

# Support to move Farlam probe to city increases

SAPA

**M**OST PARTIES involved in the Farlam Commission of Inquiry support a call for its hearings to be moved from Rustenburg to Pretoria, it heard yesterday.

The commission's chairman, retired judge Ian Farlam, was hearing oral arguments on the matter.

The commission is investigating the circumstances surrounding the deaths of 44 people in Marikana last year. Police shot dead 34 striking miners while trying to disperse them on August 16. Ten others died in strike-related violence the preceding week.

The National Union of Mineworkers and the Association of Mineworkers and Construction Union, the evidence leaders, the families of the dead miners, and the injured and arrested miners told the commission they supported the move.

Dali Mpfu, for the arrested and injured miners, filed an application for the move in February. He was opposed by the Bapo ba Mogale community and the royal family, represented by Karabo Kgoroadira, and several local municipalities.

On Friday, Kgoroadira submitted that allowing the indigenous people to attend the hearings formed part of their healing process.

Mpfu argued that the municipalities had shown little interest in the matter until now.

Kgoroadira said a lack of information and a lack of transport contributed to the locals not attending the hearings regularly. She said they had made a greater effort to attend since hearing that their poor attendance could affect the decision.

Lonmin had already provided a bus service to the hearings in Rustenburg, and Mpfu said he hoped the mine would continue providing transport for locals if the move was granted.

Kgoroadira told the commission

the relocation could be considered as undermining the indigenous people.

"The relocation would be detrimental to the indigenous people, therefore I call for the application to be dismissed," she said.

Mpfu argued that most of the affected parties were based in Gauteng and were spending large amounts of money on travel and accommodation costs.

Some of the legal representatives, including Mpfu, were not being paid for their services.

Mpfu said the government was spending about R500 000 a month of taxpayers' money on the commission.

If predictions were correct, another R10 million would have been spent on the commission by the time it concluded its work.

The commission heard that about R300 000 a month in costs could be saved if it relocated.

Mpfu said the Commissions Act stated that a commission established by the president could sit anywhere in the country.

Therefore, arguments that the move would violate jurisdiction laws were invalid.

Legal representatives for the Mineral Resources Department also supported Mpfu's application.

The lawyers for the families of the miners who were killed told the commission that if the hearings remained in Rustenburg, their funds would be exhausted by June 2013.

This meant they might no longer be able to continue with their representation.

Human rights lawyer George Bizos, SC, said the withdrawal of any legal representatives would result in a negative impact and outlook for the commission.

Judge Farlam is expected to hold discussions with Justice Minister Jeff Radebe before making a decision on the move.

The commission of inquiry hearings resume on Monday.