Microphone off, inaudible.] No – no, I understand that but the point has been raised in some circles that it's desirable the experts give evidence after X but what you're saying is, you understand that but you would be prepared to agree to a situation where he comes after the experts. I understand. Alright, thank you. Mr Chaskalson?

		T	
	Page 30268		Page 30270
1	Commission with pneumonia for some time so I haven't been	1	days in total for Mr X, four days for the experts, four
2	caught up in the day-to-day hearings of the Commission.	2	days for the two ministers, Mr Ramaphosa and the National
3	I've had the opportunity to take a bird's eye view of	3	Commissioner, given that those are witnesses who have
4	matters and it's a very worrying view. And I want to give	4	scheduling constraints and so they will probably spend – we
5	some details here so that everybody understands the full	5	will have wasted chunks of days around them possibly – and
6	implications of the course of action suggested by SAPS and	6	five days for oral argument. So that leaves us with a
7	doesn't bang into these implications when it's too late to	7	maximum of 13 days to play with and that's assuming we have
8	do anything about it.	8	no break at all between oral evidence and argument, no more
9	The starting point, and I want to get into some	9	applications like the one we've had today. And let's see
10	detail because one needs to understand the detail, the	10	what we have to fit in, into those 13 days. All of the
11	starting point is that as things stand this Commission ends	11	Lonmin witnesses other than Mr Da Costa and the way things
12	on 31 July. We have to proceed on that basis. From Monday $% \left({{{\left({{{{\rm{T}}}} \right)}}} \right)$	12	have run today I suspect Mr Da Costa will spill over onto
13	next week we have 34 hearing days left, 34 hearing days	13	Monday now.
14	until the 31st July. Eight of those hearing days are	14	CHAIRPERSON: He won't be here on Monday
15	Fridays on which we sit for two hours less. That	15	because his counsel won't be here.
16	translates to the loss of 16 hours, which is approximately	16	MR CHASKALSON SC: Well, if he doesn't
17	three ordinary days.	17	spill over onto Monday then he'll have to spill over onto
18	CHAIRPERSON: Except that that must be	18	some more time that is within the 13 days that are left.
19	read with the fact that we start earlier in the morning	19	CHAIRPERSON: Well, unless Mr Van As can
20	that ordinary courts do, we normally take shorter lunch	20	come and handle the -
21	breaks than ordinary courts do and as far as I understand,	21	MR CHASKALSON SC: - what we have to fit
22	if you take the two hours off on Friday you have got more	22	into the 13 days.
23	than enough credit for the extra time we've gained by	23	CHAIRPERSON: No – no, I'm just thinking
24	sitting the longer hours –	24	aloud. Mr Van As nodded his head.
25	MR CHASKALSON SC: No, no, Chairperson,	25	MR VAN AS: We'll have to take
	Page 30269		Page 30271
1	the way we divide our time has a rationale to it. We sit	1	instructions, Mr Chair.
2	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court	2	instructions, Mr Chair. CHAIRPERSON: I see.
2 3	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we	2 3	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of
2 3 4	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we	2 3 4	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three
2 3 4 5	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this	2 3 4 5	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X,
2 3 4 5 6	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days.	2 3 4 5 6	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn
2 3 4 5 6 7	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays	2 3 4 5 6 7	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have
2 3 4 5 6 7 8	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we	2 3 4 5 6 7 8	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in
2 3 4 5 6 7 8 9	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating	2 3 4 5 6 7 8 9	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission
2 3 4 5 6 7 8 9 10	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31	2 3 4 5 6 7 8 9 10	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on
2 3 4 5 6 7 8 9 10 11	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left.	2 3 4 5 6 7 8 9 10 11	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now
2 3 4 5 6 7 8 9 10 11 12	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left. On our estimates, cutting things as fine as	2 3 4 5 6 7 8 9 10 11 12	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now let me list some of the issues that I have in mind in this
2 3 4 5 6 7 8 9 10 11 12 13	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left. On our estimates, cutting things as fine as possible, we have to use a minimum of 18 of those 31 days	2 3 4 5 6 7 8 9 10 11 12 13	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now let me list some of the issues that I have in mind in this regard. The background to the events of the week 9 to 16
2 3 4 5 6 7 8 9 10 11 12 13 14	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left. On our estimates, cutting things as fine as possible, we have to use a minimum of 18 of those 31 days for Mr X, the experts, the ministers, Mr Ramaphosa and the	2 3 4 5 6 7 8 9 10 11 12 13 14	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now let me list some of the issues that I have in mind in this regard. The background to the events of the week 9 to 16 August and the negotiations between Lonmin and the rock
2 3 4 5 6 7 8 9 10 11 12 13 14 15	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left. On our estimates, cutting things as fine as possible, we have to use a minimum of 18 of those 31 days for Mr X, the experts, the ministers, Mr Ramaphosa and the recall of the National Commissioner and oral argument.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now let me list some of the issues that I have in mind in this regard. The background to the events of the week 9 to 16 August and the negotiations between Lonmin and the rock drill operators in July 2012, there is now some from Mr Da
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left. On our estimates, cutting things as fine as possible, we have to use a minimum of 18 of those 31 days for Mr X, the experts, the ministers, Mr Ramaphosa and the recall of the National Commissioner and oral argument. CHAIRPERSON: I didn't get that. You say	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now let me list some of the issues that I have in mind in this regard. The background to the events of the week 9 to 16 August and the negotiations between Lonmin and the rock drill operators in July 2012, there is now some from Mr Da Costa. The initial organisation of the strike. The
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left. On our estimates, cutting things as fine as possible, we have to use a minimum of 18 of those 31 days for Mr X, the experts, the ministers, Mr Ramaphosa and the recall of the National Commissioner and oral argument. CHAIRPERSON: I didn't get that. You say at least 18 days to be used for X, experts –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now let me list some of the issues that I have in mind in this regard. The background to the events of the week 9 to 16 August and the negotiations between Lonmin and the rock drill operators in July 2012, there is now some from Mr Da Costa. The initial organisation of the strike. The attitude of AMCU to the strike and the actual involvement
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left. On our estimates, cutting things as fine as possible, we have to use a minimum of 18 of those 31 days for Mr X, the experts, the ministers, Mr Ramaphosa and the recall of the National Commissioner and oral argument. CHAIRPERSON: I didn't get that. You say at least 18 days to be used for X, experts – MR CHASKALSON SC: The ministers –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now let me list some of the issues that I have in mind in this regard. The background to the events of the week 9 to 16 August and the negotiations between Lonmin and the rock drill operators in July 2012, there is now some from Mr Da Costa. The initial organisation of the strike. The attitude of AMCU to the strike and the actual involvement or non-involvement of AMCU in its organisation. The point
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left. On our estimates, cutting things as fine as possible, we have to use a minimum of 18 of those 31 days for Mr X, the experts, the ministers, Mr Ramaphosa and the recall of the National Commissioner and oral argument. CHAIRPERSON: I didn't get that. You say at least 18 days to be used for X, experts – MR CHASKALSON SC: The ministers.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now let me list some of the issues that I have in mind in this regard. The background to the events of the week 9 to 16 August and the negotiations between Lonmin and the rock drill operators in July 2012, there is now some from Mr Da Costa. The initial organisation of the strike. The attitude of AMCU to the strike and the actual involvement or non-involvement of AMCU in its organisation. The point at which the strike turned violent. The incidents where
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left. On our estimates, cutting things as fine as possible, we have to use a minimum of 18 of those 31 days for Mr X, the experts, the ministers, Mr Ramaphosa and the recall of the National Commissioner and oral argument. CHAIRPERSON: I didn't get that. You say at least 18 days to be used for X, experts – MR CHASKALSON SC: The ministers. MR CHASKALSON SC: The ministers.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now let me list some of the issues that I have in mind in this regard. The background to the events of the week 9 to 16 August and the negotiations between Lonmin and the rock drill operators in July 2012, there is now some from Mr Da Costa. The initial organisation of the strike. The attitude of AMCU to the strike and the actual involvement or non-involvement of AMCU in its organisation. The point at which the strike turned violent. The incidents where Lonmin security shot at strikers on the evening or night of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left. On our estimates, cutting things as fine as possible, we have to use a minimum of 18 of those 31 days for Mr X, the experts, the ministers, Mr Ramaphosa and the recall of the National Commissioner and oral argument. CHAIRPERSON: I didn't get that. You say at least 18 days to be used for X, experts – MR CHASKALSON SC: The ministers. MR CHASKALSON SC: Mr Ramaphosa and the National Commissioner.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now let me list some of the issues that I have in mind in this regard. The background to the events of the week 9 to 16 August and the negotiations between Lonmin and the rock drill operators in July 2012, there is now some from Mr Da Costa. The initial organisation of the strike. The attitude of AMCU to the strike and the actual involvement or non-involvement of AMCU in its organisation. The point at which the strike turned violent. The incidents where Lonmin security shot at strikers on the evening or night of the 10th of August. Why the strikers moved to the koppie.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left. On our estimates, cutting things as fine as possible, we have to use a minimum of 18 of those 31 days for Mr X, the experts, the ministers, Mr Ramaphosa and the recall of the National Commissioner and oral argument. CHAIRPERSON: I didn't get that. You say at least 18 days to be used for X, experts – MR CHASKALSON SC: The ministers – CHAIRPERSON: The ministers. MR CHASKALSON SC: Mr Ramaphosa and the National Commissioner. CHAIRPERSON: The ministers – CHAIRPERSON: The ministers –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now let me list some of the issues that I have in mind in this regard. The background to the events of the week 9 to 16 August and the negotiations between Lonmin and the rock drill operators in July 2012, there is now some from Mr Da Costa. The initial organisation of the strike. The attitude of AMCU to the strike and the actual involvement or non-involvement of AMCU in its organisation. The point at which the strike turned violent. The incidents where Lonmin security shot at strikers on the evening or night of the 10th of August. Why the strikers moved to the koppie. The confrontation at the NUM office on the 11th of August.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left. On our estimates, cutting things as fine as possible, we have to use a minimum of 18 of those 31 days for Mr X, the experts, the ministers, Mr Ramaphosa and the recall of the National Commissioner and oral argument. CHAIRPERSON: I didn't get that. You say at least 18 days to be used for X, experts – MR CHASKALSON SC: Mr Ramaphosa and the National Commissioner. CHAIRPERSON: The ministers. MR CHASKALSON SC: Mr Ramaphosa and the National Commissioner. CHAIRPERSON: The ministers. MR CHASKALSON SC: Mr Ramaphosa and the National Commissioner. CHAIRPERSON: The ministers.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now let me list some of the issues that I have in mind in this regard. The background to the events of the week 9 to 16 August and the negotiations between Lonmin and the rock drill operators in July 2012, there is now some from Mr Da Costa. The initial organisation of the strike. The attitude of AMCU to the strike and the actual involvement or non-involvement of AMCU in its organisation. The point at which the strike turned violent. The incidents where Lonmin security shot at strikers on the evening or night of the 10th of August. Why the strikers moved to the koppie. The confrontation at the NUM office on the 11th of August. The possibility of a 45th victim who may have been killed by
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left. On our estimates, cutting things as fine as possible, we have to use a minimum of 18 of those 31 days for Mr X, the experts, the ministers, Mr Ramaphosa and the recall of the National Commissioner and oral argument. CHAIRPERSON: I didn't get that. You say at least 18 days to be used for X, experts – MR CHASKALSON SC: The ministers – CHAIRPERSON: The ministers. MR CHASKALSON SC: Mr Ramaphosa and the National Commissioner. CHAIRPERSON: The ministers. MR CHASKALSON SC: Mr Ramaphosa and the National Commissioner. CHAIRPERSON: The Mational Commissioner – MR CHASKALSON SC: And oral argument. And if I can break up how we get to 18 days and we do	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now let me list some of the issues that I have in mind in this regard. The background to the events of the week 9 to 16 August and the negotiations between Lonmin and the rock drill operators in July 2012, there is now some from Mr Da Costa. The initial organisation of the strike. The attitude of AMCU to the strike and the actual involvement or non-involvement of AMCU in its organisation. The point at which the strike turned violent. The incidents where Lonmin security shot at strikers on the evening or night of the 10th of August. Why the strikers moved to the koppie. The confrontation at the NUM office on the 11th of August. The possibility of a 45th victim who may have been killed by strikers on the 11th or 12th of August and is reported in
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	the way we divide our time has a rationale to it. We sit in a week more than the total number of hours that a court sits but for the purposes of assessing how much time we have left in terms of allocating days for witnesses when we work notionally with an ordinary full day, when we say this witness will take two days we mean two ordinary days. Eight of those days that are available to us are Fridays and those are not ordinary days, so in those eight days we lose three ordinary days. So for the purpose of allocating the time that remains we have 31 ordinary days left, 31 ordinary days left. On our estimates, cutting things as fine as possible, we have to use a minimum of 18 of those 31 days for Mr X, the experts, the ministers, Mr Ramaphosa and the recall of the National Commissioner and oral argument. CHAIRPERSON: I didn't get that. You say at least 18 days to be used for X, experts – MR CHASKALSON SC: Mr Ramaphosa and the National Commissioner. CHAIRPERSON: The ministers. MR CHASKALSON SC: Mr Ramaphosa and the National Commissioner. CHAIRPERSON: The ministers. MR CHASKALSON SC: Mr Ramaphosa and the National Commissioner. CHAIRPERSON: The ministers.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	instructions, Mr Chair. CHAIRPERSON: I see. MR CHASKALSON SC: Including the end of Mr Da Costa's witness, evidence. Mr Mpofu's three witnesses and the remaining SAPS witnesses apart from Mr X, at least Mr Modiba, Colonel Modiba, if Warrant Officer Kuhn is well enough, Warrant Officer Kuhn as well. We also have to ensure that in those remaining 13 days we canvass in evidence substantial sections of the work of the Commission where there is, as things stand, very little evidence on record and in many cases no evidence at all on record. Now let me list some of the issues that I have in mind in this regard. The background to the events of the week 9 to 16 August and the negotiations between Lonmin and the rock drill operators in July 2012, there is now some from Mr Da Costa. The initial organisation of the strike. The attitude of AMCU to the strike and the actual involvement or non-involvement of AMCU in its organisation. The point at which the strike turned violent. The incidents where Lonmin security shot at strikers on the evening or night of the 10th of August. Why the strikers moved to the koppie. The confrontation at the NUM office on the 11th of August. The possibility of a 45th victim who may have been killed by

		T	
	Page 30272		Page 30274
1	of August. The murder of the security guards on the 12th of	1	and wellbeing and whose evidence will suffer from all of
2	August. The murder of Mr Mabebe and the assaults and	2	the disabilities that come with that sort of relationship
3	destruction of property at K4 shaft on the night of the 12th	3	of dependence. One doesn't want to be in a situation where
4	of August. The murder of Mr Langa on the morning of the	4	one is utterly dependent on the evidence of that sort of a
5	13th of August. The murder of Mr Twala on the 14th of	5	witness. It goes further, Mr Chairperson, because – no,
6	August. Any communications or instructions from members of	6	no, it doesn't because Mr Semenya qualified Mr Mathibedi's
7	the National Executive to the National Commissioner on the	7	statement earlier.
8	15th of August. Lonmin's involvement, if any, in the events	8	It seems to me, Chairperson, that in response to
9	of the 16th of August.	9	this application the Commission has to be guided by two
10	CHAIRPERSON: There is another issue you	10	principles. The one now seems to be common cause, it
11	left out and that is the extent to which the proceeds, when	11	relates to the experts but I do want to emphasise that from
12	item 7 on the agenda was discussed at the national	12	the perspective of the evidence leaders, the four days for
13	management forum on the evening of the 15th and if it was	13	the experts should be treated as sacrosanct. And in this
14	recorded, what happened to the recording?	14	regard I want to emphasise and in relation to the
15	MR CHASKALSON SC: That we may be able to	15	recommendations that the Commission has to make - because
16	do without – that we may be able to do through	16	the Commission doesn't just make findings, it makes
17	interrogatory without evidence but it would be ideal to do	17	recommendations – in relation to the recommendations, the
18	it on evidence. And finally I should just point out that	18	testimony of the experts and their cross-examination may
19	we are assuming that there will be no evidence on the	19	well turn out to be the most important testimony that is
20	surviving phase 2 issues, no evidence at all, no oral	20	heard by this Commission and we lost a great deal of value
21 22	evidence, it will all be on paper. What that means, Mr	21 22	if we don't have all four experts in the room together at
22	Chairperson, is we just simply do not have the luxury of being able to lose available hearing days through	22	the same time so that that process of testing their proposition on what recommendations this Commission is
23 24	postponements.	23 24	going to make going forward about policing in South Africa,
24	CHAIRPERSON: I'm sorry to interrupt you,	24 25	are the best possible recommendations. So we have to treat
20	chana Ekson. Thi sorry to interrupt you,	25	are the best possible recommendations. So we have to treat
	Page 30273		Page 30275
1	Page 30273 there's one other factor that occurs to me and that is it	1	Page 30275 those four days as sacrosanct but the other principle is
1 2	5	1 2	5
	there's one other factor that occurs to me and that is it		those four days as sacrosanct but the other principle is
2	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with	2	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days
2 3	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says.	2 3	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose.
2 3 4	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument	2 3 4	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We
2 3 4 5	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a	2 3 4 5	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin
2 3 4 5 6	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better	2 3 4 5 6	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the
2 3 4 5 6 7	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable	2 3 4 5 6 7	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X
2 3 4 5 6 7 8	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have	2 3 4 5 6 7 8	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have
2 3 4 5 6 7 8 9	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood	2 3 4 5 6 7 8 9	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been
2 3 4 5 6 7 8 9 10	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood that if there is a loss of three days next week, the	2 3 4 5 6 7 8 9 10	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been arranged for times other than next week. The experts are
2 3 4 5 6 7 8 9 10 11	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood that if there is a loss of three days next week, the deadline of 31 July will arrive with the Commission unable	2 3 4 5 6 7 8 9 10 11	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been arranged for times other than next week. The experts are not available next week. Mr Mpofu is clearly not
2 3 4 5 6 7 8 9 10 11 12 13 14	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood that if there is a loss of three days next week, the deadline of 31 July will arrive with the Commission unable to say anything about a range of issues that fall squarely	2 3 4 5 6 7 8 9 10 11 12 13 14	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been arranged for times other than next week. The experts are not available next week. Mr Mpofu is clearly not suggesting that his witnesses can fill the gap next week
2 3 4 5 6 7 8 9 10 11 12 13	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood that if there is a loss of three days next week, the deadline of 31 July will arrive with the Commission unable to say anything about a range of issues that fall squarely within its terms of reference which were never addressed in	2 3 4 5 6 7 8 9 10 11 12 13 14 15	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been arranged for times other than next week. The experts are not available next week. Mr Mpofu is clearly not suggesting that his witnesses can fill the gap next week and it wouldn't be fair to him to ask that, they weren't
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood that if there is a loss of three days next week, the deadline of 31 July will arrive with the Commission unable to say anything about a range of issues that fall squarely within its terms of reference which were never addressed in evidence. We're talking about losing roughly a quarter of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been arranged for times other than next week. The experts are not available next week. Mr Mpofu is clearly not suggesting that his witnesses can fill the gap next week and it wouldn't be fair to him to ask that, they weren't supposed to come next week.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood that if there is a loss of three days next week, the deadline of 31 July will arrive with the Commission unable to say anything about a range of issues that fall squarely within its terms of reference which were never addressed in evidence. We're talking about losing roughly a quarter of the time that is still available for us to deal with	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been arranged for times other than next week. The experts are not available next week. Mr Mpofu is clearly not suggesting that his witnesses can fill the gap next week and it wouldn't be fair to him to ask that, they weren't supposed to come next week. It's not clear to the evidence leaders that we
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood that if there is a loss of three days next week, the deadline of 31 July will arrive with the Commission unable to say anything about a range of issues that fall squarely within its terms of reference which were never addressed in evidence. We're talking about losing roughly a quarter of the time that is still available for us to deal with matters that I've listed there.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been arranged for times other than next week. The experts are not available next week. Mr Mpofu is clearly not suggesting that his witnesses can fill the gap next week and it wouldn't be fair to him to ask that, they weren't supposed to come next week. It's not clear to the evidence leaders that we could serve any useful purpose cross-examining Captain Kidd
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood that if there is a loss of three days next week, the deadline of 31 July will arrive with the Commission unable to say anything about a range of issues that fall squarely within its terms of reference which were never addressed in evidence. We're talking about losing roughly a quarter of the time that is still available for us to deal with matters that I've listed there. And there's another risk which is, it's not just	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been arranged for times other than next week. The experts are not available next week. Mr Mpofu is clearly not suggesting that his witnesses can fill the gap next week and it wouldn't be fair to him to ask that, they weren't supposed to come next week. It's not clear to the evidence leaders that we could serve any useful purpose cross-examining Captain Kidd on issues which have not already been covered in his cross-
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood that if there is a loss of three days next week, the deadline of 31 July will arrive with the Commission unable to say anything about a range of issues that fall squarely within its terms of reference which were never addressed in evidence. We're talking about losing roughly a quarter of the time that is still available for us to deal with matters that I've listed there. And there's another risk which is, it's not just that the Commission won't be able to say anything on a	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been arranged for times other than next week. The experts are not available next week. Mr Mpofu is clearly not suggesting that his witnesses can fill the gap next week and it wouldn't be fair to him to ask that, they weren't supposed to come next week. It's not clear to the evidence leaders that we could serve any useful purpose cross-examining Captain Kidd on issues which have not already been covered in his cross- examination by the other parties. The only issues which I
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood that if there is a loss of three days next week, the deadline of 31 July will arrive with the Commission unable to say anything about a range of issues that fall squarely within its terms of reference which were never addressed in evidence. We're talking about losing roughly a quarter of the time that is still available for us to deal with matters that I've listed there. And there's another risk which is, it's not just that the Commission won't be able to say anything on a range of issues because those issues will never have been	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been arranged for times other than next week. The experts are not available next week. Mr Mpofu is clearly not suggesting that his witnesses can fill the gap next week and it wouldn't be fair to him to ask that, they weren't supposed to come next week. It's not clear to the evidence leaders that we could serve any useful purpose cross-examining Captain Kidd on issues which have not already been covered in his cross- examination by the other parties. The only issues which I would want to put to Captain Kidd are issues where I am of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood that if there is a loss of three days next week, the deadline of 31 July will arrive with the Commission unable to say anything about a range of issues that fall squarely within its terms of reference which were never addressed in evidence. We're talking about losing roughly a quarter of the time that is still available for us to deal with matters that I've listed there. And there's another risk which is, it's not just that the Commission won't be able to say anything on a range of issues because those issues will never have been addressed in evidence, there'd be additional risk that in	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been arranged for times other than next week. The experts are not available next week. Mr Mpofu is clearly not suggesting that his witnesses can fill the gap next week and it wouldn't be fair to him to ask that, they weren't supposed to come next week. It's not clear to the evidence leaders that we could serve any useful purpose cross-examining Captain Kidd on issues which have not already been covered in his cross- examination by the other parties. The only issues which I would want to put to Captain Kidd are issues where I am of the view that his testimony is at odds with objective
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood that if there is a loss of three days next week, the deadline of 31 July will arrive with the Commission unable to say anything about a range of issues that fall squarely within its terms of reference which were never addressed in evidence. We're talking about losing roughly a quarter of the time that is still available for us to deal with matters that I've listed there. And there's another risk which is, it's not just that the Commission won't be able to say anything on a range of issues because those issues will never have been addressed in evidence, there'd be additional risk that in respect of other issues the Commission will be limited to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been arranged for times other than next week. The experts are not available next week. Mr Mpofu is clearly not suggesting that his witnesses can fill the gap next week and it wouldn't be fair to him to ask that, they weren't supposed to come next week. It's not clear to the evidence leaders that we could serve any useful purpose cross-examining Captain Kidd on issues which have not already been covered in his cross- examination by the other parties. The only issues which I would want to put to Captain Kidd are issues where I am of the view that his testimony is at odds with objective evidence and in terms of your indication earlier today and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood that if there is a loss of three days next week, the deadline of 31 July will arrive with the Commission unable to say anything about a range of issues that fall squarely within its terms of reference which were never addressed in evidence. We're talking about losing roughly a quarter of the time that is still available for us to deal with matters that I've listed there. And there's another risk which is, it's not just that the Commission won't be able to say anything on a range of issues because those issues will never have been addressed in evidence, there'd be additional risk that in respect of other issues the Commission will be limited to the evidence of Mr X who is a self-confessed multiple	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been arranged for times other than next week. The experts are not available next week. Mr Mpofu is clearly not suggesting that his witnesses can fill the gap next week and it wouldn't be fair to him to ask that, they weren't supposed to come next week. It's not clear to the evidence leaders that we could serve any useful purpose cross-examining Captain Kidd on issues which have not already been covered in his cross- examination by the other parties. The only issues which I would want to put to Captain Kidd are issues where I am of the view that his testimony is at odds with objective evidence and in terms of your indication earlier today and on earlier occasions, Chairperson, it's not necessary to do
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	there's one other factor that occurs to me and that is it may well be that Mr Mathunjwa will come back to deal with some of the things Mr X says. MR CHASKALSON SC: Yes. And the argument that is being put forward by SAPS is in fact premised on a false dichotomy because the choice is not between a better process for the evidence of Mr X and a less desirable process for the evidence of Mr X which doesn't have consequences for the remainder of the work of the Commission. In fact the choice is between a better process for the evidence of Mr X and the overwhelming likelihood that if there is a loss of three days next week, the deadline of 31 July will arrive with the Commission unable to say anything about a range of issues that fall squarely within its terms of reference which were never addressed in evidence. We're talking about losing roughly a quarter of the time that is still available for us to deal with matters that I've listed there. And there's another risk which is, it's not just that the Commission won't be able to say anything on a range of issues because those issues will never have been addressed in evidence, there'd be additional risk that in respect of other issues the Commission will be limited to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	those four days as sacrosanct but the other principle is that unless it is completely unavoidable, no hearing days should be lost. We don't have hearing days to lose. So how then do we deal with the problem? We can't hear Lonmin witnesses next week because Lonmin counsel are not available next week and in terms of the timetable that was agreed with everyone, which had Mr X testifying next week, they were given an assurance that their witnesses would not be called next week. The ministers and Mr Ramaphosa can't come next week. They have busy schedules and the dates for their testimony have been arranged for times other than next week. The experts are not available next week. Mr Mpofu is clearly not suggesting that his witnesses can fill the gap next week and it wouldn't be fair to him to ask that, they weren't supposed to come next week. It's not clear to the evidence leaders that we could serve any useful purpose cross-examining Captain Kidd on issues which have not already been covered in his cross- examination by the other parties. The only issues which I would want to put to Captain Kidd are issues where I am of the view that his testimony is at odds with objective evidence and in terms of your indication earlier today and

Marikana Commission of Inquiry

	Page 30276		Page 30278
1	it stands up or it doesn't. At best, if I were to ask for	1	dealing with that -
2	Captain Kidd to come back for cross-examination, I wouldn't	2	MR CHASKALSON SC: I will deal with it
3	spend more than an hour with him.	3	and –
4	The only witness who is clearly available and	4	CHAIRPERSON: - going on to the other
5	necessary – the only witness who we have at our disposal	5	point.
6	for next week other than Mr X is Colonel Modiba. He will	6	MR CHASKALSON SC: - I have a more
7	take probably less than two days, let's give him two days	7	radical proposal in relation to Mr X's evidence which I'll
8	which is a generous allocation. It's two out of a	8	get to in due course but our concern is, Mr Mere's evidence
9	remaining 13 days. That would leave us with three days	9	 sorry, Colonel Mere's evidence would not be a waste of
10	which are going to be wasted, a little bit less than three	10	time but the real lacuna, not the real lacuna, the real
11	because one of them is a Friday.	11	problem that we face is we have had extensive evidence on
12	CHAIRPERSON: Sorry to interrupt, I know	12	the 13th and the 16th. We have had very little evidence on
13	he's on your list of witnesses to give oral evidence but it	13	the other events of the week and in particular we've had
14	was suggested by counsel that another witness who could	14	very little evidence on the issues that do not involve SAPS
15	come or should come – Mr Ntsebeza said it and Mr Gotz	15	directly and that's where we need to focus our available
16	supported him – would be Colonel Mere. I know he's not on	16	time and calling Colonel Mere will leave us with the same
17	your list and we have statements from him. His evidence, I	17	problem, that to address that long list of issues that I
18	can see, is fairly important. There are a number of	18	read out, we have lost days from next week.
19	matters that he could deal with that might well throw light	19	CHAIRPERSON: It sounded to me from what
20	on some of the issues that are still unresolved. If he	20	you read, I was thinking, as you were reading the list, of
21	gave evidence, I would think the evidence would probably be	21	the kind of evidence that would be available to us on those
22	about a day but I don't think it would necessarily be a day	22	issues. A good deal of it, I think, would be forthcoming
23	wasted. I understand the argument about some, you know,	23	from Lonmin so it would be dealt with in the Lonmin slots
24	some –	24	which is in July.
25	MR CHASKALSON SC: Chairperson, our real	25	[15:02] MR CHASKALSON SC: That's correct, but we
	Page 30277		Page 30279
1	problem is –	1	start losing – some of it will be dealt with in the Lonmin
2	problem is – CHAIRPERSON: So there is a proposition	2	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's
2 3	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it.	2 3	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots
2 3 4	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with	2 3 4	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's
2 3 4 5	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we –	2 3 4 5	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it
2 3 4 5 6	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you.	2 3 4 5 6	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the
2 3 4 5 6 7	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of	2 3 4 5 6 7	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems
2 3 4 5 6 7 8	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence	2 3 4 5 6 7 8	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to
2 3 4 5 6 7 8 9	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief –	2 3 4 5 6 7 8 9	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following,
2 3 4 5 6 7 8 9 10	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes.	2 3 4 5 6 7 8 9 10	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday.
2 3 4 5 6 7 8 9 10 11	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes. CHAIRPERSON: - on say Thursday and	2 3 4 5 6 7 8 9 10 11	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday. SAPS were urging us to hear his evidence several weeks ago
2 3 4 5 6 7 8 9 10 11 12	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes. CHAIRPERSON: - on say Thursday and Friday, he could then stand over. That would give Mr Mpofu	2 3 4 5 6 7 8 9 10 11 12	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday. SAPS were urging us to hear his evidence several weeks ago and indeed if they had their way Mr X would have long been
2 3 4 5 6 7 8 9 10 11 12 13	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes. CHAIRPERSON: - on say Thursday and Friday, he could then stand over. That would give Mr Mpofu and the others an opportunity to prepare lists of matters,	2 3 4 5 6 7 8 9 10 11 12 13	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday. SAPS were urging us to hear his evidence several weeks ago and indeed if they had their way Mr X would have long been complete by now, so they can't complain that they are
2 3 4 5 6 7 8 9 10 11 12 13 14	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes. CHAIRPERSON: - on say Thursday and Friday, he could then stand over. That would give Mr Mpofu and the others an opportunity to prepare lists of matters, they apply for topics for cross-examination, prepare lists	2 3 4 5 6 7 8 9 10 11 12 13 14	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday. SAPS were urging us to hear his evidence several weeks ago and indeed if they had their way Mr X would have long been complete by now, so they can't complain that they are prejudiced by leading him on Monday. They've also had
2 3 4 5 6 7 8 9 10 11 12 13 14 15	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes. CHAIRPERSON: on say Thursday and Friday, he could then stand over. That would give Mr Mpofu and the others an opportunity to prepare lists of matters, they apply for topics for cross-examination, prepare lists of documents on which they'll be relying with which counsel	2 3 4 5 6 7 8 9 10 11 12 13 14 15	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday. SAPS were urging us to hear his evidence several weeks ago and indeed if they had their way Mr X would have long been complete by now, so they can't complain that they are prejudiced by leading him on Monday. They've also had access to the documents, to the dockets that have recently
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes. CHAIRPERSON: - on say Thursday and Friday, he could then stand over. That would give Mr Mpofu and the others an opportunity to prepare lists of matters, they apply for topics for cross-examination, prepare lists of documents on which they'll be relying with which counsel for SAPS could then consult with Mr X and particularly read	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday. SAPS were urging us to hear his evidence several weeks ago and indeed if they had their way Mr X would have long been complete by now, so they can't complain that they are prejudiced by leading him on Monday. They've also had access to the documents, to the dockets that have recently been made available for a long time and they're not the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes. CHAIRPERSON: - on say Thursday and Friday, he could then stand over. That would give Mr Mpofu and the others an opportunity to prepare lists of matters, they apply for topics for cross-examination, prepare lists of documents on which they'll be relying with which counsel for SAPS could then consult with Mr X and particularly read translations to him of the documents. So on Mr Gotz's	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday. SAPS were urging us to hear his evidence several weeks ago and indeed if they had their way Mr X would have long been complete by now, so they can't complain that they are prejudiced by leading him on Monday. They've also had access to the documents, to the dockets that have recently been made available for a long time and they're not the ones who need time and I must also place on record here,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes. CHAIRPERSON: on say Thursday and Friday, he could then stand over. That would give Mr Mpofu and the others an opportunity to prepare lists of matters, they apply for topics for cross-examination, prepare lists of documents on which they'll be relying with which counsel for SAPS could then consult with Mr X and particularly read translations to him of the documents. So on Mr Gotz's proposal we don't really lose any time at all because we –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday. SAPS were urging us to hear his evidence several weeks ago and indeed if they had their way Mr X would have long been complete by now, so they can't complain that they are prejudiced by leading him on Monday. They've also had access to the documents, to the dockets that have recently been made available for a long time and they're not the ones who need time and I must also place on record here, Chairperson, that the scares in relation to the bulk of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes. CHAIRPERSON: - on say Thursday and Friday, he could then stand over. That would give Mr Mpofu and the others an opportunity to prepare lists of matters, they apply for topics for cross-examination, prepare lists of documents on which they'll be relying with which counsel for SAPS could then consult with Mr X and particularly read translations to him of the documents. So on Mr Gotz's proposal we don't really lose any time at all because we – MR CHASKALSON SC: Chair –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday. SAPS were urging us to hear his evidence several weeks ago and indeed if they had their way Mr X would have long been complete by now, so they can't complain that they are prejudiced by leading him on Monday. They've also had access to the documents, to the dockets that have recently been made available for a long time and they're not the ones who need time and I must also place on record here, Chairperson, that the scares in relation to the bulk of these dockets have been grossly exaggerated. I have spent
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes. CHAIRPERSON: - on say Thursday and Friday, he could then stand over. That would give Mr Mpofu and the others an opportunity to prepare lists of matters, they apply for topics for cross-examination, prepare lists of documents on which they'll be relying with which counsel for SAPS could then consult with Mr X and particularly read translations to him of the documents. So on Mr Gotz's proposal we don't really lose any time at all because we – MR CHASKALSON SC: Chair – CHAIRPERSON: - five days or four and a	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday. SAPS were urging us to hear his evidence several weeks ago and indeed if they had their way Mr X would have long been complete by now, so they can't complain that they are prejudiced by leading him on Monday. They've also had access to the documents, to the dockets that have recently been made available for a long time and they're not the ones who need time and I must also place on record here, Chairperson, that the scares in relation to the bulk of these dockets have been grossly exaggerated. I have spent literally 15 minutes looking at the electronic files that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes. CHAIRPERSON: - on say Thursday and Friday, he could then stand over. That would give Mr Mpofu and the others an opportunity to prepare lists of matters, they apply for topics for cross-examination, prepare lists of documents on which they'll be relying with which counsel for SAPS could then consult with Mr X and particularly read translations to him of the documents. So on Mr Gotz's proposal we don't really lose any time at all because we – MR CHASKALSON SC: Chair – CHAIRPERSON: - five days or four and a half, four and two-third days and we hear, and the only	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday. SAPS were urging us to hear his evidence several weeks ago and indeed if they had their way Mr X would have long been complete by now, so they can't complain that they are prejudiced by leading him on Monday. They've also had access to the documents, to the dockets that have recently been made available for a long time and they're not the ones who need time and I must also place on record here, Chairperson, that the scares in relation to the bulk of these dockets have been grossly exaggerated. I have spent literally 15 minutes looking at the electronic files that were sent to us in relation to the dockets and this is what
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes. CHAIRPERSON: - on say Thursday and Friday, he could then stand over. That would give Mr Mpofu and the others an opportunity to prepare lists of matters, they apply for topics for cross-examination, prepare lists of documents on which they'll be relying with which counsel for SAPS could then consult with Mr X and particularly read translations to him of the documents. So on Mr Gotz's proposal we don't really lose any time at all because we – MR CHASKALSON SC: Chair – CHAIRPERSON: - five days or four and a half, four and two-third days and we hear, and the only difference is we have another witness who is not on your	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday. SAPS were urging us to hear his evidence several weeks ago and indeed if they had their way Mr X would have long been complete by now, so they can't complain that they are prejudiced by leading him on Monday. They've also had access to the documents, to the dockets that have recently been made available for a long time and they're not the ones who need time and I must also place on record here, Chairperson, that the scares in relation to the bulk of these dockets have been grossly exaggerated. I have spent literally 15 minutes looking at the electronic files that were sent to us in relation to the dockets and this is what I found out in 15 minutes. There are 20 electronic files,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes. CHAIRPERSON: - on say Thursday and Friday, he could then stand over. That would give Mr Mpofu and the others an opportunity to prepare lists of matters, they apply for topics for cross-examination, prepare lists of documents on which they'll be relying with which counsel for SAPS could then consult with Mr X and particularly read translations to him of the documents. So on Mr Gotz's proposal we don't really lose any time at all because we – MR CHASKALSON SC: Chair – CHAIRPERSON: - five days or four and a half, four and two-third days and we hear, and the only difference is we have another witness who is not on your lists, Mere, for about a day but he's not a witness whose	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday. SAPS were urging us to hear his evidence several weeks ago and indeed if they had their way Mr X would have long been complete by now, so they can't complain that they are prejudiced by leading him on Monday. They've also had access to the documents, to the dockets that have recently been made available for a long time and they're not the ones who need time and I must also place on record here, Chairperson, that the scares in relation to the bulk of these dockets have been grossly exaggerated. I have spent literally 15 minutes looking at the electronic files that were sent to us in relation to the dockets and this is what I found out in 15 minutes. There are 20 electronic files, each purporting to be done docket. Six of the 20 are
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	problem is – CHAIRPERSON: So there is a proposition that was put up by counsel so you must deal with it. MR CHASKALSON SC: Yes, I will deal with it, Chairperson. Our real problem is that we – CHAIRPERSON: Sorry to interrupt you. The other point which was suggested by Mr Gotz and some of the other counsel as well was that Mr X could give evidence in chief – MR CHASKALSON SC: Yes. CHAIRPERSON: - on say Thursday and Friday, he could then stand over. That would give Mr Mpofu and the others an opportunity to prepare lists of matters, they apply for topics for cross-examination, prepare lists of documents on which they'll be relying with which counsel for SAPS could then consult with Mr X and particularly read translations to him of the documents. So on Mr Gotz's proposal we don't really lose any time at all because we – MR CHASKALSON SC: Chair – CHAIRPERSON: - five days or four and a half, four and two-third days and we hear, and the only difference is we have another witness who is not on your	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	start losing – some of it will be dealt with in the Lonmin slots, some of it will be dealt with in Mr Mpofu's witnesses' slots but we start losing time for those slots if we are not using next week, if we're using next week's time for witnesses who aren't already on the list, as it were. But what my proposal for next week is, is the following. We have two days for Colonel Modiba who seems to be a necessary witness. We have to work out how to spend the other three days. My proposal is the following, that Mr X should give his evidence in chief on Monday. SAPS were urging us to hear his evidence several weeks ago and indeed if they had their way Mr X would have long been complete by now, so they can't complain that they are prejudiced by leading him on Monday. They've also had access to the documents, to the dockets that have recently been made available for a long time and they're not the ones who need time and I must also place on record here, Chairperson, that the scares in relation to the bulk of these dockets have been grossly exaggerated. I have spent literally 15 minutes looking at the electronic files that were sent to us in relation to the dockets and this is what I found out in 15 minutes. There are 20 electronic files,

	Page 30280		Page 30282
1	Two of the 14 relate to matters which are completely beyond	1	actually give instructions in relation to what Mr X has to
2	the terms of reference of the Commission and have no	2	say. Nobody else has to take instructions in relation to
3	bearing on Mr X whatsoever. Docket number 208 relates to	3	Mr X, nobody else can take instructions in relation to Mr
4	the unlawful possession of a firearm on the 24th of October.	4	X. Mr Mpofu needs time, the rest of us do not. The rest
5	Document number 206, sorry, docket 206 –	5	of us were in a position when –
6	CHAIRPERSON: [Microphone off, inaudible]	6	CHAIRPERSON: That's not entirely
7	MR CHASKALSON SC: 208.	7	correct. Counsel for AMCU can take instructions from Mr
8		8	Mathunjwa.
9	MR CHASKALSON SC: Theft by false	9	MR CHASKALSON SC: That's correct, I –
10	pretences on the 26th August. Now let me read the	10	but in relation to what is new and what hasn't been before
11	complainant's statement in docket 206. "On 26 August 2012	11	us for several weeks, I doubt very much whether there is
12	at about 5:45 I was at home and a man by the name of	12	anything in these dockets that will require a response from
13	Barker, who is working as a traditional leader, came to my	13	Mr Mathunjwa. The allegations in relation to Mr Mathunjwa
14	house. I know him because he was helping me doing my	14	have been known for some time, but of course if counsel for
15	rituals. He said to me that he came to collect the money	15	AMCU have a different view they can speak for themselves.
16	that I have in my bank account as he already knows that I	16	But if we were to proceed on this basis we would then use
17	have money in my bank account even though I didn't tell him	17	all of the time next week without sacrificing any time that
18	about it." It gets better. "He came with a big pot and	18	is designated currently for the matters where we most need
19	told me to put my money inside that pot, claiming that the	19	evidence and we can set deadlines for the production of
20	ancestors want me to their hands, want to put their hands	20	documents –
21	on it so that it can be more. I did as he said and he put	21	CHAIRPERSON: I'm sorry, sorry, I seem to
22	an amount of R200 000 in the pot. He went home with the	22	have not written down anything that I need for your
23	pot and the money. On the next morning I went to his place	23	argument. You say X on Monday?
24	and he was nowhere to be found. That is all I can state."	24	MR CHASKALSON SC: Modiba,
25	CHAIRPERSON: All I can say is, all I can	25	Tuesday/Wednesday.
	Page 30281		Page 30283
1	Page 30281 say is I'm surprised that the Provincial Director of Public	1	Page 30283 CHAIRPERSON: Modiba, Tuesday/Wednesday.
1 2		1 2	-
	say is I'm surprised that the Provincial Director of Public	_	CHAIRPERSON: Modiba, Tuesday/Wednesday.
2	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made	2	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross-
2 3	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission.	2	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X.
2 3 4	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages	2 3 4	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X
2 3 4 5	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing	2 3 4 5	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions.
2 3 4 5 6	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down	2 3 4 5 6	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down
2 3 4 5 6 7	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical	2 3 4 5 6 7	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the
2 3 4 5 6 7 8	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive	2 3 4 5 6 7 8	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and
2 3 4 5 6 7 8 9	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that	2 3 4 5 6 7 8 9	CHAIRPERSON:Modiba, Tuesday/Wednesday.I see, that's it and then Thursday and Friday cross- examination of X.MR CHASKALSON SC:Cross-examination of Xby parties who aren't taking instructions.CHAIRPERSON:No – no, let me get it downfirst.There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of
2 3 4 5 6 7 8 9 10	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been	2 3 4 5 6 7 8 9 10	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other
2 3 4 5 6 7 8 9 10 11	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been supplemented since they were copied onto the SAPS hard	2 3 4 5 6 7 8 9 10 11	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other documents also for that matter – then they have to give notice of that to SAPS and Mr Mathibedi has to have an
2 3 4 5 6 7 8 9 10 11 12	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been supplemented since they were copied onto the SAPS hard drive, you'll find massive duplication so that the same statements appear in multiple dockets. I would be	2 3 4 5 6 7 8 9 10 11 12	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other documents also for that matter – then they have to give notice of that to SAPS and Mr Mathibedi has to have an opportunity to consult with the witness on those –
2 3 4 5 6 7 8 9 10 11 12 13	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been supplemented since they were copied onto the SAPS hard drive, you'll find massive duplication so that the same statements appear in multiple dockets. I would be extremely surprised if there are more than 150 pages in	2 3 4 5 6 7 8 9 10 11 12 13	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other documents also for that matter – then they have to give notice of that to SAPS and Mr Mathibedi has to have an opportunity to consult with the witness on those – MR CHASKALSON SC: Tuesday and Wednesday
2 3 4 5 6 7 8 9 10 11 12 13 14	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been supplemented since they were copied onto the SAPS hard drive, you'll find massive duplication so that the same statements appear in multiple dockets. I would be extremely surprised if there are more than 150 pages in total that are even remotely relevant to the evidence of Mr	2 3 4 5 6 7 8 9 10 11 12 13 14	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other documents also for that matter – then they have to give notice of that to SAPS and Mr Mathibedi has to have an opportunity to consult with the witness on those – MR CHASKALSON SC: Tuesday and Wednesday is that opportunity, Chairperson.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been supplemented since they were copied onto the SAPS hard drive, you'll find massive duplication so that the same statements appear in multiple dockets. I would be extremely surprised if there are more than 150 pages in total that are even remotely relevant to the evidence of Mr X. That would be my – I would be very surprised if there	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other documents also for that matter – then they have to give notice of that to SAPS and Mr Mathibedi has to have an opportunity to consult with the witness on those – MR CHASKALSON SC: Tuesday and Wednesday is that opportunity, Chairperson. CHAIRPERSON: No, but –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been supplemented since they were copied onto the SAPS hard drive, you'll find massive duplication so that the same statements appear in multiple dockets. I would be extremely surprised if there are more than 150 pages in total that are even remotely relevant to the evidence of Mr X. That would be my – I would be very surprised if there are more than 150 pages that can be shown to be relevant to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other documents also for that matter – then they have to give notice of that to SAPS and Mr Mathibedi has to have an opportunity to consult with the witness on those – MR CHASKALSON SC: Tuesday and Wednesday is that opportunity, Chairperson. CHAIRPERSON: No, but – MR CHASKALSON SC: So notice has to be
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been supplemented since they were copied onto the SAPS hard drive, you'll find massive duplication so that the same statements appear in multiple dockets. I would be extremely surprised if there are more than 150 pages in total that are even remotely relevant to the evidence of Mr X. That would be my – I would be very surprised if there are more than 150 pages that can be shown to be relevant to the evidence of Mr X.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other documents also for that matter – then they have to give notice of that to SAPS and Mr Mathibedi has to have an opportunity to consult with the witness on those – MR CHASKALSON SC: Tuesday and Wednesday is that opportunity, Chairperson. CHAIRPERSON: No, but – MR CHASKALSON SC: So notice has to be given by Monday.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been supplemented since they were copied onto the SAPS hard drive, you'll find massive duplication so that the same statements appear in multiple dockets. I would be extremely surprised if there are more than 150 pages in total that are even remotely relevant to the evidence of Mr X. That would be my – I would be very surprised if there are more than 150 pages that can be shown to be relevant to the evidence of Mr X. The evidence leaders can do this exercise	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other documents also for that matter – then they have to give notice of that to SAPS and Mr Mathibedi has to have an opportunity to consult with the witness on those – MR CHASKALSON SC: Tuesday and Wednesday is that opportunity, Chairperson. CHAIRPERSON: No, but – MR CHASKALSON SC: So notice has to be given by Monday. CHAIRPERSON: Yes?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been supplemented since they were copied onto the SAPS hard drive, you'll find massive duplication so that the same statements appear in multiple dockets. I would be extremely surprised if there are more than 150 pages in total that are even remotely relevant to the evidence of Mr X. That would be my – I would be very surprised if there are more than 150 pages that can be shown to be relevant to the evidence of Mr X. The evidence leaders can do this exercise overnight and can come back with some numbers, but if Mr X	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other documents also for that matter – then they have to give notice of that to SAPS and Mr Mathibedi has to have an opportunity to consult with the witness on those – MR CHASKALSON SC: Tuesday and Wednesday is that opportunity, Chairperson. CHAIRPERSON: No, but – MR CHASKALSON SC: So notice has to be given by Monday. CHAIRPERSON: Yes? MR CHASKALSON SC: Mr Mathibedi then has
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been supplemented since they were copied onto the SAPS hard drive, you'll find massive duplication so that the same statements appear in multiple dockets. I would be extremely surprised if there are more than 150 pages in total that are even remotely relevant to the evidence of Mr X. That would be my – I would be very surprised if there are more than 150 pages that can be shown to be relevant to the evidence of Mr X. The evidence leaders can do this exercise overnight and can come back with some numbers, but if Mr X gives his evidence in chief on Monday and we use Tuesday	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other documents also for that matter – then they have to give notice of that to SAPS and Mr Mathibedi has to have an opportunity to consult with the witness on those – MR CHASKALSON SC: Tuesday and Wednesday is that opportunity, Chairperson. CHAIRPERSON: No, but – MR CHASKALSON SC: So notice has to be given by Monday. CHAIRPERSON: Yes? MR CHASKALSON SC: Mr Mathibedi then has the whole of Tuesday and Wednesday to put any documents
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been supplemented since they were copied onto the SAPS hard drive, you'll find massive duplication so that the same statements appear in multiple dockets. I would be extremely surprised if there are more than 150 pages in total that are even remotely relevant to the evidence of Mr X. That would be my – I would be very surprised if there are more than 150 pages that can be shown to be relevant to the evidence of Mr X. The evidence leaders can do this exercise overnight and can come back with some numbers, but if Mr X gives his evidence in chief on Monday and we use Tuesday and Wednesday for Colonel Modiba, we can then use Thursday	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other documents also for that matter – then they have to give notice of that to SAPS and Mr Mathibedi has to have an opportunity to consult with the witness on those – MR CHASKALSON SC: Tuesday and Wednesday is that opportunity, Chairperson. CHAIRPERSON: No, but – MR CHASKALSON SC: So notice has to be given by Monday. CHAIRPERSON: Yes? MR CHASKALSON SC: Mr Mathibedi then has the whole of Tuesday and Wednesday to put any documents that have been –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been supplemented since they were copied onto the SAPS hard drive, you'll find massive duplication so that the same statements appear in multiple dockets. I would be extremely surprised if there are more than 150 pages in total that are even remotely relevant to the evidence of Mr X. That would be my – I would be very surprised if there are more than 150 pages that can be shown to be relevant to the evidence of Mr X. The evidence leaders can do this exercise overnight and can come back with some numbers, but if Mr X gives his evidence in chief on Monday and we use Tuesday and Wednesday for Colonel Modiba, we can then use Thursday and Friday to allow the evidence leaders and all parties	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other documents also for that matter – then they have to give notice of that to SAPS and Mr Mathibedi has to have an opportunity to consult with the witness on those – MR CHASKALSON SC: Tuesday and Wednesday is that opportunity, Chairperson. CHAIRPERSON: No, but – MR CHASKALSON SC: So notice has to be given by Monday. CHAIRPERSON: Yes? MR CHASKALSON SC: Mr Mathibedi then has the whole of Tuesday and Wednesday to put any documents that have been – CHAIRPERSON: This is while Colonel
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been supplemented since they were copied onto the SAPS hard drive, you'll find massive duplication so that the same statements appear in multiple dockets. I would be extremely surprised if there are more than 150 pages in total that are even remotely relevant to the evidence of Mr X. That would be my – I would be very surprised if there are more than 150 pages that can be shown to be relevant to the evidence of Mr X. The evidence leaders can do this exercise overnight and can come back with some numbers, but if Mr X gives his evidence in chief on Monday and we use Tuesday and Wednesday for Colonel Modiba, we can then use Thursday and Friday to allow the evidence leaders and all parties other than Mr Mpofu's client to cross-examine Mr X because	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other documents also for that matter – then they have to give notice of that to SAPS and Mr Mathibedi has to have an opportunity to consult with the witness on those – MR CHASKALSON SC: Tuesday and Wednesday is that opportunity, Chairperson. CHAIRPERSON: No, but – MR CHASKALSON SC: So notice has to be given by Monday. CHAIRPERSON: Yes? MR CHASKALSON SC: Mr Mathibedi then has the whole of Tuesday and Wednesday to put any documents that have been – CHAIRPERSON: This is while Colonel Modiba is giving evidence.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	say is I'm surprised that the Provincial Director of Public Prosecutions gave permission for that docket to be made available to this Commission. MR CHASKALSON SC: There are 36 pages devoted to this docket, none of them have any bearing whatsoever on the matters of this Commission. We're down now to 12 dockets. Many of these 12 dockets are identical to the dockets that you will find on the SAPS hard drive with nothing new in them. In relation to the dockets that are not on the SAPS hard drive or that have been supplemented since they were copied onto the SAPS hard drive, you'll find massive duplication so that the same statements appear in multiple dockets. I would be extremely surprised if there are more than 150 pages in total that are even remotely relevant to the evidence of Mr X. That would be my – I would be very surprised if there are more than 150 pages that can be shown to be relevant to the evidence of Mr X. The evidence leaders can do this exercise overnight and can come back with some numbers, but if Mr X gives his evidence in chief on Monday and we use Tuesday and Wednesday for Colonel Modiba, we can then use Thursday and Friday to allow the evidence leaders and all parties	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: Modiba, Tuesday/Wednesday. I see, that's it and then Thursday and Friday cross- examination of X. MR CHASKALSON SC: Cross-examination of X by parties who aren't taking instructions. CHAIRPERSON: No – no, let me get it down first. There's a problem with that and that is if the parties who are not taking instructions, as you put it, and the evidence leaders wish to cross-examine on the basis of documents which they find in the dockets then – or other documents also for that matter – then they have to give notice of that to SAPS and Mr Mathibedi has to have an opportunity to consult with the witness on those – MR CHASKALSON SC: Tuesday and Wednesday is that opportunity, Chairperson. CHAIRPERSON: No, but – MR CHASKALSON SC: So notice has to be given by Monday. CHAIRPERSON: Yes? MR CHASKALSON SC: Mr Mathibedi then has the whole of Tuesday and Wednesday to put any documents that have been – CHAIRPERSON: This is while Colonel

	Dago 20204		Dega 20204
1	Page 30284 have to split their team.	1	Page 30286 CHAIRPERSON: Well, my memory failed me
2	CHAIRPERSON: Is it physically possible,	2	on that one. Are you going to be much longer because I was
3	is it reasonable in fact to expect counsel for the other	3	proposing to take the tea adjournment and then presumably
4	parties to prepare their list of documents by Monday? I	4	those who disagree with your suggestion can say so and the
5	understand if they could, what you say would be alright but	5	police would like to reply.
6	I'm not sure that that would be a reasonable burden to	6	MR CHASKALSON SC: Chairperson –
7	impose upon them.	7	CHAIRPERSON: I'm in your hands.
8	MR CHASKALSON SC: But Chairperson,	8	MR CHASKALSON SC: No, no, I'm right at
9	certainly from our perspective Mr X is not a witness in	9	the end of the submissions. The only other detail that I
10	respect of whom we plan to put a lot of documents –	10	need to mention is that if we are to proceed on this basis
11	CHAIRPERSON: That's why I said the other	11	we will need a deadline for documents for Colonel Modiba
12	parties –	12	that would give SAPS the whole of Monday to consult with
13	MR CHASKALSON SC: Yes. All parties have	13	him on the documents that he will be using on Tuesday and
14	been preparing for the cross-examination of Mr X for	14	Wednesday.
15	several weeks now and were expecting, until yesterday, Mr X	15	CHAIRPERSON: Well, you see the
16	to testify next week. I would imagine, I mean my	16	alternative proposition I wanted to put to you is Mr Gotz's
17	colleagues can contradict me if I'm speaking out of turn	17	proposition and that is that Colonel Modiba gives evidence
18	but I would imagine that save in respect of the dockets	18	on Monday and Tuesday and the way you solve that one is the
19	that have recently arrived and which are less of a problem	19	time by which notice of documents is to be given is lunch
20	than they might appear, most teams know at this stage which	20	time on Friday, the police could then consult with him on
21	documents, if any, they intend to put to Mr X. Certainly	21	Friday afternoon, give him the documents to read over the
22	by Monday they should be in a position to list those	22	weekend. He is not in the same position as X because he
23	documents. If parties feel that they're not going to be in	23	can read the documents. That way, the merit of Mr Gotz's
24	that position, parties other than Mr Mpofu, they will have	24	proposal is – I'm just expressing a prima facie view, you
25	- obviously they must speak up now.	25	understand, I haven't thought about these things in depth -
	Page 30285		Page 30287
1	CHAIRPERSON: Then of course you've got	1	Modiba gives evidence Monday, Tuesday and then X gives
2	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list	2	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the
2 3	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under	2 3	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in
2 3 4	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him	2 3 4	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of
2 3 4 5	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything	2 3 4 5	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the
2 3 4 5 6	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the	2 3 4 5 6	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents
2 3 4 5 6 7	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do	2 3 4 5 6 7	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both
2 3 4 5 6 7 8	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a	2 3 4 5 6 7 8	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway
2 3 4 5 6 7 8 9	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent,	2 3 4 5 6 7 8 9	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're
2 3 4 5 6 7 8 9 10	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents	2 3 4 5 6 7 8 9 10	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would
2 3 4 5 6 7 8 9 10 11	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents and so on that are being relied on. So that is a problem	2 3 4 5 6 7 8 9 10 11	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would suggest or Mr Gotz I'm sure would suggest, over the
2 3 4 5 6 7 8 9 10 11 12	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents and so on that are being relied on. So that is a problem which we can't lightly brush from the table.	2 3 4 5 6 7 8 9 10 11 12	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would suggest or Mr Gotz I'm sure would suggest, over the proposal that you're making. In other words, it
2 3 4 5 6 7 8 9 10 11 12 13	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents and so on that are being relied on. So that is a problem which we can't lightly brush from the table. MR CHASKALSON SC: No, Chairperson, it	2 3 4 5 6 7 8 9 10 11 12 13	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would suggest or Mr Gotz I'm sure would suggest, over the proposal that you're making. In other words, it effectively saves most of the week but it avoids the
2 3 4 5 6 7 8 9 10 11 12 13 14	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents and so on that are being relied on. So that is a problem which we can't lightly brush from the table. MR CHASKALSON SC: No, Chairperson, it can't but - two responses. The first is it's a problem	2 3 4 5 6 7 8 9 10 11 12 13 14	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would suggest or Mr Gotz I'm sure would suggest, over the proposal that you're making. In other words, it effectively saves most of the week but it avoids the difficulty which has been put to you.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents and so on that are being relied on. So that is a problem which we can't lightly brush from the table. MR CHASKALSON SC: No, Chairperson, it can't but - two responses. The first is it's a problem that we have addressed and managed previously with a lot of	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would suggest or Mr Gotz I'm sure would suggest, over the proposal that you're making. In other words, it effectively saves most of the week but it avoids the difficulty which has been put to you. MR CHASKALSON SC: Chairperson, I didn't
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents and so on that are being relied on. So that is a problem which we can't lightly brush from the table. MR CHASKALSON SC: No, Chairperson, it can't but - two responses. The first is it's a problem	2 3 4 5 6 7 8 9 10 11 12 13 14	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would suggest or Mr Gotz I'm sure would suggest, over the proposal that you're making. In other words, it effectively saves most of the week but it avoids the difficulty which has been put to you. MR CHASKALSON SC: Chairperson, I didn't follow that completely. Would, for instance, the evidence
2 3 4 5 6 7 8 9 10 11 12 13 14 15	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents and so on that are being relied on. So that is a problem which we can't lightly brush from the table. MR CHASKALSON SC: No, Chairperson, it can't but - two responses. The first is it's a problem that we have addressed and managed previously with a lot of other witnesses but the second is, we're not in an ideal world.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would suggest or Mr Gotz I'm sure would suggest, over the proposal that you're making. In other words, it effectively saves most of the week but it avoids the difficulty which has been put to you. MR CHASKALSON SC: Chairperson, I didn't follow that completely. Would, for instance, the evidence leaders' cross-examination of Mr X then start on the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents and so on that are being relied on. So that is a problem which we can't lightly brush from the table. MR CHASKALSON SC: No, Chairperson, it can't but - two responses. The first is it's a problem that we have addressed and managed previously with a lot of other witnesses but the second is, we're not in an ideal world.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would suggest or Mr Gotz I'm sure would suggest, over the proposal that you're making. In other words, it effectively saves most of the week but it avoids the difficulty which has been put to you. MR CHASKALSON SC: Chairperson, I didn't follow that completely. Would, for instance, the evidence
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents and so on that are being relied on. So that is a problem which we can't lightly brush from the table. MR CHASKALSON SC: No, Chairperson, it can't but - two responses. The first is it's a problem that we have addressed and managed previously with a lot of other witnesses but the second is, we're not in an ideal world. CHAIRPERSON: I don't know if it is with	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would suggest or Mr Gotz I'm sure would suggest, over the proposal that you're making. In other words, it effectively saves most of the week but it avoids the difficulty which has been put to you. MR CHASKALSON SC: Chairperson, I didn't follow that completely. Would, for instance, the evidence leaders' cross-examination of Mr X then start on the Thursday?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents and so on that are being relied on. So that is a problem which we can't lightly brush from the table. MR CHASKALSON SC: No, Chairperson, it can't but - two responses. The first is it's a problem that we have addressed and managed previously with a lot of other witnesses but the second is, we're not in an ideal world. CHAIRPERSON: I don't know if it is with a lot of witnesses. It happened with Captain Thupe but I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would suggest or Mr Gotz I'm sure would suggest, over the proposal that you're making. In other words, it effectively saves most of the week but it avoids the difficulty which has been put to you. MR CHASKALSON SC: Chairperson, I didn't follow that completely. Would, for instance, the evidence leaders' cross-examination of Mr X then start on the Thursday? CHAIRPERSON: I take it the answer to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents and so on that are being relied on. So that is a problem which we can't lightly brush from the table. MR CHASKALSON SC: No, Chairperson, it can't but - two responses. The first is it's a problem that we have addressed and managed previously with a lot of other witnesses but the second is, we're not in an ideal world. CHAIRPERSON: I don't know if it is with a lot of witnesses. It happened with Captain Thupe but I don't remember it happening with anybody else.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would suggest or Mr Gotz I'm sure would suggest, over the proposal that you're making. In other words, it effectively saves most of the week but it avoids the difficulty which has been put to you. MR CHASKALSON SC: Chairperson, I didn't follow that completely. Would, for instance, the evidence leaders' cross-examination of Mr X then start on the Thursday? CHAIRPERSON: I take it the answer to that – well, Mr X would give evidence presumably on
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents and so on that are being relied on. So that is a problem which we can't lightly brush from the table. MR CHASKALSON SC: No, Chairperson, it can't but - two responses. The first is it's a problem that we have addressed and managed previously with a lot of other witnesses but the second is, we're not in an ideal world. CHAIRPERSON: I don't know if it is with a lot of witnesses. It happened with Captain Thupe but I don't remember it happening with anybody else. MR CHASKALSON SC: Lieutenant-Colonel	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would suggest or Mr Gotz I'm sure would suggest, over the proposal that you're making. In other words, it effectively saves most of the week but it avoids the difficulty which has been put to you. MR CHASKALSON SC: Chairperson, I didn't follow that completely. Would, for instance, the evidence leaders' cross-examination of Mr X then start on the Thursday? CHAIRPERSON: I take it the answer to that – well, Mr X would give evidence presumably on Wednesday then. Would the evidence leaders be relying on
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents and so on that are being relied on. So that is a problem which we can't lightly brush from the table. MR CHASKALSON SC: No, Chairperson, it can't but - two responses. The first is it's a problem that we have addressed and managed previously with a lot of other witnesses but the second is, we're not in an ideal world. CHAIRPERSON: I don't know if it is with a lot of witnesses. It happened with Captain Thupe but I don't remember it happening with anybody else. MR CHASKALSON SC: Lieutenant-Colonel Vermaak, Brigadier Calitz, Colonel Scott, there have been a	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would suggest or Mr Gotz I'm sure would suggest, over the proposal that you're making. In other words, it effectively saves most of the week but it avoids the difficulty which has been put to you. MR CHASKALSON SC: Chairperson, I didn't follow that completely. Would, for instance, the evidence leaders' cross-examination of Mr X then start on the Thursday? CHAIRPERSON: I take it the answer to that – well, Mr X would give evidence presumably on Wednesday then. Would the evidence leaders be relying on documents for cross-examination of X? But you'd still have
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: Then of course you've got the further point that when Mr Mpofu comes up with his list of documents then, while the witness is already under cross-examination, the police then have to consult with him again. Now I'm not suggesting for a moment that anything improper would take place because we know counsel for the police and we can rely on them absolutely not to do anything improper but it is undesirable actually to have a witness who has already been cross-examined to some extent, being consulted with by counsel in relation to documents and so on that are being relied on. So that is a problem which we can't lightly brush from the table. MR CHASKALSON SC: No, Chairperson, it can't but - two responses. The first is it's a problem that we have addressed and managed previously with a lot of other witnesses but the second is, we're not in an ideal world. CHAIRPERSON: I don't know if it is with a lot of witnesses. It happened with Captain Thupe but I don't remember it happening with anybody else. MR CHASKALSON SC: Lieutenant-Colonel Vermaak, Brigadier Calitz, Colonel Scott, there have been a series of situations where documents have been forthcoming	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Modiba gives evidence Monday, Tuesday and then X gives evidence towards, at the end of the week, leaving out the question of whether Mere comes. Then he gives evidence in chief at the end of the week, documents, notice of documents is thereafter given, the police have the opportunity to consult with him, translate the documents and so on to – the first part of the next week, where both the 16th and the 18th are days when we're not sitting anyway and so we'll only lose the 18th by which, while they're performing this process. That has advantages, I would suggest or Mr Gotz I'm sure would suggest, over the proposal that you're making. In other words, it effectively saves most of the week but it avoids the difficulty which has been put to you. MR CHASKALSON SC: Chairperson, I didn't follow that completely. Would, for instance, the evidence leaders' cross-examination of Mr X then start on the Thursday? CHAIRPERSON: I take it the answer to that – well, Mr X would give evidence presumably on Wednesday then. Would the evidence leaders be relying on documents for cross-examination of X? But you'd still have the further problem that you would still have consultation

		1	
1	Page 30288 putting it to you as a difficulty one has to wrestle with.	1	Page 30290 refer to documents in the cross-examination of Mr X makes
2	MR CHASKALSON SC: Two concerns that I	2	them available, makes those lists of documents available to
3	have with that proposal, the first is, Chairperson, we need	3	SAPS. Colonel Modiba will be cross-examined on Tuesday and
4	to try to use the whole of next week. So we do need to	4	Wednesday –
5	ensure that Thursday and Friday get used for cross-	5	CHAIRPERSON: And give evidence-in-chief
6	examination. The second is, Chairperson, I don't know	6	too?
7	whether the parties are going to be able to meet a deadline	7	MR CHASKALSON SC: And give evidence-in-
8	of Friday for documents for Colonel Modiba because nobody	8	chief. At the same time as that is happening the SAPS team
9	was expecting to cross-examine Colonel Modiba on Monday	9	dealing with Mr X can then discuss any documents that need
10	until possibly today or yesterday. The evidence leaders	10	to be put to him, or that will be put to him in cross-
11	could probably do that but I'm not sure whether the parties	11	examination, and that cross-examination of Mr X will start
12	could.	12	on Thursday.
13	CHAIRPERSON: Anyway, if you've finished	13	CHAIRPERSON: Thank you. Is there
14	what we can do is take the adjournment, the parties can	14	anything further you wanted to submit?
15	then think about it. They may come back and say we're	15	MR CHASKALSON SC: No, Chairperson. That
16	happy for Modiba to give evidence first as Mr Gotz	16	is it.
17	suggested and the problem you've suggested won't arise –	17	CHAIRPERSON: Thank you. Before I call
18	but anyway let them talk about it over a cup of tea and	18	on Mr Mathibedi to reply on behalf of SAPS, is there anyone
19	we'll take the tea adjournment now.	19	else who wishes to say anything flowing from what Mr
20	[COMMISSION ADJOURNS COMMISSION RESUMES]	20	Chaskalson said? Mr Ntsebeza, you've got your hand up.
21	[15:40] CHAIRPERSON: Once again there were	21	MR NTSEBEZA SC: Yes, Mr Chairman.
22	housekeeping matters we had to attend to, for which I	22	CHAIRPERSON: Mr Budlender's head was
23	apologise. I've indicated to Mr Da Costa's counsel that	23	hiding the fact that your light was on.
24	we're unlikely to come back to him this afternoon because	24	MR NTSEBEZA SC: I would trust Mr
25	Mr Tip tells me the next topic he's going to deal with,	25	Budlender to do that.
1	Page 30289	1	Page 30291
1	with Mr Da Costa, is not a discrete topic which he can	1	CHAIRPERSON: There's a lack of
2	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion	2	CHAIRPERSON: There's a lack of transparency about that.
2 3	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do	2	CHAIRPERSON: There's a lack of transparency about that. MR NTSEBEZA SC: In more ways than one.
2 3 4	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call	2 3 4	CHAIRPERSON: There's a lack of transparency about that. MR NTSEBEZA SC: In more ways than one. Mr Chairman, if the Commission were inclined to agree with
2 3 4 5	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from	2 3 4 5	CHAIRPERSON: There's a lack of transparency about that. MR NTSEBEZA SC: In more ways than one. Mr Chairman, if the Commission were inclined to agree with Mr Chaskalson, I merely want to submit that the families
2 3 4 5 6	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply?	2 3 4 5 6	CHAIRPERSON:There's a lack oftransparency about that.MR NTSEBEZA SC:MR NTSEBEZA SC:In more ways than one.Mr Chairman, if the Commission were inclined to agree withMr Chaskalson, I merely want to submit that the familieswill still not be in a position to cross-examine Mr X next
2 3 4 5 6 7	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just	2 3 4 5 6 7	CHAIRPERSON:There's a lack oftransparency about that.MR NTSEBEZA SC:MR NTSEBEZA SC:In more ways than one.Mr Chairman, if the Commission were inclined to agree withMr Chaskalson, I merely want to submit that the familieswill still not be in a position to cross-examine Mr X nextweek, which is where I started –
2 3 4 5 6	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying	2 3 4 5 6 7 8	CHAIRPERSON:There's a lack oftransparency about that.MR NTSEBEZA SC:In more ways than one.Mr Chairman, if the Commission were inclined to agree withMr Chaskalson, I merely want to submit that the familieswill still not be in a position to cross-examine Mr X nextweek, which is where I started –CHAIRPERSON:Or to give notice of the
2 3 4 5 6 7 8	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just	2 3 4 5 6 7 8	CHAIRPERSON:There's a lack oftransparency about that.MR NTSEBEZA SC:MR NTSEBEZA SC:In more ways than one.Mr Chairman, if the Commission were inclined to agree withMr Chaskalson, I merely want to submit that the familieswill still not be in a position to cross-examine Mr X nextweek, which is where I started –
2 3 4 5 6 7 8 9	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and	2 3 4 5 6 7 8 9	CHAIRPERSON:There's a lack oftransparency about that.MR NTSEBEZA SC:In more ways than one.Mr Chairman, if the Commission were inclined to agree withMr Chaskalson, I merely want to submit that the familieswill still not be in a position to cross-examine Mr X nextweek, which is where I started –CHAIRPERSON:Or to give notice of thedocument they rely on?
2 3 4 5 6 7 8 9 10	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and then Mr X starting cross-examination on Thursday. I	2 3 4 5 6 7 8 9 10	CHAIRPERSON:There's a lack oftransparency about that.MR NTSEBEZA SC:In more ways than one.Mr Chairman, if the Commission were inclined to agree withMr Chaskalson, I merely want to submit that the familieswill still not be in a position to cross-examine Mr X nextweek, which is where I started –CHAIRPERSON:Or to give notice of thedocument they rely on?MR NTSEBEZA SC:Or to give notice of
2 3 4 5 6 7 8 9 10 11	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and then Mr X starting cross-examination on Thursday. I anticipate that there may well be logistical problems in	2 3 4 5 6 7 8 9 10 11	CHAIRPERSON:There's a lack oftransparency about that.MR NTSEBEZA SC:In more ways than one.Mr Chairman, if the Commission were inclined to agree withMr Chaskalson, I merely want to submit that the familieswill still not be in a position to cross-examine Mr X nextweek, which is where I started –CHAIRPERSON:Or to give notice of thedocument they rely on?MR NTSEBEZA SC:Or to give notice ofdocuments on which we would rely.I think there should be
2 3 4 5 6 7 8 9 10 11 12	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and then Mr X starting cross-examination on Thursday. I anticipate that there may well be logistical problems in getting parties ready for cross-examination of Colonel	2 3 4 5 6 7 8 9 10 11 12	CHAIRPERSON:There's a lack oftransparency about that.MR NTSEBEZA SC:In more ways than one.Mr Chairman, if the Commission were inclined to agree withMr Chaskalson, I merely want to submit that the familieswill still not be in a position to cross-examine Mr X nextweek, which is where I started –CHAIRPERSON:Or to give notice of thedocument they rely on?MR NTSEBEZA SC:Or to give notice ofdocuments on which we would rely.I think there should becompliance with our request that the statements which Mr X
2 3 4 5 6 7 8 9 10 11 12 13	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and then Mr X starting cross-examination on Thursday. I anticipate that there may well be logistical problems in getting parties ready for cross-examination of Colonel Modiba on Monday and documents to SAPS in time because that	2 3 4 5 6 7 8 9 10 11 12 13	CHAIRPERSON: There's a lack of transparency about that. MR NTSEBEZA SC: In more ways than one. Mr Chairman, if the Commission were inclined to agree with Mr Chaskalson, I merely want to submit that the families will still not be in a position to cross-examine Mr X next week, which is where I started – CHAIRPERSON: Or to give notice of the document they rely on? MR NTSEBEZA SC: Or to give notice of documents on which we would rely. I think there should be compliance with our request that the statements which Mr X has made in relation to which there are gaps, and it is
2 3 4 5 6 7 8 9 10 11 12 13 14	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and then Mr X starting cross-examination on Thursday. I anticipate that there may well be logistical problems in getting parties ready for cross-examination of Colonel Modiba on Monday and documents to SAPS in time because that process of preparation hasn't yet begun. People were not –	2 3 4 5 6 7 8 9 10 11 12 13 14	CHAIRPERSON:There's a lack oftransparency about that.MR NTSEBEZA SC:In more ways than one.Mr Chairman, if the Commission were inclined to agree withMr Chaskalson, I merely want to submit that the familieswill still not be in a position to cross-examine Mr X nextweek, which is where I started –CHAIRPERSON:Or to give notice of thedocument they rely on?MR NTSEBEZA SC:Or to give notice ofdocuments on which we would rely. I think there should becompliance with our request that the statements which Mr Xhas made in relation to which there are gaps, and it isclear that the gaps are reference to names who may be some
2 3 4 5 6 7 8 9 10 11 12 13 14 15	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and then Mr X starting cross-examination on Thursday. I anticipate that there may well be logistical problems in getting parties ready for cross-examination of Colonel Modiba on Monday and documents to SAPS in time because that process of preparation hasn't yet begun. People were not – we had a notional programme and it didn't include Colonel	2 3 4 5 6 7 8 9 10 11 12 13 14 15	CHAIRPERSON: There's a lack of transparency about that. MR NTSEBEZA SC: In more ways than one. Mr Chairman, if the Commission were inclined to agree with Mr Chaskalson, I merely want to submit that the families will still not be in a position to cross-examine Mr X next week, which is where I started – CHAIRPERSON: Or to give notice of the document they rely on? MR NTSEBEZA SC: Or to give notice of documents on which we would rely. I think there should be compliance with our request that the statements which Mr X has made in relation to which there are gaps, and it is clear that the gaps are reference to names who may be some of the people who died, then to that extent we are not able
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and then Mr X starting cross-examination on Thursday. I anticipate that there may well be logistical problems in getting parties ready for cross-examination of Colonel Modiba on Monday and documents to SAPS in time because that process of preparation hasn't yet begun. People were not – we had a notional programme and it didn't include Colonel Modiba coming to testify next week Monday. So if we can	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON: There's a lack of transparency about that. MR NTSEBEZA SC: In more ways than one. Mr Chairman, if the Commission were inclined to agree with Mr Chaskalson, I merely want to submit that the families will still not be in a position to cross-examine Mr X next week, which is where I started – CHAIRPERSON: Or to give notice of the document they rely on? MR NTSEBEZA SC: Or to give notice of documents on which we would rely. I think there should be compliance with our request that the statements which Mr X has made in relation to which there are gaps, and it is clear that the gaps are reference to names who may be some of the people who died, then to that extent we are not able to deal with it, and a corollary –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and then Mr X starting cross-examination on Thursday. I anticipate that there may well be logistical problems in getting parties ready for cross-examination of Colonel Modiba on Monday and documents to SAPS in time because that process of preparation hasn't yet begun. People were not – we had a notional programme and it didn't include Colonel Modiba coming to testify next week Monday. So if we can buy an extra day in that regard, I would submit that it	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	CHAIRPERSON: There's a lack of transparency about that. MR NTSEBEZA SC: In more ways than one. Mr Chairman, if the Commission were inclined to agree with Mr Chaskalson, I merely want to submit that the families will still not be in a position to cross-examine Mr X next week, which is where I started – CHAIRPERSON: Or to give notice of the document they rely on? MR NTSEBEZA SC: Or to give notice of documents on which we would rely. I think there should be compliance with our request that the statements which Mr X has made in relation to which there are gaps, and it is clear that the gaps are reference to names who may be some of the people who died, then to that extent we are not able to deal with it, and a corollary – CHAIRPERSON: Forgive me, Mr Ntsebeza.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and then Mr X starting cross-examination on Thursday. I anticipate that there may well be logistical problems in getting parties ready for cross-examination of Colonel Modiba on Monday and documents to SAPS in time because that process of preparation hasn't yet begun. People were not – we had a notional programme and it didn't include Colonel Modiba coming to testify next week Monday. So if we can buy an extra day in that regard, I would submit that it would be a more convenient way of using the time.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	CHAIRPERSON: There's a lack of transparency about that. MR NTSEBEZA SC: In more ways than one. Mr Chairman, if the Commission were inclined to agree with Mr Chaskalson, I merely want to submit that the families will still not be in a position to cross-examine Mr X next week, which is where I started – CHAIRPERSON: Or to give notice of the document they rely on? MR NTSEBEZA SC: Or to give notice of documents on which we would rely. I think there should be compliance with our request that the statements which Mr X has made in relation to which there are gaps, and it is clear that the gaps are reference to names who may be some of the people who died, then to that extent we are not able to deal with it, and a corollary – CHAIRPERSON: Forgive me, Mr Ntsebeza. Do I understand that you still haven't got the statement
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and then Mr X starting cross-examination on Thursday. I anticipate that there may well be logistical problems in getting parties ready for cross-examination of Colonel Modiba on Monday and documents to SAPS in time because that process of preparation hasn't yet begun. People were not – we had a notional programme and it didn't include Colonel Modiba coming to testify next week Monday. So if we can buy an extra day in that regard, I would submit that it would be a more convenient way of using the time. CHAIRPERSON: What's your suggestion? MR CHASKALSON SC: That Mr X gives evidence-in-chief on Monday, that by Monday morning anyone	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON: There's a lack of transparency about that. MR NTSEBEZA SC: In more ways than one. Mr Chairman, if the Commission were inclined to agree with Mr Chaskalson, I merely want to submit that the families will still not be in a position to cross-examine Mr X next week, which is where I started – CHAIRPERSON: Or to give notice of the document they rely on? MR NTSEBEZA SC: Or to give notice of documents on which we would rely. I think there should be compliance with our request that the statements which Mr X has made in relation to which there are gaps, and it is clear that the gaps are reference to names who may be some of the people who died, then to that extent we are not able to deal with it, and a corollary – CHAIRPERSON: Forgive me, Mr Ntsebeza. Do I understand that you still haven't got the statement with the names that were blank –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and then Mr X starting cross-examination on Thursday. I anticipate that there may well be logistical problems in getting parties ready for cross-examination of Colonel Modiba on Monday and documents to SAPS in time because that process of preparation hasn't yet begun. People were not – we had a notional programme and it didn't include Colonel Modiba coming to testify next week Monday. So if we can buy an extra day in that regard, I would submit that it would be a more convenient way of using the time. CHAIRPERSON: What's your suggestion? MR CHASKALSON SC: That Mr X gives evidence-in-chief on Monday, that by Monday morning anyone who wants to cross-examine Colonel Modiba has their	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	CHAIRPERSON: There's a lack of transparency about that. MR NTSEBEZA SC: In more ways than one. Mr Chairman, if the Commission were inclined to agree with Mr Chaskalson, I merely want to submit that the families will still not be in a position to cross-examine Mr X next week, which is where I started – CHAIRPERSON: Or to give notice of the document they rely on? MR NTSEBEZA SC: Or to give notice of documents on which we would rely. I think there should be compliance with our request that the statements which Mr X has made in relation to which there are gaps, and it is clear that the gaps are reference to names who may be some of the people who died, then to that extent we are not able to deal with it, and a corollary – CHAIRPERSON: Forgive me, Mr Ntsebeza. Do I understand that you still haven't got the statement with the names that were blank – MR NTSEBEZA SC: No, we don't. CHAIRPERSON: Well, Mr Mathibedi, may I suggest that you raise it as a matter of urgency with those
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and then Mr X starting cross-examination on Thursday. I anticipate that there may well be logistical problems in getting parties ready for cross-examination of Colonel Modiba on Monday and documents to SAPS in time because that process of preparation hasn't yet begun. People were not – we had a notional programme and it didn't include Colonel Modiba coming to testify next week Monday. So if we can buy an extra day in that regard, I would submit that it would be a more convenient way of using the time. CHAIRPERSON: What's your suggestion? MR CHASKALSON SC: That Mr X gives evidence-in-chief on Monday, that by Monday morning anyone who wants to cross-examine Colonel Modiba has their applications in with lists of documents. SAPS then has	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: There's a lack of transparency about that. MR NTSEBEZA SC: In more ways than one. Mr Chairman, if the Commission were inclined to agree with Mr Chaskalson, I merely want to submit that the families will still not be in a position to cross-examine Mr X next week, which is where I started – CHAIRPERSON: Or to give notice of the document they rely on? MR NTSEBEZA SC: Or to give notice of documents on which we would rely. I think there should be compliance with our request that the statements which Mr X has made in relation to which there are gaps, and it is clear that the gaps are reference to names who may be some of the people who died, then to that extent we are not able to deal with it, and a corollary – CHAIRPERSON: Forgive me, Mr Ntsebeza. Do I understand that you still haven't got the statement with the names that were blank – MR NTSEBEZA SC: No, we don't. CHAIRPERSON: Well, Mr Mathibedi, may I suggest that you raise it as a matter of urgency with those instructing you that that omission should be rectified as
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and then Mr X starting cross-examination on Thursday. I anticipate that there may well be logistical problems in getting parties ready for cross-examination of Colonel Modiba on Monday and documents to SAPS in time because that process of preparation hasn't yet begun. People were not – we had a notional programme and it didn't include Colonel Modiba coming to testify next week Monday. So if we can buy an extra day in that regard, I would submit that it would be a more convenient way of using the time. CHAIRPERSON: What's your suggestion? MR CHASKALSON SC: That Mr X gives evidence-in-chief on Monday, that by Monday morning anyone who wants to cross-examine Colonel Modiba has their applications in with lists of documents. SAPS then has Monday to deal with those documents with Colonel Modiba,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	CHAIRPERSON: There's a lack of transparency about that. MR NTSEBEZA SC: In more ways than one. Mr Chairman, if the Commission were inclined to agree with Mr Chaskalson, I merely want to submit that the families will still not be in a position to cross-examine Mr X next week, which is where I started – CHAIRPERSON: Or to give notice of the document they rely on? MR NTSEBEZA SC: Or to give notice of documents on which we would rely. I think there should be compliance with our request that the statements which Mr X has made in relation to which there are gaps, and it is clear that the gaps are reference to names who may be some of the people who died, then to that extent we are not able to deal with it, and a corollary – CHAIRPERSON: Forgive me, Mr Ntsebeza. Do I understand that you still haven't got the statement with the names that were blank – MR NTSEBEZA SC: No, we don't. CHAIRPERSON: Well, Mr Mathibedi, may I suggest that you raise it as a matter of urgency with those instructing you that that omission should be rectified as soon as possible?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	with Mr Da Costa, is not a discrete topic which he can dispose of by 4 o'clock, so he agreed with the suggestion that he comes back tomorrow morning. So Mr Chaskalson, do you have anything further you wish to say before I call upon your colleagues who have anything to say flowing from what you say, before I get the police reply? MR CHASKALSON SC: Chairperson, I just want to revert to my initial proposal about Mr X testifying on Monday and Colonel Modiba coming Tuesday, Wednesday, and then Mr X starting cross-examination on Thursday. I anticipate that there may well be logistical problems in getting parties ready for cross-examination of Colonel Modiba on Monday and documents to SAPS in time because that process of preparation hasn't yet begun. People were not – we had a notional programme and it didn't include Colonel Modiba coming to testify next week Monday. So if we can buy an extra day in that regard, I would submit that it would be a more convenient way of using the time. CHAIRPERSON: What's your suggestion? MR CHASKALSON SC: That Mr X gives evidence-in-chief on Monday, that by Monday morning anyone who wants to cross-examine Colonel Modiba has their applications in with lists of documents. SAPS then has	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: There's a lack of transparency about that. MR NTSEBEZA SC: In more ways than one. Mr Chairman, if the Commission were inclined to agree with Mr Chaskalson, I merely want to submit that the families will still not be in a position to cross-examine Mr X next week, which is where I started – CHAIRPERSON: Or to give notice of the document they rely on? MR NTSEBEZA SC: Or to give notice of documents on which we would rely. I think there should be compliance with our request that the statements which Mr X has made in relation to which there are gaps, and it is clear that the gaps are reference to names who may be some of the people who died, then to that extent we are not able to deal with it, and a corollary – CHAIRPERSON: Forgive me, Mr Ntsebeza. Do I understand that you still haven't got the statement with the names that were blank – MR NTSEBEZA SC: No, we don't. CHAIRPERSON: Well, Mr Mathibedi, may I suggest that you raise it as a matter of urgency with those instructing you that that omission should be rectified as

	Page 30292		Page 30294
1	indicated that it will be made available today, but	1	MR NTSEBEZA SC: Yes, Mr Chairman.
2	unfortunately I am where I am, but I will make sure that	2	CHAIRPERSON: Anything further you wish
3	it's made available –	3	to say?
4	CHAIRPERSON: Thank you, I accept your	4	MR NTSEBEZA SC: Do we have any hope that
5	assurance. Thank you.	5	there could be any recess between –
6	MR NTSEBEZA SC: Thank you, Mr Chairman,	6	CHAIRPERSON: Sorry, I'm afraid I didn't
7	for that undertaking from Mr Mathibedi. We therefore say	7	hear you. I said do you have anything further you wish to
8	if Mr Chair and the Commissioners were inclined to then	8	say?
9	adopt the line of action that Mr Chaskalson proposes, the	9	MR NTSEBEZA SC: Is there any hope that
10	only error in his submissions – maybe he didn't mean it	10	there will be a recess at all?
11	that way, to say that there are parties who do not have to	11	CHAIRPERSON: I'd like to plead the fifth
12	consult. Well, we can't consult our clients, but it is	12	amendment on this point, but seriously, obviously if we get
13	clear when once you get to know that the gap refers to	13	an extension it will be appropriate to grant a short recess
14	Mdizeni or Nqongophele or whoever it is, then in the	14	because we've been sitting for a long time without a
15	context of what is being said we are going to be in a	15	recess, but if we don't get the extension then it's a
16	position to approach Mr Dali Mpofu and say look, obviously	16	matter I'd want to consider very carefully before agreeing
17	your clients know this and in fact to the extent that your	17	to it. I can't give you the answer now, I'm afraid.
18	clients are mentioned in the context of them being	18	MR NTSEBEZA SC: I understand, Mr
19	mentioned here together with this, let's get an exercise.	19	Chairman.
20	So it seems to me –	20	CHAIRPERSON: I'd like to give a recess,
21	CHAIRPERSON: It's a little bit more	21	but there are other factors that will have to be borne in
22	complicated than that. Also there's a further point. When	22	mind. Anybody else wishes to say anything?
23	you go through these dockets, and I accept that, I take it	23	MR GOTZ: Chair, just to say – in brief
24	we can provisionally accept that – perhaps provisionally is	24	response to my learned friend Mr Chaskalson's proposal –
25	an unhappy word – we can accept Mr Chaskalson's statement	25	that we would have unfortunately some difficulty in
	Page 30293		Page 30295
1	Page 30293 that there are only about 150 pages that have to be read,	1	Page 30295 providing documents for our cross-examination of Mr X by
1 2	5	1 2	
	that there are only about 150 pages that have to be read,		providing documents for our cross-examination of Mr X by
2	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that	2	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't
2 3	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of	2 3	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we
2 3 4	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was	2 3 4	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a
2 3 4 5	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by	2 3 4 5	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time
2 3 4 5 6	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for	2 3 4 5 6	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation.
2 3 4 5 6 7	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also	2 3 4 5 6 7	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time
2 3 4 5 6 7 8	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may	2 3 4 5 6 7 8	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba?
2 3 4 5 6 7 8 9 10 11	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may also yield points that you can put in cross-examination.	2 3 4 5 6 7 8 9	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time that they would have used to cross-examine Mr Modiba. CHAIRPERSON: You've answered the
2 3 4 5 6 7 8 9 10 11 12	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may also yield points that you can put in cross-examination. MR NTSEBEZA SC: That's exactly the	2 3 4 5 6 7 8 9 10 11 12	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time that they would have used to cross-examine Mr Modiba. CHAIRPERSON: You've answered the question I was going to ask you. So you propose cross-
2 3 4 5 6 7 8 9 10 11 12 13	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may also yield points that you can put in cross-examination. MR NTSEBEZA SC: That's exactly the point, Mr Chairman.	2 3 4 5 6 7 8 9 10 11 12 13	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time that they would have used to cross-examine Mr Modiba. CHAIRPERSON: You've answered the question I was going to ask you. So you propose cross- examining Modiba, alright. Anybody else want to tell me
2 3 4 5 6 7 8 9 10 11 12 13 14	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may also yield points that you can put in cross-examination. MR NTSEBEZA SC: That's exactly the point, Mr Chairman. CHAIRPERSON: Is that right?	2 3 4 5 6 7 8 9 10 11 12 13 14	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time that they would have used to cross-examine Mr Modiba. CHAIRPERSON: You've answered the question I was going to ask you. So you propose cross- examining Modiba, alright. Anybody else want to tell me whether they will or will not cross-examine Modiba? Yes,
2 3 4 5 6 7 8 9 10 11 12 13 14 15	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may also yield points that you can put in cross-examination. MR NTSEBEZA SC: That's exactly the point, Mr Chairman. CHAIRPERSON: Is that right? MR NTSEBEZA SC: It seems to me therefore	2 3 4 5 6 7 8 9 10 11 12 13 14 15	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time that they would have used to cross-examine Mr Modiba. CHAIRPERSON: You've answered the question I was going to ask you. So you propose cross- examining Modiba, alright. Anybody else want to tell me whether they will or will not cross-examine Modiba? Yes, Mr Mpofu. Sorry, is there anything further you wish to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may also yield points that you can put in cross-examination. MR NTSEBEZA SC: That's exactly the point, Mr Chairman. CHAIRPERSON: Is that right? MR NTSEBEZA SC: It seems to me therefore that to the extent that there was a window that Mr	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time that they would have used to cross-examine Mr Modiba. CHAIRPERSON: You've answered the question I was going to ask you. So you propose cross- examining Modiba, alright. Anybody else want to tell me whether they will or will not cross-examine Modiba? Yes, Mr Mpofu. Sorry, is there anything further you wish to say, Mr Gotz, before I move on to Mr Mpofu? Are you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may also yield points that you can put in cross-examination. MR NTSEBEZA SC: That's exactly the point, Mr Chairman. CHAIRPERSON: Is that right? MR NTSEBEZA SC: It seems to me therefore that to the extent that there was a window that Mr Chaskalson seems to have left for a later period of cross-	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time that they would have used to cross-examine Mr Modiba. CHAIRPERSON: You've answered the question I was going to ask you. So you propose cross- examining Modiba, alright. Anybody else want to tell me whether they will or will not cross-examine Modiba? Yes, Mr Mpofu. Sorry, is there anything further you wish to say, Mr Gotz, before I move on to Mr Mpofu? Are you finished? Mr Mpofu.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may also yield points that you can put in cross-examination. MR NTSEBEZA SC: That's exactly the point, Mr Chairman. CHAIRPERSON: Is that right? MR NTSEBEZA SC: It seems to me therefore that to the extent that there was a window that Mr Chaskalson seems to have left for a later period of cross- examination by counsel for the arrested, injured and	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time that they would have used to cross-examine Mr Modiba. CHAIRPERSON: You've answered the question I was going to ask you. So you propose cross- examining Modiba, alright. Anybody else want to tell me whether they will or will not cross-examine Modiba? Yes, Mr Mpofu. Sorry, is there anything further you wish to say, Mr Gotz, before I move on to Mr Mpofu? Are you finished? Mr Mpofu. MR MPOFU: Thank you, Chairperson, just a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may also yield points that you can put in cross-examination. MR NTSEBEZA SC: That's exactly the point, Mr Chairman. CHAIRPERSON: Is that right? MR NTSEBEZA SC: It seems to me therefore that to the extent that there was a window that Mr Chaskalson seems to have left for a later period of cross- examination by counsel for the arrested, injured and detained, Mr Mpofu, then we may have to be also at the time	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time that they would have used to cross-examine Mr Modiba. CHAIRPERSON: You've answered the question I was going to ask you. So you propose cross- examining Modiba, alright. Anybody else want to tell me whether they will or will not cross-examine Modiba? Yes, Mr Mpofu. Sorry, is there anything further you wish to say, Mr Gotz, before I move on to Mr Mpofu? Are you finished? Mr Mpofu. MR MPOFU: Thank you, Chairperson, just a few points. Well, the first one is – and thank you for
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may also yield points that you can put in cross-examination. MR NTSEBEZA SC: That's exactly the point, Mr Chairman. CHAIRPERSON: Is that right? MR NTSEBEZA SC: It seems to me therefore that to the extent that there was a window that Mr Chaskalson seems to have left for a later period of cross- examination by counsel for the arrested, injured and detained, Mr Mpofu, then we may have to be also at the time that Mr Mpofu is called upon to do the cross-examination,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time that they would have used to cross-examine Mr Modiba. CHAIRPERSON: You've answered the question I was going to ask you. So you propose cross- examining Modiba, alright. Anybody else want to tell me whether they will or will not cross-examine Modiba? Yes, Mr Mpofu. Sorry, is there anything further you wish to say, Mr Gotz, before I move on to Mr Mpofu? Are you finished? Mr Mpofu. MR MPOFU: Thank you, Chairperson, just a few points. Well, the first one is – and thank you for allowing us to speak before Mr Mathibedi because he might
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may also yield points that you can put in cross-examination. MR NTSEBEZA SC: That's exactly the point, Mr Chairman. CHAIRPERSON: Is that right? MR NTSEBEZA SC: It seems to me therefore that to the extent that there was a window that Mr Chaskalson seems to have left for a later period of cross- examination by counsel for the arrested, injured and detained, Mr Mpofu, then we may have to be also at the time that Mr Mpofu is called upon to do the cross-examination, we can also be allotted that time. We would be ready, from	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time that they would have used to cross-examine Mr Modiba. CHAIRPERSON: You've answered the question I was going to ask you. So you propose cross- examining Modiba, alright. Anybody else want to tell me whether they will or will not cross-examine Modiba? Yes, Mr Mpofu. Sorry, is there anything further you wish to say, Mr Gotz, before I move on to Mr Mpofu? Are you finished? Mr Mpofu. MR MPOFU: Thank you, Chairperson, just a few points. Well, the first one is – and thank you for allowing us to speak before Mr Mathibedi because he might have to address some of these issues. This discussion now
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may also yield points that you can put in cross-examination. MR NTSEBEZA SC: That's exactly the point, Mr Chairman. CHAIRPERSON: Is that right? MR NTSEBEZA SC: It seems to me therefore that to the extent that there was a window that Mr Chaskalson seems to have left for a later period of cross- examination by counsel for the arrested, injured and detained, Mr Mpofu, then we may have to be also at the time that Mr Mpofu is called upon to do the cross-examination, we can also be allotted that time. We would be ready, from what my juniors tell me, to cross-examine Mr Modiba next	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time that they would have used to cross-examine Mr Modiba. CHAIRPERSON: You've answered the question I was going to ask you. So you propose cross- examining Modiba, alright. Anybody else want to tell me whether they will or will not cross-examine Modiba? Yes, Mr Mpofu. Sorry, is there anything further you wish to say, Mr Gotz, before I move on to Mr Mpofu? Are you finished? Mr Mpofu. MR MPOFU: Thank you, Chairperson, just a few points. Well, the first one is – and thank you for allowing us to speak before Mr Mathibedi because he might have to address some of these issues. This discussion now is premised on some assumption that Mr X will be one day in
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may also yield points that you can put in cross-examination. MR NTSEBEZA SC: That's exactly the point, Mr Chairman. CHAIRPERSON: Is that right? MR NTSEBEZA SC: It seems to me therefore that to the extent that there was a window that Mr Chaskalson seems to have left for a later period of cross- examination by counsel for the arrested, injured and detained, Mr Mpofu, then we may have to be also at the time that Mr Mpofu is called upon to do the cross-examination, we can also be allotted that time. We would be ready, from what my juniors tell me, to cross-examine Mr Modiba next week in the manner proposed by Mr Chaskalson.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time that they would have used to cross-examine Mr Modiba. CHAIRPERSON: You've answered the question I was going to ask you. So you propose cross- examining Modiba, alright. Anybody else want to tell me whether they will or will not cross-examine Modiba? Yes, Mr Mpofu. Sorry, is there anything further you wish to say, Mr Gotz, before I move on to Mr Mpofu? Are you finished? Mr Mpofu. MR MPOFU: Thank you, Chairperson, just a few points. Well, the first one is – and thank you for allowing us to speak before Mr Mathibedi because he might have to address some of these issues. This discussion now is premised on some assumption that Mr X will be one day in chief, which I must say I would like Mr Mathibedi to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	that there are only about 150 pages that have to be read, you may find in those 150 pages that X has said that deceased number 4 did this, whereas there are a number of statements in the dockets that indicate that what was allegedly done by deceased number 4 was actually done by somebody else, not even one of the deceased persons for whose families you appear. So you're not only limited to consulting with live witnesses as to what happened in relation to allegations made against your clients, but also the documentary material that's made available to you may also yield points that you can put in cross-examination. MR NTSEBEZA SC: That's exactly the point, Mr Chairman. CHAIRPERSON: Is that right? MR NTSEBEZA SC: It seems to me therefore that to the extent that there was a window that Mr Chaskalson seems to have left for a later period of cross- examination by counsel for the arrested, injured and detained, Mr Mpofu, then we may have to be also at the time that Mr Mpofu is called upon to do the cross-examination, we can also be allotted that time. We would be ready, from what my juniors tell me, to cross-examine Mr Modiba next	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	providing documents for our cross-examination of Mr X by Monday afternoon. I should also mention that we don't intend to cross-examine Colonel Modiba, but that said, we would be relatively comfortable cross-examining Mr X at a relatively early stage, so we don't need an extensive time for consultation and preparation. CHAIRPERSON: You're not going to cross- examine Modiba? MR NTSEBEZA SC: They'll give us the time that they would have used to cross-examine Mr Modiba. CHAIRPERSON: You've answered the question I was going to ask you. So you propose cross- examining Modiba, alright. Anybody else want to tell me whether they will or will not cross-examine Modiba? Yes, Mr Mpofu. Sorry, is there anything further you wish to say, Mr Gotz, before I move on to Mr Mpofu? Are you finished? Mr Mpofu. MR MPOFU: Thank you, Chairperson, just a few points. Well, the first one is – and thank you for allowing us to speak before Mr Mathibedi because he might have to address some of these issues. This discussion now is premised on some assumption that Mr X will be one day in

	5		D 00000
1	Page 30296 it will have a knock-on effect if we are all wrong in that	1	Page 30298 CHAIRPERSON: Do you propose cross-
2	assumption.	2	examining Colonel Modiba?
3	The second issue was, well that we still don't	3	MR TIP SC: We don't at all, Chair.
4	have the statement, but we'll accept our learned friend Mr	4	CHAIRPERSON: Thank you. Mr Mathibedi.
5	Mathibedi's assurance that it will be furnished sometime	5	MR MATHIBEDI SC: Thanks, Chair. Chair,
6	today.	6	the freedom of a section 204 witness is not dependent on
7	The third thing, Chair, which is quite important,	7	the police. It's dependent on whether the person during
8	is the fact that despite what Mr, even accepting what my	8	the criminal trial gives evidence truthfully and honestly,
9	learned friend Mr Chaskalson said about that the bulk of	9	and at the end of the day it's the presiding officer who
10	these dockets might not necessarily contain a thousand	10	must decide as to whether the person should be charged or
11	pages of relevant material, it's not so much the volume of	11	not. The other aspect is this Commission is not called
12	the documents that I'm concerned about. It's the	12	upon to determine the freedom of Mr X.
13	seriousness of the allegations contained in there. Even if	13	Now Chairperson, I think the contents of docket
14	it's only a hundred pages that is relevant, what I've	14	208 clearly shows what kind of persons at times that we are
14	already seen myself is sufficient to indicate that there	14	dealing with – people who will believe in what probably me
16	are new people who are implicated in quite serious ways,	16	and you won't believe in, and this has a material bearing
17	which will require some careful consideration not only of	17	on the mindset of some of the strikers who believed that
18	their evidence but as I indicated earlier, even of the	18	because they underwent, you know, rituals, muti rituals,
19	circumstances under which those statements were obtained.	19	bullets won't penetrate their bodies.
20	So I just want to put that on the record that it's not just	20	Now this brings us back to the fact that it shows
20	about the bulk as much as the magnitude of what is	20	what kind of person Mr X is. He is not a complicated
22	contained in this new material.	22	person. We cannot put him in the same league as General
23	The last issue, Chairperson, I don't want to	23	Mpembe, as the National Commissioner, as Brigadier Calitz,
24	sound like a broken record, but from what Mr Chaskalson's	24	people who were in a position to can go through documents
25	analysis, I was listening carefully to his analysis of what	25	that were made available to them at, you know, at the last
	= =		
	Page 30297		Page 30299
1	needs to be done on this 34 days that is remaining, and the	1	minute. I think it's wrong if we are going to do a
1 2	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less	1 2	
	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues		minute. I think it's wrong if we are going to do a
2	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less	2	minute. I think it's wrong if we are going to do a comparison of the two.
2 3	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to	2 3	minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr
2 3 4	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not	2 3 4	minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask
2 3 4 5	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and	2 3 4 5	minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with
2 3 4 5 6	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening	2 3 4 5 6	 minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in
2 3 4 5 6 7 8 9	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis.	2 3 4 5 6 7	 minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be
2 3 4 5 6 7 8 9 10	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu.	2 3 4 5 6 7 8 9 10	 minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of
2 3 4 5 6 7 8 9 10 11	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi	2 3 4 5 6 7 8 9 10 11	 minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not
2 3 4 5 6 7 8 9 10 11 12	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi to reply? I don't see any red lights – oh, Mr Bizos. Yes,	2 3 4 5 6 7 8 9 10 11 12	 minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not doing certain things, as the case may be. I understand
2 3 4 5 6 7 8 9 10 11 12 13	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi to reply? I don't see any red lights – oh, Mr Bizos. Yes, Mr Bizos?	2 3 4 5 6 7 8 9 10 11 12 13	 minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not doing certain things, as the case may be. I understand that he is identified on some of the videos. Is that
2 3 4 5 6 7 8 9 10 11 12 13 14	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi to reply? I don't see any red lights – oh, Mr Bizos. Yes, Mr Bizos? MR BIZOS SC: We will be in a position in	2 3 4 5 6 7 8 9 10 11 12 13 14	 minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not doing certain things, as the case may be. I understand that he is identified on some of the videos. Is that correct? That information has been made available, he's
2 3 4 5 6 7 8 9 10 11 12 13 14 15	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi to reply? I don't see any red lights – oh, Mr Bizos. Yes, Mr Bizos? MR BIZOS SC: We will be in a position in my absence – I believe that Mr Brickhill will be able to	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not doing certain things, as the case may be. I understand that he is identified on some of the videos. Is that correct? That information has been made available, he's been identified –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi to reply? I don't see any red lights – oh, Mr Bizos. Yes, Mr Bizos? MR BIZOS SC: We will be in a position in my absence – I believe that Mr Brickhill will be able to cross-examine the witness Modiba.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not doing certain things, as the case may be. I understand that he is identified on some of the videos. Is that correct? That information has been made available, he's been identified – MR MATHIBEDI SC: That's correct, it has
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi to reply? I don't see any red lights – oh, Mr Bizos. Yes, Mr Bizos? MR BIZOS SC: We will be in a position in my absence – I believe that Mr Brickhill will be able to cross-examine the witness Modiba. CHAIRPERSON: When?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not doing certain things, as the case may be. I understand that he is identified on some of the videos. Is that correct? That information has been made available, he's been identified – MR MATHIBEDI SC: That's correct, it has been made available.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi to reply? I don't see any red lights – oh, Mr Bizos. Yes, Mr Bizos? MR BIZOS SC: We will be in a position in my absence – I believe that Mr Brickhill will be able to cross-examine the witness Modiba. CHAIRPERSON: When? MR BIZOS SC: Next week, probably	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not doing certain things, as the case may be. I understand that he is identified on some of the videos. Is that correct? That information has been made available, he's been identified – MR MATHIBEDI SC: That's correct, it has been made available. CHAIRPERSON: Now I don't know whether
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi to reply? I don't see any red lights – oh, Mr Bizos. Yes, Mr Bizos? MR BIZOS SC: We will be in a position in my absence – I believe that Mr Brickhill will be able to cross-examine the witness Modiba. CHAIRPERSON: When? MR BIZOS SC: Next week, probably Tuesday.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not doing certain things, as the case may be. I understand that he is identified on some of the videos. Is that correct? That information has been made available, he's been identified – MR MATHIBEDI SC: That's correct, it has been made available. CHAIRPERSON: Now I don't know whether any of the cross-examination is going to be based upon the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi to reply? I don't see any red lights – oh, Mr Bizos. Yes, Mr Bizos? MR BIZOS SC: We will be in a position in my absence – I believe that Mr Brickhill will be able to cross-examine the witness Modiba. CHAIRPERSON: When? MR BIZOS SC: Next week, probably Tuesday. CHAIRPERSON: I see. Thank you, Mr	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not doing certain things, as the case may be. I understand that he is identified on some of the videos. Is that correct? That information has been made available, he's been identified – MR MATHIBEDI SC: That's correct, it has been made available. CHAIRPERSON: Now I don't know whether any of the cross-examination is going to be based upon the video material, either the material, video material to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi to reply? I don't see any red lights – oh, Mr Bizos. Yes, Mr Bizos? MR BIZOS SC: We will be in a position in my absence – I believe that Mr Brickhill will be able to cross-examine the witness Modiba. CHAIRPERSON: When? MR BIZOS SC: Next week, probably Tuesday. CHAIRPERSON: I see. Thank you, Mr Bizos. Mr Tip, I understood you might wish to say	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not doing certain things, as the case may be. I understand that he is identified on some of the videos. Is that correct? That information has been made available, he's been identified – MR MATHIBEDI SC: That's correct, it has been made available. CHAIRPERSON: Now I don't know whether any of the cross-examination is going to be based upon the video material, either the material, video material to which the parties' attention has been drawn, or other video
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi to reply? I don't see any red lights – oh, Mr Bizos. Yes, Mr Bizos? MR BIZOS SC: We will be in a position in my absence – I believe that Mr Brickhill will be able to cross-examine the witness Modiba. CHAIRPERSON: When? MR BIZOS SC: Next week, probably Tuesday. CHAIRPERSON: I see. Thank you, Mr Bizos. Mr Tip, I understood you might wish to say something before I call on Mr Mathibedi's reply.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not doing certain things, as the case may be. I understand that he is identified on some of the videos. Is that correct? That information has been made available, he's been identified – MR MATHIBEDI SC: That's correct, it has been made available. CHAIRPERSON: Now I don't know whether any of the cross-examination is going to be based upon the video material, either the material, video material to which the parties' attention has been drawn, or other video material to which their attention has not been drawn, which
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi to reply? I don't see any red lights – oh, Mr Bizos. Yes, Mr Bizos? MR BIZOS SC: We will be in a position in my absence – I believe that Mr Brickhill will be able to cross-examine the witness Modiba. CHAIRPERSON: When? MR BIZOS SC: Next week, probably Tuesday. CHAIRPERSON: I see. Thank you, Mr Bizos. Mr Tip, I understood you might wish to say something before I call on Mr Mathibedi's reply. MR TIP SC: No, we have nothing of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not doing certain things, as the case may be. I understand that he is identified on some of the videos. Is that correct? That information has been made available, he's been identified – MR MATHIBEDI SC: That's correct, it has been made available. CHAIRPERSON: Now I don't know whether any of the cross-examination is going to be based upon the video material, either the material, video material to which the parties' attention has not been drawn, which perhaps shows Mr X, even though it wasn't originally shown
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi to reply? I don't see any red lights – oh, Mr Bizos. Yes, Mr Bizos? MR BIZOS SC: We will be in a position in my absence – I believe that Mr Brickhill will be able to cross-examine the witness Modiba. CHAIRPERSON: When? MR BIZOS SC: Next week, probably Tuesday. CHAIRPERSON: I see. Thank you, Mr Bizos. Mr Tip, I understood you might wish to say something before I call on Mr Mathibedi's reply. MR TIP SC: No, we have nothing of substance to add. We'll be ready to deal with anything	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not doing certain things, as the case may be. I understand that he is identified on some of the videos. Is that correct? That information has been made available, he's been identified – MR MATHIBEDI SC: That's correct, it has been made available. CHAIRPERSON: Now I don't know whether any of the cross-examination is going to be based upon the video material, either the material, video material to which their attention has not been drawn, which perhaps shows Mr X, even though it wasn't originally shown to the parties.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	needs to be done on this 34 days that is remaining, and the only conclusion one can reach is that it is nothing less than impossible to finish all that work with all the issues that Mr Chaskalson has raised in the time available in relation to what I've already - which I don't want to repeat. But I think I can now go as far as to say it's not difficult, it's impossible that we can justifiably and doing fairness, finish on the 31st of July, after listening to Mr Chaskalson's analysis. CHAIRPERSON: Thank you, Mr Mpofu. Anyone else want to say anything before I ask Mr Mathibedi to reply? I don't see any red lights – oh, Mr Bizos. Yes, Mr Bizos? MR BIZOS SC: We will be in a position in my absence – I believe that Mr Brickhill will be able to cross-examine the witness Modiba. CHAIRPERSON: When? MR BIZOS SC: Next week, probably Tuesday. CHAIRPERSON: I see. Thank you, Mr Bizos. Mr Tip, I understood you might wish to say something before I call on Mr Mathibedi's reply. MR TIP SC: No, we have nothing of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	minute. I think it's wrong if we are going to do a comparison of the two. Now Chairperson, whether the dockets that have been made available, some of them – CHAIRPERSON: Yes, I'm sorry, Mr Mathibedi, I just thought of something else I'd like to ask all the other counsel first and then you – I'll deal with it now while I remember and then you can deal with it in your reply if you wish. It occurs to me that it may be that some of the parties may wish to draw the attention of X to him on certain videos doing certain things, or not doing certain things, as the case may be. I understand that he is identified on some of the videos. Is that correct? That information has been made available, he's been identified – MR MATHIBEDI SC: That's correct, it has been made available. CHAIRPERSON: Now I don't know whether any of the cross-examination is going to be based upon the video material, either the material, video material to which the parties' attention has not been drawn, which perhaps shows Mr X, even though it wasn't originally shown

		r	
	Page 30300		Page 30302
1	in mind in the kind of notification which is required	1	the other aspect is, I've already indicated, Chairperson,
2	before cross-examination. Can anyone answer that question?	2	that we do not choose as to where and when we can consult
3	Is that going to be done or not going to be done, or has it	3	with Mr X like, I mean we are faced with the weekend. We
4	not been considered?	4	don't know whether, I mean the arrangement that we've made
5	MR NTSEBEZA SC: Mr Chairman, I think	5	is to see him up until tomorrow, so we don't know whether
6	there is, from what I have cursory read of the statements,	6	we can see him over the weekend or not without prior
7	reference to the incident on the railway line where Mr X	7	arrangements. This is one fact that, or factors that
8	does refer to certainly Mr Mgcineni Noki and therefore	8	determine when and where a consultation is to take place
9	there may well be a need to refer to that clip -	9	with Mr X.
10	CHAIRPERSON: Yes, well I understand my	10	Now on the aspect that Advocate Mpofu raised, I
11	information, my understanding may be incorrect, but I	11	am not in a position to can state that I'm going to lead X
12	thought that's not – am I correct in saying that's not the	12	for an hour or a day or two days, Chairperson. We
13	only reference to video material –	13	respectfully submit that this is a very important witness,
14	MR NTSEBEZA SC: Indeed.	14	as I've already indicated. If it means I've got to lead
15	CHAIRPERSON: - in which he is shown?	15	him for three days, so be it, three days, Chairperson. We
16	MR NTSEBEZA SC: No, it was just an	16	cannot have a situation wherein we are being told that X
17	example.	17	should be led on Monday and then Tuesday and Wednesday
18	CHAIRPERSON: Yes, no, no, sure. So	18	other parties should cross-examine him, and there is
19	that's something else that will have to be considered	19	already an indication from some of the legal
20	because it may well be that a cross-examiner will wish to	20	representatives who seek to cross-examined Mr X, that they
21	say look at this video, you say you did this, in fact this	21	will not be in a position to can give us the relevant
22	video shows you didn't, or vice versa.	22	documents on which they are going to rely on by at least
23	MR MPOFU: Yes, the same applies to us,	23	Monday. And, Chairperson, we respectfully submit that this
24	Chairperson.	24	is the kind of witness that we should make sure that even
25	CHAIRPERSON: Yes, so I don't know	25	prior to him commencing with his evidence in chief, that
	Page 30301		Page 30303
1	whether it's an exercise you've already performed –	1	all the relevant documents have been discussed with him,
2	MR MPOFU: No, I –	2	even those which the other legal representatives are going
3	CHAIRPERSON: If it isn't, it's going to	3	to rely on.
4	have to be, I would think.	4	Chairperson, the other aspect is that we've
5	MR MPOFU: Yes.	5	already indicated through evidence leaders for the police
6	CHAIRPERSON: Okay, thank you. Sorry, Mr	6	case Colonel Mtimkulu is a very important witness. The
7	Mathibedi, but that's a point that also has to be borne in	7	evidence is that scene 1 he discharged a firearm which
8	mind and you have to deal with in the course of your reply.	8	indicated that he is one of the witnesses that we seek to
9	Thank you.	9	call, so if the view is that the evidence of Colonel Mere
10	MR MATHIBEDI SC: Thanks, Chairperson.	10	is not relevant or it is not necessary, there is no reason
11	Chairperson, once we were given the consent or go-ahead to	11	why Colonel Mtimkulu cannot be called to testify next week.
12	distribute dockets, it is not within our discretion to	12	And we respectfully submit, Chairperson, that it is not in
13	decide which dockets we are going to make available and	13	the interest of this Commission and even of Mr X that he
14	which we are not going to make available, lest we will be	14	should be led and from there other witnesses should be
15	accused of, you know, suppressing information, which we	15	called or his cross-examination should be deferred, because
16	don't want to happen, and for one to be in a position to	16	we would not like to have a situation where in documents
17	can determine that a thousand and so odd pages or documents	17	are being made available at a later stage so that we should
18	are irrelevant, it means one must go through the docket,	18	consult with him.
19	and until such a time that we have gone through the docket,	19	We respectfully submit, Chairperson, that even we
20	Mr Chairperson, we cannot, you know, tell this Commission	20	are aware of the time constraints that we have to operate
21	that the chunk of the content of the docket, it's relevant.	21	with, but we respectfully submit, Chairperson, that that is
22	[16:00] Even if we were to accept that only 150 or so	22	not a paramount consideration. A paramount consideration
23	pages are relevant the fact remains that because of the	23	is that evidence should be fairly and justly be led before
	kind of person Mr X is, we will have to go, painstakingly	24	this Commission. Witnesses or parties should not be
24			·
24 25	through those 150 pages with him, using an interpreter and	25	prejudiced because of time constraints, Chairperson. If
25	through those 150 pages with him, using an interpreter and	25	prejudiced because of time constraints, Chairperson. If

 the time arrives that not all the evidence have been placed bofore the Commission, Chairperson. It is just unfortunato, we would be faced with hat: We enspectifully submit that the intens, the vidence if the W. Should be tondered on the basis suggested by Mr Chastakson. Chairperson, even at the sitters, the vidence if the W. Should be tondered on the basis suggested by Mr Chastakson. Chairperson, even at the sitters, the vidence if the W. Should be tondered on the basis suggested by Mr Chastakson. Chairperson, even at the sitters, the vidence if the W. Should be tondered on the chairperson. This is a clear indication that although wo with that X should come on Monday, but the situation is such that X should come on Monday, but the situation is such that X should the to hear mo on a specific aspect that's marking that chair to consider the ruling and I shall give it tomorrow morning when we recommence at nine octock: We will now adjourn. COMMISSION ADJOURNED] . 		Page 30304	
 before the Commission. Chairperson, it is just unfortunate. we would be faced with that. We respectively submit that the withness, the evidence of Wr X should be tendered on the basis suggested by Mr Chaskalson. Chairperson, even at the state, even the evidence leaders dent tall us that, withich documents they are going to rely on in cross. examination, in cross-sexamining Mr X. Wa are not even advised as to when those documents can be made available to to: Chairperson. That Should come on Monday, but the situation is such that it is practically impossible, Chairperson, unless the chairperson would like to hear me on a specific aspect thats my argument. (COMMISSION ADJOURNED) tore will now adjourn. (COMMISSION ADJOURNED) is is<!--</td--><td>1</td><td>-</td><td></td>	1	-	
 we would be faced with linkt. We respectfully submit that it is not in the interest of Nr X and this Commission that the withers, the evidence of Nr X should be tendered on the taski suggested by Wh Chaskatson. Chairperson, even at this stage, even the evidence leaders don't fall us that, which documents they are going to rely on in cross. examination, in cross-examining Mr X. We are not even advised as to when those documents can be made available to us, Chairperson. This is a clari indication that atthough we wish that X should be took, you the Stutiation is such that It is protically impossible, Chairperson, unless the that further toom row moning when we recommence at nine cocks. We will now adjourn. [COMMISSION ADJOURNED] issall give intomrow moning when we recommence at nine cocks. We will now adjourn. [COMMISSION ADJOURNED] issall give inderest of the ruling and 1 stall give intomrow moning when we recommence at nine cocks. We will now adjourn. [COMMISSION ADJOURNED] issall give inderest of the ruling and inderest of the rule rule rule rule rule rule rule rul	2	· · · · · · · · · · · · · · · · · · ·	
 I is not in the interest of Mr X and this Commission that the witness, the evidence to Mr X should be tendered on the basis suggested by Mr Chaskison. Chargregon, even at this stage, even the evidence tenders don't tell us that, which documents they are going to roly on in cross- examination, in cross-seaming Mr X. Wa er not even divised as to when those documents can be made available to u. Chairperson. This is a clear indication that although we wish that X should come on Monday, but the situation is such that this practically impossible, Chairperson, unless the chairperson would like to hear me on a specific aspect that this my argument. CHAIRPERSON: Thank you, Mr Mathibedi. Very well, Will take time to consider the ruling and I shall give it tomorrow morning when we recommence at nine ordext. We will now adjourn. (COMMISSION AUJOURNED) i 			
 the witness, the evidence of Mr X should be tendered on the is suggested by Mr Chaskalson. Chariperson, even at this stage, even the evidence leaders don't tell us that, withich documents they are going to rely on in cross- advised as to when these documents can be made available to us, charperson. This is a derived are imidication that although we wish that X should come on Monday, but the situation is such that X should come on Monday, but the situation is such that X should come on Monday, but the situation is such that X should come on Monday. But the situation is such that X should come on Monday. But the situation is such that I is practically impossible, Charperson, unless the charperson would like to hear me on a specific aspect shall give it tomorrow morning when we recommence at nine oclock. We will now adjourn. (COMMISSION ADJOURNED) i i<td></td><td></td><td></td>			
 basis suggested by Mr Chaskalson. Chairperson, even at fits isage, even the evidence leaders don't full us that, witch documents they are going to r2 yoo in cross. cramination, in cross-examining Mr X. We are not even divised as to when those documents can be made available to us, Chairperson would like to hear me on a specific aspect that it is pratically impossible, Chairperson, unless the chairperson would like to hear me on a specific aspect that it is pratically impossible, Chairperson, unless the chairperson would like to hear me on a specific aspect that it is pratically impossible, Chairperson, unless the otclex. We will now adjour. [COMMISSION ADJOURNED] i 			
this stage, even the evidence leaders don't tell us that, which documents they are going to rely on in cross. examination, in cross-examining Mr X. We are not even advised as to when those documents can be made available to us, Chairperson. This is a clear indication that although we wish that X should come on Monday, but the situation is such that it is practically impossible, Chairperson, unless the chairperson would like to hear me on a specific aspect thats my argument. CHAIRPERSON: Thank you, Mr Mathibedi. Very well, I will take time to consider the ruling and I shall give it tomorrow morning when we recommence at nine ocicek. We will now adjourn. (COMMISSION ADJOURNED) clear Sing Sing Adjourned Sing Sing Adjourned Sing Adjourned Sing Adjourned clear Sing Adjourned Si			
 which documents they are going to rely on in cross: examination, in cross-examining Mr X. We are not even advised as to when those documents can be made available to us, Chairperson. This is a clear indication that although we wish that X should come on Monday, but the situation is such that X should come on Monday, but the situation is such that X should come on Monday, but the situation is such that y should we it to more worming when we recommence at nine orclock. We will now adjourn. [COMMISSION ADJOURNED] . . 			
 examination, in cross-examining Mr X. We are not even advised as to when those documents can be made available to us, Chairperson. This is a clear indication that although we wish that X should come on Monday, but the situation is such chairperson would like to hear me on a specific aspect chairperson would like to hear me on a specific aspect that its yrargument. CHAIRPERSON: Thank you, Mr Mathibeati. Very well, Will take time to consider ther ruling and I shall give it tomorrow morning when we recommence at nine ocidex. We will now adjourn. [COMMISSION ADJOURNED] 		-	
 advised as to when those documents can be made available to 10 us. Chairperson. tis a clear indication that although we wish that X should come on Monday, but the situation is such that it is practically impossible, Chairperson, unless the chairperson would like to hear me on a specific aspect that x yary well, I will take time to consider the ruling and I shall give to thomorrow morning when we recommence at nine octock. We will now adjourn. (COMMISSION ADJOURNED) . . . 			
 us, Chairperson. This is a clear indication that atthough we wish that X-build come on Monday, but the situation is such that X-build come on Monday, but the situation is such that it is practically impossible. Chairperson, unless the chairperson would like to hear me on a specific aspect thats my argument. CHAIRPERSON: Thank you, Mr Mathibedi. Very well, I vill take time to consider the ruling and I shall give it tomorrow morning when we recommence at nine octock. We will now adjour. [COMMISSION ADJOURNED] . . 		-	
12 This is a clear indication that although we wish 13 that X should come on Monday, but the situation is such 14 that it is practically impossible, Chairperson, unless the 15 chairperson would like to hear me on a specific aspect 16 that's my argument. 17 CHAIRPERSON: 18 shall give it tomorrow morning when we recommence at nine 19 shall give it tomorrow morning when we recommence at nine 10 colcok. We will now adjourn. 11 (COMMISSION ADJOURNED) 12 . 13 . 14 . 15 .			
 13 that X should come on Monday, but the situation is such 14 that it is practically impossible. Chairperson, unless the 15 chairperson would like to hear me on a specific aspect 14 that is my argument. 17 CHAIRPERSON: Thank you, Mr Mathibedi. 19 Very well, I will take time to consider the ruling and I 19 shall give it tomorrow morning when we recommence at nine 10 octock. We will now adjourn. 11 (COMMISSION ADJOURNED) 22 . 23 . 24 . 25 . 			
 14 that it is practically impossible. Chairperson, unless the 15 chairperson would like to hear me on a specific aspect 16 that's my argument. 17 CHAIRPERSON: Thank you, Mr Mathibedi. 18 year it tomorrow morning when we recommence at nine 0 oclock. We will now adjourn. 17 [COMMISSION ADJOURNED] 28 29 		-	
 15 chalrperson would like to hear me on a specific aspect 16 that's my argument. 17 CHAIRPERSON: Thank you, Mr Mathibedi. 18 Very well, i will take time to consider the ruling and I 19 shall give it tomorrow morning when we recommence at nine 20 cclock. We will now adjourn. 17 [COMMISSION ADJOURNED] 22 : 23 : 24 : 25 : 	13		
 16 that's my argument. 17 CHAIRPERSON: Thank you, Mr Mathibedi. 18 Very well, I will take time to consider the ruling and I 19 shall give it tomorrow morning when we recommence at nine 20 octook. We will now adjourn. 21 [COMMISSION ADJOURNED] 22 : 23 : 24 : 25 : 	14		
17 CHARPERSON: Thank you, Mr Mathibedi. 18 Very well, I will take time to consider the ruling and I 19 shall give it tomorrow morning when we recommence at nine 0 oclock. We will now adjourn. 1 [COMMISSION ADJOURNED] 22 . 23 . 24 . 25 .	15	chairperson would like to hear me on a specific aspect	
18 Very well, I will take time to consider the ruling and I 19 shall give it tomorrow morning when we recommence at nine 20 clock. We will now adjour. 21 [COMMISSION ADJOURNED] 22 . 23 . 24 . 25 .	16	that's my argument.	
19 shall give it tomorrow morning when we recommence at nine 20 orClock. We will now adjourn. 21 [COMMISSION ADJOURNED] 22 . 23 . 24 . 25 .	17	CHAIRPERSON: Thank you, Mr Mathibedi.	
20 orclock. We will now adjourn. 21 . 23 . 24 . 25 .	18	Very well, I will take time to consider the ruling and I	
21 [COMMISSION ADJOURNED] 22 . 23 . 24 . 25 .	19	shall give it tomorrow morning when we recommence at nine	
22 . 23 . 24 . 25 .	20	o'clock. We will now adjourn.	
	21	[COMMISSION ADJOURNED]	
	22		
25 .	23		
	24		
	25		
Recting to the second s			
A market and a m			
Received and a contraction of the second and a contraction of			
Real Production of the second			
Real And Rea			
Real Argenting and a contraction of the contraction			
Real And State A			
Real Astronomy Contraction of the Astronomy C			
Real Astronome and the second			
Real As a contract of the cont			
Real As a contraction of a contraction o			
Real As and the second of the			
Real for the former of the for			
Real for the former of the for			
Real As and the second of the			
Real and Real of the second se			
- Be to an a contraction of the			
Shingh home , The man and the	D	20 Krow 0 20 1	
Smint house , The The for house	- K	A final construction of the second	
multiphone, price to have	1	-) Pes _ m [e [m] / m] m]	
	2	my home, pare on to have	
marry a you oth	-	> marry Wign MA	

				Page
A	action 30162:13	30191:7 30212:18	30219:5,11,11	amounts 30155:17,20
abandon 30230:7	30194:8 30197:5,11	30214:20 30304:10	30225:15 30282:13	Amplats 30126:16,18
abide 30201:10,17,23	30268:6 30292:9	advisors 30192:4	30293:9 30296:13	amplified 30252:13
30202:3	actions 30160:11,12	Advocate 30302:10	alleged 30123:6	analyse 30191:20
ability 30196:9	activities 30191:10	affidavit 30126:25	30220:10	analysis 30186:1,6
able 30115:2 30116:22	acts 30191:12	30127:10,17	allegedly 30293:5	30296:25,25 30297:9
30117:9 30123:3	actual 30175:5	30128:16,17,24,25	allocating 30269:4,9	anarchy 30173:6
30152:8 30159:6	30271:17	30129:15 30174:4,5,9	allocation 30113:4	ancestors 30280:20
30171:6 30173:4	add 30183:25 30191:25	30175:10,12,13,13,19	30115:21 30276:8	anchor 30177:13
30181:12,13 30182:7	30215:17 30258:9	30177:21 30199:10	allotted 30293:21	anger 30162:6
30186:16 30188:25	30277:24 30297:24	30199:12,17 30217:2	allow 30163:17	angered 30159:9
30204:24 30207:1	addendum 30157:19	afford 30212:22	30218:23 30221:25	angle 30113:1
30211:11 30218:15	30158:11	afforded 30114:3	30233:13 30281:23	Anglo 30156:2 30163:1
30220:9,25 30221:12	additional 30138:22	afraid 30199:3 30231:2	allowance 30139:8	30197:20
30223:22 30241:18	30175:23 30187:23	30294:6,17	30149:23,25 30156:7	angry 30136:5
30242:7 30243:10	30191:16 30192:21	Africa 30274:24	30156:14 30157:15	animosity 30137:3
30245:21 30246:5,24	30273:22	African 30171:9	30157:16 30163:9	30160:12
30250:4 30257:6,25	address 30120:19	30173:10 30202:11	30164:14,14,15,18	annexed 30128:17
30258:11 30259:21	30121:1,6 30160:18	30202:15,18,23,24	30165:11,18	annexures 30187:8
30266:3 30272:15,16	30173:10 30216:5,8	30205:14 30264:2	allowed 30116:5	30189:13,13
30272:23 30273:20	30240:22,24 30241:4	afternoon 30114:21	30192:10	announce 30112:13
30288:7 30291:15	30278:17 30295:21	30154:5 30286:21	allowing 30262:3	announcement 30112:
30297:15	addressed 30119:23	30288:24 30295:2	30295:20	answer 30122:19
absence 30297:15	30198:3 30242:12	agenda 30272:12	alluded 30234:24	30141:16 30142:4
absolutely 30222:16	30273:15,22	aggression 30194:7	30235:3	30145:17,18
30251:4 30267:6	30285:15	aggressive 30179:25	aloud 30270:24	30153:24 30158:2
30285:7	addressing 30201:2 30230:3 30260:11	aggrieved 30198:13	alright 30116:3	30164:21,22 30171:9
accede 30159:6,8	30265:20	ago 30117:12 30118:13 30191:18 30206:9	30117:2,2 30126:7 30174:17 30191:5	30172:2 30173:5 30179:18 30180:20
accept 30122:7	adequately 30236:25	30224:13,15 30254:6	30200:2 30202:9	30180:25 30194:9
30124:14 30141:10	30257:7	30279:11	30200.2 30202.9	30220:7 30225:25
30155:5 30158:17	adhered 30219:16,17	agree 30136:1	30240.13,10 30241.7	30233:17 30263:7
30180:25 30190:25	30238:7	30140:25 30141:22	30251:11,23	30287:19 30294:17
30227:11 30232:19	adjourn 30240:6	30142:2,5 30143:10	30267:22 30284:5	30287.19 50294.17
30232:22 30233:22	30241:12 30304:20	30145:23 30151:23	30295:13	answered 30295:11
30236:1 30252:24	ADJOURNED	30152:9,13,14	alternative 30163:10	antagonism 30140:7
30254:4 30259:12	30304:21	30155:16 30166:10	30232:9 30264:17	anticipate 30289:11
30292:4,23,24,25	adjournment 30162:16	30241:2 30267:21	30286:16	anticipated 30174:15
30296:4 30301:22	30196:24 30198:23	30291:4	alternatively 30188:25	30189:20 30198:18
accepted 30129:20	30234:10 30239:17	agreed 30135:14	30233:14	30254:7
30130:7 30155:19	30240:7,17 30247:7	30188:9 30206:11	alternatives 30266:21	anybody 30118:8,9
30156:7 30164:7	30286:3 30288:14,19	30255:8 30261:10	ambiguous 30156:15	30122:23 30146:17
30170:21 30254:8	ADJOURNS 30166:22	30262:7 30266:20	AMCU 30118:21	30172:23 30190:20
accepting 30296:8	30199:1 30241:13	30275:7 30289:2	30119:22 30122:13	30201:20,24 30202:6
access 30196:18	30288:20	agreeing 30294:16	30124:21,24 30125:1	30238:9 30241:7
30279:15	admit 30143:14	agreement 30128:8	30131:25 30132:1,21	30263:24 30285:20
accommodate 30255:4	admitting 30145:16	30133:9 30138:11,19	30133:14,16,19,25	30294:22 30295:13
accommodation	adopt 30292:9	30147:12,13	30135:16 30144:22	anymore 30192:9
30242:20	adopted 30131:6	30150:13 30153:19	30151:5 30155:23	anyway 30117:3,8
accompanied 30177:10	30160:20,24	30157:19 30158:8,9	30156:20 30162:24	30171:25 30174:25
30197:11	30163:16	30158:10,12	30163:17,25 30164:6	30176:24 30188:5
accompany 30166:16 account 30121:25	adopting 30161:18	30163:25 30164:13	30164:11,12	30189:12,14
30122:1 30183:17	Adv 30202:15	30164:25 30165:23	30165:13,22 30166:6	30205:25 30207:2
30122:1 30183:17 30184:2 30205:10	30212:18	30166:7 30176:3	30271:17,18 30282:7	30211:1,16 30220:2
30215:19 30280:16	advance 30195:1	30200:24 30264:23	30282:15	30227:2 30232:1
30215:19 30280:16	30219:14 30225:4	ahead 30155:18	AMCU's 30164:2,23	30233:13,24
accused 30301:15	30260:17	30188:17 30204:3	ameliorate 30260:6	30239:10,13 30287:8
achieved 30120:4	advanced 30113:12	aid 30229:3,6,21	ameliorated 30260:25	30288:13,18
acquainted 30209:4	30216:17,18	air 30172:15 30176:23	ameliorates 30259:6	apart 30211:18
acquired 30170:14	advancing 30179:21	alert 30193:22	ameliorating 30259:11	30271:5
act 30160:22 30161:3	advantages 30287:10	30194:15,17 30195:3	amended 30155:20	apologies 30152:16
30161:23 30176:15	adversary 30173:2	alerted 30194:13	amendment 30294:12	30200:14
30176:16	adverse 30204:20	alia 30186:2 30227:1	American 30156:2	apologise 30112:3
acted 30146:10	adversely 30216:23	allegations 30217:3,11	30163:1 30197:21	30199:5 30251:20
30157:6	advisable 30252:5,6	30217:20,21 30218:1	amount 30125:4	30288:23
JU1J1.0		-		
	advised 30187:20	30218:6,10,12	30164:14 30280:22	apparent 30175:21

Marikana Commission of Inquiry

				Page
30230:23	area 30132:25 30133:2	30265:18	30254:25 30258:5	A3 30138:21 30139:6
apparently 30121:24	30195:15	asking 30149:5	30271:17	A4 30129:21,24
30252:2	areas 30195:14	30161:6 30183:25	attorney 30234:14	30130:5 30138:22
appeal 30145:17	aren't 30279:5 30283:5	30195:2 30232:8	attorneys 30241:22	30139:6,7
appealed 30254:10	argue 30240:10	30233:6 30240:10	August 30118:22	0010310,7
appear 30242:11	30251:19	30250:19 30251:1	30132:1 30154:5	B
30281:13 30284:20	argued 30112:11	30254:24	30167:10 30176:19	back 30118:24
30293:7	30166:24 30196:25	aspect 30123:17	30177:5 30183:9	30120:25 30124:23
appeared 30215:13	30198:25 30199:9	30177:7 30192:24	30184:17,20,20	30126:10 30141:6
30242:13 30254:9	arguing 30199:19	30203:13 30205:13	30185:12 30262:12	30153:4,7,9,16
appears 30129:15	30239:25	30208:4,21 30212:16	30262:20 30263:4,8	30157:7 30159:7
30182:2	argument 30125:9	30230:24 30232:9	30264:21 30265:13	30166:20 30188:23
applicable 30212:8,11	30205:4 30251:24	30298:11 30302:1,10	30265:22,23,24	30198:24 30205:25
application 30112:7	30257:4 30265:2	30303:4 30304:15	30271:14,21,22,24	30206:11 30221:10
30113:22 30114:20	30269:15,23 30270:6	aspects 30144:13	30272:1,2,4,5,6,8,9	30239:18 30258:3
30114:23,24 30115:3	30270:8 30273:4	30210:15 30236:2	30280:10,11	30273:2 30276:2
30115:10 30116:5,10	30275:25,25	30244:5	author 30156:16	30281:20 30288:15
30116:18 30166:18	30276:23 30277:25	assaulted 30198:12	authorities 30230:6	30288:24 30289:3
30166:24 30196:24	30282:23 30304:16	assaults 30160:16	authority 30242:14	30298:20
30198:24 30199:8,9	arguments 30203:16	30272:2	avail 30227:22	background 30177:12
30199:11,18,22,24	arises 30207:11	assess 30146:25	availability 30188:9	30262:14 30271:13
30200:1,7,22 30201:4	30251:16	30261:5	30248:11 30262:1	bad 30237:15
30201:13 30207:16	arising 30179:6	assessing 30269:3	30263:8	bag 30153:1
30216:3,6,11,15,16	arms 30169:25	assist 30173:12	available 30171:20	balance 30238:1,6
30227:3,4 30230:11	30238:16	30189:21 30191:15	30172:14,19,20,25	30244:14,15
30232:4,10 30238:15	arrange 30175:6	30194:16 30209:5	30173:1,9 30174:21	balanced 30175:11
30239:2,5,12	arranged 30113:15	30221:1 30229:8	30186:19 30187:6	ballistics 30169:24
30240:22,24	30275:12	30258:11	30188:10 30191:17	balls 30170:16
30246:20 30249:6,25	arrangement 30115:4	assistance 30177:8	30191:18 30202:20	ban 30170:11,12
30252:24 30258:4,6	30116:2 30214:15	30180:12	30204:2,6 30205:12	band 30129:21,25
30258:10 30260:13	30264:14 30266:25	assistant 30214:12	30205:15 30206:7	30130:5
30261:18 30262:8,14	30302:4	assistants 30155:2	30210:19 30211:14	bang 30268:7
30262:16 30263:22	arrangements 30188:7	assisted 30155:2	30211:17 30212:23	bank 30280:16,17
30274:9	30191:10 30206:4,10	assisting 30211:3	30213:10 30214:7,21	bargain 30133:13,16
applications 30250:8	30215:25,25,25	assume 30204:14	30214:25 30215:4	30133:19
30252:12 30270:9	30223:18 30230:16	30205:6 30220:1	30216:1 30224:11,15	bargaining 30132:2,10
30289:23	30230:23 30234:3,3	30227:4,9 30235:15	30224:20 30225:9,17	30132:18 30133:4,7
applies 30202:11	30254:9,14,16	assuming 30207:12	30225:22 30236:24	30140:17 30142:10
30206:15 30300:23	30262:6 30263:13,18	30219:3 30221:12	30248:23 30250:6,11	30165:4
apply 30208:9	30263:19,20 30264:9	30227:18 30249:9	30261:9,23 30262:12	Barker 30280:13
30226:22 30237:15	30264:22 30265:11	30265:7,10 30270:7	30262:20 30263:1	Barnard 30168:4,8,9
30277:14	30265:13,14 30302:7	30272:19	30269:7 30272:23	30168:12,13
applying 30235:14	arrested 30199:23	assumption 30137:24	30273:17 30275:6,13	barrier 30209:3
appointment 30116:20	30205:21 30218:20	30265:10 30266:1,2	30276:4 30278:15,21	base 30198:5
apportion 30231:18	30293:18	30295:22 30296:2	30279:16 30281:3	based 30124:7 30133:9
appreciate 30185:8	arrive 30191:15	assumptions 30265:21	30290:2,2 30292:1,3	30227:1 30265:19
30262:22 30263:1	30211:18 30273:13	assurance 30191:1,1	30293:10 30297:4	30299:19
approach 30165:14	arrived 30185:15	30237:1,3 30275:8	30298:25 30299:4,14	basic 30125:21
30167:15 30191:8	30284:19	30292:5 30296:5	30299:17 30301:13	basically 30177:25
30250:18,19	arrives 30129:16	assure 30230:2	30301:14 30303:17	30195:12 30210:15
30257:13 30260:23	30304:1	attach 30171:2	30304:10	basis 30151:21
30261:2 30266:17	article 30127:25	attempt 30180:4	averse 30235:5	30170:19 30180:17
30292:16	articles 30127:20	30261:1	avoided 30157:8	30191:22 30204:24
approached 30165:15	ascertain 30199:16	attempted 30123:2	30158:24 30164:8	30205:7 30206:10
30228:7	ascertained 30202:8	30130:3	avoids 30287:13	30211:12,18 30212:1
appropriate 30180:25	ascertaining 30202:7	attend 30288:22	aware 30120:2 30121:2	30214:4 30217:23
30249:13 30262:18	aside 30221:21 30238:6	attending 30136:12	30122:24 30125:11	30220:19 30249:5,6
30294:13	30266:6,19,24	attention 30167:19	30125:16,22 30126:1	30252:8 30254:9
appropriately	asked 30120:7	30200:23 30299:10	30126:8,14,22	30256:8 30262:6
	30122:17 30130:19	30299:21,22	30120:0,14,22	30263:9 30265:6,7,18
	30122,17 3013017	,	30144:18 30167:14	30268:12 30282:16
30114:25 30198:3		attitude 30121.14 16		
30114:25 30198:3 30205:24 30207:1	30141:15 30145:12	attitude 30121:14,16 30122:23 30123:23		
30114:25 30198:3 30205:24 30207:1 approximately 30187:7	30141:15 30145:12 30145:13 30158:20	30122:23 30123:23	30167:17 30182:19	30283:9 30286:10
30114:25 30198:3 30205:24 30207:1 approximately 30187:7 30268:16	30141:15 30145:12 30145:13 30158:20 30189:23 30194:14	30122:23 30123:23 30124:1,11,12	30167:17 30182:19 30193:2 30222:24	30283:9 30286:10 30304:6
30114:25 30198:3 30205:24 30207:1 approximately 30187:7 30268:16 APs 30199:22	30141:15 30145:12 30145:13 30158:20 30189:23 30194:14 30203:21 30215:16	30122:23 30123:23 30124:1,11,12 30147:12,19,21	30167:17 30182:19 30193:2 30222:24 30232:6,7 30242:3	30283:9 30286:10 30304:6 bear 30203:7 30207:9
30114:25 30198:3 30205:24 30207:1 approximately 30187:7 30268:16	30141:15 30145:12 30145:13 30158:20 30189:23 30194:14	30122:23 30123:23 30124:1,11,12	30167:17 30182:19 30193:2 30222:24	30283:9 30286:10 30304:6

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

Marikana Commission of Inquiry

Pretoria

				Page
bearing 30280:3	Bizos's 30160:20	bulk 30279:18 30296:9	30122:10 30123:19	30223:20 30230:2
30281:5 30298:16	Blaauw 30181:9,21	30296:21	30126:5 30143:20	30260:12,16 30284:9
bears 30178:2	30182:5,20	bullets 30169:25	30220:3 30221:2	30284:21 30300:8
becoming 30244:14	blame 30149:7	30180:1,2,17	30223:10 30226:11	chaired 30148:17
beg 30126:20 30127:24	30231:18	30298:19	30248:16 30254:14	chairman 30114:8,9,18
30154:18 30187:2	blaming 30242:18	burden 30284:6	30263:7 30265:14	30114:19 30115:5,11
30200:11 30264:10	blank 30222:8,8,8,8,8,8	BURGER 30201:23	30292:12 30294:17	30115:16 30116:8,24
began 30182:9	30223:1,2 30226:8,10	burn 30178:22	capacities 30161:23	30117:11 30145:4
beginning 30201:6	30291:19	business 30127:25	Capital 30144:14	30149:22 30150:16
30242:13	blanked 30226:12	30184:2 30187:11	Captain 30202:19	30169:12 30171:14
begun 30287:25	blanks 30210:24,25	30199:4 30289:25	30205:12 30207:3	30173:16 30186:18
30289:14	30222:15 30223:23	bust 30123:21 30125:3	30208:12,14	30189:17 30192:20
behalf 30112:20	30224:1,5,15,17	busy 30206:6 30208:17	30227:20 30228:17	30199:25 30200:21
30122:18 30131:13	30225:2,12,14	30235:7 30275:11	30232:20 30243:21	30201:10 30239:21
30139:14 30142:20	block 30178:22,25	button 30236:16	30247:10 30275:18	30240:3,12 30241:16
30167:7 30168:22	30189:24	30237:12	30275:21 30276:2	30241:17 30242:9,18
30176:17,18	bluntly 30185:21	buy 30289:17	30285:19	30243:1 30244:3,15
30199:19 30290:18	board 30138:23	B1 30139:7	captures 30170:19	30245:7 30250:24
behave 30190:9	30229:6,21	C	card 30152:12,15	30251:3 30253:4,25
believe 30207:3	bodies 30298:19		30153:6,7,14	30254:3 30255:3,12
30259:2 30260:21 30269:25 30297:15	bonus 30156:6,13	calendar 30189:21	care 30195:20	30257:9,20 30258:15
	30163:5,7,11 30165:17,18	calibre 30257:20	careful 30194:21 30296:17	30264:1,9,15 30266:8 30266:15 30290:21
30298:15,16 believed 30204:19	30165:17,18 30166:11	Calitz 30285:22 30298:23	30296:17 carefully 30220:13	30266:15 30290:21 30291:4 30292:6
30298:17	booked 30266:16	call 30120:25 30161:17	30294:16 30296:25	30293:13 30294:1,19
believing 30125:17	bookings 30252:4	30179:20,22 30186:6	Carol 30127:20	30300:5
belong 30133:11	borne 30294:21	30179.20,22 30180.0	Carpenter 30212:18	challenge 30217:25
benchmarking 30146:6	30299:25 30301:7	30205:22 30209:18	carry 30125:5 30167:6	challenged 30121:10
30150:8	borrow 30218:13	30203.22 30209.18	30168:18 30172:1	30121:24
bend 30208:12	bothered 30164:19	30248:11 30252:7	30191:5 30226:1	challenges 30208:8
benefit 30159:1	bottom 30119:9,10	30257:17,18	30231:6 30253:10	30220:14 30224:23
30186:1 30246:21	30186:8 30223:11	30259:21 30289:4	30262:20	challenging 30132:22
30262:5	bound 30257:12	30290:17 30297:22	cartridges 30169:25	chamber 30199:6
beseech 30266:23	breach 30161:21	30303:9	30170:4	30211:17 30252:3
best 30131:15 30188:17	break 30113:3,3,10	called 30113:21	case 30131:8,11	chambers 30112:5
30251:21 30255:22	30115:2,18,18,19,20	30125:24 30148:1,3	30151:14 30153:15	30113:2 30199:4
30257:14,15,15,18	30116:20,21 30117:4	30148:13 30150:7	30153:19 30179:3	30206:23
30274:25 30276:1	30117:10 30136:25	30164:20 30200:24	30188:21 30204:21	chance 30152:21
better 30128:3	30166:13 30269:24	30202:5 30205:25	30208:17 30213:17	change 30113:22
30180:22 30215:14	30270:8	30207:12 30217:14	30219:22 30221:6	30266:13
30235:9 30240:17	breaks 30116:16	30230:9 30245:18,21	30251:19 30252:7	changed 30113:15
30257:10,25	30268:21	30246:18,21	30299:12 30303:6	30141:8 30263:19
30263:12,18,21	Brickhill 30297:15	30248:10 30250:1	cases 30271:11	30264:22 30265:14
30273:6,10 30280:18	bridge 30158:19	30251:4 30252:13,21	categorised 30164:18	30265:16
beyond 30235:4,11	30188:16 30192:10	30253:22,24	category 30176:5	changes 30146:24
30246:12 30280:1	bridging 30233:1	30255:25 30258:22	caught 30268:2	30266:16
Bham 30113:8	brief 30294:23	30262:3 30264:6,20	cause 30228:21	channels 30133:24
30149:22,25 30150:3	briefed 30183:21,22,24	30275:9 30293:20	30274:10	charge 30178:20
30150:15,15,16	30258:7	30298:11 30303:11	caused 30190:20	30179:7 30188:19
30157:10,24 30158:9	briefing 30184:9	30303:15	30233:2	30266:15,17
30169:12,18	briefings 30118:11	callers 30148:7	cell 30168:18	charged 30298:10
30171:14,18,22	briefly 30173:22	calling 30234:17	cent 30229:25	Chaskalson 30207:6
30186:18 30189:17	30258:18	30247:3,10,10	centre 30172:20	30215:11 30217:7
30190:6,12,15	Brigadier 30285:22	30248:7,16 30250:2,2	30201:17	30223:19 30234:25
30191:7,14	30298:23	30250:4,5,7 30261:8	CEO 30148:2	30240:23 30241:11
Bham's 30170:20 bid 30119:8,10	bring 30152:8	30278:16	certain 30124:3	30247:16,19 30248:2
	30161:21 30258:24 bringing 30200:22	calls 30221:4	30131:11 30144:8	30248:17 30250:3
	nringing (1700)(77)	camera 30260:14	30171:21 30188:20	30263:25 30267:4,8 30267:23,24
big 30153:1 30216:8,13				4117677477/
big 30153:1 30216:8,13 30280:18	brings 30298:20	cameras 30195:13,21	30198:12 30204:2	
big 30153:1 30216:8,13 30280:18 binding 30200:24	brings 30298:20 broken 30296:24	cancelled 30265:12	30211:23 30219:5	30268:25 30269:18
big 30153:1 30216:8,13 30280:18 binding 30200:24 bird's 30268:3	brings 30298:20 broken 30296:24 brought 30147:24	cancelled 30265:12 candid 30196:10	30211:23 30219:5 30222:12 30227:25	30268:25 30269:18 30269:20,23
big 30153:1 30216:8,13 30280:18 binding 30200:24 bird's 30268:3 bit 30147:9 30158:19	brings 30298:20 broken 30296:24 brought 30147:24 Bruinders 30120:17,21	cancelled 30265:12 candid 30196:10 canvass 30271:8	30211:23 30219:5 30222:12 30227:25 30227:25 30299:11	30268:25 30269:18 30269:20,23 30270:16,21 30271:3
big 30153:1 30216:8,13 30280:18 binding 30200:24 bird's 30268:3 bit 30147:9 30158:19 30176:23 30184:15	brings 30298:20 broken 30296:24 brought 30147:24 Bruinders 30120:17,21 30120:22	cancelled 30265:12 candid 30196:10 canvass 30271:8 canvassed 30218:24	30211:23 30219:5 30222:12 30227:25 30227:25 30299:11 30299:11,12	30268:25 30269:18 30269:20,23 30270:16,21 30271:3 30272:15 30273:4
big 30153:1 30216:8,13 30280:18 binding 30200:24 bird's 30268:3 bit 30147:9 30158:19 30176:23 30184:15 30244:8 30251:16,19	brings 30298:20 broken 30296:24 brought 30147:24 Bruinders 30120:17,21 30120:22 brush 30285:12	cancelled 30265:12 candid 30196:10 canvass 30271:8 canvassed 30218:24 30219:3,12 30220:3	30211:23 30219:5 30222:12 30227:25 30227:25 30299:11 30299:11,12 certainly 30121:15	30268:25 30269:18 30269:20,23 30270:16,21 30271:3 30272:15 30273:4 30276:25 30277:4,10
big 30153:1 30216:8,13 30280:18 binding 30200:24 bird's 30268:3 bit 30147:9 30158:19 30176:23 30184:15	brings 30298:20 broken 30296:24 brought 30147:24 Bruinders 30120:17,21 30120:22	cancelled 30265:12 candid 30196:10 canvass 30271:8 canvassed 30218:24	30211:23 30219:5 30222:12 30227:25 30227:25 30299:11 30299:11,12	30268:25 30269:18 30269:20,23 30270:16,21 30271:3 30272:15 30273:4

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

				Page 4
30281:4 30282:9,24	30276:4 30298:14	commencement	concede 30141:10	30301:11
30283:4,14,17,20,25	client 30281:24	30209:11	30159:16	consequence 30140:19
30284:8,13 30285:13	clients 30189:9	commencing 30302:25	conceded 30141:9	30140:20 30159:11
30285:21 30286:6,8	30210:11,22 30218:1	comment 30141:19	30150:9	30252:24 30262:2
30287:15 30288:2	30223:10 30236:9,13	30143:4 30171:3,4,5	concentrate 30114:15	consequences 30146:24
30289:3,7,20 30290:7	30237:1,4,14	30171:6 30188:15	30114:16	30159:9 30204:25
30290:15,20 30291:5	30251:22,22	commentary 30192:11	concern 30176:19	30216:22 30273:9
30292:9 30293:17,23	30281:25 30292:12	commented 30141:20	30233:20 30240:5	conservative 30269:25
30296:9 30297:4	30292:17,18 30293:9	comments 30192:13	30246:17,25 30248:5	consider 30112:4
30304:6	clip 30300:9	30221:10	30278:8	30113:22 30143:24
Chaskalson's 30292:25	close 30169:9 30239:23	commiserations	concerned 30112:24	30163:8 30191:20
30294:24 30296:24	30289:25	30254:5	30146:9 30150:22	30206:3 30247:17
30297:9	closed 30206:2	Commissioner 30123:5	30167:15,25 30169:2	30294:16 30304:18
chicken 30220:7	closer 30154:10	30123:8 30144:6,17	30183:12 30205:5,21	considerable 30146:11
chief 30148:19,25	30179:22,23,24,25	30145:1 30186:20,24	30206:12 30219:16	30266:4
30219:13,15,19	closure 30203:15	30215:6 30269:15,21	30219:17 30220:3	considerate 30249:13
30234:18 30242:6	30210:7 30237:17	30269:22 30270:3	30296:12	consideration 30157:6
30246:22 30249:1,5	30243:3	30272:7 30298:23	concerns 30145:8	30179:11 30205:9
30249:12 30250:7,18	Coin 30171:16	commissioners	30177:3,13 30246:5	30209:3 30240:7
30250:20 30251:5	collapse 30142:10,25	30189:24 30214:11	30253:23 30288:2	30296:17 30303:22
30252:14 30254:21	30144:1	30241:17 30243:13	concession 30255:2,10	30303:22
30259:14,17,22	colleague 30233:8	30257:19 30292:8	30255:25 30264:3	considerations 30159:3
30277:9 30279:10	30242:23 30247:11	Commission's	conciliation 30151:20	30159:4 30215:22
30281:21 30287:4	colleagues 30113:9	30187:25 30189:21	conclude 30131:24	30227:2 30235:16
30290:8 30295:23	30121:8 30146:12	30200:23	30210:1 concluded 30138:12	30258:12 considered 30146:13
30302:25	30177:4 30179:3	committee 30148:17,17		
choice 30133:10	30186:13 30248:21	30149:5,11 30222:3,4	30153:18 30154:11	30150:24 30173:2,5
30230:7 30273:6,10	30264:14 30284:17	common 30274:10	30158:12,13	30221:18 30300:4,19
choose 30302:2	30289:5	communicated 30113:23 30165:11	30164:25 30176:4 30250:21	considering 30262:13 30263:13
chunk 30301:21 chunks 30270:5	collect 30117:6 30280:15	30252:3 30258:5	conclusion 30139:13	consistently 30131:6
circles 30267:19	Colonel 30123:20	communicating	30244:19 30265:5	consists 30220:19
circumstances 30162:4	30205:11 30207:2	30258:11	30297:2	constitute 30175:8
30162:5,14 30177:3	30205.11 30207.2	communication	concurrence 30264:14	constraints 30209:20
30179:10 30183:13	30228:12,15,21	30140:24 30141:18	condition 30261:20	30212:8,11 30270:4
30186:1 30189:19	30230:8,15,19	30140.24 50141.18	30262:8	30303:20,25
30190:20 30192:4,25	30232:18 30233:7,10	communications	conditioning 30176:23	consult 30208:13
30193:7 30203:10	30232:10 30235:7,10	30272:6	conditions 30146:13	30209:18 30215:23
30217:24 30242:21	30243:21 30248:16	companies 30126:10	30157:7 30228:23	30221:7 30225:21
30244:24 30257:15	30248:17 30250:2,2	company 30160:9	30229:1 30230:1,4	30277:16 30283:13
30257:16 30296:19	30258:22,24 30271:6	company's 30147:11	30231:12 30241:5	30285:4,24 30286:12
claiming 30280:19	30276:6,16 30278:9	comparison 30299:2	conducive 30141:3	30286:20 30287:6
clarification 30148:11	30278:16 30279:7	complain 30279:13	conduct 30146:2	30292:12,12 30302:2
30157:11	30281:22 30283:23	complainant's	30153:20 30230:5	30303:18
clarified 30172:1	30285:22 30286:11	30280:11	conducted 30186:6,9	consultation 30209:6,8
clarify 30131:24	30286:17 30288:8,9	complaint 30150:23	confidence 30134:19	30218:15 30287:23
30133:23 30164:10	30289:9,12,15,22,24	30170:20	30142:17	30295:6 30302:8
clarity 30157:23	30290:3 30295:3	complete 30198:8	confining 30185:9	consultations 30207:24
30228:1 30238:24	30298:2 30303:6,9,11	30279:13	confirm 30187:20	30215:21 30216:1
clear 30113:18 30114:2	comes 30253:13	completely 30238:6	confirmation 30136:9	30217:13
30134:12 30136:9	30267:21 30285:2	30275:2 30280:1	confirmatory 30128:16	consulted 30221:14,19
30144:24 30185:6	30287:3 30289:3	30287:16	confirmed 30218:7	30285:10
30189:5 30194:2,4	30297:25	complex 30133:3	conflict 30134:25	consulting 30208:2
30239:7,7,9 30240:4	comfort 30113:3	compliance 30291:12	30135:8,14,15,17,18	30211:22 30220:23
30241:25 30246:19	30115:19,20	complicate 30218:14	30137:1 30140:6	30225:13 30250:14
30251:23 30261:17	30116:20 30166:13	30221:22	confrontation	30293:8
30267:9 30275:17	comfortable 30255:5,9	complicated 30292:22	30271:22	contact 30168:23
30291:14 30292:13	30255:15 30295:4	30298:21	confronted 30138:3	contain 30217:11
30304:12	coming 30114:13	complication 30219:1	conjunction 30172:11	30296:10
clearer 30239:7	30124:14 30157:7,13	complied 30203:20	Connected 30256:25	contained 30212:21
clearing 30263:14	30179:22 30180:3	30212:2 30222:25	connection 30130:24	30258:10 30296:13
clearly 30188:5	30206:2,8,14,18	comprehensively	30239:6,9,11	30296:22
30194:9 30204:18,18	30214:4 30224:20	30181:3 30185:24	conscious 30212:7,11	containing 30180:18
30217:24 30235:13	30267:13 30289:9,16	30247:15	30244:5	contains 30187:7
30249:21 30263:16	commander 30228:6	comprise 30157:13	consent 30204:1,3,4	30219:4
30265:16 30275:13	commence 30201:18	compromise 30157:8	30212:23 30213:9,9	CONTD 30117:15
ARCHIVE FO	R JUSTICE	1		

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

Pretoria

				Page !
30167:8	30155:13 30170:23	30117:15 30145:3	cutting 30269:12	30207:1 30210:12
content 30195:2	30216:24 30221:8	30167:8 30173:21	cynical 30140:10	30228:1 30230:24
30301:21	30226:8 30228:21	30175:8 30176:14	30143:3,8	30231:15 30233:10
contention 30113:12	30235:10 30237:25	30197:1 30199:10		30233:14 30234:14
30210:16	30248:12	30203:5,8 30208:6,7	D	30249:9 30252:14
contents 30130:1	correctness 30121:9	30208:10,14	Dali 30292:16	30257:6 30273:2,17
30208:23 30298:13	30127:19	30209:10 30211:5	damaged 30161:12	30274:20 30275:4
context 30119:19	Costa's 30271:4	30214:18 30217:9	dangerous 30179:24	30276:19 30277:3,4
30130:11 30232:17	30288:23	30218:10 30220:21	date 30113:21,23,23	30278:2,22 30288:25
30244:4 30292:15,18	cosy 30169:3,6 30171:8	30227:20,21	30174:20 30223:21	30289:24 30291:16
contextualises	couldn't 30146:10	30230:10,17,18	30227:1,18 30235:11	30297:24 30299:7,8
30119:22	30159:8 30220:24	30231:1 30233:13	30235:13 30239:9	30301:8
continue 30199:9	30225:3,3 30230:23	30235:2 30249:15	30256:10 30257:11	dealing 30151:2
continued 30161:17,18	30254:10	30256:22 30259:5,10	30258:1 30266:3,19	30165:23,25
30227:20	counsel 30248:12	30259:25 30274:18	dated 30157:20	30196:21 30197:18
contradict 30245:5	30270:15 30275:6	30276:2 30277:14	dates 30113:7,15	30204:16 30205:13
30284:17	30276:14 30277:3,8	30283:4 30284:14	30168:24 30206:6	30212:17,20
contrary 30137:7	30277:15 30282:7,14	30285:4 30287:17,22	30266:13 30275:11	30220:22 30230:18
30161:6	30284:3 30285:6,10	30287:24,24	day 30120:10,15	30255:21 30278:1
control 30160:15	30288:23 30293:18	30289:10,12 30290:1	30127:25 30145:22	30290:9 30298:15
30235:12 30246:13	30299:7	30290:11 30293:11	30187:25 30192:3	deals 30129:13
30263:11	counted 30215:12	30293:20 30295:1	30193:21 30195:5	30154:24
convenient 30196:25	countenance 30237:24	30299:19 30300:2	30198:9 30203:22,24	dealt 30123:17 30182:4
30289:18	couple 30145:14	30303:15	30203:25 30207:22	30189:16 30193:3,9
conversation 30123:11	30197:4	cross-examine	30210:2 30211:19	30198:20 30209:24
30261:25 30264:4	course 30118:16	30112:17,20	30213:11,11 30216:6	30219:24 30233:15
convey 30120:8	30123:13 30162:12	30166:15 30167:7	30224:20 30237:25	30278:23 30279:1,2
conveyed 30124:16	30170:14 30176:18	30173:24 30188:1	30238:3 30253:24	death 30193:11
30125:1 30176:25	30187:19 30188:19	30204:21 30217:15	30269:5 30276:22,22	30203:11
30193:15	30189:16 30200:15	30223:15 30231:5	30277:23 30289:17	debate 30125:10
copied 30187:12	30204:14 30207:21	30241:18 30242:7	30295:22 30298:9	30132:21 30139:20
30281:11	30234:16 30261:10	30246:24 30250:8	30302:12	30146:7 30163:12
copies 30174:10,11,14	30262:1,13 30268:6	30258:23 30260:19	days 30145:23	30189:13 30239:8
30174:21 30176:8	30278:8 30282:14	30281:24 30283:9	30150:20 30168:2	debating 30235:7
30214:10 30224:14	30285:1 30299:25	30288:9 30289:22	30169:4 30203:20	deceased 30217:5
copy 30129:4	30301:8	30291:6 30293:22,25	30207:3,17 30212:2,4	30230:21 30293:3,5,6
corner 30178:3,11	court 30153:20	30295:3,10,14	30212:13,13	decide 30117:3
corollary 30291:16	30201:10 30229:2	30297:16 30302:18	30222:18 30226:7	30201:10 30214:17
correct 30112:22	30269:2	cross-examined	30227:16 30228:14	30239:12 30298:10
30117:25 30118:15	courts 30268:20,21	30112:15 30207:6	30228:15 30242:23	30301:13
30121:9,14 30124:4	court's 30200:23	30242:22 30247:15	30254:18,20	decided 30180:5
30125:16 30126:13	coverage 30243:8	30247:24 30249:15	30268:13,13,14,17	30222:3
30130:10,22 30132:3	covered 30220:21	30285:9 30290:3	30269:4,6,6,7,8,8,9	decision 30146:8,23
30132:11,14	30248:20 30275:19	30302:20	30269:10,11,13,17,24	30165:16 30201:10
30133:14 30134:4,10	co-operation 30169:9	cross-examiner	30270:1,1,2,5,6,7,10	30201:17,17 30236:3
30134:21 30135:1,8	30172:18,21	30300:20	30270:18,22 30271:8	decisions 30146:22
30135:24 30139:2,9	Craig 30178:4	cross-examiners	30272:23 30273:12	30148:16
30139:10,11,23,24	credibility 30257:1	30260:21	30274:12 30275:1,2,3	declined 30203:23
30133:13 30145:7	credit 30268:23	cross-examining	30276:7,7,9,9	deemed 30175:4,4
30155:9 30170:17	criminal 30298:8	30112:25 30210:21	30277:20,21	deep 30187:25
30171:21 30182:5,6	critical 30182:4	30230:19,20	30278:18 30279:7,9	defer 30191:3
30183:1 30186:14,17	30202:21,25	30275:18 30295:4	30287:8 30297:1	deferred 30116:4
30187:16 30188:4	30245:10	30304:9	30302:12,15,15	30303:15
30193:10 30196:14	cropped 30212:17	crowd 30120:5	day-to-day 30268:2	defined 30132:25
30197:9 30199:5,20	cross 30112:14 30113:1	30180:15	De 30265:22	30133:2
30206:19,20 30211:9	30129:7 30174:18	crucial 30196:1	deadline 30216:12	definitely 30150:16
30211:10 30215:8,9	30192:14 30228:16	cuff 30233:17	30262:2 30263:9	30263:10
30222:10,13 30226:4	30242:24 30248:3	culminated 30154:10	30273:13 30286:11	definition 30132:22
30231:23,25	30242.24 30248.3	cup 30257:21 30288:18	30288:7	definitively 30200:18
30245:22 30246:1,6,7	30260:25 30275:19	current 30215:24	deadlines 30282:19	degree 30227:25
30252:19 30256:1	30283:2 30288:5	30263:9	deal 30115:22	delays 30233:2
7.71		currently 30134:25	30137:21 30151:5	delegates 30159:5
30257.8 30278.25	30290.10 30203.17		JUIJ1.41 JUIJ1.J	unicano JULJI.J
30257:8 30278:25 30282:7 9 30299:14	30290:10 30293:17 30295:7 12 30298:1			
30282:7,9 30299:14	30295:7,12 30298:1	30215:20 30282:18	30173:22 30179:14	deliberate 30147:5
30282:7,9 30299:14 30299:16 30300:12	3029 5 :7,12 30298:1 30304:8	30215:20 30282:18 cursory 30300:6	30173:22 30179:14 30180:15 30181:3,6	deliberate 30147:5 deliberately 30229:10
30282:7,9 30299:14	30295:7,12 30298:1	30215:20 30282:18	30173:22 30179:14	deliberate 30147:5

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

30121.3 IS 30122.11 301292.3 01908.11 301292.3 01912.4 301292.3 01912.4 301292.3 01922.12 301292.3 01923.12 301292.3 01923.12 301292.3 01292.12 301292.3 01292.12 30140.12 301292.1					Page 6
a) 2022:3 301:308,11 30160-31,321 discreta 30285:16 302924 30296:10 30161:31 30164:21 30137: 30138:3,315 30164:21 30187:15 discreta 30289:1 30161:31 30164:21 30163:31 30164:21 30142:19 30146:3 30182:12 30187:15 discreta 30289:1 3018:10 3012:3 30124:41 3018:12 30163:23 3019:12 3012:21 30187:15 discreta 30280:0 3025:18 3020:0 30225:18 3020:0 30163:23 3019:16 3029:19 3022:10 3024:6 30115:13 3016:17 3026:13 3026:0 3025:18 3020:0 30163:23 3012:1 3012:21 3018:31 0:0 30163:13 3016:13 3016:13 3016:12 3025:22 3022:22:0 3013:21 3012:1 3012:21 3012:1 3012:21 3010:0:1 3016:13 3010:0:2 3025:22 3025:32:0 deprator 3016:13 3002:5 discussing 3016:11 3016:13 3008:0 3027:22 3028:13:0 3025:22 3028:23:0 s0273:25 3028:11 discussing 3012:13 3012:24 30134:2 3029:22 3039:15 3029:22 3039:15 30273:25 3014:0:17 3023:25 13 3010:16 3010:24 30134:2 3002:24 30134:2 3029:23 3030:16 departure 3016:13 3012:45 30134:1 3010:24 30134:2 3002:24 30134:2	30121:3.18 30122:18	30155:22 30159:13	disclose 30246:3	30284:18 30292:23	Ŭ Ŭ
301377 30138:23,15 30164:25 30163.3 discret 30228:2 302993 30301:12,13 30171:41 301717 30139:16,17,17 30174:16 3017:18 30174:10 30171:41 3014:21 30174:12 30171:23 30129:12 301271:5 30129:12 301271:5 30129:12 301271:5 30129:12 301271:5 30129:12 301271:5 3014:14 301271:5 3014:12 301271:5 3029:19 301271:5 3014:12 301271:5 3029:19 301271:5 3029:19 301271:5 3029:19 301271:5 3029:19 301271:5 3029:19 301271:5 3029:19 301271:5 3029:19 301271:5 3029:19 301271:5 3029:19 301271:2 3029:19 30224:19 301271:2 3029:19 30224:19 30127:12 30224:19 30127:12 30224:12 30224:12 30299:19 30224:12 30299:19 30224:12 30299:19 30224:12 30299:12					
3013014;19:04168 30176;18:30174:10 discretion 30081/2 3017223 301291.6 30184;19:30123.6 30145;19:301468 30182:21:301871.5 discretion 30081/2 3017223 301291.3 30127,223 301291.3 30127,223 301291.3 30127,223 301291.3 30127,223 301291.3 30127,223 301291.3 30127,212,33 30224.5 302204 30245:13 300224.3 30224.5 30222.10 30294.6 301513 3016617 30264:20 30290.5 30227,212,33 30291.0 302521.8 30290.9 302521.8 30290.9 302521.8 30290.9 30252.12 30255.1 30252.12 30235.1 30252.23 30222.4 30252.23 3022.4 30252.23 3022.4 30252.23 3022.4 30252.23 3022.4 30252.4 30342.1 30252.25 30296.3 23 dependence 30267.14 dis 301617 3022.22 3014.2 30272.25 30284.5 300972.4 30184.1 30272.25 30284.5 300972.4 30184.1 300972.4 30184.1 300972.4 30184.1 300972.4 30184.1 300972.4 30184.1 300972.4 30184.1 300972.4 30218.4 300972.4 30218.4 300972.4 30218.4 300972.4 30218.4 300972.4 30218.4 300972.4 30218.4 300972.4 30218.4 300972.4 30218.4 300972.4 30218.4 300972.4 30218.4 300972.4 30218.4 300161.6 300972.1 30022.6 30218.4					
a) 0596 3019-46 30182:21 30187:15 discues 30113.4,14 30164:21 30197:13 302204 30245:13 30165:25 30137:16 30124:19 30229:19 30224:49 30229:19 30224:49 30229:19 30224:29 30224:29 30165:25 30137:16 30129:19 30227:10 30228:29 30225:13 3025:18 3025:18 3025:18 3025:29 3025:12 3027:22 3025:12 3027:29 3025:12 3027:29 3026:12 3027:29 3026:12 3027:29 3026:12 3027:29 3026:12 3027:29 3026:12 3027:29 3027:29 3027:29 3027:29 3027:29		30167:18 30174:10	discrete 30289:1		30174:14 30181:24
demands 30119:23 30157:16 301463.5 30157:16 301463.5 30157:16 301463.5 30249:20 30260:5 3022518 3030615 302519 departs 30157:16 30125 30220-4 30225-0 30249:20 30260:5 30249:20 30260:5 30249:20 30260:5 3022518 3030612 30204:20 30225-0 30249:20 30263.5 30249:20 30263.5 30249:20 30263.5 3024725 30263.1 301532 30372:12 depart 30164:1 30300622 30214:19 30264:20 30272.1 decumentary 2033.1 decumentary 2033.1 decumentary 2033.1 decumentary 2033.1 depart 3016512 30244:20 302557.8 302452.7 3016320 30272.1 decuments 2017.14 302653.8 30264.5 3021617 302342.5 3016320 3027.12 depart 3016617 302342.5 3016320 3027.12 3016320 3017.17 302782.5 30298.15 301622.18 301622.18 301622.18 301622.18 301622.18 301643.7 30268.15 301643.7 30268.15 302142.6 30218.15 301643.7 302164.7 3022842.5 30209.114,44 303062.4 30298.15 301643.7 3021617 3022842.5,2 30209.114,43 301643.7 3016517 30214.16 3022842.5 302081.12 3021416.17 3022842.5,2 302081.12 3021416.17 3022842.5,2 302081.12 3021416.17 3022842.5 301643.7 3016517 30214.16 3021416.17 3022842.5 3020841.12 3021416.17 3022842.5 3021416.17 3022842.5 3021416.17 3022842.5 3021416.17 3022842.5 3021416.17 3022842.5 3021416.17 3022842.5 3021416.17 3022842.5 3021416.17 3022842.5 3021416.17 3022842.5 3021416.17 3022842.5 3021416.17 3022842.5 3021416.17 3022842.5 3021416.17 3022842.5 3021416.17 3022842.5 3021416.17 3022842.5 3021416.17 3022842.5 3022842.5 3021416.17 3022842.5 3022842.5 3021416.17 302141.10 400004 301284.5 302141.10 400004 301284.5 302141.10 400004 301284.5 3022842.5 30228	30142:19 30146:8	30174:10 30177:17	discretion 30301:12	30127:23 30129:12	30186:10 30213:6
30137:16 30146:35 30229:19 30224:6,10 3018:33 30166:15 30291:9 302323:17 3016:32 301931:16 30299:19 302323:17 302323:17 30163:23 0023:16 302323:17 demis 30132:19 30292:10 30294:6 30303:1 3018:15 30190:23 30235:23 3026:6 departure 3016:1 30030:22 3016:25 30190:23 30263:21 30294:6 30238:43 3026:6 departure 3016:1 30030:22 discussed 30112:5 documentation 30238:43 3026:6 30263:21 30265:5 3014:12 3029:13 3018:21 50229:13 3018:21 50229:12 3028:24 5029:12 3029:12 3029:12 3029:12 30298:5,7 difference 3026:17 30224:52 S 30209:14,14 30304:1 30304:1 30216:4 20177:4.10 3016:21 3016:17 30224:52 S 302021:9 3021:1 30304:1 30304:1 30298:13 3016:13 3016:11 3019:3 3016:42 3020:11 3016:11 3019:3 3016:42 3016:17 30224:50 30221:6 30213:13 30224:6 30303:1 30321:6 30214:1 30304:14 30215:1 30298:13 3019:13 difference 3015:15.7 3016:41 30215:1 3016:11 3024:12 30	30159:6 30194:6	30182:21 30187:15	discuss 30113:4,14	30154:21 30197:13	30217:6,24 30219:2
30165:25 30193:1.16 30249:20 30260:5 30253:18 30290:9 30291:9 30232:20 30252:42 30238:17 30269:16 30280:15 30163:20 30272:12 documentary 30293:10 30255:18 30290:15 30163:20 30272:23 dis 30163:20 30272:12 30166:12 3028:15 30190:23 3028:15, 30190:23 3028:15, 30190:23 3029:15, 3029:15 30161:12 3028:15, 3029:15 30161:12 3029:12, 3029:15, 3029:15 30114:021 3016:17 30228:12, 3029:15, 3029:15, 3011:22 3018:15, 30190:23 3029:15, 3029:15, 3029:15, 3021:12 3021:19, 3020:12, 40008:6, 9 3029:15, 3029:15, 3030:24, 50, 3028:15, 300:24, 50, 3023:18, 3020:14, 14 30304:7 3029:15, 3020:14, 14 30304:7 30225:9, 3022:14, 14 30304:7 3022:19, 3022:19, 3021:14, 14 30304:7 3022:19, 3022:19, 3021:14, 14 30304:7 3022:19, 3022:19, 3021:14, 14 30304:7 3021:10, 3021:14, 23 3021:41, 14 30304:7 3022:19, 3022:19, 3021:14, 14 30301:14, 3016:15, 3015:17, 3021:14, 14 3016:13, 3017:6, 3021:14, 14 30301:14, 3016:15, 3021:14, 14 3032:14, 3022:19, 3023:13, 3	demands 30119:23	30224:4,19 30229:16	30115:1 30116:17	30209:1 30225:20	30220:4 30245:13
3023817 30269:16 30290:17 301652 30272:12 301652 30165:1 301652 30165:1 301652 30165:1 301652 302072:12 30072:14 302072:12 30092:15 302072:12 30092:15 30209:14.1 30092:15 30209:14.1 30092:15 30209:14.1 30092:15 30209:14.1 30092:15 30209:14.1 30092:15 30209:14.1 30092:15 30209:14.1 30092:15 30209:12 30092:15 30209:12 30092:15 30209:12 30092:15 30209:12 30092:12 30022:12 30022:12 3002:	30137:16 30146:3,5	30229:19 30244:6,10	30118:3 30166:15		
denies 30132:19 30287:15 30229:15 30163:20 3027:12 documentation 30288:12, 8026:13 departure 30164:1 30300:22 discussing 30165:1 3018:615 3018:02 30286:12, 18, 20.22 depender 3027:12 died 30154:12 20180;9 discussing 30165:1 3018:15 3018:15 3018:15 3019:61:2 30295:25 3029:12 30263:21 3025:5 30241:25 3029:15 3014:021 3016:17 30208:15 3009:0 3009:13 2029:13 3017:32 3029:13 3017:32 3029:13 3010:12 30201:19 3020:14:2 3000:14 3000:24 30251:12 30211:19 3012:44 30153:1 3021:49 301:14:31 3001:62 3000:11:42 3000:12 3000:11 3000:12 3000:11:42 3000:12 3000:11:42 3000:12 3000:11 3000:12 3000:11:42 3000:12 3000:13 301:61:3 301:14:30 301:61:3 301:14:30 3001:61:3 000:13 3001:61:3 000:13 3001:61:3 000:13 3001:61:3 000:13 3001:61:3 000:13 3001:61:13 3001:61:13 3001:61:13 3001:61:13 3001:61:13 3001:61:13 3001:61:13 3001:61:13 3002:11:14:23 3000:13 3002:13:13:13:13 3002:13:13:13			30255:18 30290:9		· · · · · · · · · · · · · · · · · · ·
demy 30143:20 30292-10 30303:1 30186:15 30196:12 30264:6,12,18,20,22 dependent 30217:23 die 30146:17 30220:22 documents 30129:12 30294:15 30263:21 30183:45 30145:12 30128:12 30128:12 30294:15 30294:15 30263:21 30183:65 30147:20 30188:15 30109:12 30297:5,12 30297:5,12 30297:5,12 30297:5,12 30297:5,12 30297:5,12 30297:5,12 30297:5,12 30297:12 30297:12 30297:12 30297:12 30297:12 30297:12 30297:12 30297:12 30297:12 30297:12 30297:12 30297:12 30297:12 30297:13 30121:63 30127:62 30297:14 3016:15 30127:62 30297:14 3016:15 30127:62 30297:14 30127:62 30297:14 30127:62 30297:14 30127:62 30297:14 30127:62 30297:14 30297:15 30127:62 30297:14 30297:14 30297:14 30297:14 30297:14 30297:14 30297:14 30297:14 30297:15 <t< td=""><td></td><td></td><td></td><td></td><td></td></t<>					
depiarture 30164:1 30300:22 discussing 301651: 30196-12 30265:3,89.30266:6 dependent 30274:3 died 30154:12.30180:9 discussion 30113:17 301282:430154:22 30295:2,5 20396:3,23 302732:5 30274:4 discussion 30113:17 301282:430154:22 30299:1,5 30140:17:202.2 30188:11 30297:24:30209:9 30299:1,8:30300:25 302732:5 30274:4 discussion 30113:17 30126:430023:18 30216:43.0230:18 30219:14:23 30299:1,8:30300:25 302732:5 30274:4 difference 30151:5.7,8 30126:430163:18 30214:10.37 30212:6:30213:18 30214:10.37 deplayed 3015:13 difference 30151:5.7,8 3016:2:3000:17 30225:90.30230:11 downto 3018:11 3015:4 3016:2:3020:17 30225:90.3020:15 30239:7,14.0200:19 downto 3018:2.3 deptay 3014:2:4 30222:15 30247:11 30229:01.3020:19 30229:10 30239:12.3 30239:12.3 30239:13.2 downto 3018:7.2 downto 3018:7.2 downto 3018:7.2 downto 3018:7.2 downto 3018:7.2 30229:10 30239:12.3 30229:10 30229:12 30229:12 30229:12 3					
depend 30217.23 dependent 30217:43 dependent 30154.12 dis 30154.12 30154.12 documents 30127:43 30128:42 30291.23 30294:15 30294:15 30294:15 30294:15 30294:15 30128:15 3017:20.22 30128:15 30107:20.22 30294:15 30297:12 30294:15 30297:12 30297:12 30297:12 30297:12 30297:12 30277:22 30277:22 30277:22 30277:22 30277:22 30277:22 30277:22 30277:22 30277:23 30277:22 30277:32 30277:32 30277:32 30277:32 30277:32 30277:32 30277:32 30277:32 30163:32 30163:33 30212:6 30213:8,11 30266:8 deptord 3019:13 differences 3015:17 30165:17 30161:57 30229:12 30207:13 3026:33 30229:12 30203:30282:11 30161:32 30277:12 30229:12 30203:30282:11 30161:32 30277:12 30229:12 30203:30282:11 30161:32 30277:12 30227:12 30203:11 30266:30307:12 30277:12 30227:12 30203:12 30203:12 30203:12 30203:12 30203:12 30203:12 30203:12 30203:12 30203:12 30203:12					
dependence 30274:3 dependent 30241:5 30241:25 30291:15 30241:25 30291:16 30241:25 30291:17 30241:25 30291:17 30241:25 30291:17 302521 30166:17 30207:24 30208:6,7 302091:1,12 302091:1,12 302091:1,12 302091:1,12 302091:1,12 302091:1,12 302091:1,12 302091:1,12 302091:1,12 30162:2 302091:1 30162:2 302091:1,13 30162:2 302091:1,13 30162:2 302091:1,13 30162:2 302091:1 30162:2 302091:1 30162:2 302091:1 30162:2 302091:1 30252:1,2 30257:1 30229:1,2 30257:1 30229:1,0 30257:1 30229:1,0 30157:1 30241:2 30157:1 30241:2 30157:1 30241:2 30157:1 3017:1 30266:1 30162:1,0 30167:1 30162:1 30					
dependent 30243:15 30183:6 30184:5 3017:20.22 30188:15 301902 30297.5,12 30298:3 30273:25 30273:25 30274:4 dies 30211:19 30182:16 30223:18 30208:10,22 30209:5 30301:16 303024.5 30298:6,7 difference 3016:13 30297:22 30291:10 30291:12 3001:16 303024.5 302112 3077:22 differences 3015:5,7,8 3016:45 30165:18 30214:14:17 30203:13,11 deployed 30195:13 3015:13 3017:45,10 3016:57 302297:13 30217:6,22 30208:13 deployed 30195:13 3015:13 10159:3 3016:57 302297:14 30259:12 30203:13 deptice 3014:1 3016:23 2020:17 30229:12 30225:13 30212:6 described 30251:12 differentia 3014:24 30247:12 30229:12 30225:13 described 30251:12 differentia 3014:12 dispost 3016:12:13 30229:12 30224:41 describel 30267:19 differentia 3014:24 30304:41 30239:32 30239:12:10 30224:41 describel 30267:19 differentia 3014:317 30208:41 30239:12:10 30224:41 describ					
30263:21 30265:5 30241:25 30291:15 3014:021 30166:17 30207:24 30208:6,9 3029918 30300:25 30298:6,7 differance 3021:19 301321:16 30231:13 30207:24 30208:6,1 30301:16 30302.4,5 30251:12 30277:22 differance 30267:13 30225:21 30211:61 30211:4,23 30301:7 30251:12 3027:22 differance 3025:1,5,7,8 30126:4 30165:17 30212:6 30213:8,11 doubt 30122:9 30152:4 3016:2 30201:7 30225:9,9 30230:11 doubt 3018:12 doubt 3018:12 depth 3028:6 25 difference 3015:1,7,8 30126:4 30165:7 30224:7,12 30225:9,9 30230:11 download 3018:23 deputs 30148:24 3013:0:14 3017:64 dispose 30289:2 30237:1,5 30229:12 30223:13 30236:43 desirable 3025:15 3012:7:1 3013:0:4 dispose 30289:2 30238:1,0 23.23 30236:43 30239:10 30239:10 30239:10 30239:10 30239:10 30239:10 30239:10 30239:10 30239:10 30239:10 30239:10 30239:11 30236:13 30239:11 30236:13 30239:11 30236:13 30239:11 <t< td=""><td></td><td></td><td></td><td></td><td></td></t<>					
30273:25 3028:67 dife 3021617 30248:72 30208:19.22 30301:16 3030:47 depending 30223:17 difference 30267:13 30229:521 3021:61 3021:63 30228:12 doubta 3012:63 30228:12 doubta 3012:63 30228:12 30208:12 30228:12 3030:47 deployed 3019:13 difference 30267:13 3016:42 3016:43 3021:63 3021:63 30228:21 30208:12 30228:21 3030:47 30228:30 30228:21 30203:33 30228:21 30203:33 30228:21 30228:21 30230:33 30228:21 30230:33 30228:21 30230:33 30228:21 3023:53 30228:21 30230:33 30228:21 3023:53 30228:21	-		· · · · · · · · · · · · · · · · · · ·		-
30298:6,7 differance 3023:17 30234:25,25 30209:14,14 30304:7 depending 30223:17 difference 30267:13 30255:21 30212:6 30213:13 30212:6 30213:13 30212:6 30213:13 30212:6 30213:13 30212:6 30213:13 30212:6 30213:13 30212:6 30213:13 30212:6 30213:13 30212:6 30213:13 30212:6 30213:12 3026:8 dimber 3018:11 dimber 3018:12 3026:8 dimber 3018:13 30212:6 30213:13 30221:6 30213:13 30225:9 3023:01:11 download 3018:23 download 3018:23 download 3018:23 dimber 3018:12 discussions 3024:7:12 30225:13 30225:13 30225:13 30225:13 30223:12 30235:13 30213:91 30235:13 30213:91 30235:13 30213:91 30235:13 30213:91 30235:13 30213:91 30235:13 30213:92 30235:13 30213:92 30235:13 30213:92 30235:13 30213:92 30235:13 30213:92 30235:13 30213:92 30235:13 30235:13 30213:92 30235:13 30213:92 30235:13 30235:13 30235:13 30235:13 30235:13 30235:13 30213:13 </td <td></td> <td></td> <td></td> <td></td> <td></td>					
depending 30223:17 differences 30267:13 30295:21 30210:19 30211:42 double 30122:9 deployed 30195:13 differences 30151:5,7,8 30126:4 30165:18 30214:16,17 3026:8 deployed 30195:13 30152:4 30162:5 30235:13 30217:62.2 30203:3 3028:11 deptose 30149:1 30152:5 30152:1 30162:5 30235:13 30225:05 deptose 30149:1 30162:4 30247:12 30225:23 30209:11 discound a0318:23 deptose 30149:1 30162:4 30247:12 30225:22 30225:01 dozen 3018:12 described 3028:11:2 differenti 30128:12 disposal 30276:5 30237:15 30224:4,17 desirabili 30197:18 30129:1,24 30130:4 disposal 30276:5 30285:3,102,21,23 30229:10 desirabili 3013:14 differenti 3014:15 30163:1,3,18,315,22 30285:4,102,12,3 diraw 3029:21,22 desirabili 3014:14:15 30162:1,3016:3 30163:1,3019:2 30162:1,3016:3 30287:4,56,22 diraw 3029:21,22 diraw 3029:21,23 3028:24,3029:1,2 30137:1,3028:12 3028:1,13,319,21,2 diraw 3029:21,2				-	
30251:12 3027:22 discussions 30123:13 30212:6 302138.11 3026:68 deployd 30195:13 differences 3015:57,8 30164:3,5 30165:7 30215:13 30217:6,22 30203:3 30282:13 30181:5 differences 3015:7,8 30164:3,5 30165:7 30225:9,9 30207:12 30223:3 30282:13 depth 3026:25 3015:11 30159:3 disgraceful 3020:5 30247:12 30225:9,9 3020:11 down 30187:23 deputy 30148:24 3017:12 3026:15 30224:71:2 30225:22 30260:19 30224:4,10,21,23 designated 30282:18 301302:12,16 disorder 30161:22 30283:10,11,21 30129:2,12 430130:4 dispose 30276:5 30279:15 30282:20 30224:4,17 designated 30282:18 30130:14 30176:4 dispose 3026:15 30284:4,10,21,23 draw 30179:19 302373:7 30143:12 30151:16 30150:13,0183:12 30284:4,10,21,23 draw 30299:2,1,22 desirabil 3026:16 30162:13 0162:3 30193:7,3198:6 30289:14 30137:13 3016:15,177 30137:13 3016:12,31 302117 3026:5 30129:12,10 draw 30299:2,1,22 desirabil 3026:16 30162:13 0162:3 30193:7,119,3018:5 3	· ·		-		
deployment 30195:13 differences 30151:5.7.8 301264 3016318 30214:16,17 doubt 30188:11 deployment 30177:4,10 30152:4 30162:4 30163:7 30215:13 30217:622 30233:3 3028:11 deptitss 30149:1 30171:22 30221:3 dispreaceful 30230:5 30249:7,14 30250:15 30229:12 dozen 30181:5 describe 3023112 differentia 30128:12 dispreaceful 30230:5 3027:15,17 30214:2 30224:12 30247:12 3027:15,17 30213:0,103024:4 30213:1,013024:4 30213:1,013024:4 30213:1,013024:2 30224:4,1021:23 30224:1,3014:1 3013:1,112 desirabi 3025:1,13014:12 disput 3013:1,12 <					
deptoyment 30177:4,10 30152:4 30164:3, 3016:57 30215:13 3017:62.22 30203:3 3028:211 depth 30286:25 30155:11 30159:3 digraceful 30230:5 30249:7,14 30250:11 300817:23 deputs 30148:24 30171:22 3026:13 disrefunation 30247:11 302259:12 30225:13 30224:12 designet 30282:18 30129:2,12 430130-4 disreder 30161:22 30277:15,17 30123:12 30129:1,24 43130-4 designet 30282:18 30139:1,24 43130-4 dispose 30276:5 30279:15 30282:20 30224:4,17 desirable 30254:22 differenti 3014:31:6 30153:318 30159:20 30285:3,10,23,25 30229:10 30259:3 30267:19 different 3014:15 30153:318 30159:20 30285:3,10,23,25 30299:10 30221:12 3012:16 30162:13 30153:12,46 30163:3 30183:7 30188:12,33 30128:12 30137:12 50318:1 30229:03 30266:16 30162:13 30163:3 30193:7 30188:6 30289:43 30290:1,29 30137:12 50318:1 30229:10 different 3014:15 30133:13 16 30233:17 30138:13 13,15,24 30229:20 30296:8 30197:27 3021:10 30177:23 30301:17				,	
30181:5 different 30113:1 30166:2 30200:17 30225:9,30230:11 download 30187:23 deput 30286:25 30155:11 30159:3 disarctination 30247:11 30250:15 30259:12 30250:15 30259:12 30250:15 30259:12 30250:15 30259:12 30225:9,20200:99 30213:12 disarctination 30247:11 30230:11 30221:09 30213:12 disroef 3016:12 30279:15 30259:12 30224:4,17 disroef 3016:12 302279:15 30282:20 30224:4,17 disrabit 3026:15 30224:4,17 disrabit 3026:15 30224:4,17 disroef 3016:15:17 30223:10,11,21 diraw 30179:19 30224:4,17 disroef 3016:15:17 30285:3,10,23,25 30224:4,17 disroef 3026:15:12 3028:4,10,21,23 diraw 30179:19 30224:4,17 disroef 3026:11,310:12,32 30224:4,17 disroef 3026:11,310:12,32 30224:4,17 disroef 3026:11,310:12,33 30224:4,17 disroef 3026:11,3016:16,17 30224:11,310:12,32 30224:12,32029:10 30224:4,17 disroef 3027:13,310:12,41 30224:4,17 disroef 3027:13,310:12,41 30224:4,17 disroef 3027:13,3024:13 30125:13,312:24 disroef 3027:14,322:12,23 30125:13,312:12 30224:4,17 disroef 3016:16,17 30225:13,3023:13 <				-	
depth 30286:25 30155:11 30159:3 disgraceful 30230:5 302497.14 30250:15 302497.14 30250:15 302513 deputy 30148:24 30171:22 30261:3 30247.12 30259:12 30213:9,10 30213:12 3013:9,10 30213:12 30239:10 30239:10 30239:10 30239:10 30299:10 30299:10 30299:10 30299:10 30299:10 30299:10 30299:10 30299:10 30299:10 30299:10 30299:10 30299:10 30299:10 3029:12 30179:13 30179:13 30179:13 30179:13 30179:13 30179:13 30179:13 30193:7 3029:11 3029:11 3029:12 30139:7,14,17,22,23 30139:7,14,17,22,23 30139:7,14,17,22,23 30195:1,13			-		
deputs 30171:22 30261:3 disinclination 30247:11 30259:12 30255:13 described 30231:12 differential 30128:12 disorder 30161:22 30279:15 30279:12 30213:9,10 30214:2 desirability 30197:18 30130:14 30176:4 dispoes 30289:2 30228:10,11,21 diramatic 3026:16 30214:4,17 desirability 30265:16 30130:14 30176:4 dispoes 30289:2 30284:4,10,21,23 diraw 30179:19 30259:13 30267:19 differently 30245:4 dispute 30153:18 30159:20 30285:1,02,325 diraw 30179:19 30259:13 30265:16 30160:21 30162:3,4 dispute 30151:24 30286:14,19,22,3 30137:21 30125:17 30126:5 30229:11 30229:18 30169:13 0163:3 30193:7 30198:6 30239:21 30298:24 30137:2,12,25 30138:1 30268:10,10 3028:9 30266:14 30297:7 dissatisfied 30170:11 30303:1,16 30304:10 30197:1,313.15,24 detaila 30125:15 differentias 30145:16 distracting 3014:12 3028:13 30163:27 30136:12 30132:14 3030:1,16 303248:4 30137:1,417,22,23 30266:14 30297:7 dissatisfied 30170:11 30303:1,16 30304:10 30197:1,917,14,17,22,23				·	
ic_puty 30148:24 3028:215 30247:12 30252:23 20360:9 DPP 30204:63 3021:2:6 described 30231:12 differential 30128:12 disorder 30161:22 30277:15,17 30213:9;10 30214:2 desirability 30197:18 30130:14 30176:4 disposal 30276:5 30278:15 30282:20 30224:4,17 desirability 30197:18 30130:14 30176:4 disposal 30276:5 30284:4,10,21.23 drawa 3079:19 30259:3 30267:19 differentity 3014:15 30153:3,18 30159:20 30288:4,10,21.23 drawa 3079:19 30221:2 30162:1:1 30162:11 3016:3:3 30161:16,17 30288:1,0,12,2,23 dirawa 30299:10 30221:2 30229:12 30162:11 30163:3 301973: 70186:6 30153:7,0198:6 30289:24 30125:17,30126:5 30229:20 30296:8 30179:1 30188:21 30203:17 30238:12,3030:17 30238:12,3030:12,9 30137:21,25 30138:1 30125:15 30162:11 30165:15 30266:14 30297:1 distrated 30170:11 30301:17 30302:12 30136:3 30163:2,9 30224:12 3028:14 30224:12 3028:14 30224:12 3016:15,17 3029:12,12 30156:5 30163:5,7,11 detairabil 30266					
described 30231:12 differential 30128:12 disorder 30161:22 3027:15 3027:15 30213:9,10 30214:2 desirability 30197:18 30139:14 30139:14 30139:14 30139:14 30129:12 30279:15 30283:10,11,21 dramatic 30264:18 desirability 30265:16 30165:3 30159:12,16 30160:13 30161:16,17 30288:3,10,21,22 30289:10,21,22 30299:10 desirability 30265:16 30162:3,40 30162:13 30162:13 30173:13 30288:8 30289:13,23 30129:12,20 30137:12,25 30137:12,25 3029:11 3029:12 30137:12,25 30137:12,25 30137:12,25 30137:12,25 30137:12,25 30137:12,25 30137:12,25 30137:12,25 30137:12,22,33 30137:12,32 30137:12,3038:13,15,24 destruction 30272:3 30197:22 30206:14 30291:11 3029:11 3029:11 3029:11 3029:11 30303:1,16,3304:8 30139:12,10 30139:12,10 30137:12,3038:13,15,15,17 destruction 3027:13 30244:14 30297:17 303031:16,30304:8 30165:15,17,18,24 destruction 302					
designated 3028:18 30129-21,24 301304 dispos 30276:5 30277:53028:20 30224:4,17 desirable 30254:22 30130:14 30176:4 dispos 30289:2 30283:10.11.21 dramati 30264:18 30259:3 30267:19 differently 30245:4 dispute 3013:22 30284:4,10,21,23 drawa 30179:19 30273:7 30143:12 30151:16 30160:13 30161:16,17 30286:11,13,19,21,23 drawa 30299:21,22 desirably 30265:16 30160:21 3016:2:3 30193:7 30198:6 30289:24 30280:1,2,9 30122:17 30128:5 30229:20 30296:8 30179:1 30188:21 30193:7 30198:6 30289:24 30290:1,9 30137:21,25 30138:1 30229:20 30296:8 30179:1 30188:21 30203:17 30291:11 30295:1 30138:3,13,15,24 detail 30125:15 30179:1 30188:21 30203:17 30301:17 30302:2 30165:3 30163:2,29 30268:10,10 30286:9 30266:14 30297:7 disstracted 30158:5 30304:10 3017:1,17,18,24 detail 30125:15 difficulty 3024:14 30221:2 30151:51,11 3027:15 detail 30125:15 difficulty 3024:14 3021:22 30153:51,11 30130:10 de					
desirability 30197:18 30130:14 30176:4 dispose 30289:2 30281:0,11,21 dramatic 30264:18 desirable 30254:22 differently 30245:4 dispose 30289:2 30281:4,10,21,23 30299:10 30299:10 30259:30267:19 30143:12 30151:16 30160:3 30161:16,17 30285:3,10,23,25 30299:10 drawn 30299:21,22 desirably 30265:16 30159:12,16 30173:3 30193:7 30198:6 302824:40,209:1.13 30129:1.23 30138:3,13,524 30229:20 30296:8 30179:1 30188:21 30301:17 3029:121 30298:24 30138:3,13,524 30229:18 30164:14 30277:7 dissatisfaction 3029:12 30298:24 30138:3,13,524 30268:10,10 30286:9 30266:14 30297:7 dissatisfied 30170:11 30303:1,16 30304:8 30165:15,7,18,24 details 30125:15 difficulty 30204:16 distracted 30158:5 3030:12 30126:13 30197:23 30156:3 30163:2,9 3028:12 3026:63 3028:11 30301:12 30125:13 3024:11 30171:5 3024:11 30171:5 3024:11 details 30293:18 difficulty 3024:16 distracted 30178:5 30165:5 30178:2 30156:5 30163:5,7,11					
desizable 30254:2 30259:3 30267:19 differently 30245:4 difficult 30114:15 dispute 30133:22 30285:3, 10, 23, 25 draw 30179:19 30299:10 30273:7 30143:12 30151:16 30163:13, 18, 30159:20 30285:3, 10, 23, 25 draw 30299:21, 22 desizably 30265:16 30160:21, 30162:3, 4 301973:3 30287:4, 5, 6, 22 draw 30179:1, 30126:16, 30128:2, 10 30221:12, 30229:18 30162:13, 40163:3 301937; 30198.6 30289:24, 30290:1, 2, 9 30137:21, 25, 30138:1 30220:20, 30296:8 30179:1, 30188:21 30203:17 3029:11, 30292:24 301397:1, 17, 22, 23 detaile 30125:15 30266:14, 30297;7 dissatisfaction 30304:10 30197:19, 22 30266:14, 30297;7 distracted 30170:11 30304:10 30197:14, 722, 23 detaile 30268:5 30260:24 distracted 30158:5 30136:15, 17, 18, 24 determine 30240:8 30287:14, 30288:1 3017:12, 3014:12 30130:25, 30158:5 drilling 30139:8 30298:12, 30301:17 30298:12, 30288:13 3017:12, 3014:12 30156:6, 30163:5, 7, 11 30298:12, 30301:17 30298:12, 30288:13 3017:12, 3014:12 30156:6, 30163:5,					<i>*</i>
30259:3 30267:19 30273:7 difficult 30114:15 30143:12 30151:16 30163: 30159:12,16 30163: 30159:12,16 30163: 30159:12,16 30287:4,5,6,22 30287:4,5,6,22 30287:4,5,6,22 30125:17 302287:2,0299:18 30162:11 30163:3 301937: 30198:6 30299:10,20290:12,23 302287:4,5,6,22 30126:16 30128:1,23 302290:12,23 302287:4,5,6,22 30137:21,25 30138:1 302291:12 30299:12,23 30137:21,25 30138:1 30209:10,30286:9 30266:14 30297:7 detailed 30125:15 detailed 30125:15 detailed 30293:19 detailed 30235:19 30266:14 30297:7 detailed 30235:19 detailed 30293:19 detailed 30293:19 difficulty 30204:16 distribute 30187:12 3021:24 30301:17 30224:25 divel 30125:11 distribute 30127:12 30125:4 30127:4 divel 30125:11 distribute 30127:12 30125:4 30127:4 divel 301295:1 30125:1 30241:25 30125:1 30241:25 divel 30126:11 30127:4 30128:1 divel 30126:11 30127:4 30128:1 divel 30126:11 30126:2 30188:5 30126:4 30129:1 divel 30126:11 30126:2 30188:5 30126:4 30129:1 divel 30126:11 30126:2 30128:1 divel 30126:1 30126:2 30128:1 divel 30126:1 30126:2 30128:1 divel 30126:1 30126:1 30126:1 30126:2 30127:2 30126:2 30128:1 divel 30126:1 30126:1 30128:	-				
30273:7 30143:12 30151:16 30160:3 30161:16,17 30286:11,13,19,21,23 drawn 30299:21,22 despite 30134:19 30160:21 30162:1,3 disputes 30151:24 30288:8 30289:13,23 30122:15 30126:15 30221:12 30229:18 30162:11 30163:3 30193:7 30198:6 30288:8 30289:13,23 30137:21,25 30138:1 30229:20 30296:8 30179:1 30188:21 30203:17 30299:11 30295:1 30137:21,25 30138:1 destruction 30272:3 30179:2 30200:17 dissatisfaction 30236:1,13 3029:22 30156:3 30163:2,9 30268:10,10 30286:5 30260:24 distracting 30114:12 dosm130124:11 301254: 30127:4 detailed 30125:15 difficulty 30204:16 distraticed 30187:8,11 30130:25 30158:2 30156:6 30163:5,7,11 determination 30224:25 divide 30269:1 30130:25 30158:2 30156:6 30163:5,7,11 30294:25 divide 30269:1 30130:25 30158:2 division 30126:11 302324:2 30126:16 30278:3 30298:12 30301:17 30294:25 divide 30269:1 30246:2 30249:4 30281:10,21 30289:12 30301:17 3024:23 20188:6,1 30164:23 30279:23 30240:2 direw					
desirably 30265:16 30156:3 30159:12,16 30173:3 30287:45,6,22 drill 30125:17 30126:5 30221:12 30229:18 30160:21 30162:3,4 disputes 30151:24 30288:8 30289:13,23 30125:12,123 30138:1 30229:20 30296:8 30179:1 30188:21 30203:17 30291:11 30295:1 30138:3,13,15,24 destruction 30272:3 30197:22 3020:17 dissatisfaction 30296:12 30298:24 30139:7,14,17,22,23 30268:10,10 30286:9 30266:14 30297.7 dissatisfied 30179:11 303031,16 30304:10 30197:19,21 details 30286:5 30266:14 30297.7 distracted 30158:5 30166:15,17,18,24 30197:19,21 details 30286:5 30260:24 distribute 301451:6 distribute 301451:5 30130:25 30163:2,9 30281:12 30206:6 30208:11 30301:12 30130:25 30158:2 30156:5 30163:5,7,11 determine 30240:8 30287:14 30288:1 30187:12 3021:22 30197:13 30182:6,11 30216:22,24 30281:13 30281:8 3098:12 3030:17 30294:25 30294:25 30246:2 30248:4 30216:2,24 30281:10,12 30030:28 direct 30122:8 division 30126:11 30216					
despite 30134:19 30160:21 30162:3,4 dispute 30151:24 30288:8 30289:13,23 30126:16 30128:2,10 30221:12 30229:18 30162:11 30163:3 30193:7 30198:6 30289:24 30290:1,2,9 30137:21,25 30138:1 destruction 30272:3 30197:22 30200:17 dissatisfaction 30296:12 30298:24 30139:7,14,17,22,23 30268:5 30264:14 30297:7 dissatisfied 30170:11 30301:17 30302:22 30156:15,17,18,24 detailed 30125:15 difficulties 30145:16 distracted 30158:5 30304:10 30197:19,21 detained 30293:19 difficulty 3024:16 distracting 30114:12 doesn't 30124:11 30271:15 determination 30260:24 distribute 30212:23 30130:25 30158:2 drilling 30139:8 30233:18,21 30211:25 30229:11 distributed 30187:8,11 30170:6 30188:5 30156:6 30163:5,7,11 determine 30240:8 30287:14 30288:1 30187:12 30214:22 30195:1 3024:2 drive 30215:13 3028:13 30298:12 30301:17 30298:23 30188:6,12 division 30151:14 30223:12 do2323:13 dropped 30169:16 determine 30203:6 direct 30127:2 30124:18 30133:25	desirably 30265:16		,		-
30229:20 3026:8 30179:1 30188:21 30203:17 30291:11 30295:1 30138:3,13,15,24 destruction 30272:3 30197:22 30200:17 dissatisfaction 30296:12 30298:24 30139:7,14,17,22,23 detail 30192:18 30266:14 30297:7 dissatisfaction 30303:1,16 30304:8 30165:15,17,18,24 detailed 30125:15 difficultes 30145:16 distracted 30158:5 30304:10 30197:19,21 detailed 30293:19 difficulty 30204:16 distracted 30172:23 30125:4 30127:4 diol 3017:15 detaine 30293:19 30206:6 30208:11 30301:12 30138:5,313.015,7,11 distracted 30187:8,11 3017:6 30188:5 30156:6 30163:5,7,11 determina 0240:8 30294:25 divide 30269:1 3021:22 30156:6 30163:5,7,11 30298:12 30301:17 30294:25 divide 30269:1 30216:22,24 30281:10,12 30179:13 3024:12 3017:13 30167:24 30214:23 3024:13 3023:20 3024:12 divide 30269:1 30299:13 3020:4 directy 30122:12 divide 30269:1 30216:22,24 30281:10,12 30165:5 30163:4 30197:24 30224:13,14,16 302320:320:020:1			disputes 30151:24		30126:16 30128:2,10
destruction 30272:3 detail 30192:18 30197:22 30200:17 3024:14 30251:19 dissatisfaction 30193:17 30296:12 30298:24 30301:17 30302:22 30139:7,14,17,22,23 30156:3 30163:2,9 detailed 30122:15 difficulties 30145:16 distracted 30158:5 30304:10 30197:19,21 detailed 30293:19 difficulty 30204:16 distracted 30158:5 30304:10 30197:19,21 determination 30266:4 30297:1 distribute 30114:12 doesn't 30124:11 30271:15 determine 30240:8 30287:14 30288:1 30301:12 30130:52 30158:2 drilling 30139:8 30298:12 30301:17 30298:12 30211:17 30298:12 3021:17 30298:12 3021:17 30294:25 divide 30269:1 30170:6 30188:5 30156:6 30163:5,7,11 determine 30203:6 30168:22 30188:6,12 division 30126:11 30221:24 30222:13 dropped 30169:16 determining 30253:22 direction 30179:3 docket 30219:4,23 30246:2 30248:4 dump 30221:9 develop 30155:5 30137:13 30167:24 30280:11 30281:2,5 30273:8 30274:3,6,16 duplicate 30193:4 30162:25 30124:18 3013:25 30279:23 30280:3,5 30268:7 30270:16 30130:10	30221:12 30229:18	30162:11 30163:3	30193:7 30198:6	30289:24 30290:1,2,9	30137:21,25 30138:1
detail 30192:18 30244:14 30251:19 30193:17 30301:17 30302:22 30156:3 30163:2,9 30268:10,10 30286:9 30266:14 30297:7 dissatisfied 30170:11 30301:17 30302:22 30165:3 30163:2,9 detaile 30125:15 difficults 30145:16 distracted 30158:5 30304:10 30097:19,21 details 30268:2 30260:24 distracted 30158:5 300127.4 dielas 3017:15 details 30293:19 difficulty 30204:16 distracted 30172:23 30125:4 30127.4 drilling 30139:8 30233:18,21 30211:25 30229:11 distributed 30187:8,11 30170:6 30188:5 30156:6 30163:5,7,11 determine 30240:8 30287:14 30288:1 30187:12 30214:22 30195:1 30204:22 drive 30215:13 30281:8 30203:28 direct 30122:8 division 30126:11 30221:24 30232:13 dropped 30169:16 determining 30253:22 directly 30122:12 30224:13,14,16 30244:25 30240:1 due 30189:16 30278:8 develop 30195:17 directly 30122:12 30224:13,314,16 30249:25 30250:5 Dum 30128:1,10,17 30163:4 30197:24 30124:18 30133:25 30279:13 30280:3,5 30226:7 30270:	30229:20 30296:8	30179:1 30188:21	30203:17	30291:11 30295:1	30138:3,13,15,24
30268:10,10 30286:9 30266:14 30297:7 dissatisfied 30170:11 30303:1,16 30304:8 30165:15,17,18,24 detailed 30125:15 difficulties 30145:16 distracting 30114:12 30304:10 30197:19,21 detailed 30293:19 difficulty 30204:16 distribute 30212:23 30125:4 30127:4 30271:15 determination 30206:6 30208:11 30301:12 30130:25 30158:2 drillers 30155:1,1 determine 30240:8 30287:14 30288:1 30187:12 30214:22 30195:1 30204:22 drive 30215:3 30281:8 30302:8 direct 30122:8 divide 30269:1 30216:22,24 30281:10,12 30195:1 30203:6 direct 30122:8 division 30126:11 30224:25 dropped 30169:16 determine 3023:20 direct 30122:8 division 30151:14 30223:20 30240:1 due 30189:16 30278:8 determining 30253:22 direct 30122:12 30224:13,14,16 3024:25 3024:25 3024:25 3024:25 3024:25 3024:25 30228:14 30216:22,24 30301:16 30169:16 determine 30253:22 direct 30122:18 docket 30219:4,23 30249:25 30250:1 30149:16	destruction 30272:3	30197:22 30200:17	dissatisfaction	30296:12 30298:24	30139:7,14,17,22,23
detailed 30125:15 difficulties 30145:16 distracted 30158:5 30304:10 30197:19,21 detailed 30268:5 30260:24 distracting 30114:12 distracting 30114:12 30271:15 detained 30293:19 difficulty 30204:16 distribute 30212:23 30125:4 30127:4 drilling 30139:8 30233:18,21 30211:25 30229:11 distributed 30187:8,11 30170:6 30188:5 30165:6 30163:5,7,11 determine 30240:8 30287:14 30288:1 30187:12 30214:22 30195:1 30204:22 drive 30215:13 30281:8 302028:12 30301:17 30294:25 division 30126:11 30221:24 30232:13 dropped 30166:16 determined 30203:6 direction 30179:3 docket 30219:4,23 3024:23 0324:4 durpped 30169:16 determineg 30156:5 30137:13 30167:24 302280:13 03281:2,5 30246:2 30248:4 dump 30221:9 develop 30195:17 director 30179:3 docket 30219:4,23 30268:7 30270:16 30130:10 30163:4 30197:24 30127:13 30167:24 302280:13 0280:15 30279:23 0280:35 30268:7 30270:16 30130:10 30162:25 30171:13 0278:15 30298:13 30301:18 30277:13 301	detail 30192:18	30244:14 30251:19		30301:17 30302:22	
details 30268:5 detailed 30293:1930260:24 difficulty 30204:16 30206:6 30208:11 30211:25 30229:11 30211:25 30229:11 30204:25distracting 30114:12 distributed 30187:8,11 30170:6 30188:5doesn't 30124:11 30125: 4 30127:4 30130:25 30158:230271:15 drilling 30139:8 30130:25 30158:230298:12 30301:17 30208:12 30302:830287:14 30288:1 30294:2530187:12 30214:22 division 30126:1130126:22,24 30221:24 30222:1330156:6 30163:5,7,11 drive 30215:13 30281:8 30216:22,24drive 30215:13 30281:8 30216:22,2430281:10,12 drive 30215:13 30281:830208:12 30302:8 determined 30203:6directi 30122:8 direction 30179:3division 30126:11 division 30151:14 30224:233024:22 30248:4 30224:23dropped 30169:16 dreg 30169:16deterping 30155:5 30137:13 30167:24 30163:4 30197:24directry 30122:12 30258:11 30278:1530224:13,14,16 30229:23 30280:35 30224:13,14,1630249:25 30250:5 30278:8 30274:3,6,16 30137:13 30167:24 30258:11 30278:15J0224:13 30301:18 30299:13 30301:1830276:1 duplicate 30193:4 duplicate 30193:4development 30155:24 30156:23disabilities 30260:20 30212:15,24 30221:1 30128:10 30204:1230213:3,4,19,23 30212:15,24 30221:1 30213:3,4,19,2330299:11,212 30229:12E erlier 30193:4 30150:7 30194:19 30157:7 30194:19 30157:3 30154:3deviate 30114:1 30274:230274:2 30225:17 30279:1530125:10,14 30263:3 30125:7 30217:8,1030157:8,13 30158:9 30157:7 30219:21 30125:10,14 30126:3deviate 30114:1 30274:230274:2 30226:14302157:30217:8,10 30212:15,24 30229:930116:9 30119:8,9,12 30	30268:10,10 30286:9				
detained 30293:19difficulty 30204:16distribute 30212:2330125:4 30127:4drillers 30155:1,1determination30206:6 30208:1130301:1230130:25 30158:230130:25 30158:230130:39:830233:18,2130211:25 30229:11distributed 30187:8,1130170:6 30188:530156:6 30163:5,7,11determine 30240:830287:14 30288:130187:12 30214:2230195:1 30204:22drive 30215:13 30281:830302:8direct 30122:8divide 30269:130126:1230216:22,2430281:10,12determined 30203:630168:22 30188:6,12division 30126:1130221:24 30232:13dropped 30169:16determing 30253:22direct 30122:1230224:13,14,1630249:25 30250:5Junn 30128:1,10,17develop 30195:17directly 30122:1230229:23 30280:3,530268:7 30270:1630130:1030163:4 30197:2430238:11 30278:1530228:13 30301:1830276:1duplicate 30193:430163:4 30197:2430228:11 30278:1530298:13 30301:1830276:1duplicate 30279:24,25development 30155:24direct or 30127:253001:19,21doing 30113:19duplication 30281:1230156:23diabilities 30260:2030212:18,20,21,21,2230280:14 30297:8duplication 30281:230156:23disagneen s014:2330218:7,30217:8,10dom' 30113:19dutfies 30154:3devolog 30156:530134:1230213:4,10,1230213:4,10,12doing 30113:1930156:23disabilities 30260:2030212:18,20,21,21,2230280:14 30297:8duplication 30281:2devolog 3014 <t< td=""><td></td><td></td><td></td><td></td><td></td></t<>					
determination30206:6 30208:1130301:1230130:25 30158:2drilling 30139:830233:18,2130211:25 30229:11distributed 30187:8,1130170:6 30188:530156:6 30163:5,7,11determine 30240:830287:14 30288:130187:12 30214:2230195:1 30204:22drive 3025:13 30281:830302:8direct 30122:8division 30126:1130221:24 30232:13dropped 30169:16determined 30203:630168:22 30188:6,12divisions 30151:1430233:20 30240:1due 30189:16 30278:8determing 30253:22directin 30179:3docket 30219:4,2330246:2 30248:4dump 30221:9develop 30195:17directly 30122:1230224:13,14,1630224:25,530268:7 30270:1630130:10developing 30156:530137:13 30167:2430298:13 30301:1830276:1duplicate 30193:4duplicate 30193:430163:4 30197:2430228:11 30278:1530298:13 30301:1830276:1duplicate 302921:9duplicate 302921:930162:2530128:10 30204:130209:15 30210:1930212:7 30251:21duties 30233:22duplicatio 302081:1230156:23disabilities 30260:2030212:18,20,21,21,2230280:14 30297:830155:7 30217:3 30158:930158:930156:23disabilities 30260:2030214:7,81,01,82,0domain 30115:1earlier 30154:3devida 30114:130274:230213:3,41,9,2330218:14 30297:830158:2 30158:930124:17 30135:2disabilities 3026:2030214:7,81,01,82,0domain 30115:1earlier 30154:3dirdvid 30119:6disabilities 3026:2030214:7,81,01,8					
30233:18,21 30211:25 30229:11 distributed 30187:8,11 30170:6 30188:5 30156:6 30163:5,7,11 determine 30240:8 30287:14 30288:1 30187:12 30214:22 30195:1 30204:22 30215:2 30281:10,12 30030:8 30293:12 30301:17 30294:25 divide 30269:1 30216:22,24 30281:10,12 30030:8 direct 30122:8 division 30151:14 30221:24 30232:13 droped 30169:16 determined 30203:6 direction 30179:3 docket 30219:4,23 30246:2 30248:4 due 30189:16 30278:8 determined 30155:7 direction 30179:3 docket 30219:4,23 30246:2 30248:4 dump 30221:9 develop 30195:17 directro 30179:3 docket 30219:4,23 30279:23 30280:3,5 30268:7 30270:16 30130:10 developing 30156:5 30137:13 30167:24 30298:13 30301:18 30276:1 duplicate 30193:4 doing 30151:524 director 30127:25 30301:19,21 doing 30113:19 duplication 30281:12 developments 30212:15,24 30281:1 30209:15 30210:19 30212:7 30251:21 duplication 3023:22 disabilities 30260:20 30212:18,20,21,21,22 30					
determine 30240:8 30298:12 30301:17 30302:830287:14 30288:1 30294:2530187:12 30214:22 divide 30269:130195:1 30204:22 30216:22,24drive 30215:13 30281:8 30281:10,1230302:8direct 30122:8 direct 30122:6division 30126:11 division 30126:1130221:24 30232:13 30221:24 30232:0dropped 30169:16 due 30189:16 30278:8determined 30203:630168:22 30188:6,12 direction 30179:3division 30126:11 divisions 30151:143023:20 30240:1 30224:25 30248:4due 30189:16 30278:8 dump 30221:9develop 30195:17 30198:1,18,21directly 30122:12 30124:18 30133:2530279:23 30280:3,5 30224:13,14,1630246:2 30248:4 30246:2 30248:4dump 30221:9 Jun 30128:1,10,17developing 30156:5 30163:4 30197:2430137:13 30167:24 30258:11 30278:1530298:13 30301:18 30298:13 30301:1830276:1 duplicate 30193:4 duplicates 30279:24,25development 30155:24 30162:25director 30127:25 30128:11 30278:1530298:13 30301:18 30298:13 30301:19,2130150:7 30194:19 30120:7 30251:21 duplicates 3023:22devolopments 30156:2330212:15,24 30281:1 30212:15,24 30281:130212:18,20,21,21,22 30212:18,20,21,21,2230280:14 30297:8 30120:19devide 30281:5 disabilities 30260:20 30128:51,6 30220:9disalities 30141:23 30125:10,14 30263:1430157:8,13 30158:9 30155:130157:8,13 30158:9 30125:10,14 30263:3dichotomy 30273:6 dichotomy 30273:6 dichotomy 30273:6disagree a0141:27 3028:1230214:7,8,9,13 30213:5,16 30220:930116:9 30119:8,9,12 30125:10,14 30126:330154:17 30135:2 30156:4disagree 30181:14<					
30298:12 30301:17 30302:830294:25 direct 30122:8divide 30269:1 division 30126:1130216:22,24 30221:24 30232:13 30221:24 30232:1330281:10,12 dropped 30169:16determined 30203:6 determining 30253:2230168:22 30188:6,12 directly 30122:12division 30151:14 docket 30219:4,23 30224:13,14,1630233:20 30240:1 30246:2 30248:4 30246:2 30288:4dure 30189:16 30278:8 dure 30189:16 30278:8develop 30195:17 30198:1,18,21directly 30122:12 30124:18 30133:2530224:13,14,16 30229:3 30260:3,530268:7 30270:16 30268:7 30270:1630130:10developing 30156:5 30163:4 30197:2430137:13 30167:24 30258:11 30278:1530298:13 30301:18 30298:13 30301:1830276:1 30276:1duplicate 30193:4 duplicates 30279:24,25development 30155:24 30162:25director 30127:25 30212:15,24 30281:130209:15 30200:19 30212:18,20,21,21,2230120:17 30194:19 30212:7 30251:21duplication 30281:12 duties 30233:22devide 30281:5 dichotomy 30273:6disagree 30141:23 30246:430214:7,8,10,18,20 30218:5,16 30220:9domain 30115:1 30113:19earlier 30154:3 30157:8,13 30158:9 30156:31 30173:22dichotomy 30273:6 30124:17 30135:2disagree a0141:27 30286:430218:5,16 30220:9 30218:5,16 30220:930116:9 30119:8,9,12 30115:10,14 30126:330163:13 30173:22 30163:13 30173:2230150:6,11 30155:5disater 30181:14 discharged 30303:73028:12 30283:10 3028:12 30283:1030147:12,18 30150:2 30145:12,18 30150:230236:3 30254:8					
30302:8 determined 30203:6 determining 30253:22 develop 30195:17 30198:1,18,21direct 30122:8 30168:22 30188:6,12 directly 30122:12division 30126:11 divisions 30151:14 30224:23 30240:130221:24 30232:13 30233:20 30240:1dropped 30169:16 due 30189:16 30278:8 dump 30221:9develop 30195:17 30198:1,18,21directly 30122:12 30124:18 30133:2530224:13,14,16 30224:13,14,1630249:25 30250:5 30268:7 30270:16Dunn 30128:1,10,17 30130:10developing 30156:5 30163:4 30197:2430137:13 30167:24 30258:11 30278:1530298:13 30301:18 30298:13 30301:1830267:3 00274:3,6,16 30277:1duplicate 30193:4 duplicate 30193:4development 30155:24 30156:23director 30127:25 30128:10 30204:130204:2,5,8 30209:15 30210:1930150:7 30194:19 30212:7 30251:21duplication 30281:12 duties 30233:22developments 30156:23disapilities 30260:20 30212:15,24 30281:130212:7 30217:18,10 30212:7 30217:8,1030299:11,12 30212:7 30251:21Edeviate 30114:1 30142:2 30143:10,12 30142:2 30143:10,1230214:7,8,10,18,20 30218:5,16 30220:9domain 30115:1 30125:10,14 30126:3Ediant 30119:6 3014:2: 30143:10,12 30142:2 30143:10,1230218:7,30279:15 30225:17 30279:1530169:30119:8,9,12 30116:9 30119:8,9,1230163:13 30173:22 30163:13 30173:22 30125:10,14 30126:330163:13 30173:22 30125:10,14 30126:3didn't 30119:5:5discharge 30303:730281:7,7,8,9,13 30282:12 30283:1030151:13 30155:2530235:3 30254:8					
determined 30203:6 determining 30253:22 develop 30195:17 30198:1,18,2130168:22 30188:6,12 direction 30179:3 directly 30122:12divisions 30151:14 docket 30219:4,23 30224:13,14,1630233:20 30240:1 30246:2 30248:4 30249:25 30250:5 30268:7 30270:16due 30189:16 30278:8 dump 30221:9develop 30195:17 30198:1,18,21directly 30122:12 30124:18 30133:2530224:13,14,16 30229:23 30280:3,530246:2 30248:4 30268:7 30270:16dump 30221:9 30130:10developing 30156:5 30163:4 30197:2430137:13 30167:24 30258:11 30278:1530298:11 30281:2,5 30298:13 30301:1830276:1 30127:25duplicate 30193:4 duplicate 30193:4development 30155:24 30162:25director 30127:25 30128:10 30204:130209:15 30210:19 30212:15,24 30281:130209:15 30210:19 30212:18,20,21,21,2230150:7 30194:19 30150:7 30194:19duplication 30281:12 duties 30233:22devide 30141:1 30156:23disabilities 30260:20 30212:15,24 30281:130214:7,8,10,18,20 30213:3,4,19,23domain 30115:1 don't 30113:19Edevide 30231:5 diary 30263:14disagree 30141:23 30142:2 30143:10,1230214:7,8,10,18,20 30215:7 30217:8,10domain 30115:1 don't 30119:8,9,12Edichotomy 30273:6 didn't 30119:6disagreement 30142:7 30126:1430225:17 30279:15 30225:17 30279:1530125:10,14 30126:3 30143:18,2130163:13 30173:22 30163:13 30173:2230136:9 30138:13 disoter 30138:13 30150:6,11 30155:5discharge 30233:22 discharged 30303:73028:12 30283:1030147:12,18 30150:2 30151:13 30155:25300235:3 30254:8				-	
determining 30253:22 develop 30195:17 30198:1,18,21direction 30179:3 directly 30122:12docket 30219:4,23 30224:13,14,1630246:2 30248:4 30249:25 30250:5 30268:7 30270:16dump 30221:9 Dumn 30128:1,10,17 30130:10developing 30156:5 30163:4 30197:2430124:18 30133:25 30137:13 30167:24302298:13 30280:3,5 30280:11 30281:2,530268:7 30270:16 30273:8 30274:3,6,16 30276:130130:10development 30155:24 30162:25director 30127:25 30128:10 30204:130298:13 30301:18 30298:13 30301:19,2130276:1 duplicates 30279:24,25duplicates 30279:24,25 duplication 30281:12 duties 30233:22developments 30156:2330212:15,24 30281:1 30274:230209:15 30210:19 30212:15,24 30281:130209:15 30210:19 30212:18,20,21,21,2230280:14 30297:8 30280:14 30297:8 30212:7 30251:21duties 30233:22 duty 30152:10devide a 30114:1 30274:230274:2 30214:7,810,18,20 30142:2 30143:10,1230214:7,810,18,20 30214:7,810,18,20 30214:7,810,18,20dom't 30113:19 30157:8,13 30158:9 30156:31 30173:22dichotomy 30273:6 disagreement 30142:7 30136:9 30136:9 30138:13 30163:13 30173:22disagree 30141:27 30225:17 30279:1530125:10,14 30126:3 30116:9 30119:8,9,12 30158:23 30158:9 30153:33 30173:2230124:17 30135:2 30136:9 30138:13 30156:4discharge 30233:22 discharge 30233:2230281:7,7,8,9,13 30282:12 30283:1030147:12,18 30150:2 30151:13 30155:2530206:2 30223:9 30235:3 30254:8					**
develop 30195:17 30198:1,18,21directly 30122:12 30124:18 30133:2530224:13,14,16 30279:23 30280:3,530249:25 30250:5 30268:7 30270:16Dum 30128:1,10,17 30130:10developing 30156:5 30163:4 30197:2430124:18 30133:25 30258:11 30278:1530280:11 30281:2,5 30298:13 30301:1830268:7 30270:16 30273:8 30274:3,6,16 30276:1Dum 30128:1,10,17 30130:10development 30155:24 30162:25director 30127:25 30128:10 30204:130301:19,21 dockets 30204:2,5,8doing 30113:19 30150:7 30194:19duplicate 30193:4 duplicates 30279:24,25developments 30156:2330212:15,24 30281:1 30274:230209:15 30210:19 30212:7 30251:2130150:7 30194:19 duties 30233:22duties 30233:22 duty 30152:10deviate 30114:1 30274:230274:2 30213:3,4,19,2330150:7 30194:19 30212:7 30251:21duties 30233:22 duty 30152:10disagree 30141:23 30142:2 30143:10,1230215:7 30217:8,10 30215:7 30217:8,10dom't 30113:19 30156:3130157:8,13 30158:9 30169:30119:8,9,12dichotomy 30273:6 disagree 30143:13 30156:23disagree 30141:27 30228:1430225:17 30279:15 30228:17 30279:1530125:10,14 30126:3 30116:9 30119:8,9,1230136:9 30138:13 30156:9 30138:13 30156:4130279:19,21,25 3028:17,7,8,9,1330147:12,18 30150:2 30143:18,2130168:16 30197:14 30266:2 30223:9					
30198:1,18,2130124:18 30133:2530279:23 30280:3,530268:7 30270:1630130:10developing 30156:530137:13 30167:2430280:11 30281:2,530273:8 30274:3,6,16duplicate 30193:430163:4 30197:2430258:11 30278:1530298:13 30301:1830276:1duplicate 30193:4development 30155:24director 30127:2530301:19,21doing 30113:19duplicate 30279:24,25developments30212:15,24 30281:130209:15 30210:1930212:7 30251:21duties 30233:22developments30274:230213:3,4,19,2330299:11,12duties 30150:7 30194:1930156:23disabilities 30260:2030212:18,20,21,21,2230280:14 30297:8deviate 30114:130274:230214:7,8,10,18,20domain 30115:1earlier 30154:3dichotomy 30273:6disagree 30141:2330218:5,16 30220:930116:9 30119:8,9,1230158:22 30159:12dichotomy 30273:6disagreement 30142:730225:17 30279:1530125:10,14 30126:330163:13 30173:2230124:17 30135:2disaster 30181:1430279:19,21,2530143:18,2130188:16 30197:1430136:9 30138:13discharge 30233:2230281:7,7,8,9,1330147:12,18 30150:230206:2 30223:930150:6,11 30155:5discharged 30303:730282:12 30283:1030151:13 30155:2530235:3 30254:8					
developing 30156:5 30163:4 30197:2430137:13 30167:24 30258:11 30278:1530280:11 30281:2,5 30298:13 30301:18 30298:13 30301:1830273:8 30274:3,6,16 30276:1duplicate 30193:4 duplicates 30279:24,25development 30155:24 30162:25director 30127:25 30128:10 30204:130301:19,21 dockets 30204:2,5,8doing 30113:19 30212:15,24 30281:1duplicates 30279:24,25 duplication 30281:12developments 30156:2330212:15,24 30281:1 disabilities 30260:2030212:18,20,21,21,22 30212:18,20,21,21,2230280:14 30297:8 30228:14 30297:8duties 30233:22 duty 30152:10devoted 30281:5 diary 30263:14disagree 30141:23 30142:2 30143:10,1230214:7,8,10,18,20 30218:5,16 30220:9domain 30115:1 30116:9 30113:19earlier 30154:3 30157:8,13 30158:9dichotomy 30273:6 30124:17 30135:2disagreement 30142:7 30286:430225:17 30279:15 30225:17 30279:1530125:10,14 30126:3 30142:18,2130163:13 30173:22 30143:18,21dishifties 30233:22 discharge 30233:2230281:7,7,8,9,13 30282:12 30283:1030147:12,18 30150:2 30151:13 30155:2530236:3 30254:8					
30163:4 30197:24 development 30155:24 30162:2530258:11 30278:15 director 30127:25 30128:10 30204:1 30212:15,24 30281:1 30212:15,24 30281:130298:13 30301:18 30209:15 30210:19 30212:18,20,21,21,2230276:1 doing 30113:19 30150:7 30194:19 30212:7 30251:21 30280:14 30297:8 30280:14 30297:8 30281:14duplicates 30279:24,25 duplication 30281:12 duties 30233:22deviate 30114:1 devoted 30281:530274:2 disagree 30141:23 30142:2 30143:10,12 30273:630214:7,8,10,18,20 30216:7 30217:8,10 30218:5,16 30220:930150:7 30194:19 30212:7 30251:21 30299:11,12duplicates 30279:24,25 duties 30233:22devoted 30281:5 diary 30263:14 dichotomy 30273:6disagree 30141:23 30286:430214:7,8,10,18,20 30218:5,16 30220:930116:9 30119:8,9,12 30116:9 30119:8,9,12den't 30119:8,9,12 30155:10,14 30126:3duplicates 30279:12,43 duties 30233:22dichotomy 30273:6 30124:17 30135:2disagreement 30142:7 disaster 30181:14 discharge 30233:2230225:17 30279:15 30281:7,7,8,9,1330115:13 30153:2 30147:12,18 30150:2 30151:13 30155:25duplicates 30279:24,25 duties 30233:22					
development30155:24 30162:25director30127:25 30128:1030301:19,21 docketsdoing30113:19 30150:7duplication30281:12 dutiesdevelopments 30156:2330212:15,2430281:11 30274:230209:1530210:19 30212:18,20,21,21,2230212:730251:21 30280:14duties30233:22 dutiesdevoted30281:5 disaptilitiesdisagree30141:23 30274:230214:7,8,10,18,20 30215:730219:1730219:15.1 30215:7domain30115:1 dutiesduty30157:8,13 </td <td></td> <td></td> <td></td> <td></td> <td></td>					
30162:2530128:10 30204:1dockets 30204:2,5,830150:7 30194:19duties 30233:22developments30212:15,24 30281:130209:15 30210:1930212:7 30251:21duties 30233:2230156:23disabilities 30260:2030212:18,20,21,21,2230280:14 30297:830299:11,12devoted 30281:5disagree 30141:2330214:7,8,10,18,2030215:7 30217:8,10dom't 30113:1930157:8,13 30158:9dichotomy 30273:630286:430218:5,16 30220:930116:9 30119:8,9,1230158:22 30159:12didn't 30119:6disagreement 30142:730225:17 30279:1530125:10,14 30126:330163:13 30173:2230124:17 30135:2disater 30181:1430279:19,21,2530143:18,2130188:16 30197:1430136:9 30138:13discharge 30233:2230281:7,7,8,9,1330147:12,18 30150:230206:2 30223:930150:6,11 30155:5discharged 30303:730282:12 30283:1030151:13 30155:2530235:3 30254:8					
developments 30156:23 deviate 30114:130212:15,24 30281:1 disabilities 30260:20 30274:230209:15 30210:19 30212:18,20,21,21,22 30213:3,4,19,23 30214:7,8,10,18,20 30214:7,8,10,18,20 30215:7 30217:8,1030212:7 30251:21 30280:14 30297:8 30299:11,12duty 30152:10devoted 30281:5 diary 30263:14 dichotomy 30273:6 dichotomy 30273:6disagree 30141:23 30286:430214:7,8,10,18,20 30215:7 30217:8,10 30215:7 30217:8,10domain 30115:1 don't 30113:19duty 30152:10dichotomy 30273:6 dichotomy 30273:6 dichotomy 30273:6disagreement 30142:7 30286:430218:5,16 30220:9 30225:17 30279:1530116:9 30119:8,9,12 30125:10,14 30126:330158:22 30159:12 30125:10,14 30126:330124:17 30135:2 30136:9 30138:13 30150:6,11 30155:5discharge 30233:22 discharged 30303:730282:12 30283:1030151:13 30155:2530235:3 30254:8					
30156:23 deviate 30114:1disabilities 30260:20 30274:230212:18,20,21,21,22 30213:3,4,19,2330280:14 30297:8 30299:11,12devoted 30281:5 diary 30263:14disagree 30141:23 30142:2 30143:10,1230214:7,8,10,18,20 30215:7 30217:8,10domain 30115:1 don't 30113:19earlier 30154:3 30157:8,13 30158:9dichotomy 30273:6 dian't 30119:6disagreement 30142:7 30286:430218:5,16 30220:9 30225:17 30279:1530116:9 30119:8,9,12 30125:10,14 30126:330158:22 30159:12 30163:13 30173:2230124:17 30135:2 30136:9 30138:13 30150:6,11 30155:5discharge 30233:22 discharged 30303:730282:12 30283:1030151:13 30155:2530235:3 30254:8					
deviate 30114:130274:230213:3,4,19,2330299:11,12Edevoted 30281:5disagree 30141:2330214:7,8,10,18,2030215:7 30217:8,1030142:2 30143:10,1230215:7 30217:8,10dichotomy 30273:630286:430218:5,16 30220:930116:9 30119:8,9,1230158:22 30159:12didn't 30119:6disagreement 30142:730225:17 30279:1530125:10,14 30126:330163:13 30173:2230124:17 30135:2disaster 30181:1430279:19,21,2530143:18,2130188:16 30197:1430136:9 30138:13discharge 30233:2230281:7,7,8,9,1330147:12,18 30150:230206:2 30223:930150:6,11 30155:5discharged 30303:730282:12 30283:1030151:13 30155:2530235:3 30254:8					any 50152.10
devoted 30281:5 diary 30263:14disagree 30141:23 30142:2 30143:10,1230214:7,8,10,18,20 30215:7 30217:8,10domain 30115:1 dom't 30113:19earlier 30154:3 30157:8,13 30158:9dichotomy 30273:6 dichotomy 30273:6 dichotomy 30273:6disagreement 30142:7 30286:430218:5,16 30220:9 30225:17 30279:1530116:9 30119:8,9,12 30125:10,14 30126:330158:22 30159:12 30126:3 30163:13 30173:2230124:17 30135:2 30136:9 30138:13 30150:6,11 30155:5discharge 30233:22 discharged 30303:730282:12 30283:1030151:13 30155:2530125:10,14 30155:2530235:3 30254:8					E
diary 30263:1430142:2 30143:10,1230215:7 30217:8,10don't 30113:1930157:8,13 30158:9dichotomy 30273:630286:430218:5,16 30220:930116:9 30119:8,9,1230158:22 30159:12didn't 30119:6disagreement 30142:730225:17 30279:1530125:10,14 30126:330163:13 30173:2230124:17 30135:2disaster 30181:1430279:19,21,2530143:18,2130188:16 30197:1430136:9 30138:13discharge 30233:2230281:7,7,8,9,1330147:12,18 30150:230206:2 30223:930150:6,11 30155:5discharged 30303:730282:12 30283:1030151:13 30155:2530235:3 30254:8				· · · · · · · · · · · · · · · · · · ·	
dichotomy30273:630286:430218:5,1630220:930116:930119:8,9,1230158:2230159:12didn't30119:6disagreement30142:730225:17302279:1530125:10,1430126:330163:1330173:2230124:1730135:2disaster30181:1430279:19,21,2530143:18,2130188:1630197:1430136:930138:13discharge30233:2230281:7,7,8,9,1330147:12,1830150:230206:230223:930150:6,1130155:55discharged30303:730282:1230283:1030151:1330155:2530235:330254:8					
didn't 30119:6disagreement 30142:730225:17 30279:1530125:10,14 30126:330163:13 30173:2230124:17 30135:2disaster 30181:1430279:19,21,2530143:18,2130188:16 30197:1430136:9 30138:13discharge 30233:2230281:7,7,8,9,1330147:12,18 30150:230206:2 30223:930150:6,11 30155:5discharged 30303:730282:12 30283:1030151:13 30155:2530235:3 30254:8					
30124:17 30135:2 30136:9 30138:13 30150:6,11 30155:5disaster 30181:14 discharge 30233:22 discharged 30303:730279:19,21,25 30281:7,7,8,9,13 30282:12 30283:1030143:18,21 30143:18,21 30147:12,18 30150:2 30151:13 30155:2530188:16 30197:14 30206:2 30223:9 30235:3 30254:8			-		
30136:9 30138:13 30150:6,11 30155:5discharge 30233:22 discharged 30303:730281:7,7,8,9,13 30282:12 30283:1030147:12,18 30150:2 30151:13 30155:2530206:2 30223:9 30235:3 30254:8					
30150:6,11 30155:5 discharged 30303:7 30282:12 30283:10 30151:13 30155:25 30235:3 30254:8					
	The many Provide the second se			-	

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

				Page
30264:7 30268:19	enable 30203:13	etcetera 30259:12	30148:16,19	30295:24
30274:7 30275:23,24	enabling 30203:1	evening 30185:1	30149:11 30151:1	expressed 30240:25
30296:18	ended 30257:6	30271:20 30272:13	30155:14 30165:16	expressing 30286:24
early 30193:21 30222:2	ends 30268:11	event 30123:3	30165:16 30272:7	expression 30146:17
30295:5	enforced 30161:13	30202:17 30232:2	executives 30144:14	30152:12 30218:13
ears 30218:22	30198:13	events 30132:1	30167:16 30168:4	extension 30204:11,12
easier 30173:9	engage 30121:4	30139:16 30154:4	exercise 30150:8	30204:15 30205:6
30176:24 30240:20	30141:6,13 30142:9	30157:16 30159:2	30221:11 30281:19	30226:23 30227:10
easily 30233:15	30142:11 30143:22	30174:1 30176:19	30292:19 30301:1	30262:16 30263:3,12
Eastern 30133:1	30151:16,21	30182:4 30183:6,18	exhaustion 30236:22	30263:17 30264:21
30222:3,5	30155:23 30157:3	30184:4,16,18,20,21	30237:6,7	30265:7,23 30266:3
easy 30179:5	30162:23 30163:24	30185:6 30191:12	exhibit 30119:16,18	30266:13 30294:13
education 30208:25	30164:5,11,12	30192:19 30193:1	30126:25 30127:3,5,7	30294:15
effect 30134:6 30135:6	30166:6 30189:23	30196:21 30203:2	30139:3 30154:20	extensive 30278:11
30135:20,22 30137:5	30223:2	30242:1 30271:13	30157:19 30162:17	30295:5
30137:12,14 30143:8	engaged 30159:4	30272:8 30278:13	30174:12 30175:4	extent 30116:10
30147:14 30160:22	30189:22	eventually 30139:13	30177:15 30194:11	30162:13 30177:13
30201:2 30296:1	engagement 30122:14	everybody 30113:17	30197:14 30199:14	30195:11 30211:23
effective 30140:21,24	30122:15	30137:24 30162:10	30199:14	30245:8 30246:16
30141:18,25	engagements 30122:12	30174:22 30176:24	exhibits 30128:24	30247:6 30249:22
30180:18	engaging 30141:3	30243:24 30268:5	30209:14	30258:19 30272:11
effectively 30206:21	30142:13 30156:20	evidence-in 30259:13	exigency 30247:6	30285:9 30291:15
30211:13 30220:18	30165:22	30259:16 30290:7	exist 30227:6	30292:17 30293:16
30225:14 30250:22	ensure 30175:11	evidence-in-chief	existing 30263:19	extra 30138:14 30154:1
30287:13	30186:3 30190:1	30259:1,4,19	expect 30131:12	30154:14 30164:17
effort 30258:23	30195:20 30271:8	30260:17 30289:21	30153:6 30210:2	30195:20 30219:18
egg 30220:7	30288:5	30290:5	30230:19 30233:17	30268:23 30289:17
eight 30268:14 30269:7	ensured 30129:21	evident 30130:1	30264:13,18 30284:3	extract 30127:24
30269:8	ensuring 30221:11	exact 30221:2	expected 30142:20	30128:8
either 30122:12	entail 30195:4	exactly 30126:6	30167:21 30192:25	extracted 30218:17,25
30144:18 30156:13	entailed 30195:6	30157:25 30165:9	30196:3 30208:22	extraordinary
30156:13 30167:9	entire 30133:3 30138:25	30190:18 30218:6	30212:14 30213:10	30187:24
30185:5 30217:14		30220:12 30237:7,8	30229:7 30266:22	extra-vigilant 30195:7 extreme 30228:23
30218:6 30220:25 30230:5 30233:12	entirely 30140:10 30143:2,7 30180:24	30251:16 30253:14 30293:12	expecting 30284:15 30288:9	30230:1 30242:19
30243:19 30275:25	30231:23 30235:21	exaggerated 30279:19	expedition 30238:2,5	extremely 30156:3
30243.19 30273.23 30299:20	30282:6	exaggerated 30279.19 examination 30174:19	expedition 30238.2,3 expeditiously 30244:12	30163:3 30197:22
electronic 30279:20,22	entirety 30155:6,16	30192:15 30228:17	expension 30266:7	30281:14
Electronically	30170:19	30242:25 30248:4	expenses 30266:4	eye 30268:3
30214:23,24	entitled 30114:3	30249:7,12 30250:18	experienced 30209:12	eye 30208.5
elephant 30216:8,9,10	environment 30141:2	30250:20,22 30261:1	expert 30192:6 30241:1	F
30216:13	envisage 30197:25	30275:20 30283:3	30253:12 30254:16	face 30236:14,15,18
email 30187:21	30198:1	30288:6 30290:11	30254:21 30261:23	30237:9 30267:11
30241:21	equalisation 30125:24	30293:18 30304:9	30264:19 30266:18	30278:11
embarked 30196:1	30130:21	examination-in-chief	experts 30200:24	faced 30223:5 30302:3
emergency 30181:14	equally 30250:11	30211:20	30201:5 30202:4	30304:3
emphasise 30274:11,14	equation 30257:24	examine 30112:15	30206:17,18	facie 30161:7 30286:24
employ 30148:22	equipment 30177:9	30129:8 30147:16	30234:15,18 30252:1	facilitate 30179:17
employed 30130:5	30196:4	30259:21 30295:8	30252:7,16,21,25	facilities 30172:19
employees 30125:11,18	erroneous 30244:2	examining 30113:2	30253:13 30255:5,25	30173:9
30130:5,14 30133:10	error 30292:10	30295:13 30298:2	30261:12,21 30262:3	facility 30196:7
30134:7,16 30136:11	escape 30179:1,2,4,10	example 30179:19	30262:8,19 30263:4	facing 30167:12
30136:21 30138:1,21	essence 30144:7	30192:7 30216:19	30263:15 30264:5	30179:3 30231:20
30138:22,23	essentially 30262:4	30223:23 30300:17	30265:17 30267:13	30262:2
30139:14 30153:13	establish 30142:25	examples 30181:1	30267:17,19,22	fact 30124:10 30128:25
30153:21 30176:5	30203:10	exception 30202:4	30269:14,17 30270:1	30132:15,21
30182:12 30183:5,13	established 30134:9	exception 30202:11 exceptions 30201:19	30274:11,13,18,21	30134:12 30136:9
30183:19 30198:10		exchange 30126:11	30275:12	30137:7 30138:11
20102.13.20130.10				
	30140:17 30142:10		expiry 30212:13	30143:8 30150:7.23
employer 30120:25	30140:17 30142:10 30142:12,14,15	excluded 30133:24,25	expiry 30212:13 explain 30166:8.9	30143:8 30150:7,23 30151:14.21 30156:1
employer 30120:25 30121:1,2,3,6,18	30140:17 30142:10 30142:12,14,15 30175:3	excluded 30133:24,25 EXCO 30154:23	explain 30166:8,9	30151:14,21 30156:1
employer 30120:25 30121:1,2,3,6,18 30123:16 30151:6	30140:17 30142:10 30142:12,14,15 30175:3 establishing 30147:11	excluded 30133:24,25 EXCO 30154:23 30155:5,23 30157:1	explain 30166:8,9 30231:17 30259:5	30151:14,21 30156:1 30163:1 30164:1,4
employer 30120:25 30121:1,2,3,6,18 30123:16 30151:6 30152:1 30162:1	30140:17 30142:10 30142:12,14,15 30175:3 establishing 30147:11 establishment 30184:3	excluded 30133:24,25 EXCO 30154:23 30155:5,23 30157:1 30162:17 30197:15	explain 30166:8,9 30231:17 30259:5 explained 30189:18	30151:14,21 30156:1 30163:1 30164:1,4 30170:21 30174:4
employer 30120:25 30121:1,2,3,6,18 30123:16 30151:6 30152:1 30162:1 30236:14	30140:17 30142:10 30142:12,14,15 30175:3 establishing 30147:11 establishment 30184:3 30194:18	excluded 30133:24,25 EXCO 30154:23 30155:5,23 30157:1 30162:17 30197:15 excused 30199:6	explain 30166:8,9 30231:17 30259:5 explained 30189:18 30190:21 30231:13	30151:14,21 30156:1 30163:1 30164:1,4 30170:21 30174:4 30176:3 30193:20
employer 30120:25 30121:1,2,3,6,18 30123:16 30151:6 30152:1 30162:1 30236:14 employers 30152:10	30140:17 30142:10 30142:12,14,15 30175:3 establishing 30147:11 establishment 30184:3 30194:18 estimate 30269:25	excluded 30133:24,25 EXCO 30154:23 30155:5,23 30157:1 30162:17 30197:15 excused 30199:6 executive 30127:13,25	explain 30166:8,9 30231:17 30259:5 explained 30189:18 30190:21 30231:13 exploited 30151:8	30151:14,21 30156:1 30163:1 30164:1,4 30170:21 30174:4 30176:3 30193:20 30194:11 30197:20
employer 30120:25 30121:1,2,3,6,18 30123:16 30151:6 30152:1 30162:1 30236:14	30140:17 30142:10 30142:12,14,15 30175:3 establishing 30147:11 establishment 30184:3 30194:18	excluded 30133:24,25 EXCO 30154:23 30155:5,23 30157:1 30162:17 30197:15 excused 30199:6	explain 30166:8,9 30231:17 30259:5 explained 30189:18 30190:21 30231:13	30151:14,21 30156:1 30163:1 30164:1,4 30170:21 30174:4 30176:3 30193:20

				Page 8
30217:21 30229:22	fate 30263:22	firing 30170:16	30237:12 30273:5	30218:14 30221:22
30230:15 30231:6	fault 30216:19,22	firm 30215:25	30274:24	30249:12 30251:15
30239:25 30244:22	30223:4,8,8	first 30113:3,3 30115:2	forwarded 30237:21	30258:9,12 30259:22
30244:23 30257:24	favour 30130:21	30115:18,18	found 30128:7	30265:7 30266:19
30260:15 30263:8	30145:19 30202:14	30116:20 30117:4	30217:10 30279:22	30274:5 30285:2
30268:19 30273:5,10	30202:18 30229:3,19	30119:20 30120:17	30280:24	30287:23 30289:4
30279:24 30284:3	30229:21,23 30235:1	30123:11 30156:19	foundation 30113:13	30290:14 30292:22
30290:23 30292:17	fear 30145:19 30237:2	30158:20 30163:5	four 30214:10	30294:2,7 30295:15
30296:8 30298:20	30252:10	30166:13 30194:8	30239:23 30243:2	30299:25
30300:21 30301:23	feasible 30192:9	30208:10 30210:17	30270:1,1 30274:12	future 30113:19
30302:7	fee 30229:6,16	30210:21 30211:1	30274:21 30275:1	30266:2
factor 30206:3 30273:1	feedback 30118:10,24	30212:12 30213:15	30277:20,21	
30299:25	30119:1 30159:8	30232:9 30238:3	frankly 30187:24	G
factors 30294:21	feel 30157:5 30252:1	30243:4 30259:6	free 30258:13	G 30245:16
30302:7	30258:10 30284:23	30283:7 30285:14	freedom 30273:25	gain 30133:4
facts 30212:3	feels 30251:13	30287:7 30288:3,16	30298:6,12	gained 30268:23
factually 30130:10	fees 30266:8,15	30295:19 30299:7	Friday 30204:9	game 30242:18
failed 30286:1	felt 30216:23	firsthand 30121:13	30213:10 30224:18	gap 30189:20 30233:1
failing 30261:1	fifth 30294:11	FISC 30116:22	30250:7,10 30268:22	30234:1,1 30275:14
fair 30124:24 30125:15	figure 30155:9 30157:8	30117:8	30276:11 30277:12	30292:13
30153:8,10 30159:1	30157:13	fishing 30231:19	30281:23 30283:2	gaps 30241:24
30193:18 30218:3	figures 30155:10,11,12	fit 30250:4 30270:10,21	30286:20,21 30288:5	30291:13,14
30235:23 30244:15	file 30162:19	five 30198:24 30199:4	30288:8	gather 30196:9
30251:17,18,23	filed 30199:17	30242:23 30269:25	Fridays 30268:15	gathering 30196:7,17
30255:16,22 30260:5	files 30187:8 30215:8	30270:6 30277:20 fix 30266:19	30269:7	general 30138:1
30275:15 fairly 30151:2	30221:5,9 30231:12 30279:20,22	fixed 30227:1,5	friend 30145:13 30153:24 30157:14	30139:5 30151:22
30160:14 30164:23	fill 30224:17 30234:1	fixing 30113:23	30175:10 30187:21	30195:15 30228:8 30298:22
30230:21 30250:16	30254:11 30275:14	flow 30130:25	30191:13 30193:2	generally 30148:16
30254:25 30265:8	filled 30211:1 30222:15	30218:10 30255:23	30194:10 30259:8	30197:10
30276:18 30303:23	30223:24 30224:5	flowing 30218:9	30260:10 30294:24	generous 30276:8
fairness 30237:16	30225:4,13 30234:2	30262:11 30289:5	30296:4,9	genuflecting 30267:11
30238:2,5,17 30243:3	fills 30224:1 30241:24	30290:19	friends 30186:13	genuflexion 30267:14
30297:8	final 30128:8 30138:24	fluent 30209:4	30237:11 30266:15	germane 30203:5
faith 30151:24	30173:13,14	fly-overs 30172:8	Frikkie 30199:13	getting 30118:11
fall 30181:16 30265:19	30245:21	focus 30278:15	front 30162:19	30120:5 30147:23
30273:14	finally 30146:15	follow 30177:5	30163:22 30241:19	30206:6 30229:10
falls 30265:15	30157:4 30159:18	30179:15 30287:16	fruitfully 30207:18	30242:15 30249:22
false 30273:6 30280:9	30169:3 30272:18	followed 30175:5	30208:1	30289:12
familiar 30180:9	30287:25	following 30134:8	full 30112:19 30175:14	give 30112:10 30113:14
families 30200:2,6	financial 30149:1	30222:7 30231:25	30176:6,7 30183:17	30118:24 30119:2,3
30203:9,14 30233:9	30155:3 30227:1	30249:11 30279:7,9	30184:2 30186:5	30125:3 30127:6,8
30237:17 30241:17	30235:16 30236:2,9	follows 30130:9	30192:2 30193:22	30152:21 30157:22
30242:11,15 30243:1	30237:13	30131:3	30209:22 30222:14	30168:5,11 30169:7
30243:9 30246:19	find 30151:17 30194:1	follow-up 30160:19	30268:5 30269:5	30179:18 30181:10
30291:5 30293:7	30203:10,15 30210:6	foolish 30245:5	fullest 30113:25	30182:16 30187:10
family 30230:22	30212:21 30221:13	footage 30243:7	fully 30154:24	30201:6 30202:5
far 30112:24 30121:8	30242:21 30249:21	force 30139:1	30185:24 30230:21	30203:17,18,19
30122:7 30146:8	30264:1 30281:8,12	forced 30161:22	30232:6 30233:10	30205:24 30208:13
30161:14 30167:15	30283:10 30293:2	forego 30266:18	30257:13 30258:4,21	30209:16 30210:17
30167:25 30169:2	finding 30145:16	foresee 30159:10	30261:6,7	30219:14 30224:4
30172:22 30182:18 30187:1 30196:12	30209:24 30237:17	forget 30243:1	function 30149:6	30225:4 30227:10
	findings 30274:16 fine 30192:22 30203:23	forgive 30184:23	functioning 30195:21 funders 30266:7	30230:10 30231:12 30234:16 30235:3
30199:7 30205:4,20 30206:11 30219:16	30269:12	30185:16 30291:17 forgotten 30232:5	Fundi 30176:16,18	30236:8 30237:1
30219:16 30220:2	finish 30190:13	30245:8	30177:4 30180:8	30242:5 30246:5,10
30253:18 30254:13	30205:3 30238:13	form 30191:20	30184:21 30185:11	30249:12 30250:13
30265:11 30268:21	30249:12 30297:3,8	30242:20 30243:11	30184.21 50185.11	30252:8 30254:19
30297:6	finished 30116:6	forth 30161:12,24	Fundi's 30192:1	30260:18,21 30261:3
farce 30237:21	30167:6 30190:6,12	30252:5 30253:1	furnish 30264:19	30261:19 30262:9
farfetched 30262:23	30207:4 30234:10,18	forthcoming 30236:19	furnished 30296:5	30263:4 30267:19
Farmer 30148:20			further 30112:16	30268:4 30276:7,13
	30237:22 30238:10	30278:22 30285:23		
fast 30236:16,20	30237:22 30238:10 30288:13 30295:17	forum 30272:13	30115:22 30121:1	
La 11 Derre				30277:8,12 30279:10 30282:1 30283:11
fast 30236:16,20 30237:11,21 faster 30147:9,20	30288:13 30295:17 firearm 30280:4 30303:7	forum 30272:13	30115:22 30121:1	30277:8,12 30279:10
fast 30236:16,20 30237:11,21	30288:13 30295:17 firearm 30280:4	forum 30272:13 forward 30125:8	30115:22 30121:1 30125:10 30144:3	30277:8,12 30279:10 30282:1 30283:11

RealTime Transcriptions

				Page
30290:5,7 30291:8,10	30276:15 30277:7	30223:16,17 30240:6	30294:7 30304:15	hold 30237:4,8
30294:17,20 30295:9	30287:11 30288:16	30244:10,22	heard 30114:20	30245:17
30302:21 30304:19	30294:23 30295:16	30246:19 30252:9	30116:5 30121:24	holiday 30211:17
given 30118:9 30127:3	Gotz's 30277:17,25	30265:10,24	30122:3,3,4 30176:16	30232:2
30128:4,12 30132:18	30286:16,23	30301:16	30206:17 30226:1	home 30185:13
30138:14 30149:20	governed 30153:15	happened 30122:9	30228:4 30239:13	30211:7 30237:23
30154:14 30155:18	government 30172:7 30229:21	30131:19 30137:20 30147:20 30153:5	30246:22 30260:17 30274:20	30280:12,22 honest 30143:17,19
30156:1 30163:1 30168:7 30173:5	go-ahead 30301:11	30147:20 30153:5	hearing 30187:15	30223:14
30175:3 30197:20	go-slows 30198:7	30185:14 30186:23	30200:15 30205:4	honestly 30298:8
30204:4 30205:25	grade 30125:19,25	30213:17 30228:1,11	30262:5 30263:21	honoured 30247:18
30204.4 30203.23	30126:1 30130:15,21	30229:13 30243:8,10	30268:13,13,14	30248:1
30222:12 30223:3,9	30131:2,18 30138:14	30263:14 30272:14	30272:23 30275:2,3	hope 30117:18
30223:25 30225:25	30139:6,6,7	30285:19 30293:8	hearings 30268:2	30253:23 30256:9
30226:10,13	grading 30128:6	happening 30150:8,12	hearsay 30122:9	30262:23 30294:4,9
30239:22 30240:1,2	grant 30204:25	30194:21 30213:17	heavy 30238:18	hoped 30203:11,13
30242:14 30246:20	30227:4 30294:13	30216:14 30233:19	heightened 30195:8	hopefully 30147:22
30259:13 30260:19	granted 30112:23	30242:17,25 30247:3	held 30144:8 30211:20	30166:10 30240:19
30270:3 30275:8	30157:15,17	30285:20 30290:8	30215:21 30244:25	hoping 30213:12
30283:18 30286:19	30202:17 30205:6	happens 30200:5	helicopter 30171:12,17	horse 30158:22
30287:5 30301:11	30227:18 30232:10	30201:5 30242:4,8	30172:4,7,14,25	hour 30112:18
gives 30121:13 30179:7	30250:1 30252:24	30255:6	help 30147:10	30166:19 30239:19
30231:23 30240:18	30262:16 30263:3	happy 30117:8 30151:8	30181:12 30188:9	30240:18 30276:3
30281:21 30286:17	30264:15	30174:10 30255:4	30204:22 30206:11	30302:12
30287:1,1,3 30289:20	granting 30149:23,25	30263:10 30288:16	30229:9 30254:11	hours 30112:22
30298:8	grasp 30209:2	hard 30143:14	helpful 30210:3	30207:23 30215:24
giving 30120:16	great 30159:16	30151:19 30215:13	30228:20	30222:2 30242:24
30138:22 30188:7	30191:11,13	30281:8,10,11	helping 30254:13 30280:14	30268:15,16,22,24 30269:2
30210:25 30283:24 go 30115:7 30116:1	30204:16 30274:20 greater 30157:6	hardest 30128:11 Hardy 30251:25	helps 30239:1,12	house 30280:14
30119:18,25	greatest 30221:24	30261:14,15 30263:6	Hemraj 30123:5,8	housekeeping 30112:4
30120:24 30121:5	grievances 30120:1	30263:23 30265:4	30144:4,6,17 30145:1	30288:22
30127:22 30128:20	grilled 30237:10	harm 30253:13	30186:20,24 30215:6	HR 30126:11 30168:4
30129:19,25 30141:6	grossly 30279:19	harmonisation	Hendrickx 30264:10	human 30127:13
30153:8,16 30163:8	ground 30172:10	30125:25 30129:23	30265:22 30266:22	30144:14 30202:1,2
30163:14 30178:12	30248:21	30130:8,11	30266:25	30241:8 30261:16
30178:21 30184:15	grounds 30245:21	hasn't 30181:25	Henry 30181:9,21	hundred 30296:14
30185:13 30199:7	group 30118:25,25	30182:14 30194:18	hesitate 30160:14	hundreds 30221:7
30204:3 30206:10	30134:15 30137:3	30219:15 30246:4	he'd 30254:20 30255:9	hurry 30147:12
30210:18 30214:17	30178:20 30218:19	30282:10 30289:14	he'll 30223:19	husband 30176:20
30220:9,13 30221:5	30222:6,7	hasten 30244:13	30230:20 30270:17	30192:3
30228:24 30231:10	groups 30138:20	haven't 30113:18	he's 30112:22 30157:18	hypotheses 30265:19
30236:10 30237:23	guarding 30194:23	30146:16 30163:18	30158:7,8 30168:7,11	hypothesis 30262:23
30240:23 30243:16	guards 30272:1	30188:15 30204:8	30169:21 30170:15	hypothetical 30219:22
30246:17,20 30248:5	guess 30158:25	30213:12,16	30190:13 30207:13	30262:22 30265:6,6
30250:25 30251:2,14	guided 30256:7	30228:24 30262:24	30212:18 30218:9,22	I
30292:23 30297:6 30298:24 30301:18	30274:9 guns 30180:5	30263:8 30268:1 30286:25 30287:25	30255:1,10 30259:21 30262:25 30263:1	I Ian 30148:20
30301:24	guils 50100.5	30286:25 30287:25 30291:18	30262:25 30263:1	Ian 30148:20 ICAM 30186:6,18
goes 30128:14	Н	head 30118:22 30182:2	30277:23 30288:25	idea 30125:13
30147:22 30230:12	hadn't 30174:14	30182:10 30223:22	30299:14	30190:16 30209:16
30274:5	30189:20	30270:24 30290:22	hiding 30290:23	ideal 30247:4 30252:9
GOMES 30114:6	half 30116:22 30239:18	headed 30154:21	high 30124:21	30252:10 30272:17
30167:2	30255:13 30277:21	30162:18	30158:22 30194:15	30285:16
good 30117:16,17	hand 30121:23,25	headphones 30114:11	30194:17 30195:3	identical 30281:7
30141:3 30151:24	30174:4,19,20	30114:13	higher 30128:4	identified 30211:23
30152:3,7 30176:2	30176:6,7 30262:24	hear 30114:12,12	30129:21 30130:6,19	30225:14 30259:7
30190:3 30196:4	30290:20	30115:3 30116:19,21	highlight 30146:20	30299:13,15
30227:5 30228:1	handed 30186:16	30122:25 30199:7	hindsight 30147:6,7,10	identify 30122:10
30235:7 30242:12	handle 30270:20	30207:5 30227:18,19	30147:20 30150:10	30210:20
30243:23 30248:2	hands 30152:15	30231:4 30234:20	30159:1,15	ignored 30179:22
30278:22	30258:8 30280:20,20	30236:16 30242:5	hinted 30221:16	ill 30212:18
Gotz 30201:14,16	30286:7	30255:13 30258:25	hire 30172:7	illustrate 30177:12
30241:4 30258:17,18	happen 30153:13	30259:3 30260:14	hired 30171:12	illustration 30179:12
30259:15,18,24	30159:14 30167:13	30264:2 30275:5	history 30193:6	30236:8
30260:2,4,8 30261:13	30186:4 30207:12	30277:21 30279:11	his/her 30148:24	imagination 30159:13
ARCHIVE FO	R JUSTICE			1

30138:21,22,23,25 30142:16 30144:15 30163:17 30165:6

imagine 30205:23	30185:10,14,22 30186:6 30300:7	30146:7 30147:1 30150:9 30162:7	30189:5 30303:13 30304:4	
30230:20,25 30284:16,18	incidentally 30242:2	30150:9 30162:7 inferred 30137:18	30304:4 interested 30150:12	1
immediate 30146:18	incidents 30185:1	inflexible 30117:21	Interesting 30187:17	
immediately 30204:7	30186:8 30192:19	30122:5	interests 30209:21	
30225:5 30230:23	30193:6,10,15	inform 30146:14	30210:9 30237:16	in
Impala 30126:19,21,21	30195:17 30228:2	30155:24 30156:22	30238:2,2	
30126:21 30127:13	30271:19	30162:24	interim 30227:17	in
30127:19,25 30128:9	inclined 30291:4	information 30118:7	intermediaries	ir
30130:3,13 30137:20	30292:8	30118:14 30124:8,24	30158:13 30160:5,6	ir
30156:2 30163:1	include 30165:1	30126:12 30172:16	30161:24	
30173:23,24	30189:25 30289:15	30187:20 30191:16	intermediary 30160:23	ir
30175:15,23	included 30222:14	30191:17,24	30161:3,25	ir
30197:20	includes 30175:14	30192:17 30196:7,9	internal 30154:21	is
Impala's 30129:20,24	30189:9	30196:17 30208:9	30162:18	
impasse 30154:11	including 30182:3,11	30222:12,18 30223:9	international 30266:5	
30161:4	30182:20 30183:8	30299:14 30300:11	30266:18	
mplement 30165:16	30190:2 30271:3	30301:15	interpose 30252:6	
30165:19 30166:10	inconsistent 30131:5	informed 30112:16	interposed 30252:2,16	
mplementation	inconvenience 30253:1	30144:7 30167:22	30252:21,25	
30130:8 30164:13,15	incorporates 30174:7	30168:20,21 30169:1	30254:22 30255:6	is
mplemented 30156:24	30175:17	30178:25 30181:2	interposing 30247:4	is
30165:12	incorrect 30229:9	30192:5	interposition 30235:2	1
mplicated 30218:16	30300:11	infrastructure	30262:21	
30296:16	increase 30128:12	30194:22	interpretation	
mplicates 30206:1	30138:23 30163:5,10	initial 30194:11	30140:13	
30207:14	30175:23 30197:19	30271:16 30289:8	interpreter 30231:14	
implication 30232:24	30198:2,20	Initially 30138:5	30301:25	
mplications 30155:3	increased 30156:2,6	initiated 30139:22	interpreters 30173:1	
30226:6 30268:6,7	30163:2 30197:21	injured 30145:23	interrogatory 30272:17	
mplicit 30164:22	increases 30131:17	30161:11 30199:23	interrupt 30140:20	is
importance 30191:11	30137:21 30138:24	30205:20 30237:18	30174:2 30176:21	
30192:2	30146:13 30147:14	30293:18	30213:2 30233:4	
important 30145:14	30149:20 30165:7	inside 30209:14,14	30272:25 30276:12	
30174:18 30179:11	increasing 30163:11	30280:19	30277:6	
30188:1 30195:25	increment 30128:4	insist 30201:5	interrupted 30168:13	
30196:17 30202:24	30156:13	insisted 30118:2	30177:1	
30204:19,23 30208:4	incurred 30266:4	30129:22 30130:7	interrupting 30185:17	
30208:21 30209:7	indebted 30194:9	insistence 30140:8	interruption 30197:1	
30215:22 30216:25	independent 30243:6	30141:16,24	30262:21	
30227:24 30228:9,13	indicate 30201:21,21	insisting 30132:24	intervened 30154:9	
30228:22 30242:9,10	30220:20 30256:11	insofar 30204:20	30158:13	ite
30246:10 30264:18	30293:4 30296:15	30228:11 30231:5	intervention 30159:19	it'
30274:19 30276:18	indicated 30142:17	inspected 30195:23	30160:3	I'
30296:7 30302:13	30169:24 30174:1,3	instance 30151:18	interview 30144:12	
30303:6	30187:22 30192:20	30244:6 30287:16	30245:24	
impose 30260:20	30205:11,21	instruct 30241:23	interviews 30144:10	
30284:7	30206:17 30207:11	instructing 30291:23	intimation 30161:12	
imposed 30216:12	30224:23 30240:12	instruction 30178:21	intimidation 30161:14	I'
30239:8	30241:2 30244:21	30179:8 30195:5	30161:16 30193:11	
impossible 30231:16,21	30245:12 30248:7	instructions 30177:10	30195:17 30197:8	1
30297:3,7 30304:14	30254:6 30255:21	30210:22 30231:4	30198:11	1
impressed 30150:25	30288:23 30292:1	30253:6 30271:1	introduce 30152:20	1
impression 30124:3	30296:18 30302:1,14 20202:5 8	30272:6 30282:1,2,3	invade 30246:3	1
30150:6 30161:9 30213:7 30244:2	30303:5,8 indicatos 30112:10	30282:7 30283:5,8	investigated 30185:22	1
	indicates 30112:19 indicating 30258:12	integrity 30257:20 intend 30176:16	investigation 30188:20 30188:22 30192:8	1
improper 30285:6,8	indicating 30238:12 indication 30212:12	30231:6 30241:4	30188:22 30192:8	
imprudent 30256:11				
inappropriate	30242:5 30260:16	30284:21 30295:3	investigations 30186:9	I,
30219:18 inaudible 30123:25	30275:23 30302:19 30304:12	intense 30193:17 intention 30140:14,16	30191:21 30257:19 invidious 30161:9	1′
30164:16 30215:1	30304:12 indistinct 30193:9	30142:9 30143:22	invited 30245:24	1
50104.10 50215:1	indulged 30256:22	30142:9 30143:22 30161:2	involve 30234:17	1
30225.24 20225.10	muuigeu 30230:22			1
30225:24 30235:18		inter 30186.2 20227.1	30278.14	
30239:20 30267:15	indulgence 30208:13	inter 30186:2 30227:1	30278:14 involved 30118:21	
		inter 30186:2 30227:1 interdict 30153:20 interest 30187:2	30278:14 involved 30118:21 30122:12 30138:20	

30167:24 30168:1 30176:4 30180:20 volvement 30165:1 30271:17 30272:8 -chief 30259:10 relevant 30301:18 responsible 30204:14 30205:7 30227:9 ritated 30244:1 ritating 30243:23 n't 30114:24 30131:10,20 30143:13,14 30155:9 30162:1 30164:20 30165:2 30184:22 30214:15 30245:15 30264:20 30301:3 olate 30220:9 **sue** 30114:9 30119:15 30127:18 30148:4,5,9 30148:14 30169:2 30170:5 30181:4 30188:13 30189:14 30198:11 30205:16 30216:11,12 30226:15,15 30272:10 30296:3,23 sues 30148:7 30151:17 30160:18 30203:4,6 30204:20 30209:23 30216:7 30218:11 30238:5 30271:12 30272:20 30273:14,21,21,23 30275:19,20,21 30276:20 30278:14 30278:17,22 30295:21 30297:3 em 30272:12 'll 30199:22 d 30113:2 30155:18 30165:15 30166:13 30177:16 30213:13 30220:17 30294:11 30294:16,20 30299:6 **II** 30120:15 30123:3 30149:5 30163:12 30164:22 30176:12 30177:10 30178:19 30190:25 30191:3 30199:14 30216:10 30221:10,25 30226:4 30229:8,13 30234:7,7 30236:8 30237:6 30245:23 30278:7 30299:7 **m** 30112:6,16 30113:19 30114:1,10 30115:17,25 30117:18,25 30120:9 30121:9 30122:24 30123:21 30145:11 30149:5 30157:13

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

				Page 11
30158:4 30159:15,21	30254:8,15 30256:10	30243:12	30275:17 30281:19	levels 30195:1
30161:6,8 30163:6,10	30257:11,22	knew 30124:12	30281:23 30283:9	lever 30187:8 30215:8
30180:11,19	30261:24 30262:1,2	30130:18 30134:13	30287:17,21	30221:9
30182:13,13	30262:15,20 30263:1	30134:14,15	30288:10 30303:5	Lieutenant-Colonel
30183:23,24,25	30264:10 30266:21	30136:23,24	30304:7	30123:14 30202:19
30184:6,19 30185:9	30268:12,14	30137:19 30141:19	leading 30172:14	30285:21
30185:17,20	30271:15 30273:13	30141:23 30142:13	30279:14	life 30176:20 30183:14
30186:14 30190:6,8	30278:24 30297:8	30143:10 30144:12	leads 30244:19	30239:22
30192:17,23 30193:2	jump 30234:23	30224:19 30240:25	league 30298:22	light 30116:17
30193:3,4 30213:2,11	June 30112:1 30145:6	knobkieries 30179:23	learn 30183:12	30190:14 30191:1
30214:19 30219:17	30145:21 30154:23	knock-on 30296:1	30262:16	30192:16 30200:12
30221:12,22	30162:17 30193:2	knowing 30188:21	learned 30145:13	30200:20 30201:15
30222:24 30223:4,5	30197:17 30199:12	known 30282:14	30153:24 30157:14	30203:4 30261:2
30223:14 30245:22	30200:25 30202:13	knows 30280:16	30175:9 30186:13	30276:19 30290:23
30245:23 30246:11	30202:13 30241:21	koppie 30118:17,20,23	30187:21 30191:13	lightly 30285:12
30249:22,22	30257:22 30261:19	30119:21 30120:19	30193:2 30194:10	lights 30297:12
30250:18,19 30251:1	30261:20 30262:9	30121:12 30124:17	30233:8 30259:7	likelihood 30193:17
30251:16 30253:19	30264:11 30266:5,23	30124:22,25	30260:10 30266:15	30273:11
30253:20,21	juniors 30231:7	30132:18 30134:7,16	30294:24 30296:4,9	limit 30205:2
30254:24 30256:6	30241:22 30293:22	30136:3,13,17,19,22	lease 30239:22	limited 30164:23
30257:24 30264:15	justice 30228:10	30137:3,24 30140:3	leave 30123:3 30168:18	30260:9 30273:23
30294:6,17 30296:12	30237:16 30238:3,6	30141:5 30144:20,25	30179:9 30276:9	30293:7
30299:5 30302:11	30238:11 30243:2	30159:5,7 30160:11	30278:16	line 30119:9,11
I've 30112:21,23	30257:18	30271:21	leaves 30270:6	30120:16 30164:1
30113:6,11 30116:7	justifiable 30220:19	Kuhn 30245:18,20	leaving 30128:7	30178:24,25 30192:3
30127:15 30141:20	justifiably 30244:8	30248:22,25 30250:4	30287:2	30223:11 30292:9
30142:8 30158:4	30297:7	30258:23 30271:6,7	led 30139:22 30183:14	30300:7
30162:23 30166:13	justly 30303:23	K4 30183:9 30272:3	30212:2,13 30219:15	link 30260:15,20,22
30171:25 30200:13	K	L	30242:6 30302:17	30261:5 linked 30218:8
30215:16 30217:6 30221:18 30223:18		labour 30151:24	30303:14,23 left 30233:9 30248:18	list 30112:21 30229:6
30224:22 30239:13	Karee 30132:5,6,7 30133:1 30151:18	30152:13,16	30250:4 30268:13	30229:16 30250:10
30249:21 30255:20	30164:12 30165:24	30153:13,14 30156:5	30269:4,10,11	30229.10 30230.10 30271:12 30276:13
30288:23 30296:14	30166:1,4 30182:25	30161:16 30163:4	30270:18 30272:11	30276:17 30278:17
30297:5 30302:1,14	30183:3,6,12 30185:4	30197:7,11,23,25	30293:17	30278:20 30279:5
30302:14	30188:20 30193:6	30198:18	left-hand 30178:11	30284:4,22 30285:2
50502.14	30194:17	lack 30227:25 30291:1	legal 30192:4 30201:16	listed 30273:18
J	keen 30132:16	lacking 30189:1	30207:19,21	listen 30120:1
ja 30119:13 30132:20	30258:22	lacuna 30278:10,10	30208:13,24 30229:3	listened 30118:18
30132:23 30138:16	keep 30129:10	Langa 30272:4	30229:6,21 30302:19	30119:1 30121:13
30143:11 30145:7	30266:21	language 30209:3,5	30303:2	listening 30228:15
30146:20 30148:6	kept 30179:22 30180:3	30211:7	legislation 30153:15	30296:25 30297:8
30153:2 30155:15	kicking 30147:21	large 30209:22	lengthy 30250:17	lists 30277:13,14,23
30156:9,21 30158:25	Kidd 30202:19	lastly 30223:12	30256:22	30289:23 30290:2
30160:7 30161:1	30205:12 30207:3	late 30194:3 30241:20	lesser 30125:4	literally 30279:20
30168:14 30180:19	30227:20 30228:17	30268:7 30285:24	lest 30301:14	little 30125:21
30185:12 30187:17	30232:20 30247:10	law 30161:10,21	letter 30113:11	30195:10 30200:17
30197:10 30219:6	30248:17 30250:3	30237:15	30149:21 30150:13	30244:8 30251:16
30229:17 30234:2	30275:18,21 30276:2	lawless 30160:15	30197:15	30271:10 30276:10
30235:5 30246:14	killed 30119:23	lay 30141:4	let's 30125:7 30150:5	30278:12,14
30248:25	30145:22 30161:11	LE 30202:1 30241:8	30172:2 30196:10	30292:21
job 30128:5,11 30248:2	30184:22 30185:3,4,5	lead 30188:10,10	30223:23 30231:11	live 30253:2 30293:8
30248:3	30185:11 30230:16	30203:24 30207:5	30235:15 30237:19	lives 30159:11
jobs 30128:4	30233:11 30243:5	30212:4 30219:13	30237:22 30243:1	30182:11 30183:19
joint 30172:20	30271:23,25	30302:11,14	30266:21 30270:9	30185:23
Joseph 30144:23	killings 30203:14	leader 30280:13	30276:7 30292:19	living 30252:10
judgment 30229:18,20	kind 30160:23	leaders 30116:17	level 30131:2 30138:22	logbook 30271:25
30229:23	30179:14 30183:18	30117:4 30144:9,15	30146:23 30151:21	loggerheads 30134:14
July 30188:8 30194:2,3	30192:19,19 30197:1	30144:19 30166:17	30155:24 30156:4,20	30134:16 30244:18
30194:12,15 30205:5	30206:24 30208:15	30186:13,19 30187:1	30157:2 30162:5,24	logically 30131:1
30206:5,8,15	30208:21 30242:16	30189:23 30201:13	30163:4 30172:21	logistical 30214:12
30216:13 30226:16	30250:25 30252:7	30207:5,7 30214:21	30173:6 30177:9	30224:23 30225:3
30226:18 30227:6,7	30255:21 30278:21	30215:4 30227:21	30193:18 30194:7,24	30289:11
30227:13 30235:13	30298:14,21 30300:1	30245:23 30246:17	30197:23,25	logistics 30190:2
30238:10,14,19,20	30301:24 30302:24	30246:25 30253:21	30198:16,17	30263:13
30239:6,9 30253:15	kinds 30221:8	30254:5,10 30274:12	30208:25	long 30113:4 30117:12
ARCHIVE FO	R JUSTICE			

30141:16 30142:24 30244:17 30251:22 30295:20,23 30292:10 30302:3,4 30165:13 30193:16 30143:22 30161:2 30257:8 30287:12 30297:11 30298:4,5 30299:10 30302:3,4 methodology 30186: 30272:8 man 30147:25 30185:4 30301:10 30304:17 meaning 30178:23 meaning 30178:23 3015:420 30178:7 managed 30180:7 30297:22 30218:13 30193:15 30199:17 30207:23 30122:33 30243:10 management 30118:11 30178:23 30273:21 30119:25 30120:2,8 30120:20,22,24 30179:17 30277:22 30119:25 30120:2,8 30122:23 30124:20 30151:18 3032:14 30225:25:4 30235:15 30277:22 30128:1 30144:8 30122:23 30124:20 30158:17 30169:5 30267:17 30280:6 30287:9 30196:18 30272:13 30128:13 0144:48 30122:23 30124:20 30158:17 30169:5 30267:17 30280:6 30287:9 30196:18 30272:13 30189:17 30169:5 30267:17 30280:6 middle 30231:9 302827:16 30279:1,3 30189:12 30183:14 30142:12 30122:2 30154:7 30183:10 30248:12 30282:16 30175:2 30183:13 30183:13 30125:9 30137:16,22 30183:13 30166:					Page 1
30150:11 30140:22 Mabelane 50178:20 30207:9 30211:10.21 30277:13 8027:13 8027:14 30213:13 822302:14 30163:4 30164:16:10:8 30184:21 30185:10 30213:18.22 30214:1 30218:16 3028:17 30226:13 3024:12 30214:11 3024:12 30120:63 80207:2 Magidiwan 30123:22 30217:3 30224:12 30217:13 30224:12 30217:13 30224:12 30217:13 30224:12 30217:13 30224:12 30277:15 30228:12 30278:16 50277:23 30224:15 30234:6 magnitude 30206:11 30229:16 30259:16 30227:15 30228:13 30119:67.30125:4 30378:16 50277:32 3024:11 3024:5:9 maintained 3027:12 30237:15 30228:13 30119:67.30125:4 3039:97.1 3024:11 3024:5:9 maintained 3027:12 30235:12 9025:11 3016:16.16 merely 30210:1 3024:14 30268:24 3013:12.11 11:51 30269:16 3018:19 3019:16 30028:23 3024:14 30268:24 3014:61 3018:22 9012:51 3016:16.16 merely 30218:1 3024:16 3016:16:14 3012:32 3024:14 30268:24 3014:61 3013:52 30224:16 3016:16:14 3014:15:10:22:23 30224:16 3016:16:16:18 30212:22 <	30117:19 30118:13	Mabebe 30272:2	30205:19 30206:20	30249:10 30268:4	mentioning 30246:12
301564 301614:018 30179:25 30180:8.13 30217:21 30244:2 30217:21 30244:2 301634 30104:20 machine 30128:12 30214:51 3024:6 30214:51 3024:6 30247:10 3028:12 30120:20:43 30224:12 30124:11 3024:52 30214:51 3024:6 30281:63 3027:61 30285:24 30220:43 30224:6 machine 30123:22 30217:21 30224:62 30217:21 30224:62 30217:21 30224:62 30239:22.25 main 30170:7 30172.8 302257;19 30226:4 30116:67 30125:4 30376:16 30277:32 30241:13 3024:65 main 30170:7 30172.8 302257;19 30226:4 30117:16,17 30172:4 30027:11 30224:5 30249:10 30278:17 major 3019:19 30255:12 30278:17 303026:10 30147:12 3014:18 3028:13 30145:16.16 merti 3018:22 30249:10 30259:10 major 3019:19 30255:17,20 3025:11 30166:3018:20,24 30245:18 3028:12 30166:3018:20,24 30245:18 3028:12 30166:3018:20,24 3024:19 3024:14 30024:19 3026:13 3024:19 3024:13 3024:19 3024:14 3024:19 3024:14 3024:19 3024:14 3024:19 3024:14 3024:19 3024:14 3024:19 3024:14 3024:19 3024:14 3024:19 3024:14 3024:19 3024:14 3024:19 3024:	30130:11 30140:22	Mabelane 30178:20	30207:9 30211:10,21	30273:18 30276:19	
30163:4 30164:20 30184:2 30185:10 30213:8,22 30214:1 30281:6 3028:12 30245:14,14 30190:16 30197:23 Magidiwana 30123:22 30215:36.9,17,18 30281:6 3028:12 30245:14,14 30220:24 2024:12 30224:12 30217:7 30220:17,30220:17,30220:17,30220:17,30220:17,30220:12 30257:16 30273:1 30257:16 30273:1 3024:11 3024:17 30259:16 30227:15 30224:6 9,22 McEntods 300:96 3019:6,7 301254:1 30039 3024:11 30278:17 30259:16 30227:15 30228:13 3019:6,7 301254:1 3019:6,7 301254:1 3019:6,7 301254:1 3024:15 30278:17 major 3019:19:19 30253:12,1 30235:11 3016:14 30165:11 30147:22 30152:16 30147:22 30152:16 3024:14 30268:24 3014:24:19 30256:12 30259:13 30166:14 30165:13 0193:10:3 3016:14 30165:11 3026:13 30183:12.0 3024:14 3016:24 3024:14 3027:15 3026:16 3027:13 3016:14 3025:17 30221:24 3022:12.14 3026:16 3018:12.14 3024:14 3016:24 3021:19 3022:25:19 30221:13 3024:10 3026:16 3018:12.14 3026:16 3018:14 3026:16 3018:14 3014:14 3014:22 3021:19 3022:12 30224:12 3022:12.14 meriis 3018:14:14					
30190-16 30197:23 machine 30128:12 30214:519,24 30228:22 30214:513,69,47,18 30206:8 30024:12 30124:13 3024:22 30214:13 3024:62 30214:13 30224:12 30224:13 30224:62 30239:22,25 30124:11 30245:21 30225:13 30224:62 Mizeria 3025:14 301292:14 30267:11 30291:51 3024:11 30245:29 main 301707 30172.8 30224:12 30225:12 30121:10,11,15,18 30267:11 30291:51 3024:12 30224:14 30225:12 30125:12 30161:16,10 merei 9 30278:8,9 3024:19 30225:12 30125:12 3015:10,11,17 30160:14 30165:11 30267:11 30291:5 3024:19 30265:21 30125:12,20 3025:12,20 3025:12 30134:19 30184:19 30184:10 30267:11 30291:5 3024:19 30265:21 3017:22,3 3014:21,20 30154:19 30184:10 3014:11 30113:22 3024:19 30265:13 3017:22,5 30173:18 30269:11 300184:12 3014:11 3012:12 30221:13 3016:12 3021:12 3014:16 3014:24 3024:19 3025:14 30221:12 3022:12 30221:13 30263:10 merei 3018:12 3014:15 3014:25 3017:25 30292:13 3026:10 30121:13 3026:10 30221:13 30263:10 merei 30208:12	30163:4 30164:20	30184:21 30185:10	30213:18,22 30214:1		
30206:8 30207:2 Magidiwana 30123:22 30215:36.9.17.18 maximum 30270:7. 30250:3 30224:12 30224:15 30224:15 30224:15 30224:15 30224:0.22 30217:7 30220:17.4 McIntos 30128:1-2 3027:16 30278:1 3024:15 30278:17 30259:16 30227:15 30228:13 3019:6.7 30125:1 3019:6.7 30125:1 3024:15 30278:17 maiority 3019:1-2 30257:19 30226:1 3014:10.11.15,18 30339:9 3024:16 30278:17 majority 30215:12 3015:18 30278:22 3015:16 30178:12 3016:61.616 3024:16 30278:17 majority 30128:23 30257:17 20 3025:11 3016:61.3016:13 30238:13 3028:23 3024:16 30235:9 3014:22.14 30259:17 20 3025:61 3016:63 30183:22,01 30231:13 3026:23 3024:16 30135:61 3 3021:10 3022:59 30201:18 3021:12,12,14 mere's 30271:2 30256:13 3023:14 3014:16 3014:224 30236:12 30292:17 3026:12 30251:13 3023:14 30251:13 3023:14 3016:12 30173:13 3026:12 3014:16 3014:224 30251:15 30273:14 30251:13 30272:12,12,14 mere's 30271:13 3028:10 3014:16 3014:224 30251:13 3027:14 30251:13 30272:12,12,14 mere's 30271:13 3028:10	30190:16 30197:23	machine 30128:12		30288:22	
30220-24 30224-12 30124-11 30242-22 302177-3022017,24 Mctinosh 301281-14, 302377-23 3027616 302277-23 3027616 302277-23 30239214 30239122,25 30239124,25 30239124,25 30239214 main 301707 30172.8 302257,19 30226,13 30196,7 301254,4 303039 3024111 30245:9 minitatined 30267,11 3025711 30225,12 3014722 30152;16 3014722 30152;16 30267,11 30291,55 302392142 302591,16 30252,12,19 30225,12 30166,16 16 mereit 30178,82 302491,10 30235;9 30137;24 30142;19 30255,11 20 3025;17 30166,13 30183,20,24 302292,12 3016;22 30241;9 30286;24 30172;22 30126;12 30259;21 3026;10 30184;19 30199;16 3021;22 30241;9 30286;24 3029;21 3026;12 3029;21 3026;12 3021;22 3029;21 3026;16 30184;19 3019;16 30141;16 3014;24 3029;22 3 3022;12 3022;23 3022;11 3024;9 3022;12 3022;24 3029;24 3022;12 3022;12 3012;24 3029;24 3022;12 3021;12 3022;12 3021;12 3022;12 3021;12 3022;12 3021;12 3022;12 3021;12 3022;12 3021;12 3022;12 3022;12 3022;12 3022;12 302;12;12				maximum 30270:7	
30224:15 30224:15 30224:15 30224:15 30224:69.22 Milzeni 30292:14 30278:16 30292:14 30278:16 30292:14 30239:12 30239:12 30239:12 30239:12 30239:12 30239:12 30339 merel 30119:67 30125:4 30119:67 30125:4 30119:67 30125:12 30119:67 30125:12 30119:67 30125:12 30119:67 30125:12 30119:67 30125:14 30119:67 30125:4 30119:67 30125:4 30119:67 30125:4 30119:67 30125:4 30119:67 30125:4 30119:67 30125:4 30119:67 30125:4 30119:67 30125:4 30119:67 30125:4 30119:67 30125:4 30119:67 30125:4 30119:67 30125:4 30119:67 30125:4 30119:67 30125:4 30119:67 30125:4 30119:67 30125:4 30124:13 3012:61 3011:7 30124:13 3012:61 3011:7 30124:13 3012:61 3011:7 30124:13 3012:61 3011:7 30125:13 3013:13 3015:13 3013:13 3013:13 30111:13 3013:13 3013:13 3011:13 3011:13 3023:11 30111:13 3012:12:13 3012:12:14 30111:13 3012:12:14 30111:13 3012:12:14 30111:13 3023:14 30111:13 3012:12:14 30111:13 3012:12:13 3012:14 30111:13 3012:12:13 3012:14 30111:13 3012:14 30111:13 3012:12:13 3012:14 30111:13 3011:12:13 3011:13 3011:13 3011:13 3011		0			
30239:22,25 main 30170:7 30172:8 302257:19 30226:4 mean 30118:20 30339 30240:10.11 30259:16 30227:15 30228:16 30131:10.11.156.7 30125:4 30271:130291:5 30240:10.12 30251:12 30252:12 30252:12 30131:10.11.152.2 30276:11.30291:5 30249:10.30259:12,19 30252:12,19 30255:17,20 3016:16.16 mere's 30278:8.9 30249:10.30268:24 30137:24 30142:19 30255:17,20 30256:11 30266:21 30249:10.30268:24 30137:24 30142:19 30259:11 30201:0 300291:18 30201:2 30249:10.30268:24 30137:24 30142:19 30225:17 30200:10 3010291:18 30201:2 30249:10.30268:24 30210:11 30220:12 30220:12 30220:12 30220:12 30249:10.30244:19 30249:13.0021:15 30299:125 30221:12 30220:12 message 30123:21 10mirs 3013:6.13 30219:12 30229:12.30229:72 3023:11.30263:10 metri 3013:32.30176:24 3014:1:16.30142:24 30229:12.033010:1 3029:12.30229:17 30221:133020:41 30175:13.30199:13 3014:			-		
30240:10,11 30259:16 30227:15 30228:13 30119:6,7 30125:4 merely 302010:1 30241:13 10245:9 majority 30215:12 30247:13 30267:11 30201:5 30267:11 30201:5 Merel's 30278:8,9 30291:14 majority 30215:12 3015:511(1) 3015:616,16 Mere's 30278:8,9 3024:14 makirapa 30224:2 30255:17,20 3025:10 30166:3 30183:20,24 30245:18 30248:8 3024:14 30137:24 3014:19 30255:17,20 3026:10 3016:3 30183:20,24 30245:18 30248:8 3024:19 30268:24 30147:25 30172:52,53 0173:8 30260:10 30267:13 30028:12 3018:10:20:12 30121:22 13014:10 3014:2:4 3024:14 3027:15 3028:12 20 30133:13 0216:22 30137:23 13017:25 30129:12 30131:31 3017:10 3021:22 30131:31 3017:10 3021:23 3012:24 30221:24 30221:21 mertis 30188:12 3012:22 3014:13:3017:10 3016:12:3017:10 3016:12:3017:10 3016:12:3017:10 3016:12:3017:10 3016:12:3017:10 3016:12:3017:10 3016:12:3017:10 3016:12:3017:10 3016:12:3017:10 3016:12:3017:10 3016:12:3017:10 3016:12:3017:10 3016:12:3017:1		8			
30241:11 30245:9 maintained 30267:12 30249:10 30250:16 30131:10.11.15.18 30267:11 30291:5 30270:12.16 major 30191:9 30251:18 30252:12 30147:22 30152:16 30247:13 30295:21 30294:14 making 30128:23 30254:25 30255:11 30160:14 30165:11 30245:33 3013:20.24 30249:10 30268:24 30137:24 30142:19 30254:25 30252:11 30201:01 30181:19 30197:10 30201:12 30249:10 30268:24 30172:25,25 30173:8 30260:10 30267:3 30203:18 30201:62 30201:12 30232:12,12,14 merssage 30123:22 10ngets 30240:15 30249:13 3020:112 30232:12,20,214 30223:13 30232:12,30165: 30173:13 30176:24 merssage 30123:21 1014:16 30142:24 30245:18 30297:12 30297:13 30298:45 30292:10 30202:4 30175:13 30193:16 3014:12 3014:15 30245:18 30297:12 30297:13 30297:13 30298:45 30292:10 30202:4 30175:13 30193:16 3014:12 3014:12 30147:23 30155:1 30297:12 3028:45 30292:10 3020:24 30151:13 30193:16 3014:12 3014:12 30147:13 3019:15 30297:10 30292:4 30292:10 3020:14 30173:13 30193:16 3014:12 30				30119:6.7 30125:4	merely 30210:1
3024:15 30278:21 30147:22 30147:22 30147:22 Mere's 30278:32 30294:14 makarapa 3022:24 30252:121 30253:13 3016:16.16 30245:18 30244:17 30224:16 30254:123 30254:123 30255:17.20 30264:16 30245:18 30244:18 30245:18 30244:18 30245:18 30244:17 3016:13 3016:12 30228:23 30228:23 30255:17.20 30267:13 3016:13 3016:12 3028:12 3028:12 3028:12 3021:12 30224:12 30224:13 3017:22 3017:22:52:3017:38 3026:10 30267:13 3026:12 3021:22 3017:22:3016:12 3021:12 3022:124 3022:12:13 3015:12:13 3016:13:13:10:13:10 3016:13:13:10:13:10 3016:13:13:10:13:10 3016:13:13:10:13:10 3016:13:13:10:13:10:10:10:10:10:13:10:13:10:10:10:10:10:10:10:10:10:10:10:10:10:	<i>2</i>			-	· ·
30279:12.16 majority 30215:12 30252:12.19 3023:5 30156:16.16 merit 30113:22 30224:16 3023:9 30137:24 30142:19 30253:10.11.17 30166:3 30183:02.02 30246:18 30248:8 3028:82 3024:19 30268:24 30137:24 30142:19 30255:17 720 3026:11 30184:19 30194:16 30221:22 30286:2 30172:25,25 30173:8 30260:10 30267:3 30203:18 30216:22 merits 30183:12 30140:15 30244:13 3024:13 3021:19 30225:9 3029:12 3023:12 30231:13 3023:1076:24 30141:16 30142:24 30230:2 30221:8 3029:12 5 3029:7:1 30269:6 3028:12 met 30129:23 30165:3 30193:16 3014:15 3014:16 30230:2 3024:4 3029:6,16 3001:7 mening 30178:23 metolology 3018:07 3014:16 3014:2 3014:17 30251:22 3029:6,16 3028:12 metology 3018:07 30269:6 3028:12 metology 3018:07 3014:15 3014:16 30185:4 3028:12 manged 30180:7 30274:6 3029:6 30199:17 30207:23 3016:12 30024:10 Mgeneni 30300:12 30183:13 3024:10 30185:4 3027:13 30182:13 022:13 30122:13 022:22:3 3027:12 3016:12 3024:12 3016:6:13 3019:12<					
30294:14 makaraga 30222:4 30253:10,11,17 30160:14 30165:11 30245:18 30248:8 s0224:16 30235:9 30137:24 30128:23 30255:17,20 30256:11 30166:3 30183:02,24 30286:23 3024:16 30235:9 30142:124 30255:17,20 30256:11 30184:19 30194:16 merits 3018:12 3028:12 30137:24 30142:12 30257:31 30260:10 30211:23 3023:12 30173:1 30176:24 30141:16 30142:24 30244:4 30207:15 30281:12 30231:21 (2,14) mersage 30122:22 30141:16 30142:24 30244:17 30251:22 30297:11 30298:45 30292:10 30302:34 301165:13 30136:16 30141:16 30142:24 30257:8 30287:12 30297:11 30298:45 30292:10 30302:34 metad0300:8 3016:24 3018:4 30280:12 Mathibed1% 30255:8 means 30193:4 30197:7 Mgeneni 30042:3 3016:24 3018:57 30285:15 3027:46 30296:5 30199:17 30207:23 30164:10 3004:11 3018:23 0194:10 3018:252 30127:20 30124:20 30118:3304 30225:24 30225:14 30292:13 30204:10 3018:252 30122:24 30126:15 30122:24 30126:12 30164:16 3024:12 <td></td> <td></td> <td></td> <td></td> <td>,</td>					,
ionger 30166:20 making 30128:23 30254:25 30255:11 30166:30188:12.024 30286:23 30224:16 30235:9 30137:24 30146:21.94 30255:17.20 30256:1 30195:19 30197:16 30201:22 30284:20 3017:25,25 30173:8 30260:10 30267:3 30203:18 30216:22 merits 30176:24 30146:21,24 30230:2 3023:18 30291:25 30227:7 302321:12,14 message 30123:21 30140:13,16 30230:2 3023:18 30291:25 302927:7 302321:13 3024:16 30165:13 30193:16 30144:3 3014:1 30247:12 30297:11 30298:4,5 30292:10 30302:3,4 methodology 30166:7 30145:12 3018:4:3 3014:5 Mambush 30242:4 30297:12 30297:12 30297:22 30128:17 30207:23 30154:20 30178:7 manage 30180:7 3027:45 30257:8 30199:17 30207:23 30128:12 30127:2 30128:12 30127:2 30128:12 3022:23 30152:1 3022:23 30152:7 Microphone 30123:2 30183:13 3024:10 managem 30183:1 3018:25 30119:19 30120:16 3012:10 30128:25 3022:22 302218:12 3016:14 3022:22 3023:22:3 3027:22 3022:13 3022:12 30268:15 3029:	-			-	30245:18 30248:8
30224:16 30235:9 30137:24 30142:19 30255:17,20 30256:1 30184:16 merits 30188:12 3024:19 3024:9 30146:21,24 30250:21 30260:10 30195:19 30197:10 30201:2 longest 30240:15 30204:3 3020:15 30238:12,20 30223:12 3023:13 3023:13 30177:31 30176:24 longest 30240:15 30224:14 30225:9 30232:12 3023:12 3023:12 30232:12 3023:12 30177:31 30176:24 3014:16 30142:24 3024:17 3024:12 30297:11 30298:4,5 30269:6 30284:10 metsinges 3022:3:10 3014:16 30143:22 30175:25 30185:4 30297:11 30298:4,5 30297:10 3030:23,4 methodology 30186:7 3014:23 3014:10 30285:15 30185:4 30297:22 30199:17 30207:23 30199:17 30207:23 30119:13 30243:10 managed 30180:7 maanged 30180:7 Mgemeni 30242:3 Microphone 30123:2 30119:23 30124:10 30285:15 30197:12 3027:21 30218:13 3014:16 30161:13 3019:3:1 Microphone 30123:2 30119:23 30122:2 30118:23 30122:2 30118:12 30121:13 3012:22 30141:17.25 30262:13 3023:19 30252:13 30272:12 30122:14 30120:12 30142:13 3012:1					
30241:9 30268:24 30145:1,24 30259:21 30260:10 30195:10 30197:10 30201:2 30286:2 30172:25,25 30173:8 30260:10 30267:3 30203:18 30216:22 30173:1 30176:24 Lommin's 30133:6,13 30210:19 30225:9 30291:21 30221:24 30223:13 30125:13 3026:10 message 30122:22 3014:1:6 30142:24 30230:23 20231:8 30291:25 30292:7 30251:13 3026:10 met 3029:23 30165: 3014:1:6 30142:24 3024:417 30251:2 30295:1.6 30301:7 meaning 30178:23 methodology 30186: 30154:20 30178:7 managed 30180:7 30274:6 30296:5 301991:4 30210:4,12 Mgcineni 30240:3 30154:20 30178:7 managed 30180:7 30274:6 30296:5 301991:7 3027:23 30167:7 3019:23 30194:10 30285:15 30221:23 3027:12 30221:81 3024:10 3012:224 3019:23 30194:10 3012:24 30126:3 30121:11 3012:22 30141:17,25 30257:22 30122:24 30126:3 30178:1 30279:20 3012:24 30126:3 30121:11 3012:22 30141:17,25 30257:17 30280:6 3026:30279:13 30196:18 30179:14 30144:123 30273:1 30124:10 30240:1	0	8			
3028:62 30172:25,25 30173:8 3026:10 30267:3 30221:24 30223:13 30173:1 30176:24 longest 30240:15 30204:4 30207:15 30293:18 30291:21 30221:24 30223:13 30173:1 30176:24 3014 :16 30142:24 30234:17 30251:22 30295:18 30291:21 30269:6 30284:16 30165:1 30193:16 30143:22 30161:2 30247:17 30251:22 30295:20.23 30269:6 30284:16 30169:13 30193:16 30143:22 30161:2 30247:17 3027:24 30299:16 30300:7.4 methodology 30186:7 methodology 30186: 3014:16 30178:7 managed 30180:7 30274:6 30294:5 30219:17 3027:23 Mgeneni 3030:24:3 3019:23 30194:10 30285:15 30277:22 30199:17 3027:23 Mgrophene 30123:24 3019:23 30194:10 3018:25,25 30119:19 30120:7.18 30301:14 30302:14 30164:16 30215:1 3019:23 30179:13 30119:23 30124:20 106:3 30119:19 30120:7.18 301221:4 30227:20 3027:23 30164:16 30215:1 3018:01:91 3018:25,25 30119:19 30120:7.18 30141:17.25 3025:20 30267:15 3018:027:02 30121:14 30176:12 30141:17.25 3026:11 3027:16					
longest 30240:15 30204:4 30207:15 30238:12.20 30221:24 30223:13 30175:1 30176:24 Lonmin's 30133:6,13 30210:19 30225:9 30290:18 30291:21 30232:12,12,14 messages 30123:21 30140:13,16 30230:23 0231:8 30291:25 30292:7 30251:13 30263:10 met 30129:23 30165: 30143:3 30194:5 30297:12 30297:12 30299:10 303023:34 methodology 30186: 30184:3 30194:5 Mambush 30242:4 30299:616 30301:7 meaning 30178:23 methodology 30186: 30154:20 30178:7 managed 30180:7 30274:6 30296:5 301917:3 0027:23 Microphone 30123:2 30154:20 30178:7 management 30118:11 Mathuedi's 3025:5 30191:73 3027:22 30167:2 30178:1 30279:20 30121:22,43 0126:3 30119:19 30120:7,18 30023:24 30167:2 30178:1 30279:20 30151:13 30129:4 30122:24 30126:3 30121:11 30122:24 30167:2 30178:1 30279:13 3018:14 30212:14 30164:16 3023:27 30167:2 30179:13 30129:23 30124:20 30151:17 3028:65 30129:17 3028:65 30129:17 30207:13 30277:23		-			
Lommin's 30133:6,13 30210:19 30225:9 30290:18 30291:21 30232:12,12,14 messages 30123:21 30140:13,16 30230:2 30231:8 30291:25 30292:7 30251:13 30263:10 met 30129:23 30165: 30141:16 30142:24 30237:8 30287:12 30297:11 30298:4.5 302291:03 3022:3.4 methodology 30186'. 30143:22 30161:2 30257:8 30287:12 30297:11 30298:4.5 30290:12 30193:1 methodology 30186'. 30154:20 30178:7 managed 30180:7 30274:6 30301:7 meaningful 30210:4.12 Mgcineni 30300:8 30192:23 30194:10 30285:15 30297:22 30218:17.25 30167:2 30192:23 30192:16 30300:21 30181:25,25 30119:15 302207:18 30301:18 30302:14 30164:16 3021:1 30183:10 30027:20 30122:13 30144:8 30121:13 1022:22 30118:13 30302:14 30124:13 30243:10 30183:10 3000:21 30119:25 30120:2.8 30121:11 30122:22 30131:14 30224:24 3035:14 30225:14 3033:14 30171:13 30279:20 30122:13 30124:20 30118:17 30169:5 30267:17 30280:6 media 30243:17 302265:1 30083:14 30227:12 30196:18 30277:12					
30140:13,16 30230:2 30231:8 30291:25 30292:7 30251:13 30263:10 met 30129:23 30165: 30141:16 30142:24 30244:17 30251:22 30295:20,23 30292:10 30023:34 methodology 30186: 30143:23 30194:5 30297:12 30297:14 30299:6,16 30304:17 meaningful 30210:4,12 Mgcineni 30202:1 30272:8 man 30147:25 30185:4 3030110 30304:17 meaningful 30210:4,12 Mgcineni 30202:1 30154:20 30178:7 managed 30180:7 30274:6 30296:5 301917:13 30273:2 MICHAEL 30114:6 3012:23 30194:10 30285:15 30297:12 30218:17,25 30167:2 30161:2 30232:13 30243:10 3018:52 30120:2.8 30119:19 30120:7,18 30302:14 30164:16 30215:1 3019:13 30243:10 30119:25 30120:2.8 30112:11 30122:22 30141:17,25 30267:17 3028:6 30178:1 30279:20 3012:22 4 30126:3 30121:11 30122:22 30141:17,25 30267:17 3028:6 30287:9 30180:21 30181:14 30144:23 30273:2 media 30243:17 30265:17 30287:9 30180:21 30181:14 30144:23 30273:2 media 30243:17 30265:16					
30141:16 30142:24 30244:17 30251:22 30295:20,23 30292:0 30302:3,4 30165:13 30193:16 30143:22 30161:2 30257:8 30287:12 30292:10 30302:3,4 methodology 30186: 30143:22 30161:2 man 30147:25 30185:4 30301:10 30304:17 meaning 30178:23 methodology 3020:3,4 100k 3016:24 30185:4 30280:12 Mathibed1% 30255:8 means 30193:4 30197:7 Mguneni 30204:13 30192:23 30194:10 30285:15 30297:22 30118:17,25 30167:2 30192:23 30092:1 30119:25 30120:2,8 30119:19 30120:7,18 30301:18 30302:14 30164:16 30215:1 30183:10 30279:20 30128:1 30144:8 30123:23 30124:20 30141:17,25 30239:20 30267:15 30263:13 30243:10 30128:1 30144:8 30123:23 30124:20 30143:17,25 30239:20 30267:15 302649:3 30279:22 30151:19 30159:8 30121:13 0122:23 30124:10 30242:17 30287:9 30196:18 30772:13 30282:8,13,13 medical 30243:17 middla 30231:9 30273:16 30279:1,3 30183:14 30144:14 30142:12 30122:12 30145:4 30145:14 30183:14 30279:1	,				met 30129:23 30165:12
30143:22 30161:2 30257:8 30287:12 30297:11 30298:4,5 30292:10 30302:3,4 methodology 30186; 30184:3 30194:5 Mambush 30242:4 30299:6,16 30301:7 meaning 30178:23 methodology 30186; 1ook 30116:24 30185:4 30280:12 Mathibedi's 30255:8 303917:72 meaning 40130210:4,12 Mgcineni 30300:8 30152:23 30194:10 30285:15 30274:6 30296:5 301917.75 30117.25 30167:2 30178:1 30279:20 30118:25,25 30119:19 30120:7,18 30141:17,25 30225:24 30225:14 30178:1 30279:20 30122:24 30126:3 30112:11 30122:22 30141:17,25 30239:20 30267:17 30178:1 30279:20 30122:13 0181:14 30142:13 30124:20 30141:17,25 30239:20 30267:17 30275:3 30277:18 30180:21 30181:14 30142:23 30273:2 30141:17,25 30240:1 30180:21 30181:19 30159:1 3019:18 30311:9 30242:1 30142:14 30144:23 30273:2 30265:1 30180:21 30183:3 3012:12 30122:8 30154:7 media 30245:12 30273:16 30277:13 30180:23 30183:3 30125:9 30137:16,22 30184:16 30245:17 30182	·				
30184:3 30194:5 30272:8 Mambush 30242:4 man 30147:25 30185:4 30154:20 30178:7 30187:25 managed 30180:7 30299:6.16 30301:7 managed 30180:7 meaning 30178:23 30301:10 30304:17 meaning 130178:23 meaning 13024.310 meticulously 3020:1 Mgeineni 30242:3 30154:20 30178:7 managed 30180:7 30274:6 30296:5 30199:17 30207:23 MJCHAEL 30114:6 30192:13 30243:10 management 30118:11 Mathubyas 30119:15 30223:23 30272:18 30167:2 30292:16 30300:21 30119:25 30120:2,8 30119:19 30120:7,18 30301:18 30302:14 30164:16 30215:1 30173:3 30277:22 30128:1 30144:8 30123:23 30124:20 30158:17 30169:5 30267:17 30280:6 30257:9 30196:18 30272:13 30282:8,13,13 media 30243:17 midle 30243:17 30268:16 30273:12 management* 30128:9 Mathubya* 30119:16 30154:7 midla 30245:12 30183:14 30227:16 30183:11 30121:23 30122:8 media 30245:17 midla 30245:17 30268:16 30273:12 manager 30144:14 30142:123 30127.9 media 30245:17 midla 30245:16 30252:03 3018:14 30121:23 30122:8 media 30245:17 mildla 3016:14 30147:14,15 30158					
30272:8 man 30147:25 30185:4 30301:10 30304:17 meaningful 30210:4,12 Mgcineni 30300:8 look 30116:24 30185:4 30280:12 Mathibedi's 30255:8 anange 30193:4 30197:7 Mgcineni 30300:8 30192:23 30194:10 30285:15 30297:22 30191:17 30207:23 30191:15 30191:18 30191:19 30120:7,18 30301:11 8 3030:14 Microphone 30123:2 3023:13 30243:10 30119:25 30120:2,8 30120:20,22,24 meant 30133:24 30225:24 30235:18 30132:20 3018:17 30131:10 3030:11 30167:2 30239:20 30267:15 30178:1 30279:20 3012:24 30126:3 30121:21 30122:20 30141:17,25 30239:20 30267:15 30178:1 30279:20 30151:19 30159:8 30132:17,19 30142:17 30240:1 middle 30231:9 30275:3 30277:18 30180:21 30181:14 30121:23 30122:4 30125:7 millitating 30248:12 30180:21 30181:14 30121:23 30122:4 30125:7 millitating 30248:12 30273:16 30279:1,3 manager 30181:14 30121:23 30122:4 30145:16 30279:1 middle 30231:9 30268:16 30273:1,2 manager 30181:14 30121:23 30122:4 30145:1					
look 30116:24 30185:4 30280:12 Mathibedi's 30255:8 means 30193:4 30197:7 Mgmeni 30242:3 30154:20 30178:7 managed 30180:7 30274:6 30296:5 30199:17 30207:23 MICHAEL 30114:6 30213:13 30243:10 management 30118:11 Mathunjwa 30119:15 30222:23 30272:21 Microphone 30123:2 3018:17 30292:16 30300:21 30118:25,25 30119:19 30120:7,18 303021:4 30225:24 30225:24 30225:24 30225:24 30225:24 30225:24 30225:24 30225:24 30225:24 30225:24 30225:24 30225:24 30225:24 30225:24 30225:24 30225:24 30225:24 30225:24 30225:24 3023:19 30239:20 30267:17 30280:6 30239:20 30267:17 30280:6 30265:11 malagement 3014:14 30144:23 30273:2 media 30243:17 30265:1 30265:1 30180:21 30181:14 30124:23 30273:2 media 30243:17 30265:1 30265:16 30273:16 30273:1 30180:13 30144:23 30273:2 media 30243:17 30265:1 30180:159:11 managemott's 30128:9 Mathunjwa's 30119:16 30152:7 millions 30256:16 301361:16 30203:7 millions 30256:16 30268:16 30273:12 managemott's 30128:3 30125:9 30137:16;22 30288:7 30126:13 30207:20 30214:9			,		
30154:20 30178:7 30192:23 30194:10 managed 30180:7 30285:15 30274:6 30296:5 30297:22 30199:17 30207:23 MTCHAEL 30114:6 30167:2 30192:23 30194:10 30285:15 30297:22 30218:17,25 30167:2 30292:16 30300:21 management 3018:11 Mathunjwa 3019:15 30222:23 30272:21 Miccrophone 30123:2 30178:1 30279:20 30122:24 30126:3 30121:11 30122:22 30141:17,25 30225:24 30235:18 30178:1 30279:20 30122:24 30126:3 30121:11 30122:22 30141:17,25 30225:17 30239:20 30267:15 30275:3 30277:18 30180:21 30181:14 30142:23 30124:20 30158:17 30169:5 30267:17 30280:6 30287:9 30180:21 30181:14 30142:23 30123:2 mediators 30152:7 militating 30248:12 30287:19 30180:21 30181:9,14 30121:23 30122:8 medical 30245:21 mind 30116:4 30147:14 30287:16 30273:12 manager 30181:9,14 30121:23 30122:8 medical 30245:21 militating 30280:61 30273:16 30273:12 manager 30141:9,14 30121:23 30122:28 medical 30245:21 30183:16 30203:7 30183:15 30170:11 30180:23 30183:3 30125:2 30137:1					
30192:23 30194:10 30285:15 30297:22 30218:17,25 30167:2 30213:13 30243:10 management 30118:11 Mathunjwa 30119:15 30222:23 30272:21 Microphone 30123:2 30292:16 30300:21 30118:25,25 30119:19 30120:7,18 30031:18 30300:14 30164:16 30215:1 1ooking 30119:3 30119:25 30120:2,8 3012:11 30122:22 30141:17,25 30239:20 30267:5 1ooming 30257:22 30128:1 30144:8 30123:23 30124:20 30158:17 30169:5 30267:17 30280:6 1ose 30269:9 30272:23 30151:19 30159:8 30132:17,19 30240:1 midde 30231:9 30275:3 30277:18 30180:21 30181:14 30142:33 30273:2 media 30243:17 30265:1 30282:8,13,13 management's 30128:9 Mathunjwa's 30119:16 30154:7 millitating 30248:12 1osing 30159:11 managers 30181:9,14 30120:16 30121:7,9 medical 30245:21 mind 30116:4 30147:1 30268:16 30273:13 managers 30183:13 30122:33 30122:8 metical 30245:12 30147:14,15 30136 30138:19 30185:23 30142:18 30146:11 30121:23 30122:3 30288:7 30208:13 30147:14,5 <td></td> <td></td> <td></td> <td></td> <td>-</td>					-
30213:13 30243:10 30292:16 30300:21 management 30118:11 30118:25,25 Mathunjwa 30119:15 30119:19 30120:7,18 30222:23 30272:21 30301:18 30302:14 Microphone 30123:2 3016:16 30215:14 looking 30119:3 30119:25 30120:2,8 30119:19 30120:7,14 30132:17 30301:18 3032:14 30124:20 3014:17,25 3023:22 3023:24 3023:18 looming 30257:22 30122:24 30126:3 30112:17,19 30124:20 30141:17,25 30267:17 30280:6 lose 30269:9 30277:18 30180:21 30181:14 30144:23 30273:2 media 30243:17 model 30243:17 30277:18 30180:21 30181:14 30144:23 30273:2 mediators 30152:7 millitating 30248:12 a0273:16 30279:1,3 manager 30181:9,14 30121:63 30127:7 medical 30245:21 millions 30256:16 30273:16 30273:12 manager 30144:14 mater 30123:17 meetiag 30112:14 30207:03 0214:9 30145:19 30185:25 30142:18 30146:11 30121:23 30122:8 meetiag 30112:14 30207:03 0214:9 30266:25 30232:15 manager 30142:17 30144:16,18,21 30146:13 30166:14 30207:03 0214:9 30277:42 30275:3 30185:25 30142:18 30146:11 30144:18 30171:4		-			
30292:16 30300:21 30118:25,25 30119:19 30120:7,18 30301:18 30302:14 30164:16 30215:1 looking 30119:3 30119:25 30120:2,8 30120:20,22,24 meant 30133:24 30225:24 30235:18 looming 30257:22 30128:1 30144:8 30121:11 30122:22 30118:17,25 30239:20 30267:15 looming 30257:22 30151:19 30159:8 30132:17,19 30240:1 middle 3023:19 302275:3 30277:18 30180:21 30181:14 30144:23 30273:2 media 30243:17 30265:1 30282:8,13,13 management's 30128:9 Mathunjwa's 30119:16 30154:7 milliating 30248:12 30273:16 30279:1,3 manager 30181:9,14 30121:13 30122:8 medical 30245:21 mind 30116:4 30147: 30268:16 30273:12 manager 30183:9 30132:17 medical 30245:21 mid 30116:4 30147: 3018:21 3014:21 30183:11 30121:23 30122:8 meetical 30245:21 mid 30116:4 30147: 30268:16 30273:12 manager 30181:9,14 30121:13 30120:17 medical 30245:21 mid 30147:14,15 30158 30266:13 30277:13 30180:23 30183:3 30125:9 30137:16,22 30288:7 30282:14 3020				-	
looking 30119:3 30119:25 30120:2,8 30120:20,22,24 meant 30133:24 30225:24 30235:18 30178:1 30279:20 30122:24 30126:3 30121:11 30122:22 30141:17,25 30239:20 30267:15 looming 30257:22 30128:1 30144:8 30123:23 30124:20 30158:17 30169:5 30267:17 30280:6 lose 30269:9 30272:23 30151:19 30159:8 30132:17,19 30240:1 middle 30231:9 30287:9 30196:18 30272:13 302828:13,13 30129:16 30154:7 middle 30231:9 30273:16 30279:1,3 manager 301819,14 30120:16 30121:7,9 medial 30245:21 mind 3016:4 30147: 30268:16 30277:16 30183:11 30121:23 30122:8 medical 30245:21 mind 3016:4 30147: 30268:16 30277:12 manager 30181:9,14 30121:23 3012:16 30238:7 302020:4 30183:19 30185:23 30185:25 30142:18 30146:11 metring 3017:6,22 30248:1 30147:14,15 30158:21 30206:25 30232:15 manner 30242:17 30146:16,18,21 30146:3 30166:14 30267:13 30277:20 30214:9 30277:20 30125:1 30149:13 30150:21 mao1413 30289:23 30147:16,23					
30178:1 30279:2030122:24 30126:330121:11 30122:2230141:17,2530239:20 30267:15looming 30257:2230128:1 30144:830123:23 30124:2030158:17 30169:530267:17 30280:6lose 30269:9 30272:2330180:21 30181:1430142:23 30273:2media 30243:1730265:130287:930196:18 30272:1330282:8,13,13mediators 30152:7milliang 30248:12losing 30159:11management's 30128:9Mathunjwa's 30119:1630154:7millions 30256:1630273:16 30279:1,3manager 30181:9,1430121:23 30122:8medical 30245:21mind 30116:4 30147:14,15 3015830268:16 30273:12manager 30144:1430121:23 30122:8medical 30245:5130183:16 30203:730265:25 02321:130180:23 30183:330125:9 30137:16,2230288:730206:1 302078:1630274:20 30275:330293:2330147:16,2330146:11,330287:25 30235:1430136:11 30137:230293:2330149:13 30150:2130146:13 30166:1430227:8 30235:1430136:13 30137:230293:2330151:13 30150:21meeting 30113:1330287:25 30294:2230144:22,24 30154:8marching 30172:930149:13 30150:2130144:8,13 30196:1430207:30271:1230132:13 0136:2130132:23 30163:2530166:7 30170:330222:4 30230:2mindful 30209:1930144:22,24 30154:8marching 30179:2430152:5 30162:2530144:8,13 30196:1430207:25 30294:2230154:8 30159:3Markana 30124:2230166:7 30170:330222:4 30230:2mindful 30209:1930144:22,44 30154:4marching 30179:24			-		
looming 30257:2230128:1 30144:830123:23 30124:2030158:17 30169:530267:17 30280:6lose 30269:9 30272:2330151:19 30159:830132:17,1930240:1middle 30231:930275:3 30277:1830180:21 30181:1430144:23 30273:2media 30243:17middle 30243:17losing 30159:11manager 30181:9.1430120:16 30121:7.9medical 30245:21millitating 30256:1630273:16 30277:13manager 30181:9.1430120:16 30121:7.9medical 30245:21millitating 30256:1630268:16 30273:12manager 30141:1430121:23 30122:8medical 30245:21millitating 30263:1630183:19 30185:2330180:23 30183:330125:9 30137:16,2230288:730183:16 30207:1330206:25 30232:15manper 30242:1730146:16,18,2130146:1430267:13 3027:1230278:18mapping 30172:930149:13 30150:21meeting 30113:1330227:25 30227:1230144:22,24 30154:8marching 30179:2430163:25 30156:2330144:8,13 30196:1430300:1 30301:830160:16,16 30164:730132:2,3 30163:2530166:7 30170:330222:4 30230:2230237:1630193:3 30243:9,2230166:630166:7 30170:330222:4 30230:2230237:1630193:3 30243:9,2230166:530166:7 30170:330222:4 30230:2230237:1630193:3 30243:9,2230166:5230166:7 30170:330222:4 30230:2230237:1630193:3 30243:9,2230166:5230166:53 30170:330222:4 30230:2230237:1630193:3 30243:9,2230166:5230166:53 30170:330222:4 30230:22<	-				
lose 30269:9 30272:2330151:19 30159:830132:17,1930240:1middle 30231:930275:3 30277:1830180:21 30181:1430144:23 30273:2media 30243:1730265:130287:930196:18 30272:1330282:8,13,13mediators 30152:7militating 30248:1210sing 30159:11manager 30181:9,1430120:16 30121:7,9mediators 30152:7militating 30248:1230268:16 30273:12manager 30181:9,1430121:23 30122:8medical 30245:21mild 30116:4 30147:14,15 3015830268:16 30273:12manager 30144:14matter 30123:17medical 30247:530183:16 30203:710st 30176:20 30182:2330185:2530142:18 30146:11metting 30112:1430207:20 3021:10 30247:530266:25 30232:15manner 30242:1730146:16,18,2130146:3 30166:1430207:20 3021:10 30271:3 30271:1230278:18mapping 30172:930149:13 30150:2130146:3 30166:1430267:13 30271:1230135:12 30126:23029:2530151:11 30157:230144:8,13 30196:1430287:25 30294:2230154:8 30159:3Markana 30124:2230163:25 30162:2530144:8,13 30196:1430300:1 30301:830160:16,16 30164:730133:2,3 30163:2530163:25 30165:2330149:11 3023:930237:1630154:8 30159:3Markana 30124:2230163:25 30165:2330149:11 3023:930237:1630160:16,16 30164:730133:2,3 30163:2530166:7 30170:330222:4 30230:2230237:1630160:16,16 30164:730133:2,3 30163:2530166:7 30170:330222:4 30230:2230237:1630163:3 30243:9,2230164:					
30275:330180:2130181:1430144:2330273:2media30243:1730265:130287:930196:1830272:1330282:8,13,13mediators30152:7militating30248:1210sing30159:11management's30128:9Mathunjwa's30119:1630154:7militating30256:1630273:1630277:1630183:1130120:1630121:2330122:8medical30245:21mind30116:430147:1510ss30183:1430120:12330121:2330122:8medically30250:430147:16,1530183:1630207:710st30176:2030182:2330183:330125:930137:16,2230288:730206:130207:203021:830183:1930185:2530142:1830146:16,18,2130118:2130121:230121:233012:1230227:830206:13027:2030227:830206:2530232:15manner30147:16,2330146:330166:1430267:133027:2530242:1230274:2030275:330293:2330147:16,2330146:330166:1430267:1330287:2530294:2230136:1130137:23029:2530150:2230151:1130144:8,1330196:1430207:1330287:1630144:22,2430154:8marching30179:2430155:2530162:2530144:8,3330146:330166:1430208:930144:42,2430164:5130163:2530165:2530165:2530165:2530144:8,3330125:1430287:16<	-				
30287:930196:18 30272:1330282:8,13,13mediators 30152:7militating 30248:1210sing 30159:11management's 30128:9Mathunjwa's 30119:1630154:7millions 30256:1630273:16 30279:1,3manager 30181:9,1430120:16 30121:7,9medical 30245:21millions 30256:1630286:16 30273:1230183:1130121:23 30122:8medical 30245:21mind 30116:4 30147:30183:14 30227:1630180:23 30183:330125:9 30137:16,2230288:730147:14,15 3015830183:19 30185:2330185:2530142:18 30146:11meeting 30112:1430207:20 30214:930206:25 3023:15manner 30242:1730146:16,18,2130118:21 30120:1230227:8 30235:1430277:20 30275:330293:2330147:16,2330146:3 30166:1430267:13 30271:1230278:18mapping 30172:930149:13 30150:21meetings 30113:1330287:25 30294:2230136:11 30137:230229:2530151:11 30154:24members 30136:3mindful 30209:1930144:22,24 30154:8marching 30179:2430155:25 30162:2530144:8,13 30196:14300271:630154:8 30159:3Marikana 30124:2230173:22 30187:230224: 40230:2930237:1630154:8 30159:3Marikana 30124:2230173:22 30162:2530144:8,23,24,25minds 30208:930154:8 30159:3Marikana 30124:2230173:22 30187:230277:630229:1730257:3 30284:1030166:630188:15 30192:1membership 30133:4mines 30125:12 3013230265:15,19mark 30174:10,1130201:2 30204:1630144:1930173:9					
losing 30159:11management's 30128:9Mathunjwa's 30119:1630154:7millions 30256:1630273:16 30279:1,3manager 30181:9,1430120:16 30121:7,9medical 30245:21mind 30116:4 30147:30s 30183:14 30227:1630183:1130121:23 30122:8medical 30245:21mind 30116:4 30147:30268:16 30273:12managers 30144:14matter 30123:17meet 30231:10 30247:530183:16 30203:71ost 30176:20 30182:1130180:23 30183:330125:9 30137:16,2230288:730206:1 30207:8,1630266:25 30232:15manner 30242:1730146:16,18,2130118:21 30120:1230227:8 30235:1430274:20 30275:330293:2330147:16,2330146:3 30166:1430267:13 30271:1230278:18mapping 30172:930149:13 30150:21meeting 30113:1330287:25 30294:2230136:11 30137:230229:2530151:11 30154:24members 30136:3mindf 30209:1930144:2,2,4 30154:8marching 30179:2430155:25 30162:2530144:8,23,24,25mindf 30209:1930144:2,2,4 30154:830136:2530166:7 30170:330222:4 30230:2230237:1630160:16,16 30164:730133:2,3 30163:2530166:7 30170:330222:4 30230:2230237:1630193:3 30243:9,2230164:5,11 30165:2230173:22 30187:230272:630298:1730285:15,19mark 30174:10,1130201:2 30204:1630144:1930173:9 30185:14,30173:9 30185:1430176:1230223:20 30227:630154:22 30162:1630124:2330285:15,19mark 30174:10,1130203:23 03023:1930144:19					
30273:16 30279:1,3 loss 30183:14 30227:16manager 30181:9,14 30183:1130120:16 30121:7,9 30121:23 30122:8medical 30245:21 medically 30250:4mind 30116:4 30147: 30147:14,15 3015830268:16 30273:12 lost 30176:20 30182:1130180:23 30183:3 30185:2530125:9 30137:16,22 30142:18 30146:16,18,2130288:7 30142:18 30146:16,18,2130207:20 30247:5 30206:1 30207:8,10 30207:20 30214:930207:0 30247:5 30206:1 30207:8,10 30207:20 30214:930274:20 30275:3 30278:18 30132:21 30136:2maner 30242:17 30129:2530146:16,18,21 30147:16,2330146:3 30166:14 30147:16,2330267:13 3027:8 30235:14 30146:16,18,2130136:11 30137:2 30132:21 30136:2march 30228:25 30154:8 30159:330150:22 30151:1,3 30124:2230144:8,13 30196:14 30155:25 30162:2530144:8,13 30196:14 30133:2,3 30163:2530166:7 30170:3 30125:23 30156:2330144:8,13 30196:14 30133:2,3 30163:2530166:7 30170:3 30229:2530229:25 30154:8 30159:330144:8,13 2029:19 30163:25 30165:2330144:8,13 30196:14 30144:8,13 2029:1930237:16 30133:2,3 30163:2530160:16,16 30164:7 30133:2,3 30163:2530166:7 30170:3 30227:3 30284:10 30166:630188:15 30192:1 30128:15 30192:130222:4 30230:22 30124:12301237:16 30144:1930275:3 30284:10 30227:3 30284:10 30166:630188:15 30192:1 30126:1230144:19 30173:2 3024:2330124:23 30144:1930173:9 30185:14, 30123:12 30132:410ved 30203:11,14 30206:23 30211:630230:8 30231:9 30230:8 30231:930236:16:16 30210:630222:5 30221:630222:5 30124:1210ved 30202:31 					
loss 30183:14 30227:1630183:1130121:23 30122:8medically 30250:430147:14,15 3015830268:16 30273:12managers 30144:14matter 30123:17meet 30231:10 30247:530183:16 30203:730183:19 30185:2330185:2530142:18 30146:1130288:730206:1 30207:8,1030206:25 30232:15manner 30242:1730146:16,18,2130118:21 30120:1230227:8 30235:1430274:20 30275:330293:2330147:16,2330146:3 30166:1430267:13 3027:1230278:18mapping 30172:930149:13 30150:21meetings 30113:1330287:25 30294:2230136:11 30137:230229:2530151:11 30154:24meetings 30113:1330287:25 30294:2230144:22,24 30154:8marching 30179:2430155:25 30162:2530144:8,13 30196:1430300:1 30301:830193:3 30243:9,2230164:5,11 30165:2230166:7 30170:330222:4 30230:223028:1730193:3 30243:9,2230166:630188:15 30192:1membership 30133:4mine 30125:12 3013230285:15,19mark 30174:10,1130206:25 30221:1830144:1930173:9 30185:14,30210:6marking 30129:1530223:23 03227:630144:1930173:9 30125:12 3013230210:6markana 30240:1930223:29 30227:630144:1930173:9 30125:12, 3013230210:6markana 30240:1930223:29 30227:630154:22 30162:1630222:530210:6markana 30240:1930223:29 30227:630154:22 30162:1630222:530210:6markana 30240:1930223:29 30227:630154:22 30162:1630222:53		-	0		
30268:16 30273:12 lost 30176:20 30182:11 30180:23 30183:3matter 30123:17 30125:9 30137:16,22 30142:18 30146:11 30185:25meet 30231:10 30247:5 30288:730183:16 30203:7 30288:730183:19 30185:23 30266:25 30232:15 30274:20 30275:330185:25 30293:2330142:18 30146:11 30146:16,18,21meeting 30112:14 30146:3 30166:1430207:20 30214:9 30242:1730278:18 30132:21 30136:2mapping 30172:9 30129:2530149:13 30150:21 30149:13 30150:21meetings 30113:13 30146:3 30166:1430267:13 30271:12 30287:25 30294:2230136:11 30137:2 30144:22,24 30154:8 30154:13 30159:3marching 30179:24 30154:2230155:25 30162:25 30155:25 30162:2530144:8,13 30196:14 30144:82,32,4,25 30149:11 30203:9 30144:81,33 3028:9mindful 30209:19 minds 30208:930160:16,16 30164:7 30133:2,3 30163:2530166:7 30170:3 30124:2230122:4 30230:22 30166:6mindes 30203:1 30123:23 30187:230257:3 30284:10 30257:3 30284:10 30257:3 30284:1030176:12 30176:1230210:6 30210:630173:9 30185:14, 30210:210udy 30114:12 30203:11,1430176:12 markan 30129:15 30223:20 30227:630154:22 30162:16 30154:22 30162:1630122:5 30154:22 30162:16 30124:2310ved 30203:11,14 30210:6markan 30129:15 30223:20 30227:630154:22 30162:16 30154:22 30162:1630222:5 30154:22 30162:1610ved 30203:11,14 30210:6markan 30240:19 30230:8 30231:930236:130146:12 30146:1210ved 30202:3markan 30240:19 30230:330230:33:2530286:130147:15					
lost 30176:20 30182:1130180:23 30183:330125:9 30137:16,2230288:730206:1 30207:8,1030183:19 30185:2330185:2530142:18 30146:11meeting 30112:1430207:20 30214:930206:25 30232:15manner 30242:1730146:16,18,2130118:21 30120:1230227:8 30235:1430274:20 30275:330293:2330147:16,2330146:3 30166:1430267:13 30271:1230278:18mapping 30172:930149:13 30150:21meetings 30113:1330287:25 30294:22lot 30132:21 30136:2March 30228:2530150:22 30151:1,330144:8,13 30196:1430300:1 30301:830144:22,24 30154:8marching 30179:2430155:25 30162:2530144:8,23,24,25mindful 30209:1930160:16,16 30164:730133:2,3 30163:2530166:7 30170:330222:4 30230:22minds 30208:930193:3 30243:9,2230164:5,11 30165:2230173:22 30187:23027:630298:1730257:3 30284:1030166:630188:15 30192:1membership 30133:4mine 30125:12 3013230257:3 30284:1030166:630174:10,1130206:25 30221:1830144:1930173:9 30185:14,1330265:15,19mark 30174:10,1130223:20 30227:630154:22 30162:1630222:530210:6marshal 30240:1930230:8 30231:930154:22 30162:1630222:530210:6marshal 30240:1930230:8 30231:930286:130147:15					
30183:19 30185:2330185:2530142:18 30146:11meeting 30112:1430207:20 30214:930206:25 30232:15manner 30242:1730146:16,18,2130118:21 30120:1230227:8 30235:1430274:20 30275:330293:2330147:16,2330146:3 30166:1430267:13 30271:1230278:18mapping 30172:930149:13 30150:21meetings 30113:1330287:25 30294:221ot 30132:21 30136:2March 30228:2530150:22 30151:1,330144:8,13 30196:1430300:1 30301:830144:22,24 30154:8marching 30179:2430155:25 30162:2530144:8,23,24,25mindful 30209:1930144:22,24 30154:8marching 30179:2430163:25 30165:2330149:11 30203:930237:1630160:16,16 30164:730133:2,3 30163:2530166:7 30170:330222:4 30230:22minds 30208:930193:3 30243:9,2230164:5,11 30165:2230173:22 30187:230272:630298:1730285:15,19mark 30174:10,1130201:2 30204:1630144:1930173:9 30185:14,1oudly 30114:1230176:1230223:20 30227:630154:22 30162:1630222:530210:6marshal 30240:1930230:8 30231:930124:2330146:12LRC 30202:3massacre 30217:430232:9 3023:2530286:130147:15					
30206:25 30232:15 30274:20 30275:3manner 30242:17 30293:2330146:16,18,21 30147:16,2330118:21 30120:12 30146:3 30166:1430227:8 30235:14 30267:13 30271:1230278:18 10t 30132:21 30136:2mapping 30172:9 March 30228:2530149:13 30150:21 30150:22 30151:1,3meetings 30113:13 30144:8,13 30196:1430287:25 30294:22 30300:1 30301:830144:22,24 30154:8 30144:22,24 30154:8marching 30179:24 30129:2530155:25 30162:25 30155:25 30165:2330144:8,23,24,25 30145:24mindful 30209:19 minds 30208:930160:16,16 30164:7 30133:2,3 30163:2530166:7 30170:3 30166:630222:4 30230:22 30164:5,11 30165:2230166:7 30170:3 30222:4 30230:2230237:16 minds 30208:930257:3 30284:10 30285:15,1930166:6 mark 30174:10,1130201:2 30204:16 30206:25 30221:1830144:19 30173:9 30185:14, 30201:2 30204:1630144:19 30173:9 30185:14, 30124:23loved 30203:11,14 30201:2marking 30129:15 markal 30240:1930230:8 30231:9 30230:8 30231:930286:130147:15			-		,
30274:20 30275:3 30278:1830293:23 mapping 30172:930147:16,23 30149:13 30150:2130146:3 30166:14 meetings 30113:13 30128:25 30294:22lot 30132:21 30136:2 30136:11 30137:2 30144:22,24 30154:8March 30228:25 30229:2530150:22 30151:1,3 30151:11 30154:24 30155:25 30162:2530144:8,13 30196:14 30144:8,13 30196:1430267:13 30271:12 30287:25 30294:2230144:22,24 30154:8 30144:22,24 30154:8Marching 30179:24 marching 30179:2430155:25 30162:25 30155:25 30162:2530144:8,23,24,25 30144:8,23,24,25mindful 30209:19 minds 30208:930160:16,16 30164:7 30133:2,3 30163:2530166:7 30170:3 30166:630222:4 30230:22 30164:5,11 30165:22mindset 30203:1 30128:15 30192:130257:3 30284:10 30285:15,1930166:6 mark 30174:10,1130201:2 30204:16 30206:25 30221:18 30223:20 30227:630144:19 30173:9 30185:14, 30173:9 30185:14, 30173:9 30185:14, 30222:5loudly 30114:12 30210:6marking 30129:15 marshal 30240:19 30230:8 30231:930230:8 30231:9 30230:25 30221:18 30230:23:20 30227:6memory 30221:9 30230:21:9mines 30146:12 30147:15					
30278:18mapping 30172:930149:13 30150:21meetings 30113:1330287:25 30294:22lot 30132:21 30136:2March 30228:2530150:22 30151:1,330144:8,13 30196:1430300:1 30301:830136:11 30137:230229:2530151:11 30154:2430144:8,23,24,2530130:9:1930144:22,24 30154:8marching 30179:2430155:25 30162:2530144:8,23,24,2530132:03:930160:16,16 30164:730133:2,3 30163:2530166:7 30170:330222:4 30230:2230237:1630193:3 30243:9,2230164:5,11 30165:2230173:22 30187:230272:630298:1730257:3 30284:1030166:630188:15 30192:1membership 30133:430125:12 3013230285:15,19mark 30174:10,1130201:2 30204:1630144:1930173:9 30185:14,1loved 30203:11,14marking 30129:1530223:20 30227:630154:22 30162:1630222:530210:6marshal 30240:1930230:8 30231:930286:130146:12LRC 30202:3massacre 30217:430232:9 30233:2530286:130147:15					
lot 30132:21 30136:2 30136:11 30137:2 30144:22,24 30154:8March 30228:25 30229:2530150:22 30151:1,3 30151:11 30154:24 30155:25 30162:2530144:8,13 30196:14 members 30136:3 30144:8,23,24,2530300:1 30301:8 mindful 30209:19 minds 30208:930144:22,24 30154:8 30154:8 30159:3 30160:16,16 30164:7 30133:2,3 30163:25marching 30179:24 30163:25 30163:2530155:25 30162:25 30166:7 30170:3 30166:7 30170:330144:8,23,24,25 30144:8,23,24,25mindful 30209:19 minds 30208:930160:16,16 30164:7 30133:2,3 30163:2530166:7 30170:3 30166:630166:7 30170:3 30173:22 30173:22 30187:230222:4 30230:22 30272:6mindset 30203:1 30289:1730257:3 30284:10 30285:15,1930166:6 mark 30174:10,1130201:2 30204:16 30201:2 30204:1630144:19 30173:9 30185:14,1loudly 30114:12 30201:2 30203:11,14 30210:630176:12 marking 30129:15 marshal 30240:1930230:8 30231:9 30230:8 30231:930154:22 30162:16 30286:1loxed 30202:3massacre 30217:430232:9 3023:2530286:130147:15					
30136:11 30137:2 30144:22,24 30154:8 30154:8 30159:330229:25 marching 30179:2430151:11 30154:24 30155:25 30162:25members 30136:3 30163:25 30162:25mindful 30209:19 minds 30208:930154:8 30159:3 30160:16,16 30164:7 30133:2,3 30163:25Marikana 30124:22 30163:25 30163:2530163:25 30165:23 30166:7 30170:330144:8,23,24,25 30149:11 30203:930237:16 minds 30208:930193:3 30243:9,22 30193:3 30243:9,2230164:5,11 30165:22 30164:5,11 30165:2230166:7 30170:3 30173:22 30187:230222:4 30230:22 30272:630298:17 mine 30125:12 3013230285:15,19 10udly 30114:12mark 30174:10,11 30176:1230200:22 30204:16 30226:25 30221:18 30223:20 30227:630144:19 30173:9 30185:14,1 30129:1530223:20 30227:6 30223:20 30227:630154:22 30162:16 30154:22 30162:1630222:5 mines 30124:23loved 30203:11,14 30210:6marking 30129:15 marshal 30240:1930230:8 30231:9 30230:8 30231:930154:22 30162:16 30286:130222:5 30286:1LRC 30202:3massacre 30217:430232:9 30233:2530286:130147:15					
30144:22,24 30154:8 30154:8 30159:3marching 30179:24 Marikana 30124:2230155:25 30162:25 30163:25 30165:2330144:8,23,24,25 30163:25 30165:23minds 30208:9 30237:1630160:16,16 30164:7 30133:2,3 30163:2530133:2,3 30163:25 30164:5,11 30165:2230166:7 30170:3 30173:22 30187:230122:4 30230:22 30272:630237:16 mindset 30203:130257:3 30284:10 30285:15,1930166:6 mark 30174:10,1130201:2 30204:16 30206:25 30221:1830144:19 30144:1930125:12 30132 30144:19loudly 30114:12 30203:11,14 30210:630176:12 marking 30129:15 30230:28 30231:930223:20 30227:6 30230:8 30231:930154:22 30162:16 30286:130222:5 mines 30146:12 30286:1				-	
30154:8 30159:3 30160:16,16 30164:7 30133:2,3 30163:25Marikana 30124:22 30133:2,3 30163:2530163:25 30165:23 30166:7 30170:3 30166:7 30170:330149:11 30203:9 30222:4 30230:22 30222:4 30230:2230237:16 mindset 30203:1 30298:1730193:3 30243:9,22 30257:3 30284:10 30285:15,1930164:5,11 30165:22 30166:630173:22 30187:2 30188:15 30192:130272:6 membership 30133:430298:17 mine 30125:12 3013210udly 30114:12 30203:11,1430176:12 marking 30129:1530220:23 0204:16 30223:20 30227:630144:19 30154:22 30162:1630122:5 30220:2610ved 30203:11,14 30210:6marshal 30240:19 marshal 30240:1930230:8 30231:9 30232:9 30233:25memory 30221:9 30286:130147:15					
30160:16,16 30164:7 30133:2,3 30163:2530166:7 30170:3 30164:5,11 30165:2230166:7 30170:3 30173:22 30187:2 30173:22 30187:2 30188:15 30192:130222:4 30230:22 30272:6mindset 30203:1 30272:630257:3 30284:10 30285:15,1930166:6 mark 30174:10,1130201:2 30204:16 302001:2 30204:1630144:19 30144:1930173:9 30185:14,32 30144:19loudly 30114:12 30203:11,1430176:12 marking 30129:1530223:20 30227:6 30223:20 30227:630154:22 30162:16 30154:22 30162:16mines 30124:23 30222:5loved 30202:3marshal 30240:19 massacre 30217:430232:9 30233:2530286:130147:15					
30193:3 30243:9,22 30257:3 30284:10 30285:15,1930164:5,11 30165:22 30166:630173:22 30187:2 30188:15 30192:1 30201:2 30204:1630272:6 membership 30133:4 30144:1930298:17 mine 30125:12 30132 30173:9 30185:14,1loudly 30114:12 30203:11,14 30210:6mark ing 30129:15 marshal 30240:1930206:25 30221:18 30230:8 30231:9memorandum 30154:22 30162:16 memory 30221:9miners 30124:23 30286:1LRC 30202:3massacre 30217:430232:9 30233:2530286:130240:19 30286:130147:15					
30257:3 30284:1030166:630188:15 30192:1membership 30133:4mine 30125:12 3013230285:15,19mark 30174:10,1130201:2 30204:1630144:1930173:9 30185:14,3loudly 30114:1230176:1230206:25 30221:18memorandumminers 30124:23loved 30203:11,14marking 30129:1530230:23:20 30227:630154:22 30162:1630222:530210:6marshal 30240:1930230:8 30231:9memory 30221:9miners 30146:12LRC 30202:3massacre 30217:430232:9 30233:2530286:130147:15					
30285:15,19mark 30174:10,1130201:2 30204:1630144:1930173:9 30185:14,1loudly 30114:1230176:1230206:25 30221:18memorandumminers 30124:23loved 30203:11,14marking 30129:1530223:20 30227:630154:22 30162:1630222:530210:6marshal 30240:1930230:8 30231:9memory 30221:9miners 30146:12LRC 30202:3massacre 30217:430232:9 30233:2530286:130147:15					
loudly 30114:1230176:1230206:25 30221:18memorandumminers 30124:23loved 30203:11,14marking 30129:1530223:20 30227:630154:22 30162:1630222:530210:6marshal 30240:1930230:8 30231:9memory 30221:930146:12LRC 30202:3massacre 30217:430232:9 30233:2530286:130147:15					
loved 30203:11,14marking 30129:1530223:20 30227:630154:22 30162:1630222:530210:6marshal 30240:1930230:8 30231:9memory 30221:9mines 30146:12LRC 30202:3massacre 30217:430232:9 30233:2530286:130147:15					
30210:6marshal 30240:1930230:8 30231:9memory 30221:9mines 30146:12LRC 30202:3massacre 30217:430232:9 30233:2530286:130147:15					
LRC 30202:3 massacre 30217:4 30232:9 30233:25 30286:1 30147:15					
lucky 30242:24 massive 30281:12 30234:23 30235:11 men 30169:8 minimum 30269:13		massive 30281:12		men 30169:8	
lunch 30112:6,12 material 30187:23 30239:13 30242:19 mention 30149:18 mining 30126:10	e e				
30115:13 30116:15 30219:24 30220:3 30245:6 30283:11 30216:11 30223:19 30127:13 30128:9					
30239:17 30240:10 30293:10 30296:11 30291:22 30294:16 30251:6,8,10 30186:7					
30268:20 30286:19 30296:22 30298:16 matters 30112:4 30286:10 30295:2 Minister 30258:7	111 1 112 111				
					ministers 30206:4,15
					30236:14,18 30237:5
Mathibedi 30199:18,20 30232:15 30233:14 30235:5 30236:3 30269:14,18,19	South per hand part				
M 30202:9,10 30205:8 30234:14 30246:3 30242:2 30292:18,19 30270:2 30275:10	Many	Process of and and all and all all all all all all all all all al			
<u> </u>			50251115027015	502 12.2 50272.10,17	502,0.2 502/5.10

				Page
minute 30241:5	months 30154:14	30114:25 30180:15	neutral 30216:18	30163:20,24 30164:5
30299:1	30182:8 30191:18	30192:11 30257:19	never 30121:10	30164:11 30165:13
minutes 30112:16	30225:1,1 30235:8	naïve 30214:6	30128:7 30140:21,23	30165:22 30166:6
30130:2 30175:14,22	30237:21	nearly 30207:4	30142:14 30143:22	30167:6,7 30175:24
30240:15 30241:9	morning 30113:10	necessarily 30114:25	30147:13,14,15	30176:15,17
30279:20,22	30114:20 30115:14	30125:5 30142:16	30216:5 30244:20	30178:22 30187:2,3
mistaken 30225:20	30115:16 30116:16	30164:14 30167:23	30273:15,21	30271:22
			new 30126:25 30281:9	
misunderstanding	30117:16,17	30197:11 30217:23		number 30127:3,5,7
30267:10	30120:12 30123:10	30227:10 30276:22	30282:10 30296:16	30143:24 30154:8
misunderstood	30184:21 30187:21	30296:10	30296:22	30162:19 30170:6
30252:17	30222:2 30268:19	necessary 30114:14	news 30128:9 30222:24	30174:8 30175:4
Modiba 30202:19	30272:4 30280:23	30127:8 30188:23	Ngalwana 30242:23	30178:7,10,16
30205:11 30207:2	30289:3,21 30304:19	30192:20 30209:9	night 30271:20 30272:3	30182:11,20
30227:19,24 30228:6	motivated 30258:4	30212:23 30227:19	nine 30304:19	30204:19 30247:25
30228:12,21 30230:8	Motlagewa 30177:14	30228:16 30231:6	NIU 30228:6	30260:9 30269:2
30230:15,20	30179:21	30233:12 30238:18	NN 30119:16,18	30276:18 30280:3,5
30232:18 30233:8,11	mouth 30219:19	30247:13 30275:24	nod 30187:13	30293:3,3,5
30233:23 30245:12	30255:8	30276:5 30279:8	nodded 30270:24	numbers 30178:2
30247:10 30248:16	move 30125:7,8	30303:10	noises 30114:13	30281:20
30250:2 30258:22	30151:22 30178:23	necessitate 30217:13	Noki 30242:3,3	numerous 30193:10
30271:6,6 30276:6	30188:17 30226:3	necessity 30181:2	30300:8	NUM's 30125:23
30279:7 30281:22	30232:4 30295:16	need 30112:19	non 30211:19	
30282:24 30283:1,24	moved 30242:19,21	30116:17 30117:6	non-availability	0
30286:11,17 30287:1	30271:21	30146:23,25 30152:3	30248:11	oath 30114:4 30117:13
30288:8,9,16 30289:9	movement 30160:23	30152:7,19 30174:4,9	non-involvement	30117:14 30121:23
			30271:18	
30289:13,16,22,24	30161:21 30195:16	30174:19 30177:23		30136:16,17
30290:3 30293:22,25	moving 30120:18	30177:24,24	non-negotiable	30166:25
30295:3,8,10,13,14	30199:18	30178:14 30179:1,4	30264:16 30266:20	obdurate 30124:4
30297:16 30298:2	Mpembe 30298:23	30179:12 30190:2	non-police 30169:25	object 30113:24
Modiba's 30228:16	Mphe 30245:13	30191:6 30207:11	normally 30148:25	30201:3,4 30206:18
30233:10	Mpofu's 30271:4	30210:5 30216:25	30190:10 30252:5	30221:16
Mohamed 30127:10	30279:2 30281:24	30224:4 30248:4	30268:20	objection 30116:7
Mokwena 30168:4,8,9	Mtimkulu 30303:6,11	30254:20 30260:23	North 30212:16	30150:15,15
			30224:4	
30168:12,13	multiple 30273:24	30278:15 30279:17		30157:11 30200:22
moment 30178:6	30281:13	30282:18,22	north-east 30228:7	30201:3 30260:10
30183:25 30185:9	multiply 30221:6	30286:10,11 30288:3	note 30194:21	30264:5
30192:18 30199:7	Munro 30194:12	30288:4 30290:9	notice 30208:18	objections 30220:14
30204:10,13 30207:5	Munroe 30122:17	30295:5 30300:9	30259:12 30283:12	30226:9
30215:24 30227:8,24	murder 30272:1,2,4,5	needed 30224:17	30283:17 30286:19	objective 30231:20
30258:8 30261:11	murderer 30273:25	30225:12 30250:6	30287:4 30291:8,10	30243:6,22 30244:18
30285:5	murders 30160:16	needs 30112:22	notification 30300:1	30244:23 30245:5
Monday 30118:22	music 30120:18	30221:18 30268:10	notion 30182:24	30275:22
30124:20 30125:2	30236:14,15,19,19	30282:4 30297:1	notional 30289:15	obliged 30160:22
30174:16 30215:4	30237:9	negotiate 30130:19	notionally 30269:5	30205:15
30222:2 30223:21	mustn't 30256:14	30131:13 30134:20	November 30187:15	observations 30172:15
30226:7 30231:15	muti 30298:18	30143:1,3,7,9	no-one 30118:17	observe 30195:16,16
30232:1,1 30246:18	M-E-R-E 30245:14,15	30153:10,25	30161:24 30203:17	observed 30175:12
30249:10,25 30250:1	·	30161:19 30167:11	NPA 30216:20	obstructive 30229:22
30250:14 30252:13	N	30168:22	Nqongophele 30292:14	obtain 30132:16
30268:12 30270:13	Naidoo 30228:8	negotiated 30158:22	NUM 30112:21	30184:2 30192:6
30270:14,17	name 30168:5,7,12	negotiating 30132:16	30122:13 30126:9,15	obtained 30212:15
		8 8		
30279:10,14	30182:2 30223:1	30141:3 30142:25	30128:10,25	30296:19
30281:21 30282:23	30280:12	30163:19	30129:19,23 30130:7	obvious 30145:17
30283:18 30284:4,22	named 30245:11	negotiation 30138:25	30130:14,19,20	30189:4
30286:12,18 30287:1	names 30149:12	30154:11 30164:3	30131:1,4,12 30133:7	obviously 30119:8
30288:9 30289:9,13	30221:24 30225:4	negotiations 30125:23	30133:8,24 30134:10	30143:16 30144:12
30289:16,21,21,24,25	30226:11 30291:14	30126:3,16 30127:19	30134:12,14,17,19,20	30166:20 30188:4
30295:2 30302:17,23	30291:19	30130:2,13 30131:19	30135:6,12,14	30189:15 30190:12
30304:13	narrow 30182:23	30132:13 30139:12	30136:3,6,9,16,18,24	30192:2 30216:17
money 30152:10,16				
money 50152:10.10	national 30155:23	30139:12 30173:25	30136:25,25 30137:1	30219:24 30229:22
	411 36: 11 41 61.1/1	30175:14 30271:14	30137:3,6,14,20	30233:9 30246:9
30153:1,8 30164:17	30156:20 30162:24			30250:17 30257:8
30153:1,8 30164:17 30237:19,19,23	30269:15,21,22	negotiator 30167:10,11	30140:9,23 30141:17	
30153:1,8 30164:17 30237:19,19,23 30256:19 30257:3,5		negotiator 30167:10,11 negotiators 30152:4	30141:25 30143:2,7	30258:13 30263:11
30153:1,8 30164:17 30237:19,19,23	30269:15,21,22			
30153:1,8 30164:17 30237:19,19,23 30256:19 30257:3,5	30269:15,21,22 30270:2 30272:7,7,12 30298:23	negotiators 30152:4	30141:25 30143:2,7	30258:13 30263:11 30263:12,21
30153:1,8 30164:17 30237:19,19,23 30256:19 30257:3,5 30280:15,17,19,23	30269:15,21,22 30270:2 30272:7,7,12	negotiators 30152:4 30161:23	30141:25 30143:2,7 30144:22,24 30151:5	30258:13 30263:11

				Page
30294:12	operational 30132:25	ought 30192:25	30197:14 30198:17	30128:6 30129:20,24
occasion 30119:20	30151:16 30157:2	outrageous 30217:3	30202:20 30207:22	paying 30172:7
occasions 30264:5	operations 30132:8	outside 30252:3	30211:8 30215:14	30266:8
30275:24	30186:7 30195:14,15	overnight 30281:20	30224:13 30230:6	payment 30163:8
оссиру 30202:20	operator 30126:5	overtime 30198:11	30235:19 30246:16	payments 30138:14
occur 30160:1	30163:9 30165:17,18	overwhelming	30247:11 30251:5	pellets 30170:5,12,12
30172:23 30186:3	operators 30125:17	30273:11	30267:11,14 30287:7	30170:14
occurred 30157:16	30126:17 30128:2,11	overzealous 30170:11	participate 30233:3,7	penetrate 30298:19
30183:22 30184:9	30128:12 30137:21	owned 30171:12	particular 30127:19	penny 30229:25
occurs 30235:2	30137:25 30138:1,4	o'clock 30112:4	30176:19 30177:2,7	people's 30114:13
30273:1 30299:9	30138:13,15,24	30116:21,25 30117:9	30180:14,16	perception 30152:25
October 30218:19	30139:7,15,17,22,23	30239:23 30240:18	30186:14 30192:1	30161:7
30280:4	30156:3 30163:2	30241:12 30289:2	30198:9 30261:23	perform 30231:21
October/November	30165:15,24	30304:20	30278:13	performed 30301:1
30226:10	30197:19,22	Р	particularly 30114:15	performing 30287:10
odd 30301:17	30271:15		30151:18 30170:4	period 30150:20
odds 30275:22	opinion 30155:25	page 30120:15	30195:25 30205:1 30217:1 30223:8	30172:14 30203:3 30207:25 30210:17
offer 30119:7 30125:4 30129:24 30175:23	30156:23 30162:25 30163:12 30192:6	30127:22 30129:19 30129:25 30162:22		30210:21 30211:1,2,2
offered 30179:13		30129:23 30162:22	30235:9 30264:9 30277:16	30210:21 30211:1,2,2 30211:1,2,2
	opinions 30243:11,12			,
office 30118:22 30172:19 30258:11	opportunity 30120:20	30177:25 30178:10	parties 30112:24 30113:24 30152:8	30213:25 30220:17
30271:22	30188:14 30191:19 30246:20 30249:9	30178:14 30197:14 30209:1	30113:24 30152:8 30154:5,9,9 30162:3	30222:11 30232:23 30293:17
officer 30148:19	30250:13 30260:18	paged 30217:9	30154.5,9,9 30102.5	periods 30220:19,25
30149:1 30179:9	30261:4 30268:3	pages 30215:12	30187:7 30189:8	periphery 30228:3
30258:23 30271:6,7 30298:9	30277:13 30283:13 30283:15 30287:6	30221:19 30264:20	30190:3,24 30191:13	permission 30127:8
officers 30177:15	oppose 30116:12	30281:4,14,17 30293:1,2 30296:11	30191:19 30198:13 30199:21,23	30204:9 30212:5,15 30214:3 30224:4,10
30180:13 30181:4	30200:7 30201:13	30296:14 30301:17	30203:22 30204:21	30224:17,18,20
30185:10,23	30200.7 30201.13	30301:23,25	30205:15,17 30208:1	30225:5 30281:2
30196:13	30262:8	paginated 30178:2	30208:19,20 30209:9	perpetrator 30220:11
offices 30178:22	opposed 30116:10,11	pagination 30154:22	30208.19,20 30209.9	30220:12
official 30170:5,12	30130:14 30131:14	30178:8	30210:11,18	person 30122:2
officials 30116:1	30137:20 30142:18	paid 30125:18 30131:2	30215:14 30216:23	30168:18 30179:7
30118:21 30124:21	opposite 30179:3	30139:8 30164:17	30217:1 30225:10	30181:6,9 30184:3
30182:20	optimistic 30295:25	30171:20 30172:4	30244:16 30247:15	30209:4 30212:17
oh 30190:8 30199:14	oral 30121:7 30184:16	30228:25 30229:7,25	30255:4 30258:5	30218:14 30220:10
30245:19 30297:12	30269:15,23 30270:6	painstaking 30221:11	30261:10,17	30231:7 30238:11,12
okay 30116:19 30117:2	30270:8 30272:20	painstakingly 30301:24	30275:20 30281:23	30242:1 30243:15
30120:13 30122:20	30275:25 30276:13	pangas 30179:23	30283:5,8 30284:4,12	30266:5 30298:7,10
30185:19 30187:10	ordeal 30236:22	paper 30272:21	30284:13,23,24	30298:21,22
30240:13 30249:3	30237:6	paragraph 30119:18	30288:7,11,14	30301:24
30301:6	order 30121:1	30119:24 30127:23	30289:12 30292:11	personal 30251:20
old 30215:13	30151:22 30152:4	30128:9 30129:19,25	30299:10,21,24	personally 30121:24
omission 30291:23	30153:8 30161:10,21	30120:9 30129:19,25	30302:18 30303:24	30122:14 30168:25
once 30190:21	30175:10 30177:12	30175:20,21	party 30189:11	personnel 30172:15
30195:25 30199:8	30179:17 30196:4	30177:20 30178:7,16	30200:16 30201:21	30191:10
30213:9 30264:22	30203:22 30205:3	30178:17 30179:2,20	30201:24 30208:17	persons 30144:19
30287:24 30288:21	30212:6 30213:14	30194:10,14 30222:1	30230:17 30238:8,9	30181:3,7 30182:11
30292:13 30301:11	30228:10 30229:2	paragraphs 30222:11	pass 30192:10	30199:23 30205:21
ones 30170:7 30203:14	30233:21 30242:4	paramount 30303:22	passages 30175:9	30221:15,20
30210:6 30214:16	30261:2	30303:22	passed 30123:21	30230:22 30293:6
30220:10,11	ordered 30178:22	pardon 30126:20	passing 30192:12	30298:14
30279:17	30179:25	30127:24 30154:18	passion 30242:12,16	perspective 30151:16
OO10 30139:3	orderly 30141:8	30187:3 30200:11	Pate 30127:20	30157:1 30166:4
30157:19	ordinary 30268:17,20	30264:11	Patel 30127:1,11,12	30274:12 30284:9
OO17 30194:11	30268:21 30269:5,6,8	parked 30179:3,8	30129:19 30130:1	persuade 30115:2,23
open 30207:17	30269:9,10,11	parking 30178:24	30174:5 30175:10,13	pertinent 30236:23
opening 30119:8,10	organisation 30271:16	part 30118:25 30126:2	30175:17	perusal 30207:24
operate 30204:12	30271:18	30126:3 30132:13	Patel's 30128:17,25	peruse 30212:20
30209:21 30303:20	organisational 30132:1	30149:6 30156:7,19	Paterson 30139:6,7	30213:15
operating 30172:20	30132:4	30157:12 30162:23	patience 30244:9	phase 30272:20
30196:4 30204:10	original 30203:20	30164:3 30169:10,14	Paton 30130:10	phone 30168:18
			Paton's 30127:24	photocopied 30214:8
	30226:10	JU109:19 JU1/U.Z.)		
30244:24	30226:10 originally 30203:19	30169:19 30170:25 30174:8 30180:16		
	30226:10 originally 30203:19 30299:23	30174:8 30180:16 30186:15 30196:17	Paul 30128:1,10 pay 30125:21,25	photostat 30213:25 photostatted 30213:8

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

				Page 1
phrase 30197:25	30223:5,20 30226:12	30230:6 30231:15	30279:14 30303:25	principles 30137:8
physical 30135:18	30228:21 30230:8	30240:4,12 30241:6	prejudicial 30208:16	30274:10
30137:1 30140:6	30231:9 30233:25	30241:19 30242:8	premised 30273:5	prior 30208:18
physically 30284:2	30234:4 30237:9	30245:9 30246:18	30295:22	30209:10 30218:5
picked 30240:23	30238:24 30244:25	30254:5 30257:6	premises 30172:25	30234:2,3 30302:6,25
Pillay 30127:7	30245:1 30247:21,23	30259:2 30261:17,18	premium 30244:11	privacy 30246:3
30187:21	30256:6 30257:8	30261:22 30262:7	preparation 30190:19	privately 30264:8
Pistorius 30238:16	30258:3 30260:24	30263:2 30282:5	30220:20 30289:14	privilege 30114:9
place 30123:6 30129:22	30265:25 30267:18	30284:22,24	30295:6	privileged 30113:16,17
30131:20 30132:18	30268:9,11 30271:18	30286:22 30291:6	preparations 30204:5	privileges 30114:3,4
30139:12 30142:11	30272:18 30277:7	30292:16 30297:14	30207:24	privy 30144:16
30144:1 30160:16,17	30278:5 30285:2	30298:24 30301:16	prepare 30225:3	30236:7
30173:7 30180:22	30292:22 30293:13	30302:11,21	30230:10 30246:21	probably 30124:18
30183:19 30184:4	30294:12 30301:7	positioned 30180:19	30256:8 30277:13,14	30166:19 30199:14
30186:2 30187:6	pointed 30126:10	positions 30130:5	30284:4	30212:19 30214:6
30189:18 30195:4	30169:15,20	30154:6	prepared 30117:8	30242:6 30244:8
30196:14,20	points 30220:24	positive 30229:16	30118:3 30153:25	30270:4 30276:7,21
30207:25 30209:8,10	30231:1 30247:25	possession 30213:3	30163:17 30240:21	30288:11 30297:18
30228:2 30235:12	30249:4 30251:24	30215:14 30222:18	30253:2 30255:1,9,10	30298:15
30242:16 30243:5	30293:11 30295:19	30280:4	30255:15 30263:5	problem 30161:10
30261:3 30263:20	police 30123:14	possibilities 30170:7,17	30266:7 30267:21	30167:12 30170:20
30279:17 30280:23	30144:9,15 30159:19	possibility 30170:10	preparing 30182:15	30198:2,19 30202:14
30285:6 30302:8	30160:3,6,12,13,17	30179:10 30182:19	30207:19 30217:8	30209:12 30220:4,17
placed 30177:16	30160:21 30161:2,7,9	30182:21,24	30284:14	30221:4 30225:3,8
30180:22 30190:3	30161:15,22	30206:14 30245:20	presence 30175:5,5	30249:24 30252:20
30193:16,22	30167:10 30168:22	30248:25 30271:23	present 30113:17	30275:4 30277:1,5
30209:15 30230:13	30169:4,9 30170:5,12	possible 30167:11	30142:20 30206:12	30278:11,17 30283:7
30304:1	30171:9,21 30172:12	30176:22 30225:13	30222:7 30239:2,5	30284:19 30285:11
places 30233:1	30172:22,24	30246:10 30257:14	30242:15 30262:14	30285:14 30287:23
placing 30180:12	30173:10 30202:11	30257:16 30258:21	presentation 30244:4	30288:17
plan 30205:7 30206:9	30202:15,18,23,24	30259:3 30263:3	presentations 30243:24	problematic 30188:2
30284:10	30205:14 30223:9	30265:24 30266:10	30244:2,6	problems 30188:8
planning 30181:5	30232:11 30243:18	30266:11 30269:13	presented 30199:12,17	30205:2 30214:13
Platinum 30133:1,1	30249:8 30250:13	30274:25 30284:2	30202:12 30210:13	30251:21 30253:25
30156:2 30163:2	30264:3 30285:4,7	30291:24	presenting 30208:17	30255:1 30259:6,11
30197:21 30222:3,5	30286:5,20 30287:5	possibly 30159:14	presided 30257:19	30260:6,7 30289:11
play 30140:18	30289:6 30298:7	30170:7 30174:20	Presidency 30258:12	proceed 30192:14
30153:14 30202:25	30303:5	30223:17 30250:10	president 30182:25	30222:3 30268:12
30215:22 30270:7	policeman 30170:11	30251:22 30257:17	30226:22 30227:3,9	30282:16 30286:10
player 30191:9	policemen 30170:13	30270:5 30288:10	30235:13,25	proceeding 30262:19
players 30147:1	police's 30251:17	postpone 30146:16	30237:11,11	proceedings 30112:1
30209:22 30210:9	policing 30261:23	30262:19	30238:12 30258:3	30207:22 30242:15
plead 30294:11	30274:24	postponement	presiding 30298:9	proceeds 30272:11
please 30119:16	political 30236:10	30115:10 30258:20	press 30236:15	process 30120:4
30120:24 30141:4	politicians 30236:15	postponements	presumably 30210:22	30121:4 30138:7
30150:17 30166:16	30237:5	30272:24	30225:12 30226:11	30144:9 30154:9,11
30167:6 30168:5,18	portion 30132:7	pot 30280:18,19,22,23	30234:17 30254:19	30189:8 30237:21
30169:17 30177:24	posing 30220:8	powers 30256:12,12,13	30286:3 30287:20	30250:17 30273:7,8
30180:12 30190:9	position 30112:8	practical 30252:2	presume 30218:4	30273:10 30274:22
30226:1 30254:4	30116:12,17 30117:5	practically 30260:15	pretences 30280:10	30285:24 30287:10
plenary 30113:20	30117:5 30120:3	30304:14	Pretorius 30199:13	30289:14
plus 30249:7	30125:23 30126:9,15	practice 30114:1	pretty 30131:11	produce 30193:18
pneumonia 30268:1	30126:23 30130:21	30266:6	30162:5 30261:10	produced 30128:25
point 30119:11	30120.25 30130.21	practitioners 30207:21	previous 30141:1	30185:24 30186:10
30122:14,17 30123:3	30133:6,13,15	30209:13	previous 30141.1 previously 30113:15	30186:11 30190:3
30122:14,17 30123:3	30138:12 30141:2,4	preamble 30130:12	30148:15 30210:24	producing 30218:5
30125:7 30141:7	30141:12 30147:19	precedented 30162:14	30262:7 30285:15	production 30282:19
30143:25 30162:11	30160:22 30161:10	precisely 30117:3	pre-emptive 30128:6	professional 30233:22
	30162:3,4,11	30124:13 30125:6	prima 30161:7	programme 30215:20
30163-15 30164-21		30124.13 30123.0	30286:24	30289:15
30163:15 30164:21	311 73.72 211 21.10	JUIUJ.IJ JUI07.22		
30164:23 30167:24	30173:23 30181:10		nrimarily 20252.02	nrogrammor 20006.6
30164:23 30167:24 30173:11 30180:11	30190:4 30192:5	precludes 30207:15	primarily 30253:22	programmes 30206:6
30164:23 30167:24 30173:11 30180:11 30181:1,14 30188:6	30190:4 30192:5 30198:13 30199:16	precludes 30207:15 precursor 30175:13	principle 30131:5,14	progressed 30139:16
30164:23 30167:24 30173:11 30180:11 30181:1,14 30188:6 30189:1,14 30190:16	30190:4 30192:5 30198:13 30199:16 30202:3 30209:17	precludes 30207:15 precursor 30175:13 prediction 30199:3	principle 30131:5,14 30131:17 30137:16	progressed 30139:16 promoted 30139:6,7
30164:23 30167:24 30173:11 30180:11 30181:1,14 30188:6 30189:1,14 30190:16 30191:2,4 30192:1	30190:4 30192:5 30198:13 30199:16 30202:3 30209:17 30210:12 30213:12	precludes 30207:15 precursor 30175:13 prediction 30199:3 preface 30216:5	principle 30131:5,14 30131:17 30137:16 30137:22 30142:18	progressed 30139:16 promoted 30139:6,7 pronounce 30245:13
30164:23 30167:24 30173:11 30180:11 30181:1,14 30188:6 30189:1,14 30190:16	30190:4 30192:5 30198:13 30199:16 30202:3 30209:17	precludes 30207:15 precursor 30175:13 prediction 30199:3	principle 30131:5,14 30131:17 30137:16	progressed 30139:16 promoted 30139:6,7

RealTime Transcriptions

				Page 1
30180:14 30186:1	30295:1	30251:15 30253:9	read 30120:15	30193:22,23
30180:14 30180:1	50295:1 Provincial 30204:1	30251:15 30253:9	30126:24 30162:23	30193:22,23 30269:15
30209:22	30281:1			recalled 30207:16
		30265:13,15,18,19	30163:16 30175:9,11	
properly 30181:2	provisionally 30292:24	30287:3 30295:12	30178:19 30206:24	recalling 30250:3
30188:1 30195:21	30292:24	30300:2	30208:8,23 30209:1	receive 30183:17
30245:16 30246:25	prudence 30256:7	questions 30124:2	30211:6 30221:25	30184:15
30260:19	prudent 30256:6,8	30125:15 30144:3,5	30268:19 30277:16	received 30113:6,11
Properties 30161:11	public 30115:1	30145:17 30167:5	30278:18,20	30116:18 30118:14
property 30272:3	30144:12 30204:1	30173:17 30176:17	30280:10 30286:21	30146:12 30174:11
proposal 30128:2	30209:22 30211:16	30177:11 30188:12	30286:23 30293:1	30180:14 30182:9
30129:20 30131:4	30212:16,24 30232:2	30192:21 30197:4	30300:6	30184:8 30196:12
30154:25 30155:3,6	30281:1	30220:8 30230:11	reading 30220:23	Receiver 30240:1
30155:13,15,19	purchased 30252:5	30236:23 30248:18	30250:15 30278:20	receiving 30121:5
30156:8,11 30162:23	purporting 30279:23	30250:3	ready 30116:13	recess 30294:5,10,13
30163:5,6,15,21	purpose 30172:8	quick 30146:22	30188:24 30207:13	30294:15,20
30164:6,10 30165:10	30174:18 30183:17	quickly 30150:11	30210:10 30213:8	recognised 30128:4,13
30203:20 30231:23	30211:15 30218:4	30234:23	30216:20 30224:19	30133:6,8,16,17,24
30248:15 30249:18	30269:9 30275:18	quite 30121:2 30132:21	30232:1 30289:12	30135:4,10 30141:7,8
30251:5 30258:22	purposes 30133:7	30136:21 30167:4	30293:21,24	recognition 30133:9
30277:18 30278:7	30210:20 30221:15	30193:20 30194:9	30297:24	recollect 30169:23
30279:6,9 30286:24	30248:3 30260:25	30204:13 30206:8	real 30192:1 30203:18	recollection 30170:1
30287:12 30288:3	30261:12 30269:3	30212:19 30217:2,10	30216:12,13 30223:1	recommence 30304:19
30289:8 30294:24	pursue 30182:1	30220:4 30227:24	30226:15 30236:7	recommendations
proposals 30154:25	30244:6	30228:9,12 30236:23	30276:25 30277:5	30274:15,17,17,23,25
30155:19,22	pursuing 30185:20	30247:14,24	30278:10,10,10	reconnaissance
30197:24	pushed 30238:5,6	30250:17 30255:4,5,9	realised 30121:19	30172:16
propose 30113:19	30254:13	30255:14 30267:7	30160:2	record 30139:21
30173:23 30175:11	puts 30160:2 30237:11	30296:7,16	realises 30254:25	30149:13,15 30175:9
30234:9 30253:15	putting 30161:8	quote 30127:25	realistic 30206:14	30175:11,24 30187:6
30258:19 30261:6	30170:9 30184:7	30166:6	realities 30235:15	30189:4,18 30192:14
30295:12 30298:1	30221:21 30247:3	50100.0	reality 30208:4	30218:21 30271:11
proposed 30155:22	30249:23 30288:1		30229:23	30271:11 30279:17
30156:5,7 30164:4	30249.23 30288.1	r 30245:16	really 30125:9	30296:20,24
	0	radical 30278:7		-
30251:4 30261:8			30131:24 30140:2,10	recorded 30272:14
30293:23	qualification 30152:21	radio 30144:10,12	30143:20 30154:10 30173:12 30188:1	recording 30272:14 rectified 30291:23
proposes 30292:9	30152:23	railway 30300:7		
proposing 30116:12	qualifications 30201:19	raise 30114:9 30189:1	30192:9 30195:1,2	red 30190:14 30297:12
30155:17 30156:12	qualified 30274:6	30291:22	30197:4 30230:5	refer 30177:13 30290:1
30164:1 30165:20	qualify 30153:2	raised 30138:13,14	30251:4 30254:24	30300:8,9
30166:14 30249:16	quantify 30211:12	30148:14 30158:9	30260:6 30261:20	reference 30158:11
30249:22 30286:3	quarter 30112:18	30203:4 30226:9	30277:18	30174:8 30175:17
proposition 30141:23	30166:19 30239:18	30229:18 30260:7	realm 30223:4	30198:5 30257:7
30170:3 30171:2,23	30273:16	30267:18 30297:4	reason 30189:6	30273:15 30280:2
30171:25 30172:1	quarters 30113:16	30302:10	30206:8 30218:7	30291:14 30300:7,13
30274:23 30277:2	queries 30179:9	raising 30181:1	30226:25 30237:2	referred 30158:10
30286:16,17	question 30119:10	30220:8,15	30241:20,20 30259:6	30162:16 30197:14
Prosecution 30212:16	30130:12 30131:25	Ramaphosa 30269:14	30259:8 30260:12	30228:8 30242:3
Prosecutions 30204:1	30137:10 30141:15	30269:20 30270:2	30262:12 30264:12	30249:10
30212:24 30281:2	30147:2,4 30149:5,10	30275:10	30303:10	referring 30157:14,18
	30147:2,4 30149:5,10 30150:14,18	30275:10 Randburg 30115:8	30303:10 reasonable 30284:3,6	referring 30157:14,18 30158:7 30177:21
30212:24 30281:2				-
30212:24 30281:2 prospect 30153:7	30150:14,18	Randburg 30115:8	reasonable 30284:3,6	30158:7 30177:21
30212:24 30281:2 prospect 30153:7 30194:8 30200:15	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18	Randburg 30115:8 30239:22 rands 30256:16	reasonable 30284:3,6 reasonably 30153:6	30158:7 30177:21 30185:7 30205:18,18
30212:24 30281:2 prospect 30153:7 30194:8 30200:15 30206:2	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18 30159:2 30160:4,19	Randburg 30115:8 30239:22	reasonable 30284:3,6 reasonably 30153:6 30213:14	30158:7 30177:21 30185:7 30205:18,18 refers 30127:23,24
30212:24 30281:2 prospect 30153:7 30194:8 30200:15 30206:2 Protea 30171:16 30172:7	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18 30159:2 30160:4,19 30160:20 30162:15	Randburg 30115:8 30239:22 rands 30256:16 range 30273:14,21 rank 30248:16	reasonable 30284:3,6 reasonably 30153:6 30213:14 reasons 30142:7 30187:11 30216:16	30158:7 30177:21 30185:7 30205:18,18 refers 30127:23,24 30174:5 30292:13 reflects 30176:3
30212:24 30281:2 prospect 30153:7 30194:8 30200:15 30206:2 Protea 30171:16	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18 30159:2 30160:4,19 30160:20 30162:15 30164:22 30171:1,7	Randburg 30115:8 30239:22 rands 30256:16 range 30273:14,21 rank 30248:16 rationale 30269:1	reasonable 30284:3,6 reasonably 30153:6 30213:14 reasons 30142:7 30187:11 30216:16 30216:18 30227:5,6	30158:7 30177:21 30185:7 30205:18,18 refers 30127:23,24 30174:5 30292:13 reflects 30176:3 reformulate 30150:14
30212:24 30281:2 prospect 30153:7 30194:8 30200:15 30206:2 Protea 30171:16 30172:7 protected 30153:15 30162:7	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18 30159:2 30160:4,19 30160:20 30162:15 30164:22 30171:1,7 30172:2,3 30173:14	Randburg 30115:8 30239:22 rands 30256:16 range 30273:14,21 rank 30248:16 rationale 30269:1 RDO 30194:4	reasonable 30284:3,6 reasonably 30153:6 30213:14 reasons 30142:7 30187:11 30216:16 30216:18 30227:5,6 30236:7,9,10	30158:7 30177:21 30185:7 30205:18,18 refers 30127:23,24 30174:5 30292:13 reflects 30176:3 reformulate 30150:14 30150:18
30212:24 30281:2 prospect 30153:7 30194:8 30200:15 30206:2 Protea 30171:16 30172:7 protected 30153:15 30162:7 protection 30215:20	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18 30159:2 30160:4,19 30160:20 30162:15 30164:22 30171:1,7 30172:2,3 30173:14 30173:14 30179:18	Randburg 30115:8 30239:22 rands 30256:16 range 30273:14,21 rank 30248:16 rationale 30269:1 RDO 30194:4 RDOs 30129:22	reasonable 30284:3,6 reasonably 30153:6 30213:14 reasons 30142:7 30187:11 30216:16 30216:18 30227:5,6 30236:7,9,10 30237:13,15	30158:7 30177:21 30185:7 30205:18,18 refers 30127:23,24 30174:5 30292:13 reflects 30176:3 reformulate 30150:14 30150:18 refused 30128:13
30212:24 30281:2 prospect 30153:7 30194:8 30200:15 30206:2 Protea 30171:16 30172:7 protected 30153:15 30162:7 protection 30215:20 protesters 30178:21,23	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18 30159:2 30160:4,19 30160:20 30162:15 30164:22 30171:1,7 30172:2,3 30173:14 30173:14 30179:18 30180:20,23 30184:1	Randburg 30115:8 30239:22 rands 30256:16 range 30273:14,21 rank 30248:16 rationale 30269:1 RDO 30194:4 RDOs 30129:22 30130:4,6,14,19	reasonable 30284:3,6 reasonably 30153:6 30213:14 reasons 30142:7 30187:11 30216:16 30216:18 30227:5,6 30236:7,9,10 30237:13,15 30239:19 30246:12	30158:7 30177:21 30185:7 30205:18,18 refers 30127:23,24 30174:5 30292:13 reflects 30176:3 reformulate 30150:14 30150:18 refused 30128:13 30129:23 30175:24
30212:24 30281:2 prospect 30153:7 30194:8 30200:15 30206:2 Protea 30171:16 30172:7 protected 30153:15 30162:7 protection 30215:20 protesters 30178:21,23 30179:4,21,22,24	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18 30159:2 30160:4,19 30160:20 30162:15 30164:22 30171:1,7 30172:2,3 30173:14 30173:14 30179:18 30180:20,23 30184:1 30185:9,21 30192:7	Randburg 30115:8 30239:22 rands 30256:16 range 30273:14,21 rank 30248:16 rationale 30269:1 RDO 30194:4 RDOs 30129:22 30130:4,6,14,19 30131:3,13,15	reasonable 30284:3,6 reasonably 30153:6 30213:14 reasons 30142:7 30187:11 30216:16 30216:18 30227:5,6 30236:7,9,10 30237:13,15 30239:19 30246:12 30252:3 30256:22	30158:7 30177:21 30185:7 30205:18,18 refers 30127:23,24 30174:5 30292:13 reflects 30176:3 reformulate 30150:14 30150:18 refused 30128:13 30129:23 30175:24 regard 30117:7
30212:24 30281:2 prospect 30153:7 30194:8 30200:15 30206:2 Protea 30171:16 30172:7 protected 30153:15 30162:7 protection 30215:20 protesters 30178:21,23 30179:4,21,22,24 30180:1,3 30203:2	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18 30159:2 30160:4,19 30160:20 30162:15 30164:22 30171:1,7 30172:2,3 30173:14 30173:14 30179:18 30180:20,23 30184:1 30185:9,21 30192:7 30195:3 30197:4	Randburg 30115:8 30239:22 rands 30256:16 range 30273:14,21 rank 30248:16 rationale 30269:1 RDO 30194:4 RDOs 30129:22 30130:4,6,14,19 30131:3,13,15 30175:23 30176:4	reasonable 30284:3,6 reasonably 30153:6 30213:14 reasons 30142:7 30187:11 30216:16 30216:18 30227:5,6 30236:7,9,10 30237:13,15 30239:19 30246:12 30252:3 30256:22 30259:2 30264:6	30158:7 30177:21 30185:7 30205:18,18 refers 30127:23,24 30174:5 30292:13 reflects 30176:3 reformulate 30150:14 30150:18 refused 30128:13 30129:23 30175:24 regard 30117:7 30121:10 30126:16
30212:24 30281:2 prospect 30153:7 30194:8 30200:15 30206:2 Protea 30171:16 30172:7 protected 30153:15 30162:7 protection 30215:20 protesters 30178:21,23 30179:4,21,22,24 30180:1,3 30203:2 prove 30124:11	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18 30159:2 30160:4,19 30160:20 30162:15 30164:22 30171:1,7 30172:2,3 30173:14 30173:14 30179:18 30180:20,23 30184:1 30185:9,21 30192:7 30195:3 30197:4 30203:18 30204:17	Randburg 30115:8 30239:22 rands 30256:16 range 30273:14,21 rank 30248:16 rationale 30269:1 RDO 30194:4 RDOs 30129:22 30130:4,6,14,19 30131:3,13,15 30175:23 30176:4 30198:19	reasonable 30284:3,6 reasonably 30153:6 30213:14 reasons 30142:7 30187:11 30216:16 30216:18 30227:5,6 30236:7,9,10 30237:13,15 30239:19 30246:12 30252:3 30256:22 30259:2 30264:6 reassuring 30245:8	30158:7 30177:21 30185:7 30205:18,18 refers 30127:23,24 30174:5 30292:13 reflects 30176:3 reformulate 30150:14 30150:18 refused 30128:13 30129:23 30175:24 regard 30117:7 30121:10 30126:16 30149:20 30150:3,7
30212:24 30281:2 prospect 30153:7 30194:8 30200:15 30206:2 Protea 30171:16 30172:7 protected 30153:15 30162:7 protection 30215:20 protesters 30178:21,23 30179:4,21,22,24 30180:1,3 30203:2 prove 30124:11 provide 30241:23	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18 30159:2 30160:4,19 30160:20 30162:15 30164:22 30171:1,7 30172:2,3 30173:14 30173:14 30179:18 30180:20,23 30184:1 30185:9,21 30192:7 30195:3 30197:4 30203:18 30204:17 30204:24 30206:22	Randburg 30115:8 30239:22 rands 30256:16 range 30273:14,21 rank 30248:16 rationale 30269:1 RDO 30194:4 RDOs 30129:22 30130:4,6,14,19 30131:3,13,15 30175:23 30176:4 30198:19 reach 30163:25	reasonable 30284:3,6 reasonably 30153:6 30213:14 reasons 30142:7 30187:11 30216:16 30216:18 30227:5,6 30236:7,9,10 30237:13,15 30239:19 30246:12 30252:3 30256:22 30259:2 30264:6 reassuring 30245:8 recall 30117:19	30158:7 30177:21 30185:7 30205:18,18 refers 30127:23,24 30174:5 30292:13 reflects 30176:3 reformulate 30150:14 30150:18 refused 30128:13 30129:23 30175:24 regard 30117:7 30121:10 30126:16 30149:20 30150:3,7 30155:12 30164:7
30212:24 30281:2 prospect 30153:7 30194:8 30200:15 30206:2 Protea 30171:16 30172:7 protected 30153:15 30162:7 protection 30215:20 protesters 30178:21,23 30179:4,21,22,24 30180:1,3 30203:2 prove 30124:11 provide 30241:23 30242:20	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18 30159:2 30160:4,19 30160:20 30162:15 30164:22 30171:1,7 30172:2,3 30173:14 30173:14 30179:18 30180:20,23 30184:1 30185:9,21 30192:7 30195:3 30197:4 30203:18 30204:17 30204:24 30206:22 30215:17 30217:16	Randburg 30115:8 30239:22 rands 30256:16 range 30273:14,21 rank 30248:16 rationale 30269:1 RDO 30194:4 RDOs 30129:22 30130:4,6,14,19 30131:3,13,15 30175:23 30176:4 30198:19 reach 30163:25 30165:22 30166:7	reasonable 30284:3,6 reasonably 30153:6 30213:14 reasons 30142:7 30187:11 30216:16 30216:18 30227:5,6 30236:7,9,10 30237:13,15 30239:19 30246:12 30252:3 30256:22 30259:2 30264:6 reassuring 30245:8 recall 30117:19 30118:7,8,9 30119:1	30158:7 30177:21 30185:7 30205:18,18 refers 30127:23,24 30174:5 30292:13 reflects 30176:3 reformulate 30150:14 30150:18 refused 30128:13 30129:23 30175:24 regard 30117:7 30121:10 30126:16 30149:20 30150:3,7 30155:12 30164:7 30200:5 30205:1
30212:24 30281:2 prospect 30153:7 30194:8 30200:15 30206:2 Protea 30171:16 30172:7 protected 30153:15 30162:7 protection 30215:20 protesters 30178:21,23 30179:4,21,22,24 30180:1,3 30203:2 prove 30124:11 provide 30241:23 30242:20 provided 30210:24	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18 30159:2 30160:4,19 30160:20 30162:15 30164:22 30171:1,7 30172:2,3 30173:14 30173:14 30179:18 30180:20,23 30184:1 30185:9,21 30192:7 30195:3 30197:4 30203:18 30204:17 30204:24 30206:22 30215:17 30217:16 30225:25 30226:7	Randburg 30115:8 30239:22 rands 30256:16 range 30273:14,21 rank 30248:16 rationale 30269:1 RDO 30194:4 RDOs 30129:22 30130:4,6,14,19 30131:3,13,15 30175:23 30176:4 30198:19 reach 30163:25 30165:22 30166:7 30243:12 30297:2	reasonable 30284:3,6 reasonably 30153:6 30213:14 reasons 30142:7 30187:11 30216:16 30216:18 30227:5,6 30236:7,9,10 30237:13,15 30239:19 30246:12 30252:3 30256:22 30259:2 30264:6 reassuring 30245:8 recall 30117:19 30118:7,8,9 30119:1 30120:22 30123:17	30158:7 30177:21 30185:7 30205:18,18 refers 30127:23,24 30174:5 30292:13 reflects 30176:3 reformulate 30150:14 30150:18 refused 30128:13 30129:23 30175:24 regard 30117:7 30121:10 30126:16 30149:20 30150:3,7 30155:12 30164:7 30200:5 30205:1 30220:5 30224:25
30212:24 30281:2 prospect 30153:7 30194:8 30200:15 30206:2 Protea 30171:16 30172:7 protected 30153:15 30162:7 protection 30215:20 protesters 30178:21,23 30179:4,21,22,24 30180:1,3 30203:2 prove 30124:11 provide 30241:23 30242:20 provided 30210:24 30214:3	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18 30159:2 30160:4,19 30160:20 30162:15 30164:22 30171:1,7 30172:2,3 30173:14 30173:14 30179:18 30180:20,23 30184:1 30185:9,21 30192:7 30195:3 30197:4 30203:18 30204:17 30204:24 30206:22 30215:17 30217:16 30225:25 30226:7 30227:13 30232:11	Randburg 30115:8 30239:22 rands 30256:16 range 30273:14,21 rank 30248:16 rationale 30269:1 RDO 30194:4 RDOs 30129:22 30130:4,6,14,19 30131:3,13,15 30175:23 30176:4 30198:19 reach 30163:25 30165:22 30166:7 30243:12 30297:2 reached 30138:20	reasonable 30284:3,6 reasonably 30153:6 30213:14 reasons 30142:7 30187:11 30216:16 30216:18 30227:5,6 30236:7,9,10 30237:13,15 30239:19 30246:12 30252:3 30256:22 30259:2 30264:6 reassuring 30245:8 recall 30117:19 30118:7,8,9 30119:1 30120:22 30123:17 30123:19 30126:4	30158:7 30177:21 30185:7 30205:18,18 refers 30127:23,24 30174:5 30292:13 reflects 30176:3 reformulate 30150:14 30150:18 refused 30128:13 30129:23 30175:24 regard 30117:7 30121:10 30126:16 30149:20 30150:3,7 30155:12 30164:7 30200:5 30224:25 30237:2 30239:2
30212:24 30281:2 prospect 30153:7 30194:8 30200:15 30206:2 Protea 30171:16 30172:7 protected 30153:15 30162:7 protection 30215:20 protesters 30178:21,23 30179:4,21,22,24 30180:1,3 30203:2 prove 30124:11 provide 30241:23 30242:20 provided 30210:24	30150:14,18 30157:12,12 30158:2 30158:3,7,9,18,18 30159:2 30160:4,19 30160:20 30162:15 30164:22 30171:1,7 30172:2,3 30173:14 30173:14 30179:18 30180:20,23 30184:1 30185:9,21 30192:7 30195:3 30197:4 30203:18 30204:17 30204:24 30206:22 30215:17 30217:16 30225:25 30226:7 30227:13 30232:11 30232:18 30233:17	Randburg 30115:8 30239:22 rands 30256:16 range 30273:14,21 rank 30248:16 rationale 30269:1 RDO 30194:4 RDOs 30129:22 30130:4,6,14,19 30131:3,13,15 30175:23 30176:4 30198:19 reach 30163:25 30165:22 30166:7 30243:12 30297:2	reasonable 30284:3,6 reasonably 30153:6 30213:14 reasons 30142:7 30187:11 30216:16 30216:18 30227:5,6 30236:7,9,10 30237:13,15 30239:19 30246:12 30252:3 30256:22 30259:2 30264:6 reassuring 30245:8 recall 30117:19 30118:7,8,9 30119:1 30120:22 30123:17	30158:7 30177:21 30185:7 30205:18,18 refers 30127:23,24 30174:5 30292:13 reflects 30176:3 reformulate 30150:14 30150:18 refused 30128:13 30129:23 30175:24 regard 30117:7 30121:10 30126:16 30149:20 30150:3,7 30155:12 30164:7 30200:5 30225:1 30220:5 30224:25

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

30274:14 30299:17 remember 301721 30176:23 20159:22 30136:33 201522 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:22 30136:33 20163:23 30137:13 2021:22 30211:23 2021:22 30211:23 2021:22 30213:23 2025:23 30216:13 30163:15:33 30125:13 20163:33 2015:23 30121:13 2021:22 30136:33 20163:33 20163:33 20163:13 20164:13 30125:13 20163:33 20163:33 20164:13 2022:12 30126:12 30106:18 30126:12 30106:18 30126:12 30106:18 30126:12 30106:18 30126:12 30106:18 30126:12 30166:18 30126:12 30163:18 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12 30163:13 30126:12					Page 1
30289:20 30184:20 3008:11 30291:42 30281:4 301971:92.1 regreing 30151:7 30222:7 30228:23 requesting 30187:9 requesting 30187:9 301971:92.1 301971:92.1 301971:92.1 301971:92.1 301971:92.1 301971:92.1 301971:92.1 30171:4 301971:92.1 30171:4 30291:2 30171:4	30274:14 30289:17	remember 30117:21		30176:25 30253:22	30139:6,14,17,22,23
regime 30261:3 30218:19:30219:12 30291:12 restricted 30170:19 30271:14 reiterate 30261:3 30248:16:3028:20 requisets 3018:29 requiset 3013:75 30271:14 roit 3013:10 30271:14 roit 3013:10 30271:14 roit 3013:10 30271:14 roit 3013:10 30212:32:322:32 30299:33 30212:32:322:32:32:322:33 30212:32:32:32:32:32:32:32:32:32:32:32:32:32	regarded 30113:15	30126:4,5 30170:1,23	30197:19 30198:2,19	rest 30128:5,14	30156:3 30163:2,8
regreting 30151:7 regiter 30122:7 regiter 30124:2 regiter 30124:2 s0229:8 30230:21 30280:1 rediter 3017:3 30230:21 30280:1 rediter 3017:3 30230:21 30280:1 30123:13 3013:6 30242:1 30230:21 30280:1 30123:13 3013:6 30242:1 30230:21 30280:1 30123:13 30123:12 30211:2 30230:21 30280:1 30123:13 30123:12 30211:2 30230:21 30280:1 30123:12 30211:2 30230:21 30280:1 30123:12 30211:2 30230:21 30280:1 30123:12 30211:2 30123:12 30211:2 30123:12 30211:2 30123:12 30211:2 30123:12 30211:2 30123:12 30211:2 30123:12 30224:1 30129:2 30123:12 30224:1 30129:2 30123:12 30224:1 30129:2 30139:2 30129:2 30139:2 30129:2 30139:2 30129:2 30139:2 30129:2 30141:12 30164:1 30166:1 3017:3 30164:1 30166:1 3017:3 30164:1 30166:1 3017:3 30164:1 30166:1 3017:3 30164:1 30166:1 3017:3 30164:1 3017:3 30164:1 3017:3 3017:3 3017:3 30164:1 30166:1 3017:3 3017	30259:20	30184:20 30208:11	30204:6 30263:10		30165:14,17,18,24
reitereite 2020:1-16 reject 2022:12 reject 2022:12 repeter 20155:13.16 repeter 20155:13 2012:12	5	30218:19 30219:12			
rejete 20262:23 30299/8 require 3012:10 resulted 30130:6 30213:13 30113:4 30113:4 30113:4 30113:4 30113:4 30113:4 30113:4 30113:4 30113:4 30123:12 30113:4 30123:12 3013:13 3016:12 3016:12 3016:12 3016:12 3016:12 3016:12 3016:12 3016:12 3016:12 3016:12 3016:12 3016:12 3016:12 3016:12 3016:12 3016:12 3013:12 30113:13 3018:13 3016:12 3013:12 30113:13 3013:12 3013:12 3013:12 3013:12 3013:12 3013:12 3013:12 3013:12 3013:12		30222:7 30228:23			
rejected 30155:13.16 relate 30155:13.16 relate 30125:8 30121:2 30126:12 3029:12 30126:12 3029:12 30126:12 30190:2 30126:12 30100:2 30126:12 30100:2 30166:18 30164:19 30163:12 30166:18 30164:19 30163:12 30166:18 30164:19 30166:18 30165:1 30126:1 30126:1 30166:13 30256:5 30230:2 30176:2 30192:1 30130:2 reservation 30227:2 30192:1 30127:1 30130:2 reservation 30227:3 reservation 20227:1 reservation 20227:1 reservation 20227:1 reservation 20227:1 reservation 20227:1 reservation 20227:1 reservation 20227:1 reservation 20227:1				30257:14,15,16,25	
relate S019.1 30123:13 30153:23 30211:2 30241:23 resultis 30157:33 30074:2 30238:19 90230:21 30280:1 30163:16 3024:21 30281:2 30296:17 30188:22 30274:21 relates 3019.18 30155:11 30126:15 3024:10 soutis 30157:30 30129:18 30213:14 30199:18 3016:12 3016:12 3016:12 3016:12 3016:12 30211:13 3023:14 30199:18 3023:14 30199:13 3016:12 3016:12 3016:12 3016:12 3025:11 3023:14 30199:13 3016:12 3016:12 3016:12 3025:11 3023:14 30199:13 3016:12 3016:12 3016:12 3016:12 3016:12 3016:12 3016:12 3016:13 3016:12 3016:12 3016:13 3012:65 3023:02:5 resumet 3022:12 resumet 3022:12 resumet 3022:12.14 relation 3012:6 3003:13 rule 3003:12 3024:13 3022:12 3022:12 3016:13 3002:12,14:17 30170:4 3018:8 3023:12 3026:14 3026:25 reserver 3012:14 reserver 302:02:14 retained 306:12 00:02:14:17 30170:4 3018:8 3023:12 3024:13 3022:12 resum 3016:12 3003:13 3	0		-		
a) 2023:02:13:02:00:1 30163:16:3024:10 30282:12:30296:17 results 30157:5 30274:21 related 3013:18:12 remined 3017:15 30126:12:30190:23 resume 3016:18 roughly 30273:16 30192:24:3025:18 remined 3017:5 30126:12:30190:23 resume 3012:2 roughly 30273:16 30280:13 a0126:12:30190:23 30199:83 resume 3012:2 Rover 3026:12 30280:13 3016:13:8017:7 roughly 30273:16 roughly 30273:16 30280:13 3016:13:8017:5 30213:15:30224:10 resumes 3012:2 Rover 3026:52 3016:13:3012:0:17 3016:13:3016:1 3026:13:0016:18 requirement 30203:21 3028:13:0192:14 retains 3012:2 roughly 3022:12.12:3 roughly 3022:12.12:3 roughly 3022:12.12:3 roughly 3022:12.12:3 roughly 3022:12.12:3 roughly 3022:12.12:3 roughly 3022:12.12:11:13 3018:12:17:13 roughly 3022:12.12:11:13 reserved 3020:12 roughly 3022:12:12:12:11:13 roughly 3022:12:12:12:12:11:13 roughly 3022:12:12:12:12:12:12:12:12:12:12:12:12:1	0				
relates 30138:12 reminded 30117:13 required 30112:9 30188:22 roum6 30028:10 30129:24 30228:8 souther 3028:15 30120:18 30213:14 souther 3028:15 souther 3028:12 relation 3011:27 relation 3011:27 relation 3021:23 souther 3028:12 souther 3028:12 souther 3028:12 souther 3028:12 souther 3028:12 souther 3028:12 relation 3028:123 souther 3028:12 relation 3028:				8	· · · · · · · · · · · · · · · · · · ·
relates 301918 30125:1 30126:12 30190:23 resume 30166:18 round 30218:19 30129:24 2025.8 remotely 3028:15 30213:15 30224:10 resumes 3012:2. RoUX 30205:12 30280:3 remotely 3028:15 30230:15 30224:10 resumes 3012:2. Roure 3026:52 30166:18 30173.7 repair fement 30203:21 30199:2 3024:13 30199:2 3024:13 30189:2 3025:12 30161:23 3016:11 30155:13 016:14 30155:13 016:14 30225:21 resumption 3021:2.7 reserve 3020:12.14 reserve 3020:12 reserve 3020:12 3038:13 00:12.7 reserve 3020:12.14 reserve 3020:12 3038:13 00:12.7 reserve 3020:12 3038:13 00:12.7 reserve 3020:12 reserve 3020:12 reserve 3020:12 reserve 3020:12 3038:13 00:12.7 reserve 3020:12 re					
3019:2:24 3022:5: 30274:11 reminding 3023:7: 30210:18 30213:14 30199:8 ROUX 30202:1 3028:5: 30274:11 remineration 3012:6: 3023:15 30224:10 30163:12: 3023:12 30163:12: 30163:12 30163:12: 30163:12 30163:12: 30163:12: 30173:7 reguirement 3003:22: 30199:1: 3018:12: 3018:13: 30163:12 3018:12: 17: 3018:13: 30163:12 3018:12: 17: 3018:13: 30163:12 3018:12: 17: 3018:13: 30163:12 3018:12: 17: 3018:13: 3022: 12: 12: 12: 3022: 12: 12: 12: 3022: 12: 12: 12: 3018:13: 3019: 22: 12: 3019: 12: 15: 3014:13: 1019: 22: 11: 23: 3022: 12: 12: 12: 3022: 12: 12: 12: 3022: 12: 12: 3022: 12: 12: 3022: 12: 12: 3022: 12: 12: 3022: 12: 12: 3022: 12: 12: 3022: 12: 12: 3022: 12: 12: 3022: 12: 12: 3019: 3022: 12: 12: 3022: 12: 12: 3019: 3019: 22: 12: 3022: 12: 12: 3019: 3019: 22: 12: 3019: 3019: 22: 12: 3019: 3019: 22: 12: 3019: 3019: 22: 12: 3019: 3019: 22: 12: 3019: 3019: 22: 12: 3019: 3019: 22: 12: 3019: 3019: 22: 12: 3019: 3019: 22: 12: 3019: 3019: 22: 12: 3019: 3019: 22: 12: 3019: 3019: 23: 3019: 2			-		
30228:5 30274:11 remotely 30281:15 30224:10 resumes 301228:16 30241:8 30280:3 remmeration 3012:65 30300:1 30164:19 30164:19 30164:19 30164:19 30164:19 30164:19 30164:19 30164:19 3018:15 30167:15 30192:12:01:12:2 30192:12:01:12:2 30192:12:01:12:2 30192:12:01:12:2 30192:12:01:12:2 30192:12:01:12:2 30192:12:01:12:2 30192:12:01:12:2 30192:12:01:12:2 30192:12:02:12:3:01:12:15 reture 3015:2:1 3018:12:11:12:15 reture 3012:12:12:3:01:12:15 reture 3012:12:12:3:01:12:12:12:12:3:01:12:12:3:01:12:12:12:12:12:12:3:01:12:12:12:12:12:12:12:12:12:12:12:12:12					
30280:3 renumeration 3012:65 3025016 30256:21 resumes 30112:2 rower 30265:22 30166:18 30177:3 repart 30137:9 30166:12 30109:1 rouber 3016:22 30189:2 30141:13,14 30161:22 3016:11 30158:18 30169:17 requirement 30023:21 30288:20 rules 30208:13 30161:22 3016:11 30185:17 30195:3 30215:27 restam 3012:42 retuined 30261:20 rules 30208:13 30161:22 3016:12 30185:17 30126:57 reserved 30264:23 reture 3016:46:40 30232:12 30103:22 30122:12 30222:12,123 30122:12 30223:12 30129:12 30223:12 30208:13 rules 3021:57 30222:12 3023:12 30129:12 30220:12 30223:12 30129:12 30220:12 30220:12 30220:12 30220:12 30220:12 30220:12 30220:12 30220:12 30129:12 30226:12 30226:12 3016:12 rules 3021:13 rules 3021:14 rules 3021:14 rules 3021:15 3018:12 30120:12 rules 3020:12					
relating 30163:18 30164:19 30300:1 30300:1 30166:22.23 30199:1 robust 30170:16 3016:18 3016:12 3018:18 3016:16 requirement 30203:21 30199:23 2014113.14 70180:12.15 3016:13 3012:17 3018:18 3016:16 30225:21 resumption 30113:7 rule 3020:12.14.17 3016:13 3012:24 30235:12 3026:51 resert 3022:22.27 restan 3012:24 30232:12.33 3022:12.33 30170:43 0165:1 30235:12 3026:17 resert 3022:42.27 restan 3012:24 ruling 3022:12.13.25 3027:44:17 30278:7 30194:25 resert 302:42.3 restan 3012:24 ruling 3022:12.3 3027:18,21 3028:12 30253:5 30267:2.57 resource 3012:71.3 resista 3013:12 rule 30230:12 3028:12,31,01.3 repl* 30257:2.3 resource 3020:17 30184:6.3018:2 ruling 3022:12 3029:113 3009:50 30253:5 30267:2.57 resource 3021:71 resource 3021:71 resigning 3018:2.4 ruling 3022:12 3029:123 3029:75 3029:123 3029:72 3029:72.3 resource 3021:71 resource 3021:71 ruling 3022:12 3029:13 3019:62.4 respect 30125.7 resour					
30167:18 3017:3 repart 3017:9 requirement 30203:22 30199:2 30241:14 30180:1,2,17 30233:14 30149:13,15 30158:6 requirements 30203:21 3038:20 relation 30112.7 role 3029:12,15 30113:7 30120:17 30185:17 30195:3 30225:21 resumption 30113.7 relation 30129:24 30223:12,330221:23 30170:4 30188:8 30233:12 3026:4:17 reservation 30227:23 retimed 3026:120 30222:11,23 30245:12,330165:1 30235:12 3026:5 reserved 30264:23 retimed 3026:120 30222:12 30279:18,13 03219:7 role size and si					
3023:14 relation 30112:8 30113:7 30120:17 30165:1 50149:13,15 30188:6 30225:21 30170:4 30188:8 30225:21 30225:21 30170:4 30188:8 30170:4 30188:8 30170:4 30188:8 30170:4 30188:8 30170:4 30188:8 30170:4 30188:8 30170:4 30188:8 30170:4 30188:8 30225:21 30170:4 30188:8 30225:21 30170:4 30188:8 30170:4 30188:8 30170:4 30188:8 30225:21 reservation 30227:23 reservation 30225:22 reservation 30225:21 reservation 30225:23 reservation 30225:23 reservation 30225:21 reservation 30225:21 reservation 30225:23 reservation 3025:43 reservation 3025:43 reservation 3025:43 reservation 3025:43 reservation 3025:43 reservation 30155:43 reservation 30155:43					
relation 30112.8 30158:18 30169:17 requires 30146:18 resumption 30113:7 rule 30208:13 301137 30120:17 30158:17 30195:3 30225:21 reserv 30129:24 30130:3 30203:21,23 30123:3 301704 40188.8 30235:12 30264:17 reserva10329:22 reserve30129:14 30203:21,23 3022:14,18 30245:13 3029:22 repatida 30165:15 reserve30129:14 reserve30129:14 rum 30153:22 rum 30180:7, 3022:12 30279:18,21 30281:9 repatida 30267:25, 7 resit 30156:4 30163:3 reverus 30246:1 30270:12 30285:10,225 30255:9 30267:25, 7 resources 3012:17 ruise 30188:4 30201:4 3019:122 30285:10,225 30297:12 resoef 30125:7 resources 3012:17 ruise 3018:32 301328:4 3019:22 30297:5 30297:12 resoef 30125:7 resources 3012:17 ruise 3018:4 3021:1 30120:2 3021:12 30281:5 3019:22 3013:6 3019:15 30113:20 3013:12 301328:20 30297:5 30297:23 resource 3012:17 ruise 3018:4 3021:4 Ruise 3020:4:12 30292:13 30219:13 <t< td=""><td></td><td></td><td></td><td></td><td></td></t<>					
301137 30120:17 3016123 30165:1 30265 302302:12 30170:4 30188:8 30233:12 30265 30229:22 30276:14 30241:6 30245:5 repeated 3016:25 reserve 30129:14 reserve 3029:21 reserve 3029:14 reserve 3029:21 reserve 3029:21 reserve 3029:21 reserve 3029:21 reserve 3029:22 reservation 3029:22 reservation 3029:22 reservation 3029:22 reservation 3029:22 reservation 3029:22 reserve 3028:12 30276:14 reserve 30264:12 reserve 30264:13 reserve 30264:14 reserve 30264:14 reserve 30264:14 reserve 30264:15 reserve 30274:23 reserve 302744:24 reserve 30274:23 reserve 30274:23 reserve 30274:24 reserv					
30161:23 30165:1 30226:5 30230:25 reserv 3029:22 30130:3 302021:12.3 30222:12.3 30222:12.3 30222:12.3 30222:12.3 30222:12.3 30222:12.3 30222:12.3 30222:12.3 30222:12.3 30222:12.3 3026:22.17 reshead 3026:12 rreshead 3026:12 rreshea			-		
301704 30188:8 3023312 30264:17 reserve 30129:12 retained 30261:20 302221:12.3 301931:1 30198:2.19 30297:6 repeated 30216:25 reserve 30129:14 retarospect 30163:6 30304:18 30274:14,17 30278:7 30194:25 resigning 30128:3 30197:23 30192:21 302621:2,32,10.13 30207:14 3027:14:17 302621:2,32,10.13 30297:6 reserved 30264:23 revert 30128:1 3027:14:17 302621:2,32,10.13 3027:12 reserved 30267:3 30197:23 revert 30128:1 revert 30128:1 revert 30289:12 running 30222:12 runsh 30191:22 runsh 30191:23 3013:12 <t< td=""><td></td><td></td><td></td><td></td><td></td></t<>					
30193:11 30198:2.19 30297:6 reserve 30129:14 retrospect 30164:5 30304:16 30241:6 30243:5 repeated 30216:25 resigning 30128:3 retrospect 30164:25 roum 30130:22 30279:18,21 30281:9 30194:25 30197:23 revise 30163:37 Revenue 30240:1 30260:22 30261:4 30279:18,21 30281:9 30253:9 30267:25,7 resolution 30147:23 revise 30163:12 risk 430221:1 3029:113 30293:9 30254:5 30289:6 30290:18 30297:12 repet 30125.7 right 30188:4 30201:1 runing 30226:9 30171:8 3024:2 report 30183:21 30173:25 30186:15 30114:12 30113:25 301320 30131:2 30133:12 30171:8 3024:2 30185:21 30169:4,6 30199:11 3019:13 3015:22 30133:12 30133:12 30133:12 30171:8 3024:42 report 30183:21 30173:25 30186:9.10 30199:11 30204:23 30162:1 30163:13 30132:23 30100:23 3024:51 30187:7 30184:09,16 30199:11 30204:23 30162:1 30163:13 30132:13 30100:23 3024:51 30187:7 30184:09,16 30199:11 30204:23 30162:1 30163:13 30134:14 30190:122:103023:11					· · · · · · · · · · · · · · · · · · ·
30241:6 30243:6 repeating 30186:5,7 30180:5,7 3019:2,1 30305:6,7 30215:7 30305:6,7 30215:7 30305:6,7 30221:7 30260:2,2 30274:1,4,17 3028:7 speciating 30180:5,7 30215:7 30205:1,2 30274:1,4,17 30274:1,3 30274:1,4,17 30274:1,4,17 3028:7,2,3,10,1,3 3026:5,30297:5 30280:7,2,3,7 resource 30127:1,3 resource 30127:1,3 resource 30127:1,3 resource 30127:1,3 resource 30127:1,3 running 3022:1,2 rush 30191:2,2 rush 30191:2,2 rush 30191:2,3 3013:1,2<					· · · · · · · · · · · · · · · · · · ·
30258:6 30259:22 repeating 30158:5 resigning 30128:3 30192:21 30260:22 30261:4 30279:14,17 30278:7 30194:25 resigning 30128:3 revert 30289:8 running 3022:12 30285:10.25 30253:9 30257:2,57 reguti 30147:23 revert 30183:4 30201:12 30291:13 30293:9 30253:9 30267:2,57 reguti 30113:25 resource 30201:17 30220:15 s0230:12 30291:13 30293:9 30297:22 30299:9 30145:15 30148:4 30119:12 3013:12 s0238:4 30171:8 30274:2 report 30183:21 30173:25 3018:15 30131:20 3013:12 30138:3 2012:13 relatively 30295:4,5 30184:5,18 30187:6 30191:13 3016:13 30165:13 3013:12 30138:3 30194:6 relatively 302245:11 3018:15,18 30187:6 30191:13 3016:13 30165:12 3016:15 30136:12 3016:13 302024:15,17 report 3018:21 3012:02 3022:15 3016:12 3016:12 30136:21 3016:12 30202:11 302:12 3018:12 3022:15 30222:15 30165:1 30136:13 3019:21 3019:13 3018:12 3016:13 3016:12 3016:13 3016:12 30136:13 3016:12 <td< td=""><td></td><td></td><td></td><td></td><td></td></td<>					
30274:14,17 30278:7 30194:25 resit 30156:4 30163:3 Revenue 3029.8: ruming 30220:12 30282:1,2,3,10,13 30286:5 30297.5 30280:1,2,3,10,13 30270:12 rush 30201.4 rush 30201.4 30291:1 30285:1,0,25 30286:5 30297.6 resources 30127:13 resources 30127:13 resources 30127:13 rush 30191:22 rush 30191:22 rush 30191:23 rush 30191:23 30238:4 rush 20320:12 rush 20320:1					-
30279:18.21 30281:9 replis 30267:3 30197:23 revert 30280:8: running 30222:12 30282:1,2,3,10,13 30253:9 30253:9 30253:9 30253:9 30253:9 30297:12 resource 30201:17 3020:15 rushed 30230:12 30291:13 30391:2 30290:18 30297:12 3020:15 30125:25 30125:25 30125:25 30125:25 30125:25 30125:25 30125:25 30125:25 30125:20 30125:25 30125:20 30125:25 30125:20 3013:12 30130:20 30120:2 3016:2:1 3016:2:1 3016:2:1 3016:2:1 3016:2:1 30120:2 30120:2:1 3020:2:1 3020:2:1 3020:2:1 3020:2:1 3020:2:1 30120:2:3 3016:1 30120:2:1 30120:1 30120:1					
30282:1,2,3,10,13 repty 30252:14,18 resource 30127:13 revise 30163:12 rush 30191:22 30285:10,25 30253:9 30267:25,7 resource 30127:13 resource 30127:13 resource 30127:13 rush 30191:22 rush 30201:12 30297:5 30297:5 30290:18 30297:12 resport 30125:7 rsport 30127:12 rush 30191:12 30121:19 Rt 30154:25 30171:8 30274:2 report 30183:21 30150:8 30151:25 30125:20 30131:18 Rt 2 3017:21 30119:3 30171:8 30274:2 rotsh 50,16 30184:16 30188:2 30125:20 30131:18 Rt 2 3017:21 30119:3 30121:15 30184:15,17 rotsh 50,16 30191:13 30196:13 30157:2 Rt 30 30155:2 relaving 30122:16 30187:7 30189:5 30210:23 30219:19 30164:21 30165:1,5 Rt 30 30155:2 30290:13 30194:11 30210:23 0249:13 30194:13 30196:1,15 Rt 30 30155:1 Soccess 3029:1 3030:21,23 30029:11 30194:12 30271:24 30228:13 30234:10 3018:21 30166:1,5 Rt 30 30155:1 30290:11,30209:13 30194:12 30271:24 30228:13 30239:14 30165:12 30264:24 30227:13 30165:1 30109:11					
30285:10.25 30285:239-30267:2,57 resource 30127:13 rider 30188:4 30201:4 rushed 30230:12 30291:13 30293:9 30286:5 30289:6 Resources 30201:17 30202:15 Rustenburg 30226:9 30297:22 30299:9 30145:15 30148:4 30113:25 30125:20 3013:12 30125:20 3013:12 30125:20 3013:12 30125:20 3013:12 30125:20 3013:12 30120:2 30121:3,5 relativel 30295:4.5 30186:5,16 30186:9,10 30191:13 3016:4.16 30187:12 30153:13 30138:3 30194:6 Rts 30162:1 30120:2 30121:3,5 relativel 30295:4.5 30186:5,18 3018:6: 30191:13 30196:13 30162:1 30163:13 R500 30155:2 relativel 30230:12 30186:15,18 3018:76 30191:13 3023:24 30162:1 30163:13 R500 30155:1 30290:13 30218:20 30221:25 30226:15 30183:4 30186:10,12 S750 30154:14 R500 30155:1 30290:13 30218:21 30121:13 30126:21 30175:2 R500 30155:1 S0255:13 30227:13 S0255:13 30227:13 S0255:13 30227:13 S0255:13 30227:13 S0275:1 S0267:13 30164:14 30290:12,33 3028:12 30194:11,13 respectfull 30020:15 30225:13 30227:14 30275:13 30275:13 30227:14 3027	-				0
30291:13 30286:5 30297:5 30290:18 30290:17 30202:15 Restending 3028:9 30297:5 30290:18 30290:12 respect 30125:7 right 30113:25 R1 30154:25 30238:4 relations 30198:9 30297:12 30290:12 30171:8 30171:8 30171:8 30117:23 30121:23 30122:3013:12 30122:3013:12 30122:3012:3.5 relative 30221:17 30184:69,16 30184:16 30184:16 30188:2 30122:3013:12 30122:3023:12 30122:30280:22 relaying 30122:11 30125:16 30187:7 30189:5 30210:23 30221:25 3016:21 3016:21 3016:21 3016:21 3016:21 800 3015:2 relaying 30125:11 reported 3013:010 30228:13 3023:23 3023:21 3023:21 800 3015:1 800 3015:1 30302:12.3 30194:12 30123:1 3016:1 800 8016:1 5 860 3015:1 800 8016:1 5 860 3012:1 8016:1 5 30136:1 <t< td=""><td></td><td></td><td></td><td></td><td></td></t<>					
30297:5 30290:18 30297:2 respect 30125:7 right 30113:25 30238:4 relations 30198:9 30297:22 30299:9 30145:15 30148:4 30112:2011210 R1 30154:25 30171:8 30274:2 report 30183:21 30173:25 30180:15 30112:20 3013:12 30120:2 30121:35 relatively 30295:4,5 30185:25 30186:9,10 30191:13 30196:13 30150:2 30160:4 R200 30280:22 relevant 30125:16 30187:6 30189:5 30120:2 30221:2 30165:2,5 R500 30155:2 30190:23 30245:11 30210:3 30218:20 30221:25 30226:15 30165:24 30166:1,5 800 30155:1 30209:15 30190:13 30231:20 30221:23 30224:10 30121:23 30224:12 30235:15 30237:14 30301:21,23 30194:12 30271:24 30284:18 30192:13 30196:2,19 sacrificing 30282:17 30209:11 30229:13 30194:12 30271:24 30284:18 30237:20 30245:14 sacryssica 30275:1 30230:21 30030:1,10 represent 30135:24 30207:18,25 30237:20 30245:24 30275:1 30239:23 3028:11 30212:12 3024:13 30164:12 30303:12,19,21 30235:13 30267:7,7 safety 30186:8					
relations 30198:9 30297:22 30299:9 30145:15 30148:4 30119:12 30121:19 R1 30154:25 relationship 30169:4,6 30301:8 30150:8 30151:25 30131:20 3013:12 30120:2 30131:12 30120:2 30131:12 30120:2 30131:12 30120:2 30131:12 30120:2 30121:3.5 relative 30221:17 30184:6,9,16 30184:16 30188:2 30142:13 3016:13 30162:1 3016:13 30162:1 3016:13 30162:1 3016:13 30162:1 3016:15:12 relaving 30122:21 30184:15,18 30187:7 30189:5 30210:23 30219:19 30164:21 30165:12 30165:1 30165:12 30165:1 30165:12 30296:11,14 30181:20,21 30227:23 30248:10 30184:4 30166:1,5 30183:4 30186:10,12 scrifticing 30282:17 30301:21,23 30196:11 30207:124 30284:18 30227:13 30224:10 30235:15 30237:14 30275:13 30209:15 30196:11,13 represt 3019:217 respectfully 30203:15 30235:15 30237:14 30227:13 302275:13 30209:13 30196:11 302016:24 30206:13 30209:13 30226:13 30227:7,7 30184:6 30136:18 30151:25 23 0157:7 30184:18 30151:25 23 0157:7,7 30146:18 30201:16,20 <td></td> <td></td> <td></td> <td></td> <td>0</td>					0
relationship 30169:4,6 30301:8 30150:8 30151:25 30125:20 30131:18 R12 30117:21 30119:3 30171:8 30274:2 report 30183:21 30173:25 30180:15 30131:20 3013:12 30125:20 3013:12 30125:20 3013:12 30125:20 3013:12 30125:20 3013:12 30125:20 3013:12 30125:20 3013:12 30125:20 3013:12 30125:20 3013:12 30125:20 3013:12 30125:20 3013:12 30138:20 3013:22 30183:21 30138:20 3013:20 30125:20 3013:12 30138:20 3028:12 30138:20 3028:12 30138:20 3021:23 30221:21 30165:21 30165:2.4 R500 30155:1 30281:15,17 report 30130:10 30228:13 3023:24 30183:4 30186:10,12 30228:13 30183:4 30186:10,12 sacrosanct 30274:13 30300:11,4 30309:11,30209:15 30235:15 30237:14 30229:13 3022:21 30228:15 30235:15 30237:14 30275:1 30259:13 30249:7 30206:24 30209:11 30210:5,8 30255:11 30257:1 30165:1 3018:8 30165:1 30259:23 30285:11 30136:8,10 30140:8 30209:11 30210:5,8 30255:11 30267:7,7 salaries 30165:1 30259:23 3028:11 30165:12 30264:2 30208:13,33 3015:22,52 30157:6					
30171:8 30274:2 report 30183:21 30173:25 30180:15 30131:20 3013:12 30120:2 30121:3,5 relatively 30221:17 30184:6,9,16 30184:16 30188:2 30114:2:1 30165:13 30131:20 30160:4 R200 30280:22 relatively 3022:21 30186:15,18 30187:6 30199:11 30204:23 30162:1 30163:13 R500 30155:2 relatively 30245:11 30210:23 30219:19 30165:12 30166:15, 5 R500 30155:2 30281:15,17 reported 30130:10 30228:1,3 30233:24 30169:21 30166:12, 5 R500 30155:1 30302:12 30303:1,10 reports 30192:17 respectfully 30203:15 30237:23 30284:10 30183:4 30186:10, 2 sacrificing 30282:17 30250:11 30259:13 30196:11,13 represent 30135:24 30208:15,18 30237:23 30245:24 30237:23 30245:11 30187:11 30250:11 30259:13 3016:12 30164:12 30237:13 30237:7 salery 30164:18 30217:17 representation 30302:13,23 30131:2 0,3014:13 3017:17 salary 30164:18 30217:17 subary 3016:12 30266:24 30201:1,30221:3,33 30187:11 salary 30164:18 3017:17 salary 30164:18					
relative 30221:17 30184:6,9,16 30184:16 30188:2 30142:21 30153:13 30138:3 30194:6 relaying 30122:21 30185:25 30186:9,10 30191:13 30196:13 30162:23 30162:23 R200 30280:22 relaying 30122:21 30187:7 30189:5 30210:23 30219:19 30164:21 30163:15 R500 30155:2 30281:15,17 reported 30130:10 30227:23 30224:13 30183:4 30186:0,12 R500 30155:1 303031:21,23 30194:12 30271:24 30284:10 30183:4 30186:10,12 sacrificing 30282:17 30302:13 30303:1,10 reports 30192:17 respect 30253:12 30127:13 30196:2,19 sacrificing 30282:17 30130:21:3 30303:1,10 reports 30192:17 respect 30253:12 30227:13 301252:1 sacrificing 30282:17 30130:21:4 30249:7 30206:24 30207:18,25 30235:15 30237:14 3017:17 salares 30135:2 30217:1,12 30218:11 30214:7 30224:9 30286:8 30293:14 3017:17 30210:16,20 30193:8,8 30304:3 30151:25,25 30157:6 30199:11,17,18,19 30211:24 30249:3 301312,19,21 30136:12 30264:12 3023249:3 30164:12 <th< td=""><td>-</td><td></td><td></td><td></td><td></td></th<>	-				
relatively 30295:4,5 30185:25 30186:9,10 30191:13 30196:13 30157:20 30160:4 R200 30280:22 relevant 30122:21 30186:15,18 30187:6 30199:11 30204:23 30162:1 30163:13 R750 30155:2 30190:23 30245:11 30210:3 30218:20 30221:25 30226:15 30165:24 30166:1,5 R750 30154:14 30231:15,17 reported 30130:10 30228:1,3 30233:24 30169:21 30175:2 sacrificing 30282:17 30301:21,23 30194:12 30271:24 30284:18 30192:13 30196:2,19 sacrificing 30282:17 30302:21 30303:1,10 reports 30192:17 respectfully 30203:15 30235:15 30237:14 30275:1 reliance 3029:15 30206:24 30207:18,25 30225:19 30257:1 sacrificing 30282:17 30250:13 30249:13 30206:24 30207:18,25 30225:11 30267:7,7 salares 30165:1 30125:21 30242:25 30217:1,12 30218:11 30214:7 30224:9 30286:8 30293:14 3017:11 30202:13 202 030209:9 3014:16 30164:12 30302:13 2010:5,8 30164:12 3017:17.18 30217:1,12 30248:13 30132:12,92 30183:13 30264:13 3017:17.18 302024:13 30164:1					
relaying 30122:21 30186:15,18 30187:6 30199:11 30204:23 30162:1 30163:13 R500 30155:2 relevant 30125:16 30187:7 30189:5 30210:23 30219:19 30164:21 30165:2,5 R750 30154:14 30281:15,17 30281:15,17 30181:20,21 30228:1,3 30232:12 30169:21 30175:2 30169:21 30175:2 30301:21,23 30194:12 30271:24 30248:18 30192:13 30196:2,19 sacrificing 30282:17 respected 30209:15 30196:11,13 respected 30253:12 30235:15 30237:14 30275:1 30259:23 30285:11 30166:11,13 30206:24 30208:15,18 30255:11 30267:7,7 salaries 30165:1 30211:4 30249:7 30217:1,12 30218:11 30142:16 30164:12 30303:12,19,21 30163:2,25 30137:4 salaries 30165:1 30216:16,20 30193:8.8 30304:3 30151:25,25 30157:6 30199:11,17,18,19 30211:24 30214:18 30129:21 30140:11 30164:12 30133:12,19,21 30164:24 30164:12 30164:24 30211:24 30214:18 30193:8.8 30303:12,19,21 30136:12 30264:2 responded 30119:24 30164:24 30165:4 30207:10 30208:5,13 30					
relevant 30125:16 30190:23 30245:11 30187:7 30189:5 30210:23 30221:25 30226:15 30221:25 30226:15 30165:24 30165:2,5 30165:24 30165:1,5 R750 30154:14 R800 30155:1 30281:15,17 30296:11,14 30181:20,21 30194:12 30271:24 30273:23 30233:24 30194:12 30271:24 30169:21 30175:2 30284:18 30192:13 30196:2,19 30284:18 30192:13 30196:2,19 30228:15 30237:14 30275:1 302275:1 reports 30192:17 reliace 30209:15 30206:24 30207:18,25 30237:20 30245:24 30275:1 sarcsanct 30274:13 30250:11 30259:13 30136:8,10 30140:8 30209:11 30210:5,8 30228:13 302324:19 30187:11 salares 30165:1 30210:22 3028:21 30142:16 30140:8 30209:11 30210:5,8 30251:13 0227:7 salary 30164:18 relief 30204:25 representation 30330:213,23 rights 30132:2,2,5,10 SAPS 30112:7 30210:16,20 30142:16 30164:12 3030312,1,9,21 30165:12 30264:2 salary 30164:18 30217:23 30249:13 3015:12 30264:2 respond 30140:11 30163:19 30164:23 30207:10 3028:53 30235:7 30291:9,11 30145:4 30155:12 30264:2 respond 30140:11 30261:16 30217:2 30241:9 30142:16 30164:12 30165:13 30166:13					
30190:23 30245:11 30210:3 30218:20 30221:25 30226:15 30165:24 30166:1,5 R800 30155:1 30281:15,17 reported 30130:10 302281:13, 30233:24 30169:21 30175:2 30181:20,21 30175:23 30284:10 30183:4 30186:10,12 sacrosanct 30274:13 30301:21,23 30194:12 30271:24 30284:18 30192:13 30196:2,19 sacrosanct 30274:13 sacrosanct 30274:13 relied 3020:11 4 30249:7 30206:24 30207:18,25 30237:20 30245:24 salper 30187:11 sacrosanct 30274:13 30259:23 30285:11 30165:24 30166:1,5 30275:1 salpre 30186:8 30275:1 3026:21 43 00249:7 30206:24 30209:11 30210:5,8 30250:19 30253:3 30187:11 30259:23 30285:11 30165:12 30218:11 30217:1,2 30218:11 30217:1,2 30218:11 salary 30164:18 relief 30204:25 representation 30302:13,23 rights 30132:2,2,510 salary 30164:18 30211:24 30214:18 sup 30142:16 30164:12 30303:12,19,21 30165:12 30264:2 sup 30164:23 30207:10 30208:5,13 30210:16,20 30142:16 30164:12 3030140:11 30163:19 30164:23 302027:10 30208:5,13<					
30281:15,17 reported 30130:10 30228:1,3 30233:24 30169:21 30175:2 30296:11,14 30181:20,21 30273:23 30284:10 30183:4 30186:10,12 30ar3:4 30186:10,12 30301:21,23 30194:12 30271:24 30284:18 30192:13 30196:2,19 sacrificing 30282:17 reliance 30209:15 30196:11,13 reports 30192:17 respected 30253:12 30237:14 30275:1 reliance 30209:15 30196:11,13 represent 30135:24 30207:18,25 30237:20 30245:24 salaries 30165:1 30250:13 30259:13 solf:1,12 30218:11 30214:7 30224:9 30286:8 30293:14 salaries 30165:1 relief 30204:25 30217:1,12 30218:11 30302:13,23 rights 30132:2,5,10 SAPS 30112:7 rely 30208:20 30209:9 30142:16 30164:12 30303:12,19,21 30132:16 30133:4 30175:1,5 30210:16,20 30193:8,8 30120:5 30120:5 30120:5 30120:5 30120:5 30222:23 3030:3 30122:13,13 30125:2 responded 30119:24 30164:23 30207:10 3026:13 30120:5 30237:21 30165:13 30166:3 30154:14 30194:5 30120:5				,	
30296:11,14 30181:20,21 30273:23 30284:10 30183:4 30186:10,12 S 30301:21,23 30194:12 30271:24 30284:18 30192:13 30196:2,19 sacrificing 30282:17 30302:21 30303:1,10 reports 30192:17 respected 30253:12 30221:23 30222:21 sacrosanct 30274:13 reliace 30209:15 30196:11,13 respectfully 30203:15 30235:15 30237:14 safety 30186:8 30250:11 30259:13 represent 30135:24 30209:11 30210:5,8 30255:11 30267:7,7 salaries 30165:1 relief 3024:25 30217:1,12 30218:11 302147: 30224:9 30132:16 30133:4 30172:17,18 30210:16,20 30193:8,8 30304:3 30151:25,25 30157:6 30199:11,17,18,19 30211:24 30214:18 representative responde 30140:11 30164:23 30235:5 30237:19 30235:3 30205:13 3026:18 30202:22 30303:3 30151:2 30264:2 responde 30140:11 30163:19 30164:23 30199:11,17,18,19 30210:16,20 30134:1 30145:4 30120:5 30202:1,2 30241:9 30215:13 30216:6,17 30285:7 30291:9,11 30151:2 30264:2 responde 30140:11 30164:24 30165:4 302					K800 30155:1
30301:21,23 30302:21 30303:1,10 reliance 30209:15 relied 3021:4 30249:7 30262:14 30249:7 30194:12 30271:24 30192:17 30196:11,13 30262:4 30284:18 30282:17 respected 30253:12 30207:18,25 30192:13 30196:2,19 30221:23 30222:21 30221:23 30222:21 30225:15 30237:14 30237:10 30245:24 sacrificing 30282:17 sacrosanet 30274:13 30275:1 30237:20 30245:24 30259:23 30285:11 30259:23 30285:11 30264:25 30196:11,13 30136:8,10 30140:8 30209:11 30210:5,8 30242:16 30136:8,10 30140:8 30209:11 30210:5,8 30242:12 30224:9 30286:8 30293:14 30226:13 30267:7,7 salaries 30165:1 salaries 30165:1 salary 30164:18 salary 30164:18 salary 30164:18 salary 30164:18 salary 30164:18 30121:24 30214:18 30121:24 30214:18 30121:24 30214:18 30121:24 30214:18 30121:24 30214:18 30121:24 30214:18 30122:13 30193:8,8 30120:13 30142:11 30132:12 30244:13 30132:12 30244:13 30122:13 30193:8,8 30120:13 30140:11 30163:19 30164:23 30120:13 30125:2 responded 30119:24 30120:12 302241:9 30120:15 302261:16 30202:1,2 30241:9 30120:13 30216:6,17 30202:1,2 30241:9 30225:15 30228:17 30273:22 30268:6 30277:19 30227:12 30142:16 30132:2 30134:1 30145:4 30154:1 30145:4 30129:1 30146:15 30134:1 30145:4 30129:1 30146:15 30127:12 30241:23 30134:1 30145:4 30129:1 30146:15 30127:12 30241:23 30134:1 30145:4 30129:1 30146:15 30127:2 30241:23 30225:15 30228:17 30273:22 30268:6 30277:16 30273:5,25 3			-		
30302:21 30303:1,10 reports 30192:17 respected 30253:12 30221:23 30222:21 sacrosanct 30274:13 reliance 30209:15 30196:11,13 30206:24 30207:18,25 30235:15 30237:14 30275:1 30259:23 30285:11 30136:8,10 30140:8 30209:11 30210:5,8 30255:11 30267:7,7 salares 30165:1 relief 30204:25 30217:1,12 30218:11 30214:7 30224:9 30286:8 30293:14 salary 30164:18 relies 30243:21 representation 30302:13,23 rights 30132:2,2,5,10 SAPS 30112:7 rely 30208:20 30209:9 30142:16 30164:12 30304:3 30152:15 3027:6 30199:11,17,18,19 30211:24 30214:18 representative respond 30140:11 30165:19 30164:23 30203:5 30206:18 30221:23 30249:13 30165:12 30264:2 respond 30140:11 30163:19 30164:23 30202:1,2 3023:5 30206:18 30217:23 30249:13 30142:16 30132:2 responded 30119:24 30164:24 30165:4 30207:10 30208:5,13 30232:2 30303:3 30142:16 30136:12 30142:19 30142:16 30137:13 30215:5 30221:2 3024:19 30215:13 30216:6,17 302304:8 30134:1 30145:4				· · · · · · · · · · · · · · · · · · ·	
reliance 30209:1530196:11,13respectfully 30203:1530235:15 30237:1430275:1safety 3026:2430207:18,2530237:20 30245:2430237:20 30245:24safety 30186:830250:11 30259:13represent 30135:2430208:15,1830225:11 30267:7,7salaries 30165:1sol24:2530217:1,12 30218:1130214:7 30224:930286:8 30293:14salaries 30165:1sol20:20 30209:930142:16 30164:1230303:12,19,2130132:16 30133:430172:17,183021:124 30214:18representation30302:13,23rights 30132:2,2,5,10SAPS 30112:73021:24 30214:1830193:8,830304:330151:25,25 30157:630199:11,17,18,193021:23 30249:1330165:12 30264:2responded 30140:1130163:19 30164:2330207:10 30208:5,1330285:7 30291:9,11representativeresponded 30119:2430164:24 30165:430207:10 30208:5,1330302:22 30303:330122:13,13 30125:2response 30127:1830261:1630217:2 30241:930134:1 30145:430154:4 30145:430127:2 30241:2330255:15 30228:1730273:2230287:2130187:11,3,4 30194:430225:15 30228:1730273:2230268:6 30271:530273:9representation30232:2030228:20 30251:25ritus 30280:1530273:5,25 30277:1630273:930187:1130154:4 30145:430128:3 30273:1930273:5,25 30277:1630273:93024:16 30302:2030228:20 30251:2530273:1930273:5,25 30277:1630273:930187:1130281:8,10,1130281:8,10,1130281:8,10,11 <td>,</td> <td></td> <td></td> <td></td> <td></td>	,				
relied 30211:4 30249:7 30206:24 30207:18,25 30237:20 30245:24 safety 30186:8 30259:23 30285:11 30136:8,10 30140:8 30209:11 30210:5,8 30255:11 30267:7,7 salary 30164:18 relief 30204:25 3017:12 30218:11 30202:13,23 rights 30132:2,2,5,10 salary 30164:18 relies 3024:20 30209:9 30142:16 30164:12 30303:12,19,21 30132:16 30133:4 30172:17,18 30211:24 30214:18 representative respond 30140:11 30165:12 30264:2 respond 30140:11 30164:24 30165:4 30207:10 3028:5,13 30222:2 30303:3 30165:12 30264:2 respond 30119:24 30164:24 30165:4 30207:10 3028:5,13 30120:5 30120:5 302261:16 30217:2 30241:9 30251:13 30216:5,13 30304:8 30134:1 30145:4 30129:1 30146:19 right-hand 30178:2 30257:13 30265:5 relying 30277:15 30165:13 30166:3 30154:4 30194:5 right-hand 30178:2 30259:7 30260:7 30287:21 road 3017:1,3,4 0194:4 30228:20 30251:5 30273:29 30268:63 30273:19 30259:7 30260:7 30273:9 represented 30136:16 30274:8 302		-			
30250:11 30259:13 30259:23 30285:11represent 30135:24 30136:8,10 30140:830208:15,18 30209:11 30210:5,8 30209:11 30210:5,830250:19 30253:3 30255:11 30267:7,7 30286:8 30293:1430187:11 salaries 30165:1relief 30204:25 relies 30243:21 representation30214:7 30224:9 30142:16 30164:1230209:11 30210:5,8 30303:12,19,2130255:11 30267:7,7 30286:8 30293:14salary 30164:18 salary 30164:1830210:16,20 30211:24 30214:18 30211:24 30214:18 30211:24 30214:18representative representativerespond 30140:11 respond 30140:1130151:25,25 30157:6 30165:12 30264:2SAPS 30112:7 30205:5 30206:1830202:22 30303:3 3002:22 30303:330122:13,13 30125:2 30132:13,13 30125:2responde 3017:18 30129:12016619302017:13 30216:6,17 30227:1530227:10 30208:5,13 30122:13,30216:6,1730287:21 30277:1530165:13 30166:3 30132:14 30194:430129:1 30146:19 30228:20 30251:5530228:17 30228:1730273:29 30228:1730259:7 30260:7 30228:1730273:9 remain 30129:2230136:18,21 represented 30136:16 30033:230288:8,10 30274:8 3028:1230278:14 30279:11 3028:1230276:9 30297:14 30236:930136:18,21 represents 30230:22response 30128:14 30239:230278:14 30278:14 30239:230288:24 3028:15 30278:14 30279:11302376:9 30297:14 30236:930136:18,21 represents 30230:2230136:16 30136:1630278:14 30278:14 30278:14 30239:230288:22,3028:12 30288:1230304:23 remains 30269:10 30303:230136:18,21 represents 30230:2230288:23 30146:1530137:21,25 30138:1 3		,			
30259:23 30285:11 relief 30204:2530136:8,10 30140:8 30217:1,12 30218:1130209:11 30210:5,8 30214:7 30224:930255:11 30267?,7 30286:8 30293:14salaries 30165:1 salary 30164:18relief 30204:2530142:16 30164:12 30202:13,2330021:13,23 30132:16,2030132:2,2,5,10 30132:16,30133:4salary 30164:18 30132:2,2,5,10rely 30208:20 30209:930142:16 30164:12 30193:8,830303:12,19,21 30132:16,2030132:16 30133:4 30151:25,25 30157:630172:17,18 30193:1430211:24 30214:18 30217:23 30249:13 30165:12 30264:2representative respond 30140:1130164:24 30165:4 30120:530207:10 30208:5,13 30120:530285:7 30291:9,11 30302:22 30303:3 30122:13,13 30125:230120:5 30145:1430129:13 30146:19 30129:13 30146:1930261:16 response 30127:18 30129:13 30146:1930217:2 30241:23 30225:530304:8 30136:13 30166:3 30148:1 30145:430135:4:4 30194:5 30129:13 30166:3response 30127:18 30129:15 30228:17302251:13 30255:5 30259:7 30297:1930287:21 30287:2130187:1,3,4 30194:4 30303:230228:20 30251:25 30228:20 30251:25riks 30128:3 30273:19 30273:930273:5,25 30277:16 30273:5,25 30277:16 30273:9remaing 30271:5,8 30273:930136:18,21 represented 30136:16 30233:930294:24 represents 30230:22 30239:930146:15 30136:18,21 responseble 30146:1530137:21,25 30138:1 30137:12,25 30138:130288:12,25 30288:12,30290:33 30283:12,2530303:23represent 30230:24 30230:9represent 30230:22 30233:930146:15 30136:18,21 responsible 30146:1530136:12,24 <b< td=""><td></td><td></td><td>· · · · · · · · · · · · · · · · · · ·</td><td></td><td></td></b<>			· · · · · · · · · · · · · · · · · · ·		
relief 30204:2530217:1,12 30218:1130214:7 30224:930286:8 30293:14salary 30164:18relies 30243:21representation30302:13,2330302:2,2,5,10SAPS 30112:7rely 30208:20 30209:930142:16 30164:1230303:12,19,2130132:16 30133:430172:17,1830211:24 30214:18sepresentativeresponded 30119:2430163:19 30164:2330207:10 30208:5,1330217:23 30249:1330165:12 30264:2responded 30119:2430164:24 30165:430207:10 30208:5,1330225:7 30291:9,1130122:13,13 30125:2response 30127:1830261:1630217:2 30241:2330304:830134:1 30145:430129:1 30146:1930165:13 30166:330154:4 30194:530273:13 30255:530287:2130187:1,3,4 30194:430225:15 30228:1730273:2230268:6 30271:530273:9represented 30136:1630274:8 30282:1230298:18,1830273:5,25 30277:1630273:9represented 30136:1630294:24reamaing 30271:5,830136:18,2130276:9 30297:130136:18,21represented 30136:1630294:2430283:12,2530130:23represented 30136:1630149:930149:930215:17 30126:4302301:23represented 3013:6630149:930149:930225:17 30128:12302301:23represents 30230:2230149:930149:930228:12,30138:1302301:23represents 30113:6responsible 30146:1530137:21,25 30138:130290:8,1830290:8,1830150:21 30176:2230138:3,13,15,2430290:8,18			-		
relies 30243:21 rely 30208:20 30209:9 30142:16 30164:12representation 30142:16 30164:1230302:13,23 30303:12,19,21 30303:12,19,21 30132:16 30133:4 30151:25,25 30157:6SAPS 30112:7 30172:17,1830210:16,20 30211:24 30214:18 30217:23 30249:13 30225:7 30291:9,11 30302:22 30303:3 30125:2 30303:330165:12 30264:2 representatives 30165:12 30264:2 representatives 30120:12 30242:13respond 30140:11 responded 30119:24 30120:530164:23 30164:24 30164:23 30164:24 30164:23 30202:1,2 30241:930203:5 30206:18 30202:1,2 30241:930302:22 30303:3 30302:22 30303:3 30302:22 30304:830125:12 30122:13,13 30125:2responded 30119:24 30129:1 30146:1930164:24 30164:23 30202:1,2 30241:930207:10 30208:5,13 30212:13 30216:6,17 30221:13 30215:5relying 30277:15 30287:2130165:13 30166:3 30187:1,3,4 30194:430129:1 30146:19 30222:15 30228:17 30228:20 30251:25right-hand 30178:2 risk 30128:3 30273:19 30273:2230259:7 30260:7 30268:6 30271:5remaing 30271:5,8 30273:930244:16 30302:20 30303:230274:8 30282:12 30274:8 30282:12 30274:8 30282:1230298:18,18 30273:2230276:9 30297:1 30273:930136:18,21 represented 30136:16 30136:18,21 represented 30136:16 30136:18,21 represents 30269:10 30301:2330149:9 responsibility 30149:8 30149:930126:16 30128:2,10 30137:21,25 30138:1 30137:21,25 30138:1 30137:21,25 30138:1 301392:13,30290:330301:23 remains 30269:10 30301:23responsible 30146:15 30137:21,25 30138:1 301392:12,30138:1,3015:530137:21,25 30138:1 301392:22				· · · · · · · · · · · · · · · · · · ·	
rely 30208:20 30209:930142:16 30164:1230303:12,19,2130132:16 30133:430172:17,1830210:16,2030193:8,830304:330151:25,25 30157:630199:11,17,18,1930211:24 30214:1830165:12 30264:2representative30165:12 30264:230165:12 30264:230285:7 30291:9,1130165:12 30264:2representatives30120:530202:1,2 3021:930304:830134:1 30145:430129:130129:130164:24 30165:430207:10 30208:5,1330304:830134:1 30145:430129:1 30146:1930261:1630217:2 30241:2330287:2130165:13 30166:330154:4 30194:530273:1930259:7 30260:730287:2130187:1,3,4 30194:430225:15 30228:1730273:2230268:6 30271:530273:930244:16 30302:2030228:20 30251:2530298:18,1830278:14 30279:1130273:9represented 30136:1630294:24reaponse 30285:1430178:22,24,2530281:8,10,1130276:9 30297:130233:9represents 30230:2230244:2430149:930126:16 30128:2,1030285:24 30286:1230301:2330273:930233:930149:930149:930126:16 30128:2,1030289:13,23 30290:330301:23represents 30230:2230149:930149:930126:16 30128:2,1030289:13,23 30290:330301:23represents 3013:6responsibile 30146:1530137:21,25 30138:130290:8,1830276:9 30297:1430136:18,21responsibile 30146:1530137:21,25 30138:130290:8,1830276:9 30297:1430233:9represents 30230					-
30210:16,2030193:8,830304:330151:25,25 30157:630199:11,17,18,1930211:24 30214:18representative30165:12 30264:2respond 30140:1130163:19 30164:2330203:5 30206:1830285:7 30291:9,1130165:12 30264:2representatives30122:13,13 30125:230122:13,13 30125:230122:13,13 30125:230122:13,13 30125:230304:830134:1 30145:430129:1 30146:1930261:1630217:2 30241:2330287:2130165:13 30166:330154:4 30194:5right-hand 30178:230259:7 30260:730287:2130187:1,3,4 30194:430225:15 30228:1730273:2230268:6 30271:530129:2230244:16 30302:2030228:20 30251:25rituals 30280:1530273:5,25 30277:1630273:9represented 30136:1630294:24road 30147:2130281:8,10,1130273:9represented 30136:1630294:24road 30147:2130281:8,10,11302301:23represents 30230:2230149:930126:16 30128:2,1030285:24 30286:1230301:23represents 30133:630149:930126:16 30128:2,1030289:13,23 30290:330301:23request 30113:630150:21 30176:2230138:3,13,15,24SARS 30115:5			-	0	
30211:24 30214:18 30217:23 30249:13 30285:7 30291:9,11representative 30165:12 30264:2 representativesrespond 30140:11 responded 30119:24 30120:530163:19 30164:23 30164:24 30165:4 30202:1,2 30241:930203:5 30206:18 30202:1,2 30241:930302:22 30303:3 30302:22 30303:3 30304:830122:13,13 30125:2 30122:13,13 30125:2response 30127:18 30129:1 30146:1930261:16 30217:2 30241:930215:13 30216:6,17 30217:2 30241:2330304:830134:1 30145:4 30134:1 30145:430129:1 30146:19 30165:13 30166:330129:1 30146:19 30129:1 30146:1930261:16 right-hand 30178:2 30273:2930259:7 30260:7 30228:20 30221:25remainder 30130;4 30273:930303:2 represented 30136:16 30294:2430274:8 30282:12 30294:2430273:5,25 30277:16 30298:18,1830277:9 represented 30136:16 30297:15,8 30136:18,21response 30285:14 response 30285:1430178:22,24,25 30178:22,24,2530283:12,25 30283:12,2530301:23 remedied 30269:10 30301:2330136:18,21 responsible 30146:15 30136:18,21responsible 30146:15 30149:930126:16 30128:2,10 30136:18,2130285:24 30286:12 30294:2430271:5,8 30136:18,2130136:18,21 responsible 30146:15 30136:18,2130126:16 30128:2,10 30283:930285:24 30286:12 30283:930301:23represents 30230:22 request 30113:6responsible 30146:15 30137:21,25 30138:1 30137:21,25 30138:130290:8,18 30290:8,1830260:2530157:11 30161:230150:21 30176:2230138:3,13,15,24SARS 30115:5					
30217:23 30249:13 30285:7 30291:9,11 30302:22 30303:3 30304:830165:12 30264:2 representatives 30122:13,13 30125:2 30134:1 30145:4 30134:1 30145:4responded 30119:24 30120:530164:24 30165:4 30202:1,2 30241:9 30202:1,2 30241:930207:10 30208:5,13 30215:13 30216:6,17 30215:13 30216:6,17relying 30277:15 30287:2130165:13 30166:3 30165:13 30166:330154:4 30194:5 30154:4 30194:430221:13 30273:19 30228:10 30228:1730261:16 right-hand 30178:2 30273:1930251:13 30260:7 30259:7 30260:7remainder 30130:4 30273:930187:1,3,4 30194:4 30303:230228:20 30251:25 30274:8 30282:12rituals 30280:15 30294:2430273:5,25 30277:16 30298:18,18 30278:14 30279:1130273:9 remaining 30271:5,8 30276:9 30297:1represented 30136:16 30136:18,2130294:24 response 30285:14 responsibility 30149:8 30149:930178:22,24,25 30125:17 30126:4 30125:17 30126:430288:12,25 30288:12,2530301:23 remedied 30260:25regrest 30113:6 30157:11 30161:230146:15 30150:21 30176:2230138:3,13,15,24SARS 30115:5					
30285:7 30291:9,11 30302:22 30303:3 30304:8representatives 30122:13,13 30125:2 30134:1 30145:430120:5 response 30127:18 30129:1 30146:1930202:1,2 30241:9 30261:1630215:13 30216:6,17 30217:2 30241:2330304:830134:1 30145:4 30134:1 30145:430129:1 30146:19 30165:13 30166:330129:1 30146:19 30154:4 30194:530221:13 30216:6,17 30261:16relying 30277:15 30287:2130165:13 30166:3 30187:1,3,4 30194:430129:1 30146:19 30224:16 30302:2030154:4 30194:5 30228:20 30251:5 30228:1730273:22 30273:2230268:6 30271:5 30273:5,25 30277:16remainder 30130:4 30273:930303:2 represented 30136:16 30136:18,21 represents 30230:2230274:8 30282:12 30294:2430298:18,18 30178:22,24,2530281:8,10,11 30281:8,10,1130276:9 30297:1 remains 30269:10 30301:2330233:9 request 30113:6 30157:11 30161:2responsibl 30146:15 30150:21 30176:2230137:21,25 30138:1 30138:3,13,15,2430290:8,18 SARS 30115:5					
30302:22 30303:3 30304:830122:13,13 30125:2 30134:1 30145:4response 30127:18 30129:1 30146:19 30151:3 30166:330261:16 right-hand 30178:2 right-hand 30178:230217:2 30241:23 30255:5relying 30277:15 30287:2130165:13 30166:3 30187:1,3,4 30194:430129:1 30146:19 30225:15 30228:1730268:6 30273:19 30228:20 30251:2530273:22 rituals 30280:1530268:6 30271:5remainder 30130:4 30273:930303:2 represented 30136:16 30136:18,2130294:24 responses 30285:14 30136:18,21responses 30285:14 responses 30285:1430178:22,24,25 rock 30125:17 30126:4 30126:16 30128:2,1030283:12,25 30283:12,25remains 30269:10 30301:2330233:9 request 30113:6responsible 30146:15 30150:21 30176:2230136:18,21 30136:15,2130136:12,30289:13,23 30290:3 30136:12,30299:3			-		
30304:830134:1 30145:430129:1 30146:19right-hand 30178:230251:13 30255:5relying 30277:1530165:13 30166:330154:4 30194:530129:1230251:13 30255:530259:7 30260:730287:2130187:1,3,4 30194:430225:15 30228:1730273:2230268:6 30271:5remain 30129:2230244:16 30302:2030228:20 30251:2530273:2230273:5,25 30277:1630273:930303:230274:8 30282:1230298:18,1830278:14 30279:1130273:9represented 30136:1630294:24road 30147:2130281:8,10,1130276:9 30297:130136:18,21responses 30285:1430178:22,24,2530283:12,2530276:9 30297:13023:930149:930149:830126:16 30128:2,1030285:24 30286:1230301:23request 30113:6responsible 30146:1530137:21,25 30138:130290:8,18remedied 30260:2530157:11 30161:230150:21 30176:2230138:3,13,15,24SARS 30115:5					
relying 30277:15 30287:2130165:13 30166:3 30187:1,3,4 30194:430154:4 30194:5 30225:15 30228:17 30228:20 30251:25risk 30128:3 30273:19 30273:2230259:7 30260:7 30268:6 30271:5remain 30129:2230244:16 30302:20 30303:230228:20 30251:25 30274:8 30282:1230273:5,25 30277:16 30298:18,1830273:5,25 30277:16 30278:14 30279:1130273:9represented 30136:16 30136:18,2130294:24 responses 30285:14road 30147:21 30178:22,24,2530281:8,10,11 30281:8,10,1130276:9 30297:1represents 30230:22 3023:9responsibility 30149:8 30149:930126:16 30128:2,10 30137:21,25 30138:130289:13,23 30290:3 30290:8,1830301:23request 30113:6 30157:11 30161:2responsible 30146:15 30150:21 30176:2230138:3,13,15,24SARS 30115:5					
30287:2130187:1,3,4 30194:430225:15 30228:1730273:2230268:6 30271:5remain 30129:2230244:16 30302:2030228:20 30251:25ituals 30280:1530273:5,25 30277:16remainder 30130:430303:230274:8 30282:1230298:18,1830278:14 30279:1130273:9represented 30136:1630294:24road 30147:2130281:8,10,11remaining 30271:5,830136:18,21responses 30285:1430178:22,24,2530283:12,2530276:9 30297:1represents 30230:22responsibility 30149:830126:16 30128:2,1030285:24 30286:1230301:23request 30113:6responsible 30146:1530137:21,25 30138:130290:8,18remedied 30260:2530157:11 30161:230150:21 30176:2230138:3,13,15,24SARS 30115:5					
remain 30129:2230244:16 30302:2030228:20 30251:25rituals 30280:1530273:5,25 30277:16remainder 30130:430303:230274:8 30282:1230298:18,1830278:14 30279:1130273:9represented 30136:1630136:18,21responses 30285:1430178:22,24,2530283:12,2530276:9 30297:1represents 30230:223023:9responsibility 30149:830126:16 30128:2,1030285:24 30286:1230301:23request 30113:6responsible 30146:1530137:21,25 30138:130290:8,18remedied 30260:2530157:11 30161:230150:21 30176:2230138:3,13,15,24SARS 30115:5					
remainder 30130:4 30273:930303:2 represented 30136:16 30136:18,2130274:8 30282:12 30294:2430298:18,18 road 30147:2130278:14 30279:11 30281:8,10,1130276:9 30297:1 remains 30269:10 30301:2330136:18,21 represents 30230:2230294:24 responses 30285:14road 30147:21 30149:8 30149:930281:8,10,11 30178:22,24,2530301:23 remedied 30260:2530137:11 30161:230150:21 30176:2230138:3,13,15,24					
30273:9 represented 30136:16 30294:24 road 30147:21 30281:8,10,11 remaining 30271:5,8 30136:18,21 responses 30285:14 30178:22,24,25 30283:12,25 30276:9 30297:1 represents 30230:22 responsibility 30149:8 30126:16 30128:2,10 30289:13,23 30290:3 30301:23 request 30113:6 responsible 30146:15 30137:21,25 30138:1 30290:8,18 remedied 30260:25 30157:11 30161:2 30150:21 30176:22 30138:3,13,15,24 SARS 30115:5					
remaining 30271:5,8 30276:9 30297:130136:18,21 represents 30230:22responses 30285:14 responsibility 30149:830178:22,24,25 rock 30125:17 30126:430283:12,25 30126:16 30128:2,1030301:23 remedied 30260:2530157:11 30161:230150:21 30176:2230138:3,13,15,2430289:13,23 30290:3 30137:21,25 30138:1	/ 30 1 1 1 25-				
30276:9 30297:1 remains 30269:10 30301:23represents 30230:22 30233:9responsibility 30149:8 30149:9rock 30125:17 30126:4 30149:930285:24 30286:12 30126:16 30128:2,10 30137:21,25 30138:1remedied 30260:25autor for the second se	2.37				
remains 30269:1030233:930149:930126:16 30128:2,1030289:13,23 30290:330301:23request 30113:630157:11 30161:230150:21 30176:2230137:21,25 30138:130290:8,18remedied 30260:2530157:11 30161:230150:21 30176:2230138:3,13,15,24SARS 30115:5					
30301:23request 30113:6responsible 30146:1530137:21,25 30138:130290:8,18remedied 30260:2530157:11 30161:230150:21 30176:2230138:3,13,15,24SARS 30115:5					
remedied 30260:25 30157:11 30161:2 30150:21 30176:22 30138:3,13,15,24 SARS 30115:5				-	
	the most of the second second the		-	-	-
	remedied 30260:25		30150:21 30176:22	30138:3,13,15,24	SARS 30115:5

				Page
sat 30254:2	30179:9 30180:13,21	separate 30259:4,10	shots 30148:1,3,13	30304:13
satisfactory 30115:6	30180:21,23 30181:4	separately 30260:18	30243:4	situations 30208:5
30191:14 30192:7	30180.21,23 30181.4	September 30157:20	shouldn't 30154:8	30285:23
satisfied 30149:14	30182:2,10,20	30158:14 30258:1	30240:7 30249:24	six 30235:8 30255:12
30194:5	30183:18 30184:3	sequence 30129:10	show 30119:14	30279:23,24
satisfy 30142:15	30185:10,23	series 30173:15	shown 30169:10	skilled 30128:3
save 30149:17 30226:3	30189:25 30191:9,10	30285:23	30281:17 30299:23	slightly 30112:25
30237:19,22	30193:21 30194:14	serious 30151:1,2	30300:15	30116:5 30155:11
30284:18	30194:18 30196:13	30217:2,3,11,11,20	shows 30298:14,20	30166:20 30171:22
saves 30287:13	30215:21 30271:20	30217:21,25	30299:23 30300:22	slots 30278:23 30279:2
saw 30198:11 30208:9	30272:1	30245:20 30246:4	side 30147:17 30202:8	30279:3,3
30224:12	see 30113:2,7,9,20	30253:19,20,21	30218:25	slower 30198:8
saying 30119:1,25	30115:18 30116:1,3	30257:24 30264:13	sign 30180:3	small 30216:9,10
30120:23,24	30117:9 30120:6,9	30296:16	signature 30177:25	softened 30154:5
30133:23 30135:21	30121:21 30128:16	seriously 30145:9,22	signed 30153:19	soiled 30218:21
30135:21,22 30137:5	30152:9 30161:14	30150:23 30218:16	similar 30123:22	solicit 30155:24
30137:6,11,13,14	30166:12 30171:11	30225:6 30294:12	30162:14 30193:14	30156:23 30162:25
30140:2,10 30144:22	30178:18 30187:17	seriousness 30296:13	30202:2	solid 30215:25
30144:23 30158:23	30195:16 30197:13	serve 30172:16	similarly 30200:14	solution 30167:12
30159:15 30164:10	30213:6,13 30214:15	30275:18	30201:16 30241:8	30260:23
30201:3 30204:17	30220:4 30240:16	services 30171:9	Simon 30149:1,3	solutions 30151:17
30216:5 30230:3	30220:130210:10	30202:11,18,23,25	simple 30146:22	solve 30286:18
30232:23 30233:18	30241:10,11	30205:14 30209:4	simple 30140.22 simply 30120:24	solving 30161:4
30236:7,7 30237:12	30242.10 30244.7,8	session 30113:20	30122:21 30129:23	somebody 30122:1,2,2
,				-
30245:22 30246:23	30270:9 30271:2	set 30162:22 30175:14	30130:7 30221:3	30124:16 30212:19
30248:15 30249:24	30276:18 30283:2	30176:6,8 30185:18	30226:13 30231:16	30256:12 30293:6
30250:18,20	30286:15 30297:12	30189:24 30203:21	30240:9 30246:23	someone's 30114:11
30252:15,22	30297:20 30302:5,6	30212:3 30235:13	30258:19 30262:25	somewhat 30260:14
30267:20 30300:12	Seedat 30132:17,19	30266:6,19,24	30272:22	song 30236:16
says 30119:15,21,24	30182:19 30206:12	30282:19	Sinclair 30181:11,21	soon 30166:20 30175:5
30120:7,17 30122:3	seek 30157:23 30177:8	setting 30157:7	30181:23 30182:1,4	30187:12 30204:2
30123:22 30124:11	30204:25 30211:24	30177:11	30182:21,24	30214:2 30225:13
30124:20,21 30128:1	30302:20 30303:8	settle 30152:4	30184:11,16 30248:9	30265:8,9 30291:24
30129:19 30130:1,9	seeking 30245:18	settled 30151:24	30248:10	sooner 30262:17
30132:19 30175:21	seen 30127:13,15	seven 30203:20	sine 30146:17	30263:12,17,18,20
30179:9,21 30194:17	30162:6 30186:15	30212:2,13	single 30238:12	sorry 30114:23
30221:8 30223:1	30187:1,24 30196:11	shaft 30125:12 30183:9	single-handed 30155:1	30128:15,20 30137:9
30239:22 30273:3	30257:23 30296:15	30184:5 30195:14	Sir 30157:4	30138:19 30140:20
scares 30279:18	seized 30243:13	30222:5 30272:3	sit 30206:23 30208:24	30141:11 30149:22
scaring 30180:2			30211:2,3 30232:13	30157:10 30158:4
0	self-confessed	shafts 30194:23	·	
scene 30177:5 30228:1	30273:24	share 30237:12	30246:24 30249:9	30159:21 30163:23
30228:3,11 30233:11	selves 30242:12	30253:23	30253:24 30258:1	30164:21 30165:18
30243:4,6,16,21	30243:24	shared 30165:14	30268:15 30269:1	30167:6 30169:12
30245:11 30303:7	Semenya 30255:18	shareholders 30152:11	sits 30269:3	30174:2 30176:21
scenes 30245:12	30267:1,8,9 30274:6	sharing 30230:17	sitting 30136:2,12	30177:1,24 30178:4
sceptical 30260:14	Semenya's 30218:13	sharp 30179:23	30137:24 30153:1	30184:19 30190:6,8
schedule 30190:21	sending 30241:22	30251:19	30206:25 30211:13	30193:25 30199:15
30204:10,13	senior 30144:14	shed 30203:4	30211:16 30221:22	30200:8,9,12 30201:3
schedules 30275:11	30168:4 30183:2,11	shift 30193:9	30221:23 30227:16	30204:11 30209:14
scheduling 30270:4	30184:3	shoot 30180:1,4	30232:12 30233:8	30213:2 30219:2
Scott 30149:1,3	sense 30131:21	shooting 30169:11,14	30268:24 30277:24	30230:14 30233:4,5
30285:22	30176:17 30211:6	30169:19 30170:25	30287:8 30294:14	30234:5 30256:4
screen 30119:16	30235:1 30240:7	short 30145:11	situation 30134:25	30264:15 30267:4
30177:16,24	30243:16 30247:9	30162:15 30166:14	30153:12 30160:14	30272:25 30276:12
seat 30163:19	30248:10	30223:13 30229:24	30173:11 30179:14	30277:6 30278:9
second 30179:19	sensible 30225:16	30234:7,7,25	30180:18 30181:6	30280:5 30282:21,21
30211:2,8 30232:11	30251:14	30240:20,21 30245:9	30197:8 30207:21	30294:6 30295:15
-				
30259:8 30285:16	sensibly 30164:4	30246:15 30294:13	30208:15,24	30299:5 30301:6
30288:6 30296:3	sensitivity 30242:14	shorten 30174:3	30209:25 30210:5	sort 30117:6 30118:10
secondly 30217:14	sent 30124:21 30173:1	30240:19	30212:22 30215:23	30122:16 30147:1,23
	30189:8 30190:24	shorter 30268:20	30223:3,6 30229:24	30151:19 30153:18
30220:22			30230:12 30231:8,20	30159:7 30161:3
30220:22 section 30298:6	30215:5 30258:3	shortly 30115:23	-	
30220:22		shortly 30115:23 30258:17	30237:24 30238:4	30165:7 30172:21
30220:22 section 30298:6	30215:5 30258:3	-	-	
30220:22 section 30298:6 sections 30271:9	30215:5 30258:3 30279:21	30258:17	30237:24 30238:4	30165:7 30172:21 30190:17,19 30192:8
30220:22 section 30298:6 sections 30271:9 security 30169:8,14,18	30215:5 30258:3 30279:21 sentence 30119:21	30258:17 shot 30148:7 30180:1	30237:24 30238:4 30242:22 30262:15	30165:7 30172:21

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

Pretoria

				Page
sorted 30190:21	30192:8 30194:2	stayed 30186:25	30244:17 30258:15	support 30131:16
sorts 30238:16	30196:25 30202:21	step 30126:9 30128:5	30286:9 30292:10	30137:7,16 30199:24
sought 30189:21	30211:22 30212:14	30128:13	submit 30202:18,23	30200:1,16 30210:16
sound 30296:24	30236:12 30250:12	steps 30186:2	30203:15 30207:18	30216:3,6,16
sounded 30278:19	30263:2 30284:20	stick 30149:21	30207:25 30208:15	30240:22 30257:14
South 30171:8	30295:5 30303:17	sticking 30150:12	30208:18 30209:12	30258:21
30173:10 30202:11	30304:7	sticks 30221:9		
			30210:5,8 30214:8	supported 30131:4
30202:15,18,23,24	stages 30191:23	stood 30207:4	30224:10 30264:13	30218:2 30276:16
30205:14 30264:2	stance 30124:4	30238:20	30289:17 30290:14	supporting 30199:10
30274:24	30160:20,24	stop 30119:9 30128:6	30291:5 30302:13,23	30199:22
so-called 30158:11	30163:16 30201:21	30141:5 30161:15,22	30303:12,19,21	suppose 30124:1
30239:5	30201:22	30178:21 30179:21	30304:3	30217:24 30223:15
space 30172:19,24	stand 30238:17	30180:5 30222:5	submitted 30182:14	30240:17
span 30145:23	30248:9 30252:15	30237:20,22	30229:6,16	supposed 30170:15
speak 30118:20,23	30268:11 30271:10	stopped 30256:23	submitting 30205:9	30194:18 30214:15
30120:1,20,21	30277:12	straightforward	subsequent 30261:25	30219:13,14 30221:7
30123:16 30124:17	standard 30190:10	30163:9	subsequently 30170:13	30275:16
			substance 30297:24	
30134:8,24 30135:3,5	standing 30238:18	strained 30198:9		suppressing 30301:15
30135:7,10,23	stands 30222:1	strict 30164:1 30205:2	substantial 30146:13	sure 30115:25
30137:6,12,13,15	30227:21,23 30276:1	strictly 30219:16,17	30271:9	30120:10 30136:1,21
30140:3,5,6,23	start 30120:3 30190:14	strike 30119:2 30125:4	substituted 30265:12	30139:4 30157:1,14
30141:24 30143:23	30216:10,15	30125:5 30136:25	success 30180:2	30163:6,10 30167:4
30150:5 30194:5	30225:13 30252:23	30138:8 30139:13	successful 30180:8	30169:5 30170:16
30195:9 30216:3	30268:19 30279:1,3	30151:10,10 30153:4	suffer 30274:1	30174:24 30176:8
30241:3 30263:24	30287:17 30290:11	30153:16,19	sufficient 30133:4	30182:13,22
30282:15 30284:25	started 30187:14	30161:13 30162:7	30238:24 30248:3	30183:23 30184:6
30295:20	30211:22 30222:12	30194:8 30195:25	30296:15	30190:22 30194:22
SPEAKER 30178:4	30243:7 30254:20	30197:5 30203:3	suggest 30114:22	30204:11 30219:9,25
speaking 30120:5	30291:7	30244:14 30271:16	30122:6 30161:6	30223:14 30236:23
30133:25 30140:9	starting 30195:17	30271:17,19	30169:8 30181:9	30256:6 30284:6
30141:17 30166:3	30268:9,11 30289:10	strikers 30117:20	30287:11,11	30287:11 30288:11
30234:13 30284:17	startling 30187:20	30118:2,18,20	30291:22	30292:2 30300:18
speaks 30114:11	starts 30254:20	30120:19 30121:12	suggested 30115:13	30302:24
30209:5 30223:20	state 30202:21	30122:3,4,4,18,23	30128:10 30154:13	Surely 30225:16
special 30137:20,21	30280:24 30302:11	30123:15,24 30124:2	30154:16,19	surprised 30281:1,14
specific 30138:24	stated 30267:11	30124:17 30134:1	30160:13 30188:18	30281:16
30177:11 30184:1,15	statement 30119:17		30202:15 30217:2	
		30136:15,17,18		surprising 30264:2
30185:20 30304:15	30120:7 30142:2	30140:3,9,22,25	30227:15 30268:6	surrounded 30193:1
specifically 30118:10	30143:1,3,5,6,8,9	30141:17,18,24	30276:14 30277:7	surrounding 30203:11
30168:21 30169:1	30177:14 30179:19	30142:1,15,19,20	30288:17,17 30304:6	surveillance 30172:9
speech 30240:21,21	30181:23 30182:10	30161:25 30168:21	suggesting 30115:17	30194:22 30195:9
speed 30147:5	30182:14 30185:18	30271:20,21,24	30158:8 30224:16	30196:4
speedily 30146:11	30193:10,22 30194:7	30298:17	30225:6 30250:23	survive 30116:25
spells 30155:3	30194:11 30195:1	strikes 30153:12	30275:14 30285:5	surviving 30272:20
spelt 30164:24	30210:23,25 30219:4	striking 30159:5	suggestion 30128:7	survivors 30217:5
spend 30228:15		30160:11 30222:4		
-	30219:14,19 30220:2		30170:23 30178:7	suspect 30217:8
30250:14 30270:4	30221:23 30222:1	structure 30125:11	30184:1 30234:15	30270:12
30276:3 30279:9	30224:1,5,7,7,12,19	structures 30135:4,10	30235:5 30286:4	suspicion 30236:8,9
spent 30220:22	30225:1,4,8,12,17,22	30140:17 30141:7,8	30289:2,19	sympathy 30231:19
30256:18,19 30257:4	30226:5 30274:7	30141:10 30142:10	suggests 30169:13	s.u.o 30167:2
30279:19	30280:11 30291:18	30142:12,14,15,25	30228:13	
spill 30270:12,17,17	30292:25 30296:4	30144:1 30195:10	suitably 30252:12	T
split 30284:1	statements 30130:9	study 30188:14	summarise 30139:20	table 30128:2 30132:18
spoke 30118:18	30182:3 30206:24	stuff 30219:18	summarised 30130:2	30138:17 30163:19
30121:12 30124:22	30208:8 30217:11,25	stun 30180:5	summary 30175:22	30170:18 30285:12
30124:23 30194:14	30218:17,23 30219:3	subject 30112:5	30193:5 30255:16	tabled 30146:5
			30261:7	
spoken 30245:22	30219:8,23 30220:3	30125:8 30200:1,14		tabling 30122:18
30261:24	30220:10,13	30200:22 30201:4,9	Sunday 30185:13	tail 30223:22
squarely 30273:14	30221:13 30222:15	30201:19 30202:4,15	superintendent	take 30116:22 30117:5
stage 30115:1,13,15	30226:8,10 30241:24	30204:6 30234:24	30178:20 30179:7	30120:20 30125:10
	30242:2 30276:17	30259:1	30180:13	30126:9 30128:17
30122:24 30129:20	30242.2 30270.17			
30122:24 30129:20	30242.2 30270.17	subjected 30237:5.7	supervisors 30198:10	30141.9.9 3014.3.8
30122:24 30129:20 30136:20 30144:18	30281:13 30291:12	subjected 30237:5,7 submission 30210:13	supervisors 30198:10 supplementary	30141:9,9 30145:8 30147:16 30149:24
30122:24 30129:20 30136:20 30144:18 30164:12 30171:21	30281:13 30291:12 30293:4 30296:19	submission 30210:13	supplementary	30147:16 30149:24
30122:24 30129:20 30136:20 30144:18 30164:12 30171:21 30175:22,25	30281:13 30291:12 30293:4 30296:19 30300:6	submission 30210:13 30248:6 30257:13	supplementary 30191:21	30147:16 30149:24 30162:15,19
30122:24 30129:20 30136:20 30144:18 30164:12 30171:21	30281:13 30291:12 30293:4 30296:19	submission 30210:13	supplementary	30147:16 30149:24

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

				Page 2
30183:24 30186:2	30182:7 30184:12	thereof 30208:23	30136:16,18 30167:5	30270:1 30281:15
30192:18 30194:21	30186:16 30195:10	there'd 30273:22	30171:25 30190:11	touch 30251:24
30196:23,25 30197:5	30204:23 30220:24	there's 30113:22	30198:21 30200:23	touched 30173:22
30198:22 30199:13	30229:13,14,18	30126:25 30128:16	30212:1 30213:14	touching 30188:13
30207:25 30209:8,10	30263:2 30280:17	30120:25 30120:10	30212:1 30213:14	30220:16
30210:22,25 30211:3	30293:22 30295:13	30158:19 30168:17	30264:16 30286:25	tradition 30257:18
30210.22,23 30211.3	30301:20 30304:7	30169:13 30173:25	30299:6 30300:12	traditional 30280:13
30223:16,23 30227:5	telling 30210:14	30182:19 30183:21	thoughts 30117:6	tragedy 30157:9
30234:9 30239:17	30222:24 30231:8,19	30195:12 30198:7,9	30240:19	30158:24 30217:4
30240:14,17	30266:9	30198:11 30205:1	thousand 30154:17,19	tragic 30157:4
30247:20 30254:20	tells 30288:25	30206:13,14	30296:10 30301:17	30159:12
30259:10 30268:3,20	tempted 30173:6	30207:15 30218:23	three 30167:4,5	training 30177:9
30268:22 30269:6	tendered 30304:5	30219:11,19 30220:4	30168:24 30187:7	30179:13 30180:14
30270:25 30276:7	tensions 30151:15	30233:23 30237:2	30205:22 30219:23	30180:16 30181:4
30282:2,3,7 30285:6	tents 30172:24	30238:8,8,12 30258:2	30228:2 30239:23	transcript 30120:15
30286:3 30287:19	terminated 30259:20	30258:8 30261:9	30268:17 30269:9	translate 30211:7
30288:14,19	termination 30256:10	30265:23 30267:14	30271:4 30273:12	30287:6
30292:23 30302:8	terms 30133:3 30139:3	30273:1,19 30283:7	30276:9,10 30279:9	translates 30268:16
30304:18	30161:3 30198:6	30291:1 30292:22	30302:15,15	translating 30250:15
taken 30123:6	30257:7 30269:4	they'd 30131:19	three-quarters	translations 30277:17
30131:12,20 30164:2	30273:15 30275:6,23	30205:25	30240:18	transparency 30291:2
30169:10 30170:24	30280:2	they'll 30204:21	throw 30153:6	transpired 30144:7
30183:18 30184:4	tested 30218:7	30277:15 30295:9	30276:19	30203:8
30186:2 30195:20	30236:25	they're 30117:7	thrust 30120:23	travelling 30261:24
30196:13 30205:10	testified 30205:24	30119:3,11 30131:18	Thupe 30208:12,14	30262:25 30266:8
30209:3 30224:14	testifies 30230:15	30149:15 30170:17	30285:19	traversing 30242:1
takes 30147:3 30241:12	testify 30182:17,22	30190:18 30215:12	Thursday 30120:11,12	treat 30274:25
talk 30115:21 30133:23	30189:19 30205:12	30227:22 30279:16	30231:24 30250:7,21	treated 30274:13
30140:11 30153:5,9	30207:14 30210:10	30284:23 30287:9	30277:11 30281:22	trial 30238:16
30153:17 30158:23	30210:10 30284:16	They've 30279:14	30283:2 30287:18	30260:22 30261:4
30189:25 30288:18	30289:16 30303:11	thing 30122:16	30288:5 30289:10	30298:8
talked 30197:18	testifying 30182:19	30139:21 30147:1	30290:12	triplicates 30279:24,25
talking 30115:9	30275:8 30289:8	30151:22 30159:16	tickets 30252:4	trouble 30164:7
30119:20 30133:24	testimony 30159:13	30165:7 30172:21	tight 30204:10,12,13	30264:19
30136:14 30190:14	30218:5 30274:18,19	30175:8 30195:18	till 30240:17 30241:12	true 30142:22
30198:17 30206:16	30275:11,22	30206:24 30232:10	30262:19	30143:14 30153:2
30215:10 30232:3	testing 30274:22	30248:25 30296:7	times 30130:3	30218:4
30237:7 30273:16	thank 30114:18	things 30112:5,11	30275:12 30298:14	trump 30152:12,14
talks 30128:1 30233:11	30117:11,16 30123:8	30143:24 30145:12	timetable 30275:7	30153:6,14
Tansy 30128:24	30129:17 30144:2,3	30145:15 30164:24	tired 30229:20	truncated 30237:25
30175:21	30145:1,3 30148:10	30174:3,8 30175:16	today 30173:23	trust 30134:9,10,12
Tansy's 30129:15	30166:12 30173:16	30176:23 30188:20	30174:15 30203:8	30140:4,4 30290:24
30174:4 30175:12,13	30173:18,20	30198:14 30209:25	30211:12 30225:22	truth 30140:8 30147:11
tardy 30146:2,5	30174:13 30176:7,14	30210:23 30218:8	30226:5 30270:9,12	30170:3 30237:17
task 30243:14	30178:5,18 30184:23	30231:13 30235:4	30275:23 30288:10	30242:18 30243:2
tax 30116:1	30185:9 30190:25	30238:16 30242:17	30292:1 30296:6	truthfully 30298:8
taxi 30254:3	30200:6 30202:6	30243:2 30244:10,11	told 30114:10 30118:2	try 30121:18 30145:18
taxman 30115:25	30216:2,4 30223:11	30247:2 30254:23	30119:12 30122:1,5,6	30152:4 30160:22
taxpayer 30237:23	30226:2,2 30232:7,8	30257:1 30258:17	30123:15,21	30161:21 30178:4
tea 30113:10 30115:3	30232:21 30234:22	30265:10 30268:11	30168:23 30191:14	30188:17 30193:3
30115:18,24	30238:22 30239:16	30269:12 30270:11	30203:24 30204:2,4	30205:3 30239:17
30117:10 30166:24	30241:16 30256:3	30271:10 30273:3	30206:9 30218:16	30288:4
30196:23 30198:22	30258:16 30261:12	30286:25 30299:11	30262:25 30266:22	trying 30136:25
30286:3 30288:18,19	30261:13,15	30299:12	30280:19 30302:16	30151:19 30173:12
team 30126:3 30151:19	30262:10 30263:23	thinking 30198:5,15	tomorrow 30174:20	30180:5 30190:17
30208:13,24	30267:22,24	30222:10 30270:23	30206:22 30211:13	30194:1 30231:17
30229:25 30260:13	30290:13,17 30292:4	30278:20	30220:18 30289:3	30247:5
30229.23 30200.13	30290:13,17 30292.4 30292:5,6 30295:18	thinks 30114:2 30238:9	30302:5 30304:19	Tuesday 30117:19
	-			
teams 30207:19	30295:19 30297:10	30238:13 30248:2	top 30178:2,11,12	30123:14,16
30284:20	30297:20 30298:4	third 30173:15 30296:7	topic 30129:13 30188:2	30126:10 30134:2
telephoned 30185:13	30301:6,9 30304:17	thorough 30217:13	30197:4 30288:25	30135:14 30136:6
telephonic 30218:15	thanks 30202:10	30256:20,21	30289:1	30249:9,11 30250:14
television 30243:8	30205:8 30246:14	30257:18	topics 30112:22	30281:21 30283:14
tell 30119:19 30121:6	30298:5 30301:10	thoroughly 30204:22	30216:7 30277:14	30283:21 30286:13
30124:5 30131:16	that'll 30199:15	30247:24 30248:21	torture 30218:18,25	30286:18 30287:1
The most of a second second the	Park I wanted the first			
30124.5 30151.10	Theft 30280:9	thought 30124:1,5,15	total 30227:16 30269:2	30289:9 30290:3

30302:17 30213:7 30217:19 united 30151:9 vice-president 301 Tuesday/Wednesday 30219:2 30222:9 30223:7 30224:13 30194:17 301 30282:25 30283:1 30223:7 30224:13 unprecedented victim 30210:6 wanti 30274:19 30284:17 30226:25 30228:6 30162:5,14 30217:4 301 30200:12 30236:5 30238:24 unprepared 30240:21 vide 30260:15,20,22 wanti 30300:115 30271:19 30240:9 30242:25 30203:3 30300:21,22 302 30200:15 30271:19 30246:3,11 30248:8 unreslistic 30257:12 videos 30243:18 war twice 30264:8 30249:24 30253:7,25 unresl 30156:5 30163:4 videos 30243:22 War 30124:21 30127:20 30267:18,20,22 usstisfactory 30122:23 30173:8,12 302 30144:9 30151:15,20 30266:25 3028:6 30198:1,18 view 3013:12 War 30168:6 30170:67,17 30296:18 30299:12 30146:14 30192:11 30122:23 30173:8,12 302 30216:73 30217:13 3018:12 30191:12 30147:23 30157:1 30282:15 30228:19	Page 2 53:2 30168:22 74:3 30189:4 94:20 30244:9 286:16 30290:14 ing 30142:25 85:17 s 30113:20 59:23 30161:17 240:22,24 247:16 30256:7 289:22,25 30250:25 30251:2 cant 30258:23 271:6,7 cant-Officer 245:20 ct 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 ct 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 25:16 230237:20 254:11 30278:9
$ \begin{array}{ c c c c c c c c c c c c c c c c c c c$	53:2 30168:22 74:3 30189:4 94:20 30244:9 286:16 30290:14 ing 30142:25 85:17 s 30113:20 59:23 30161:17 240:22,24 247:16 30256:7 289:22,25 30250:25 30251:2 30125:12 30125:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 25:16 30126:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16
30302:17 30213:7 30217:19 united 30151:9 vice-president 301 Tuesday/Wednesday 30219:2 30222:9 unjustifiable 30236:11 30194:17 301 30282:25 30283:1 30223:7 30224:13 unprecedented victims 30210:6 wanti 30274:19 30284:17 30226:25 30228:6 30162:5,14 30217:4 301 30141:14 30236:5 30228:4 unprecedented victims 30210:6 wanti 30190:14 30200:12 30236:5 30228:4 unprotected 30153:20 30261:5 30299:20,20 301 30200:13,20 30239:2,4,4,11,24 30161:13 30162:7 30299:21 30300:13 302 30201:15 30271:19 30246:3,11 30248:8 unreslistic 30257:12 videos 30243:22 Wart twice 30264:8 30249:24 30253:7,25 30197:7,12,23 30299:11,13 302 30142:23 30122:9 30266:19 30263:16 30198:1,18 view 3013:12 Wart 30142:23 30152:5 30266:19 30263:16 30198:1,18 3027:53 30233:19 301 30144:9 30151:15,20 30266:18,20,22 unsatisfactory 30122:23 30173:8,12	74:3 30189:4 94:20 30244:9 286:16 30290:14 ing 30142:25 85:17 s 30113:20 59:23 30161:17 240:22,24 247:16 30256:7 289:22,25 30250:25 30251:2 cant 30258:23 271:6,7 cant-Officer 245:20 ct 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 ct 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
Tuesday/Wednesday 30228:25 30282:130219:2 30222:9 30223:7 30224:13 augreedentedunjustifiable 30236:11 unlawful 30280:430194:17 victim 30271:23301 302turn 30176:22 30226:25 30226:530225:11 30226:13 30226:25 30228:6unprecedented 3014:1430231:2,4 30234:17 30226:25 30228:6unprepared 30240:21 unprotected 30153:20victims 30210:6 30201:15 30299:20,20301 30161:13 30162:7 30209:21 30300:13302 30209:21 30300:13302 30204:18wara 3 wara 3 wara 3 wideos 30243:22wara 3 30243:18wara 3 30243:18wara 3 30243:18wara 3 30243:18wara 3 30243:18wara 3 30243:18wara 3 30243:18wara 3 30243:18wara 3 30243:1230243:12Warr 30243:1230243:22wara 3 30243:18wara 3 30237:21 30233:19301 30243:19301 30243:19301 30243:1930232322330173:13 30237:11 <td< td=""><td>94:20 30244:9 286:16 30290:14 ing 30142:25 85:17 59:23 30161:17 240:22,24 247:16 30256:7 289:22,25 30250:25 30251:2 rant 30258:23 271:6,7 rant-Officer 245:20 7t 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 7t 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20</td></td<>	94:20 30244:9 286:16 30290:14 ing 30142:25 85:17 59:23 30161:17 240:22,24 247:16 30256:7 289:22,25 30250:25 30251:2 rant 30258:23 271:6,7 rant-Officer 245:20 7t 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 7t 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
30282:25 30223:7 30217:4 3017:4 3017:4 3017:4 3017:4 3017:4 3017:4 3017:4 3017:4 3017:4 3017:4 3017:4 30121:5 30217:4 30121:7 30229:20,20 301 30300:21,22 30300:21,22 30230:13 302 30230:13 302 30230:13 302 303021:22 30230:13 302 303021:22 30230:13 302 303021:22 30230:13 302 303021:22 30230:13 302 303021:13 302 30230:13 302 303021:13 30230:13 302 303021:13 30230:13 302 30302:13 302 30302:13 302 30230:14 30302:14:13 3017:12,303 3017:12,3032	286:16 30290:14 ing 30142:25 85:17 s 30113:20 59:23 30161:17 240:22,24 247:16 30256:7 289:22,25 30250:25 30251:2 rant 30258:23 271:6,7 rant-Officer 245:20 7t 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 7t 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
turn 30176:2230225:11 30226:13unprecedentedvictims 30210:6wanti30274:19 30284:1730226:25 30228:630162:5,1430217:4301turned 30114:1430231:2,4 30234:17unprotected 30153:203026:5 3029:2,0,2030130190:14 30200:1230236:5 30238:24unprotected 30153:203026:15 3029:2,0,2030130200:13,2030239:2,4,4,1,1,2430161:13 30162:730299:21 30300:1330230201:15 30271:1930246:3,11 30248:8unreslistic 30257:12videographers302Twala 30272:530248:10 30249:18unreslistic 30257:12videos 30243:22Warrtwice 30264:830249:24 30253:7,25unresl 30156:5 30163:4videos 30243:22Warr30142:21 30127:2030266:19 30263:1630198:1,18view 30113:12Warr30142:21 30127:2030266:19,2130146:14 30192:1130192:1 30216:123023014:12 30127:2030266:10,2130146:14 30192:1130192:1 30216:12warr30152:5 30155:1830276:23 30284:530247:230237:12,1330130161:23 30167:4,430286:25 30291:18unued 30248:530237:12,30233:1930130161:23 30167:4,43029:23 30231:1830249:24 30239:2230249:1330249:24 30239:1330210:15 30211:1830139:15 30151:1ungerading 30138:2130247:2330237:12,3039:930130216:17 30218:830139:12 30151:1130295:24 30303:930130130249:24 30303:930130216:17, 30218:830129:2 30221:130249:23	ing 30142:25 85:17 59:23 30161:17 240:22,24 247:16 30256:7 289:22,25 30250:25 30251:2 30250:25 30251:2 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 3244:23 30299:23 3244:23 30299:23 3244:23 30299:23 3244:23 30299:23 3244:23 30299:23 3244:23 30299:23 3244:23 30299:23 3244:23 30299:23 325:15 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	85:17 s 30113:20 59:23 30161:17 240:22,24 247:16 30256:7 289:22,25 30250:25 30251:2 ant 30258:23 271:6,7 cant-Officer 245:20 ?t 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 ?t 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 2 30237:20
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	85:17 s 30113:20 59:23 30161:17 240:22,24 247:16 30256:7 289:22,25 30250:25 30251:2 ant 30258:23 271:6,7 cant-Officer 245:20 ?t 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 ?t 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 2 30237:20
turned 30114:1430231:2,4 30234:17unprepared 30240:21video 30260:15,20,22wants30190:14 30200:1230236:5 30238:24unprotected 30153:2030261:5 30299:20,2030130201:15 30271:1930240:9 30242:2530203:330300:21,2230230218:2430246:3,11 30248:8unrealistic 30257:12video 30264:1830249:24Twala 30272:530248:10 30249:18unreslistic 30257:12videos 30243:22Warrtwist 30234:330249:24 30253:7,25unrest 30156:5 30163:4videos 30243:22Warr30124:21 30127:2030266:19 30263:16301981:1,18view 30113:12Warr30124:21 30127:2030266:19 30263:16301981:1,18view 30113:12Warr30124:23 30167:4,430286:25 30291:18unsed 30248:530227:5 30233:1930130161:23 30167:4,430286:25 30291:18unsed 30248:530237:12,1330130161:23 30167:4,430246:25 30291:18understanding 30118:1unperating 30138:2130247:12 30254:1630230210:15 30211:1530139:15 30151:130247:23 30146:11,2130248:5430237:21 30239:930130216:7,7 30218:830192:2 30212:130291:22view 30191:2030130130219:8 30220:19,2530235:19 30244:13urgent 30146:16,1830243:930230219:8 30220:19,2530235:19 30244:13urgent 30146:16,1830243:930230219:8 30220:19,2530250:8 30265:430150:20,22 30151:3viglanct 30195:7viglanct 30195:730241:5,9 30242:24	s 30113:20 59:23 30161:17 240:22,24 247:16 30256:7 289:22,25 30250:25 30251:2 301258:23 271:6,7 cant-Officer 245:20 24 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 244:23 30299:23 25:15 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
30190:14 30200:12 30230:13,2030236:5 30238:24 30239:2,4,4,11,24unprotected 30153:20 30161:13 30162:730261:5 30299:20,20 30299:21 30300:13301 30230201:15 30271:1930240:9 30242:25 30246:3,11 30248:830203:330300:21,22302turns 30218:2430246:3,11 30248:8unrealistic 30257:12 unrest 30156:5 30163:4videographers 30243:18302twice 30264:830249:24 30253:7,25unrest 30156:5 30163:4videos 30243:22Warr 30243:18twist 30234:3302661:19 30263:1630198:1,18videos 30243:22Warr30124:21 30127:20302667:18,20,22unsatisfactory30122:23 30173:8,1230230124:21 30127:2030266:19 30263:1630198:1,18view 30113:12Warr30124:21 30155:1830276:23 30284:530247:230227:5 30233:1930130161:23 30167:4,430286:25 30291:18unused 30248:530237:12,1330130168:6 30170:6,7,1730294:18 30299:12un-ideal 30254:2330238:14 30240:2530130210:15 30211:1830139:15 30151:1urgerd 30146:11,2130268:3,4 30275:22wasn'30210:15 30211:1830192:2 30212:130247:2 30151:1130268:3,4 30275:230230228:4 30232:2530235:19 30244:13urgent 30146:16,1830243:930130219:8 30220:19,2530236:430147:23 30151:1130295:24 30303:930130219:8 30220:19,2530266:24 30300:11urgent 30146:16,1830243:930230216:7,7 30218:830192:2 3025:330160:12,15 30162:6 <td>59:23 30161:17 240:22,24 247:16 30256:7 289:22,25 30250:25 30251:2 rant 30258:23 271:6,7 rant-Officer 245:20 't 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 't 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20</br></td>	59:23 30161:17 240:22,24 247:16 30256:7 289:22,25 30250:25 30251:2 rant 30258:23 271:6,7 rant-Officer 245:20 't 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 't 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	240:22,24 247:16 30256:7 289:22,25 30250:25 30251:2 rant 30258:23 271:6,7 rant-Officer 245:20 't 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 't 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
30201:15 30271:1930240:9 30242:2530203:330300:21,22302turns 30218:2430246:3,11 30248:8unrealistic 30257:12videographers302Twala 30272:530248:10 30249:18unresolved 30276:2030243:18war 3twice 30264:830249:24 30253:7,25unrest 30156:5 30163:4videos 30243:22Warrtwist 30234:330254:12 30258:730197:7,12,2330299:11,1330230124:21 30127:2030260:19 30263:1630198:1,18view 30113:12Warr30124:21 30127:2030267:18,20,22unsatisfactory30122:23 30173:8,1230230161:23 30167:4,430286:25 30291:18unsed 30248:530247:230237:12,1330130168:6 30170:6,7,1730294:18 30299:12un-ideal 30254:2330238:14 30240:2530130210:15 30211:1830139:15 30151:1urgency 30146:11,2130282:15 30286:2430130216:7,7 30218:830192:2 30212:130291:22view 30191:2030130216:7,7 30218:830192:2 30212:130291:22view 30146:16,1830243:930230226:4,43023:2530256:5430170:12,16 30172:130243:930230226:4,43023:2530256:5430170:12,20 30151:130243:930230226:4,43023:2530256:5430170:12,16 30172:7views 30191:2030130216:7,7 30218:830166:12 30191:1230146:17 30152:1230161:13,15 30162:630230237:21 30239:1830266:24 30300:11urgent 30146:16,1830243:930230236:4:4,43023	247:16 30256:7 289:22,25 30250:25 30251:2 rant 30258:23 271:6,7 rant-Officer 245:20 't 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 't 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
turns $30248:3,11$ $30248:8$ unrealistic $30257:12$ videographers 302 Twala $30272:5$ $30248:10$ $30249:18$ unresolved $30276:20$ $30243:18$ war 3twice $30246:13$ $30249:24$ $30253:7,25$ unrest $30165:5$ $30163:4$ videos $30243:12$ Warrtwist $30234:3$ $30254:12$ $30258:7$ $30197:7,12,23$ $30299:11,13$ 302 two $30112:22$ $30122:29$ $30260:19$ $30263:16$ $30198:1,18$ view $30113:12$ Warr $30124:21$ $30127:20$ $30266:19$ $30268:10,21$ $30146:14$ $30192:1$ $30122:23$ $30173:8,12$ 302 $30144:9$ $30151:15,20$ $30266:23$ $30247:2$ $30227:5$ $30233:19$ 301 $30161:23$ $30167:4,4$ $30286:25$ $30247:2$ $30237:12,13$ 301 $30168:6$ $30170:67,17$ $30294:18$ $30299:12$ unideal $30242:23$ $30238:14$ $30240:25$ 3012 $30200:10$ upgrading $30188:21$ $30247:12$ 302	289:22,25 20250:25 30251:2 271:6,7 245:20 245:20 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 244:23 30299:23 243:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 230237:20
Twala 30272:530248:10 30249:18unresolved 30276:2030243:18war 3twice 30264:830249:24 30253:7,25unrest 30156:5 30163:4videos 30243:22Warrtwist 30234:330254:12 30258:730197:7,12,2330299:11,1330230124:21 30127:2030267:18,20,22unsatisfactory30122:23 30173:8,1230230144:9 30151:15,2030268:10,2130146:14 30192:1130192:1 30216:123023:1930152:5 30155:1830276:23 30284:530247:230227:5 30233:1930130168:6 30170:6,7,1730294:18 30299:12unsed 30248:530237:12,1330130168:6 30170:6,7,1730294:18 30299:12ungrading 30138:2130268:3,4 30275:22wasn'30210:15 30211:1830139:15 30151:1ungrency 30146:11,2130282:15 30286:2430130214:10 30215:4,1530186:12 30191:1230147:23 30151:1130295:24 30303:930130214:10 30215:4,1530122:2 30212:130291:22views 30191:2030130219:8 30220:19,2530250:8 30265:430150:20,22 30151:330243:930230241:5,9 3024:24understands 30257:11urgenty 30146:16,1830243:930230254:4,30232:2530250:8 30265:430170:22,02 30151:3viglance 30195:7waste30254:4,30232:2530250:8 30265:430150:20,22 30151:330161:13,15 30162:630230266:4,4 30268:5understood 30117:2530170:12,16 30172:930173:6,11130230266:4,4 30268:5301154:1230172:20 30186:730193:6,11302 </td <td>20250:25 30251:2 271:6,7 245:20 24 30122:12 25:2 30144:15,16 55:15 30161:20 20:20 30222:23 244:23 30299:23 244:23 30299:23 244:23 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 2 30237:20</td>	20250:25 30251:2 271:6,7 245:20 24 30122:12 25:2 30144:15,16 55:15 30161:20 20:20 30222:23 244:23 30299:23 244:23 30299:23 244:23 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 2 30237:20
twice 30264:830249:24 30253:7,25unrest 30156:5 30163:4videos 30243:22Warrtwist 30234:330254:12 30258:730197:7,12,2330299:11,13302two 30112:22 30122:930260:19 30263:1630198:1,18view 30113:12Warr30124:21 30127:2030267:18,20,22unsatisfactory30122:33 30173:8,1230230144:9 30151:15,2030268:10,2130146:14 30192:1130192:1 30216:12wasn30152:5 30155:1830276:23 30284:530247:230227:5 30233:1930130168:6 30170:67,1730294:18 30299:12un-ideal 30254:2330238:14 30240:2530130175:11 30185:2230300:10upgrading 30138:2130247:12 30254:1630230210:15 30211:1830199:15 30151:1urgency 30146:11,2130282:15 30286:2430130214:10 30215:4,1530186:12 30191:1230147:23 30151:1130295:24 30303:930130216:7,7 30218:830192:2 30212:130291:22view 30191:2030130216:7,7 30218:830266:24 30300:11urgent 30146:16,1830243:930230227:21 30239:1830266:24 30300:11urgent 30146:16,1830243:930230241:5,9 30242:24understands 30257:11urgent 30146:17 30152:1230161:13,15 30162:630230264:4,4 30268:530172:20 30186:730173:6 30193:6,1130230230264:4,4 30269:630118:1 30154:1230172:20 30186:730193:18 30194:2130230266:630118:1 30154:1230172:20 30186:730193:6,1130130266	rant 30258:23 271:6,7 rant-Officer 245:20 7t 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 7t 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 2 30237:20
twice 30264:830249:24 30253:7,25unrest 30156:5 30163:4videos 30243:22Warrtwist 30234:330254:12 30258:730197:7,12,2330299:11,13302two 30112:22 30122:930260:19 30263:1630198:1,18view 30113:12Warr30124:21 30127:2030267:18,20,22unsatisfactory30122:33 30173:8,1230230144:9 30151:15,2030268:10,2130146:14 30192:1130192:1 30216:12wasn30152:5 30155:1830276:23 30284:530247:230227:5 30233:1930130168:6 30170:67,1730294:18 30299:12un-ideal 30254:2330238:14 30240:2530130175:11 30185:2230300:10upgrading 30138:2130247:12 30254:1630230210:15 30211:1830199:15 30151:1urgency 30146:11,2130282:15 30286:2430130214:10 30215:4,1530186:12 30191:1230147:23 30151:1130295:24 30303:930130216:7,7 30218:830192:2 30212:130291:22view 30191:2030130216:7,7 30218:830266:24 30300:11urgent 30146:16,1830243:930230227:21 30239:1830266:24 30300:11urgent 30146:16,1830243:930230241:5,9 30242:24understands 30257:11urgent 30146:17 30152:1230161:13,15 30162:630230264:4,4 30268:530172:20 30186:730173:6 30193:6,1130230230264:4,4 30269:630118:1 30154:1230172:20 30186:730193:18 30194:2130230266:630118:1 30154:1230172:20 30186:730193:6,1130130266	271:6,7 cant-Officer 245:20 't 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 't 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 230237:20
twist 30234:330254:12 30258:730197:7,12,2330299:11,13302two 30112:22 30122:930260:19 30263:1630198:1,18view 30113:12Warr30124:21 30127:2030267:18,20,2230146:14 30192:1130122:23 30173:8,1230230144:9 30151:15,2030268:10,2130146:14 30192:1130192:1 30216:12wasn30152:5 30155:1830276:23 30284:530247:230227:5 30233:1930130168:6 30170:6,7,1730294:18 30299:12unstel a0254:2330237:12,1330130175:11 30185:2230300:10upgrading 30138:2130247:230247:12 30254:1630230210:15 30211:1830139:15 30151:1urgency 30146:11,2130268:3,4 30275:22wasn ⁴ 30214:10 30215:4,1530186:12 30191:1230147:23 30151:1130295:24 30303:930130219:8 30220:19,2530235:19 30244:13urgent 30146:16,1830243:930230237:21 30239:1830266:24 30300:11urgent 30146:16,1830243:930230237:21 30239:1830266:24 30300:11urgent 30146:17 30152:1230161:13,15 30162:630230224:5,9 30242:24understands 30257:11urging 30279:11vigilance 30195:7waste30264:24 30268:15understood 30117:2530170:62,16 30172:930173:6 30193:6,1130230264:24 30269:6,630118:1 30154:1230172:20 30186:730136:13,15 30162:630230270:2 30274:930158:16 30171:730240:2 30248:1530133:8,14,17,1830130270:2 30274:930158:16 30171:730240:2 30248	271:6,7 cant-Officer 245:20 't 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 't 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 230237:20
two 30112:22 30122:930260:19 30263:1630198:1,18view 30113:12Warr30124:21 30127:2030267:18,20,2230144:9 30151:15,2030268:10,2130146:14 30192:1130122:23 30173:8,1230230152:5 30155:1830276:23 30284:530247:230122:13 30126:12wasn30168:6 30170:6,7,1730294:18 30299:12unsed 30248:530237:12,1330130175:11 30185:2230300:10upgrading 30138:2130247:12 30254:1630230210:15 30211:1830139:15 30151:1uphold 30150:1730286:3,4 30275:22wasn'30210:15 30211:1830139:15 30151:1urgency 30146:11,2130282:15 30286:2430130216:7,7 30218:830192:2 30212:130291:22wiews 30191:2030130219:8 30220:19,2530250:8 30265:430150:20,22 30151:330243:930230241:5,9 30242:24understands 30257:11urgent 30146:16,1830243:930230241:5,9 30242:4understood 30117:2530170:12,16 30172:930173:6 30193:6,1130230266:24 30300:11understood 30117:2530170:12,16 30172:930173:6 30193:6,1130230268:22 30269:6,630118:1 30154:1230172:20 30186:730193:18 30197:8water30270:2 30274:930158:16 30171:730240:2 30248:1530133:8,14,17,18301	ant-Officer 245:20 °t 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 't 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
30124:21 30127:20 30144:9 30151:15,20 30152:5 30155:1830267:18,20,22 30268:10,21unsatisfactory 30146:14 30192:1130122:23 30173:8,12 30192:1 30216:12302 wash30152:5 30155:18 30161:23 30167:4,430286:25 30291:18 30286:25 30291:1830247:2 30247:230227:5 30233:19 30237:12,13301 301 30237:12,13301 301 30238:14 30240:2530175:11 30185:22 30206:4 30207:3,1730300:10 understanding 30118:1 30139:15 30151:1unsed 30248:5 upgrading 30138:21 uphold 30150:1730268:3,4 30275:22 30282:15 30286:24wash 30247:12 30254:1630210:15 30211:18 30216:7,7 30218:8 30220:19,2530186:12 30191:12 30235:19 30244:1330147:23 30151:11 30291:2230282:15 30286:24 30146:11,2130243:9 30291:2230216:7,7 30218:8 30223:19 30244:1330192:2 30212:1 30245:24 303025:1930247:12 30251:13 30291:2230243:9 vigilance 30195:7 30241:59 30242:24301 30241:530241:5,9 30242:24 30232:2530266:24 30300:11 30268:5urgently 30241:23 30170:12,16 30172:9vigilance 30195:7 30173:6 30193:6,11waste 302239:2130266:24 30300:11 30268:5understood 30117:25 30170:12,16 30172:930173:6 30193:6,11 30173:6 30193:6,11302 302 30133:18 30197:8302 302 30133:18 30197:8301 30240:2 30248:15 30173:26 30264:1630135:8,14,17,18301	245:20 2t 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 2t 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 230237:20
30144:9 30151:15,2030268:10,2130146:14 30192:1130192:1 30216:12wasn'30152:5 30155:1830276:23 30284:530247:230227:5 30233:1930130161:23 30167:4,430286:25 30291:18unused 30248:530237:12,1330130168:6 30170:6,7,1730294:18 30299:12un-ideal 30254:2330238:14 30240:2530130175:11 30185:2230300:10upgrading 30138:2130247:12 30254:1630230206:4 30207:3,17understanding 30118:1uphold 30150:1730268:3,4 30275:22wasn'30210:15 30211:1830139:15 30151:1urgency 30146:11,2130282:15 30286:2430130216:7,7 30218:830192:2 30212:130291:22views 30191:2030130228:4 30232:2530235:19 30244:13urgent 30146:16,1830243:930230241:5,9 30242:24understands 30257:11urgently 30241:23vigilance 30195:7waste30241:5,9 30242:24understands 30257:11use 30146:17 30152:1230161:13,15 30162:630230268:5understood 30117:2530170:12,16 30172:930173:6 30193:6,1130230268:22 30269:6,630118:1 30154:1230172:20 30186:730193:18 30197:8water30270:2 30274:930158:16 30171:730240:2 30248:15violent 30134:2530130276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	't 30122:12 25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 't 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
30152:5 30155:1830276:23 30284:530247:230227:5 30233:1930130161:23 30167:4,430286:25 30291:18unused 30248:530237:12,1330130168:6 30170:6,7,1730294:18 30299:12un-ideal 30254:2330238:14 30240:2530130175:11 30185:2230300:10upgrading 30138:2130247:12 30254:1630230206:4 30207:3,17understanding 30118:1uphold 30150:1730268:3,4 30275:22wasn'30210:15 30211:1830139:15 30151:1urgency 30146:11,2130282:15 30286:2430130216:7,7 30218:830192:2 30212:130147:23 30151:1130295:24 30303:930130228:4 30232:2530235:19 30244:13urgent 30146:16,1830243:930230228:4 30232:2530250:8 30265:430150:20,22 30151:3vigilance 30195:7waste30241:5,9 30242:24understands 30257:11urgently 30241:23vigilant 30194:2130230266:24 30300:11urgently 30241:23vigilant 30194:2130230264:4,4 30268:15understands 30257:1130170:12,16 30172:930173:6 30193:6,1130230268:22 30269:6,630118:1 30154:1230172:20 30186:730193:18 30197:8water30270:2 30274:930158:16 30171:730240:2 30248:15violent 30134:2530130276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	25:2 30144:15,16 55:15 30161:20 80:20 30222:23 244:23 30299:23 't 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
30161:23 30167:4,4 30168:6 30170:67,17 30175:11 30185:22 30206:4 30207:3,1730286:25 30291:18 30299:12 30300:10unused 30248:5 un-ideal 30254:23 upgrading 30138:21 uphold 30150:1730237:12,13 30247:12 30254:16 30247:12 30254:16301 302 30268:3,4 30275:22 wasn'30210:15 30211:18 30214:10 30215:4,15 30216:7,7 30218:8 30228:4 30232:2530186:12 30191:12 30235:19 30244:13 30225:19 30244:13 30228:4 30232:2530186:12 30191:12 30250:19 30244:13 30226:24 30300:11 understands 30257:11 30268:5230147:23 30151:11 30291:2230282:15 30286:24 301291:20301 30291:22 views 30191:20301 30244:930237:21 30239:18 30228:4,4 30232:25 30250:8 30265:4 30266:24 30300:11 30266:24 30300:11 30266:5230150:20,22 30151:3 urgently 30241:23 urging 30279:11 use 30146:17 30152:12wigilance 30195:7 30161:13,15 30162:6 30173:6 30193:6,11 30193:18 30197:8waste waste s0173:6 30193:6,11 30240:2 30248:1530268:22 30269:6,6 30118:1 30154:12 30270:2 30274:930158:16 30171:7 30189:7 30252:1730240:2 30248:15 30250:5 30264:1630135:8,14,17,18	55:15 30161:20 80:20 30222:23 244:23 30299:23 24 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
30168:6 30170:6,7,17 30175:11 30185:22 30206:4 30207:3,17 30210:15 30211:18 30214:10 30215:4,15 30216:7,7 30218:8 30220:19,253019:15 30151:1 30139:15 30151:1 30192:2 30212:1 302212:1un-ideal 30254:23 upgrading 30138:21 uphold 30150:17 urgency 30146:11,21 30147:23 30151:1130238:14 30240:25 30247:12 30254:16 30268:3,4 30275:22 30282:15 30286:24 30192:2 30212:1 302219:8 30220:19,2530186:12 30191:12 30235:19 30244:13 30228:4 30232:25 30250:8 30265:4 30228:4 30232:25 30228:4 30232:25understands 30257:11 30266:24 30300:11 understands 30257:11 30266:24 30300:11 urgenty 30241:23 urging 30279:11 use 30146:17 30152:12views 30191:20 30135:16 30172:9 30170:12,16 30172:9views 30191:20 30133:18 30194:21 30194:21302 302 302 30230268:22 30269:6,6 30118:1 30154:12 30270:2 30274:930118:1 30154:12 30158:16 30171:730170:12,16 30172:9 30240:2 30248:1530133:8 30197:8 30133:8,14,17,18water 30133:8,14,17,18	80:20 30222:23 244:23 30299:23 't 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
30175:11 30185:2230300:10upgrading 30138:2130247:12 30254:1630230206:4 30207:3,17understanding 30118:1understanding 30118:1uphold 30150:1730268:3,4 30275:22wasn'30210:15 30211:1830139:15 30151:130186:12 30191:1230147:23 30151:11302295:24 30303:930130216:7,7 30218:830192:2 30212:130291:22wiews 30191:2030130219:8 30220:19,2530235:19 30244:1330150:20,22 30151:330243:930230228:4 30232:2530266:24 30300:11urgently 30146:16,1830243:930230241:5,9 30242:2430266:24 30300:11urgently 30241:23vigilance 30195:7waste30264:4,4 30268:15understands 30257:1130268:530161:13,15 30162:630230268:22 30269:6,630118:1 30154:1230170:12,16 30172:930173:6 30193:6,1130230270:2 30274:930158:16 30171:730240:2 30248:1530193:18 30197:8water30276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	244:23 30299:23 't 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 230237:20
30175:11 30185:2230300:10upgrading 30138:2130247:12 30254:1630230206:4 30207:3,17understanding 30118:130139:15 30151:1uphold 30150:1730268:3,4 30275:22wasn'30214:10 30215:4,1530186:12 30191:1230147:23 30151:1130295:24 30303:930130216:7,7 30218:830192:2 30212:130291:22views 30191:2030130228:4 30232:2530250:8 30265:430150:20,22 30151:330243:930230241:5,9 30242:2430266:24 30300:11urgently 30241:23vigilance 30195:7waste30264:4,4 30268:15understands 30257:1130268:530161:13,15 30162:630230268:22 30269:6,630118:1 30154:1230170:12,16 30172:930173:6 30193:6,1130230270:2 30274:930158:16 30171:730240:2 30248:1530134:2530130276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	't 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
30206:4 30207:3,17 30210:15 30211:18understanding 30118:1 30139:15 30151:1uphold 30150:17 urgency 30146:11,21 30147:23 30151:1130268:3,4 30275:22 30282:15 30286:24wasn' 30130210:15 30211:18 30214:10 30215:4,1530186:12 30191:12 30186:12 30191:1230147:23 30151:11 30147:23 30151:1130295:24 30303:9 30291:22301 30295:24 30303:9301 30295:24 30303:930219:8 30220:19,25 30228:4 30232:2530235:19 30244:13 302266:24 30300:11urgent 30146:16,18 30150:20,22 30151:330243:9302 30243:930228:4 30232:25 302266:24 30300:1130266:24 30300:11 urgently 30241:23urgently 30241:23 urging 30279:11vigilance 30195:7 s0242:24waste s0268:530264:4,4 30268:15 30268:22 30269:6,6 30270:2 30274:9understands 30257:11 30158:16 30171:7urgently 30240:2 30248:15 30240:2 30248:1530173:6 30193:6,11 30193:18 30197:8302 water 30134:2530270:2 30274:9 30276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	't 30136:24,24 38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
30210:15 30211:1830139:15 30151:1urgency 30146:11,2130282:15 30286:2430130214:10 30215:4,1530186:12 30191:1230147:23 30151:1130295:24 30303:930130216:7,7 30218:830192:2 30212:130291:22views 30191:2030130219:8 30220:19,2530235:19 30244:1330250:8 30265:430146:16,1830243:930230228:4 30232:2530250:8 30266:2430161:13,0146:16,1830243:930230241:5,9 30242:24understands 30257:11urgently 30241:23vigilance 30195:7waste30254:17,20 30259:230268:5understands 30257:11urging 30279:11violence 30141:530230264:4,4 30268:15understood 30117:2530170:12,16 30172:930173:6 30193:6,1130230268:22 30269:6,630118:1 30154:1230172:20 30186:730193:18 30197:8water30270:2 30274:930158:16 30171:730240:2 30248:1530133:8,14,17,1830130276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	38:4,18 30167:23 67:24 30198:2,3 98:20 30199:5 225:16 30237:20
30214:10 30215:4,1530186:12 30191:1230147:23 30151:1130295:24 30303:930130216:7,7 30218:830192:2 30212:130291:22views 30191:2030130219:8 30220:19,2530235:19 30244:1330295:24 30302:130243:930230228:4 30232:2530250:8 30265:430146:16,1830243:930230241:5,9 30242:24understands 30257:11urgently 30241:23vigilance 30195:7waste30254:17,20 30259:230268:5understands 30257:11urgently 30241:23violence 30141:530230264:4,4 30268:15understood 30117:2530170:12,16 30172:930173:6 30193:6,1130230268:22 30269:6,630118:1 30154:1230172:20 30186:730193:18 30197:8water30270:2 30274:930158:16 30171:730240:2 30248:1530133:8,14,17,1830130276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	67:24 30198:2,3 98:20 30199:5 225:16 30237:20
30216:7,7 30218:830192:2 30212:130291:22views 30191:2030130219:8 30220:19,2530235:19 30244:1330235:19 30244:1330146:16,1830243:930230228:4 30232:2530250:8 30265:430150:20,22 30151:3vigilance 30195:7waste30237:21 30239:1830266:24 30300:11urgently 30241:23vigilant 30194:2130230241:5,9 30242:24understands 30257:11urgently 30279:11violence 30141:5waste30264:4,4 30268:15understood 30117:2530170:12,16 30172:930173:6 30193:6,1130230268:22 30269:6,630118:1 30154:1230172:20 30186:730193:18 30197:8water30270:2 30274:930158:16 30171:730240:2 30248:15violent 30134:2530130276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	98:20 30199:5 225:16 20237:20
30219:8 30220:19,2530235:19 30244:13urgent 30146:16,1830243:930230228:4 30232:2530250:8 30265:430150:20,22 30151:3vigilance 30195:7waste30237:21 30239:1830266:24 30300:11urgently 30241:23vigilant 30194:2130230241:5,9 30242:24understands 30257:11urgently 30279:11violence 30141:5waste302568:530268:5understood 30117:2530170:12,16 30172:930161:13,15 30162:630230268:22 30269:6,630118:1 30154:1230172:20 30186:730193:18 30197:8water30270:2 30274:930158:16 30171:730240:2 30248:15violent 30134:2530130276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	225:16 230237:20
30228:4 30232:2530250:8 30265:430150:20,22 30151:3vigilance 30195:7waste30237:21 30239:1830266:24 30300:11urgently 30241:23vigilant 30194:2130230241:5,9 30242:24understands 30257:11urging 30279:11violence 30141:5waste30254:17,20 30259:230268:5understood 30117:2530170:12,16 30172:930161:13,15 30162:630230268:22 30269:6,630118:1 30154:1230172:20 30186:730193:18 30197:8water30270:2 30274:930158:16 30171:730240:2 30248:15violent 30134:2530130276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	230237:20
30237:21 30239:1830266:24 30300:11 understands 30257:11urgently 30241:23 urging 30279:11vigilant 30194:21 violence 30141:5302 waste30254:17,20 30259:230268:530268:5urging 30279:11 30268:2solence 30141:5waste30264:4,4 30268:15understood 30117:2530170:12,16 30172:930161:13,15 30162:630230268:22 30269:6,630118:1 30154:1230172:20 30186:730193:18 30197:8water30270:2 30274:930158:16 30171:730240:2 30248:15violent 30134:2530130276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	
30241:5,9 30242:24 30254:17,20 30259:2understands 30257:11 30268:5urging 30279:11 use 30146:17 30152:12violence 30141:5 30161:13,15 30162:6waste 30230264:4,4 30268:15 30268:22 30269:6,6understood 30117:25 30118:1 30154:1230170:12,16 30172:9 30172:20 30186:730161:13,15 30162:6 30173:6 30193:6,11302 30230270:2 30274:9 30276:7,7,8 30279:730158:16 30171:7 30189:7 30252:1730240:2 30248:15 30250:5 30264:1630135:8,14,17,18301	54.11 20279.0
30254:17,20 30259:2 30268:530268:5use 30146:17 30152:1230161:13,15 30162:630230264:4,4 30268:15 30268:22 30269:6,630118:1 30154:1230170:12,16 30172:930173:6 30193:6,1130230270:2 30274:9 30276:7,7,8 30279:730158:16 30171:730240:2 30248:1530134:2530130276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	.34:11 302/8:9
30254:17,20 30259:2 30268:530268:5use 30146:17 30152:1230161:13,15 30162:630230264:4,4 30268:15 30268:22 30269:6,630118:1 30154:1230170:12,16 30172:930173:6 30193:6,1130230270:2 30274:9 30276:7,7,8 30279:730158:16 30171:730240:2 30248:1530134:2530130276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	ed 30228:15
30264:4,4 30268:15understood 30117:2530170:12,16 30172:930173:6 30193:6,1130230268:22 30269:6,630118:1 30154:1230172:20 30186:730193:18 30197:8water30270:2 30274:930158:16 30171:730240:2 30248:15violent 30134:2530130276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	256:16,17 30257:5
30268:22 30269:6,6 30270:2 30274:930118:1 30154:12 30158:16 30171:730172:20 30186:7 30240:2 30248:1530193:18 30197:8 violent 30134:25water 30130276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	270:5 30276:10,23
30270:2 30274:930158:16 30171:730240:2 30248:15violent 30134:2530130276:7,7,8 30279:730189:7 30252:1730250:5 30264:1630135:8,14,17,18301	
30276:7,7,8 30279:7 30189:7 30252:17 30250:5 30264:16 30135:8,14,17,18 301	
	88:16 30192:10
	92:12 30237:4,8
	30128:7 30141:9
30288:2 30299:2 undertake 30191:20 30281:22 30282:16 virtually 30170:21 301	53:10 30159:12
30302:12 30224:24 30288:4 visit 30120:17 301	70:22 30177:11
	78:23 30185:5,5
6	92:5 30193:5
	94:1 30198:14
	218:23 30219:11
	21:13 30239:20
	247:2,8,9 30251:14
	252:15 30260:6
unable 30273:13 30154:1 30261:11 <u>W</u> 302	262:18 30269:1
unavoidable 30275:2 unfolded 30203:2 utterly 30273:25 wage 30125:11,23 302	270:11 30279:12
•	286:18,23
	289:18 30292:11
	295:24
	30256:20 30291:3
	296:16
Ŭ -	ons 30141:5
	61:24 30179:24
	ner 30238:18
30181:1 unhappiness 30194:13 variations 30223:19 30163:2,6,10,18,20 Wedm	nesday 30212:5
	249:11 30250:14
	281:22 30283:14
	283:21 30286:14
0	287:21 30289:9
	290:4 30302:17
THE N T PROVE THE PROPERTY OF	30112:9 30188:11
	200:5 30201:6
30181:22 30186:2 30193:8 Vermaak 30285:22 waive 30203:22 302	202:5,19,20
	205:11 30206:11
	206:19 30207:2
Ph. Work P	231:24,25 30240:6
30200.4 30208.23 unique 30243.10 versions 30250.23 30142.11 50145.22 302	JI.LT,LJ JUL4U.0

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

Email: realtime@mweb.co.za

				Page 22
30241:18 30242:5	we're 30112:7,8	30149:23 30154:23	30187:25 30188:17	30259:1 30260:13
30246:17 30247:1,6	30130:21 30136:14	30157:24 30158:2,19	30191:8 30198:8,8,8	30262:21 30278:7
30248:5,15 30249:8	30163:17 30190:17	30167:5 30170:18	30205:4 30210:2	
30249:11,18 30250:5	30199:7 30204:11	30188:5,19,23	30235:1 30260:15	Y
30252:16 30253:12	30215:10 30227:17	30189:24 30190:4	30261:5 30269:5	Y 30199:14,15
30254:10,11,18	30229:10 30252:10	30202:24 30204:23	30271:9 30273:9	30267:16
30261:11 30262:3,6,9	30273:16 30279:4	30205:14 30206:12	30279:8 30297:3	year 30170:14 30225:2
30266:6 30267:12,14	30281:6 30285:16	30208:22 30215:20	workable 30260:17,23	30226:11 30228:25
30268:13 30269:2	30287:8 30288:15,24	30217:1 30221:4	worked 30169:9	years 30162:8
30271:13 30273:12	we've 30112:4	30223:3 30227:24	30247:5	30215:15
30275:5,6,8,9,10,12	30113:25 30116:18	30228:13,22 30244:7	workers 30119:24 30120:4,6,7 30131:2	yesterday 30213:13
30275:13,14,16 30276:6 30278:13,18	30131:16 30133:21 30134:9 30178:6,13	30244:8,20,24 30245:3 30246:10	30120:4,6,7 30131:2	30215:5 30217:10 30241:21 30261:25
30279:4,6 30282:17	30181:23 30187:9	30247:3 30255:21	30145:5 30146:3,12	30284:15 30288:10
30284:16 30287:2,4,7	30188:16 30190:1,21	30258:25 30260:11	30148:14 30150:22	yield 30293:11
30287:13 30288:4	30199:15 30202:8	30264:19 30269:6	30151:25 30152:11	you'd 30115:12
30289:16 30291:7	30206:17 30214:10	30271:4 30274:5	30152:15 30153:6,10	30167:5 30213:7
30293:23 30297:18	30215:11 30225:1	30276:4,5,14	30154:13 30157:7	30262:22 30287:22
30297:25 30303:11	30228:4 30230:1	30277:22,23 30279:8	30158:22 30159:5,19	you'll 30117:19,25
weekend 30250:10	30237:22 30244:24	30283:13 30284:9	30160:2,11 30164:17	30127:22 30207:9
30255:6 30286:22	30246:18 30261:8	30285:3,9 30297:16	30196:14	30218:18 30221:25
30302:3,6	30268:23 30270:9	30298:6 30302:13,24	working 30222:6	30253:2 30281:12
weekends 30207:23	30278:13 30294:14	30303:6 30304:5	30228:23,25 30230:1	you're 30114:4
30215:24	30302:4 30303:4	witnesses 30113:14	30280:13	30115:9 30117:13,14
weeks 30226:14	whatsoever 30280:3	30188:12 30189:1,25	workplace 30132:22,25	30143:16 30149:14
30279:11 30282:11	30281:6	30190:17,22	30133:2	30166:25 30180:9
30284:15 week's 30279:4	what's 30146:25 30171:1 30213:16	30191:15 30202:22 30203:5 30205:15,18	works 30231:7 world 30252:9,10	30185:6 30188:13,24 30194:25 30199:6
weigh 30146:24	30258:9 30289:19	30205:22,22,23	30254:23 30257:21	30201:1,2 30210:14
welcome 30164:2	whilst 30128:23	30206:3,7,13,16	30285:17	30210:19,25
wellbeing 30274:1	30153:3 30208:7,14	30207:7,10,13,16	world-renowned	30219:13,13 30225:6
well-known 30223:1	30256:6,7 30257:10	30208:3,5,8 30209:17	30264:13	30234:13 30240:2
well-posed 30236:23	White 30261:22	30209:18 30217:21	worrying 30268:4	30242:15 30248:15
went 30118:17,19	30262:5,12 30265:22	30218:1 30221:8	worth 30189:4 30238:7	30249:16 30250:20
30119:20 30121:12	30267:13	30225:21 30231:5	wouldn't 30125:15	30250:23 30253:24
30124:22 30134:1	White's 30262:20	30232:24 30234:1	30146:4 30149:15	30255:14,15 30257:8
30136:6 30155:18	whoever's 30223:7	30245:10 30248:7	30153:21 30164:19	30258:13 30265:4,20
30156:1 30159:7	who's 30212:17	30252:6 30254:7	30250:9,24 30260:6	30266:9 30267:6,7,20
30181:5 30222:5	who've 30112:3	30261:8 30269:4	wouldn't 30131:4	30277:25 30287:12
30280:22,23	30214:16	30270:3,11 30271:5,5	30206:18 30230:25	30293:7 30295:7
weren't 30122:19	widely 30170:3	30275:5,9,14	30239:8 30275:15 30276:2	you've 30153:17
30135:21 30136:21 30150:11 30159:6	wildest 30159:13 willy-nilly 30215:23	30276:13 30279:3,5 30285:16,19,25	would've 30196:20	30162:19 30167:4 30174:11 30175:12
30165:6,21 30167:4	window 30293:16	30293:8 30303:8,14	wrestle 30288:1	30185:5 30189:18
30193:16 30243:19	wish 30112:13	30303:24	written 30127:20	30190:20 30201:14
30244:1 30275:15	30113:24 30188:18	witness's 30172:2	30185:25 30282:22	30206:17 30219:4,7
Wesley 30166:15	30201:20,21,25	wks 30139:18	wrong 30114:4	30222:17 30229:6,16
30187:5,16,22	30202:7 30214:18	woman 30147:25	30117:25 30121:9	30229:18 30231:1,22
West 30212:16 30224:4	30215:17 30230:25	won't 30126:8 30143:3	30124:18 30161:8	30231:25 30232:4
Western 30133:1	30258:13 30264:18	30143:9 30149:19	30171:15 30173:1	30234:10 30238:21
wet 30147:15	30283:9 30289:4	30163:19 30166:19	30186:14 30229:11	30238:23 30240:1
we'd 30135:3,9	30294:2,7 30295:15	30189:13 30211:16	30245:23 30249:23	30248:20 30257:9
30240:17	30297:21 30299:9,10	30211:17 30223:21	30296:1 30299:1	30262:25 30285:1
we'll 30115:23	30300:20 30304:12	30246:5 30298:16,19	wrote 30154:23	30288:13,17
30116:19 30161:19	wished 30144:4	word 30231:16	30162:17 30197:15	30290:20 30295:11
30166:12,20	wishes 30216:2	30245:13,21	X	30301:1 VVV 20100:15
30196:24 30198:22 30198:23 30199:8	30241:3 30290:19 30294:22	30264:16 30292:25 words 30135:22	XXX3 30154:20	YYY 30199:15
30200:4 30203:24	withdrawing 30153:14	30137:5 30166:7	XXX5 50134:20 30162:18 30197:14	Z
30200.4 30203.24	30255:24 30264:3	30248:8 30255:8	XXX5 30127:7,9,10	Zuma 30235:13
30236:15 30239:17	withdrawn 30264:8	30262:17 30287:12	XXX6 30128:18	241114 50235.13
30241:12 30246:19	withhold 30152:13,15	work 30125:12	30174:12 30176:12	0
30247:18 30265:8,9	30152:16	30136:12 30138:25	XXX7 30129:11,15	000 30154:25 30280:22
30270:25 30287:9	witness 30112:15	30141:6 30147:15	XX2 30177:15 30178:2	09:18 30112:2
30288:19 30296:4	30113:21 30115:22	30153:4,7,9,16,22	X's 30204:18 30218:2,5	09:38 30126:18
30297:24	30124:5 30143:17,20	30182:9 30184:5	30219:19 30222:1	09:57 30142:23
ARCHIVE FO	R JUSTICE			

RealTime Transcriptions

Marikana Commission of Inquiry

				Page 2
1	30172:17 30211:15	30265:12 30266:5,23	8	
1 30243:4,6 30303:7	30211:16 30232:1	30267:12	83 30177:23 30178:13	
10 30116:22 30175:20	30272:9 30278:12	2362 30120:15	84 30177:16,17,19,23	
30180:7 30198:23	30287:8	24 30194:15	30177:24,24,25	
30231:11	16:00 30301:22	24th 30194:12 30280:4	30178:10,15	
10th 30229:24	17 30222:1 30243:5	26 30112:16 30129:19	85 30178:4,7	
30257:22 30271:21	18 30157:20 30269:13	30280:11	86 30178:6	
10:17 30154:7	30269:17,24 18th 20158:14	26th 30280:10 27th 30154:23		
100 30176:5	18th 30158:14 30211:14,16,17	27th 30154:23 30162:17 30197:17	9	
1034 30215:12	30287:8,9	50102.17 50197.17	9 30112:3 30271:13	
30221:19	19th 30199:12	3	9th 30157:16 30193:24	
11 30116:2 30119:7	30201:19 30202:12	3% 30138:22	30202:13 30232:3,4	
30175:21 30213:22	30206:23 30210:17	30 30129:25	30235:7	
30214:3	30211:9,18,19	300 30221:6		
11th 30271:22,24,25 11:00 30166:23	30220:18 30223:14	31 30268:12 30269:10		
11:20 30179:20	30223:16 30227:17	30269:10,13		
11:40 30193:14	30228:14 30231:24	30273:13		
12 30116:2,2,20	30232:13 30235:4,6,6	31st 30194:3 30216:13		
30118:2 30121:19	30235:8 30240:6	30226:16,17 30227:6		
30122:16 30123:20	30250:21 30254:18	30227:7,13 30235:13		
30125:2,3 30159:6	30261:19	30238:10,13,19,19		
30176:19 30177:5		30239:6,9 30256:10		
30178:17 30184:17	2	30257:11 30262:15		
30184:20,20	2 30116:25 30117:1,9	30268:14 30297:8		
30198:23 30199:4	30127:22 30228:2,3	32 30130:9		
30281:7,7	30228:11 30233:11	33 30242:10		
12th 30183:8 30185:6	30240:17 30241:12	34 30145:22 30154:1,2		
30185:12 30271:24	30243:16,21	30268:13,13 30297:1		
30271:25 30272:1,3	30245:11 30272:20 20 30182:8 30191:18	36 30281:4		
12:16 30199:2	30214:9 30215:7	4		
12:36 30211:6	30231:11 30279:22	4 30239:23 30289:2		
12:55 30224:25	30279:23,24	30293:3,5		
120 30264:20	20th 30254:18	4th 30241:21		
13 30270:7,10,18,22 30271:8 30276:9	20% 30156:6,13	4.5 30194:10		
13th 30118:22	30163:6	400 30176:4		
30122:15 30222:2	2011 30125:17,23	448 30154:21 30162:18		
30272:5 30278:12	30130:13	449 30162:22 30197:14		
13:15 30240:5	2012 30125:17 30132:1	45th 30271:23		
14 30179:20 30203:22	30145:6 30154:23			
30212:4,13 30222:18	30157:20 30158:14	5		
30279:25 30280:1	30162:17 30176:19	5 30112:1 30176:4,5		
14th 30167:9 30203:24	30187:15 30193:2	5th 30211:13		
30272:5	30194:12 30271:15	5:45 30280:12		
14-day 30222:11	30280:11	50 30145:23 30150:20		
14:02 30241:14	2013 30147:13	500 30117:21 30118:2		
14:22 30254:2	30149:21 30229:25 2014 30112:1 30202:13	30119:3,7 30120:2		
14:42 30266:9	2014 30112:1 30202:13 30256:10	30121:3,5,19		
15 30215:8 30240:15	204 30224:7 30298:6	30122:16 30123:20 30125:2,3 30138:3		
30279:20,22	204 30224.7 50298.0 206 30280:5,5,8,11	30123:2,5 30138:5		
15th 30123:6 30167:9	208 30280:3,7,8	50157.0 50174.0		
30272:8,13 15:02 20278:25	30298:14	6		
15:02 30278:25	21 30182:8	6 30120:16		
15:40 30288:21 150 30281:14,17	21st 30145:5,5,21	600 30222:6		
30293:1,2 30301:22	22 30120:15			
30301:25	23rd 30200:25 30201:6	7		
16 30268:16 30271:13	30201:7 30202:5	7 30127:23 30129:19		
16th 30119:21	30206:19 30234:16	30272:12		
30120:12,12,17	30241:1 30252:2,16	7th 30211:14		
30123:6,7,8,11	30252:21 30254:17	74 30119:22		
30154:5 30159:3	30255:25 30261:11	75 30119:18,24		
30167:9 30169:11,14	30261:20 30262:4,9	750 30155:8		
30169:19 30172:5,14	30262:18 30264:6,10	76 30145:22		
	30264:23 30265:11			
ARCHIVE FO	R JUSTICE	1	1	