

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 143 5 NOVEMBER 2013 PAGES 15574 TO 15796



© REALTIME TRANSCRIPTIONS

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



<p style="text-align: right;">Page 15574</p> <p>1 [PROCEEDINGS ON 5 NOVEMBER 2013] 2 [09:09] CHAIRPERSON: The Commission resumes. 3 Colonel, you're still under oath. 4 DUNCAN GEORGE SCOTT: s.u.o. 5 CHAIRPERSON: Mr Mpfu, I understand you 6 have some more questions for the Colonel. 7 MR MPOFU: Yes, thank you very much, 8 Chairperson. Before I ask the questions, if I could 9 address the Commission on a separate matter? 10 CHAIRPERSON: Certainly. 11 MR MPOFU: Thank you, Chairperson. 12 Chairperson, I wanted to address the issue that is 13 published in the media yesterday and today about the 14 appeal, or rather the application for leave to appeal 15 launched by the Legal Aid Board, or Legal Aid South Africa 16 in respect of the matter of the funding of the arrested and 17 injured miners, and I want to combine my short address on 18 that issue with an answer to your question which you posed 19 when we returned from court, Chairperson, namely whether we 20 have returned permanently or not. At that stage I had said 21 permanently because there were so – semi-permanently, 22 because there were many issues up in the air. 23 I'm glad to announce, Chairperson, that I can 24 assure you that we have returned permanently and the reason 25 for that is that despite the fact that Legal Aid South</p>	<p style="text-align: right;">Page 15576</p> <p>1 appeal is successful, it means they will cease, but they 2 will continue until then? 3 MR MPOFU: That's correct. Thank you 4 very much, Chairperson. And I might on that note mention 5 that the appeal, or rather – yes, the leave to appeal is 6 sought to the Supreme Court of Appeal, so the leave is 7 sought to the SCA and our instructions are obviously to 8 oppose the application for leave to appeal. But one of the 9 issues that we will be raising therein would be whether or 10 not the appeal should not go directly to the Constitutional 11 Court, seeing that it's predictable that the loser in the 12 SCA would launch a further appeal. 13 CHAIRPERSON: Well, the Constitutional 14 Court has in the past indicated in a number of matters that 15 they prefer that generally speaking cases should come to 16 them via the SCA – 17 MR MPOFU: Correct. 18 CHAIRPERSON: - so they have the benefit 19 of the inputs and the views – 20 MR MPOFU: That's correct. 21 CHAIRPERSON: - of the SCA on the matter 22 which is the subject of the appeal. 23 MR MPOFU: Yes. 24 CHAIRPERSON: That may well happen 25 anyway.</p>
<p style="text-align: right;">Page 15575</p> <p>1 Africa has launched an appeal and they filed it, or rather 2 served it on us yesterday, which was the last day for doing 3 so, we have already had some engagements and attended at 4 least one meeting with them, at which I was present, but 5 there have been further engagements with my attorneys, and 6 we have, some of the matters are still under discussion, 7 but we have reason to believe that despite their appeal, 8 that the payment which has been promised to the clients, 9 injured and arrested, will still be forthcoming. 10 We have reason to believe that – or rather, 11 firstly we have instructions to launch an application in 12 terms of rule 49(11) of the Rules of Court and the effect 13 of that rule, as you know, Chairperson, would be to say 14 that the judgment can be executed despite the fact that 15 there is an appeal, if that application is successful, and 16 we are optimistic with the discussions we're having with 17 Legal Aid South Africa that that application will not be 18 opposed, which will then – 19 CHAIRPERSON: That will mean that the 20 judgment which you have obtained in your favour will not be 21 suspended by the appeal. 22 MR MPOFU: Automatically suspended. 23 CHAIRPERSON: Automatically suspended, 24 and the payments that are to be made to your clients will 25 be made at least until the appeal is heard and if the</p>	<p style="text-align: right;">Page 15577</p> <p>1 MR MPOFU: It may, but given what I've 2 already said, we are in no particular hurry. So if – 3 CHAIRPERSON: The need for haste is on 4 the other side, not on your side, in the light of what 5 you've told us. 6 MR MPOFU: Yes, thank you very much, 7 Chairperson. So that's the first matter in respect of the 8 Commission is simply an answer that because of what I've 9 said, then our return is permanent. Thank you, 10 Chairperson. 11 CHAIRPERSON: Thank you. 12 MR MPOFU: Thank you very much. 13 CHAIRPERSON: - anything else that you 14 wish to announce at this stage? 15 MR MPOFU: Yes. Well, Chairperson, yes. 16 The other matter regards my role as a shop steward. I was 17 asked to raise the issue of the, that the Commission 18 happily managed - 19 CHAIRPERSON: Your role as shop steward, 20 is this a recently acquired role? The position is that 21 normally we don't sit on the first Monday of the month, 22 which is why we didn't sit yesterday, and we don't sit on 23 the first Wednesday and the third Wednesday. The reason in 24 all three cases is because these chambers are required by 25 the municipality for committee meetings. On that basis we</p>

Page 15578

1 were not going to sit tomorrow because it's the first
 2 Wednesday. We were informed late last week that the
 3 chambers would be available tomorrow and if it was no
 4 source of prejudice to others, we were proposing to sit
 5 tomorrow, but we understand that a number of the counsel
 6 involved have made other arrangements on the perfectly
 7 understandable basis that their attendance would not be
 8 required tomorrow. So in the circumstances we will not be
 9 sitting tomorrow. We will be in fact in our chambers
 10 reading the transcript and consider the case, the exhibits
 11 and so forth. So the day will not be wasted tomorrow, but
 12 will not be spent here in the chambers. So I think that
 13 addresses the concern that you raised with me in chambers.
 14 MR MPOFU: Thank you. Thank you very
 15 much, Chairperson. Thank you. Yes, then we can turn to
 16 the Colonel – or the last one, Chairperson, is that I'm not
 17 responsible for the attire of my clients, but I think –
 18 CHAIRPERSON: Oh well, people, this is a
 19 free country; they're entitled - provided they're decently
 20 clad, they're entitled to wear what they wish.
 21 MR MPOFU: It's a free country, thank
 22 you, Chairperson. Can I then turn to the Colonel,
 23 Chairperson?
 24 CHAIRPERSON: Yes. I haven't yet – did I
 25 tell you, you were under oath? I did. You are under oath

Page 15579

1 and Mr Mpofo, you may proceed with your cross-examination.
 2 CROSS-EXAMINATION BY MR MPOFU (CONTD.):
 3 Thank you very much, Chairperson. Colonel, good morning.
 4 COLONEL SCOTT: Morning, Advocate.
 5 MR MPOFU: Ja, I just thought before we
 6 continue with the matter that we were busy with, just to
 7 ask you just a few issues that I think you and I will agree
 8 on, kind of atmospheric issues. You would agree that as
 9 was confirmed by other witnesses, that this was one of the
 10 biggest and most important operations in post-apartheid
 11 South Africa?
 12 CHAIRPERSON: One of the biggest.
 13 COLONEL SCOTT: One of – one of, possibly
 14 the biggest, but there's such a wide spectrum.
 15 MR MPOFU: Yes.
 16 COLONEL SCOTT: And we've had many major
 17 events –
 18 MR MPOFU: Of its kind. Okay, let's say
 19 of its kind.
 20 COLONEL SCOTT: Of its kind, yes.
 21 MR MPOFU: Yes, thank you. Thank you.
 22 And you would agree also that of the units that were used
 23 there, POP was the most relevant and that's why you wanted
 24 the matter to be POP led, so to speak.
 25 COLONEL SCOTT: I'm not sure - POP was an

Page 15580

1 important role player, obviously, and we hoped that that
 2 being part of the dialogue and then the first part of the
 3 force continuum, we hoped it wouldn't go further than that
 4 necessarily, but I can't say they were the most important
 5 role player. For that matter I think everybody that was
 6 there had a specific role to play because if things did
 7 escalate towards the endangerment of policemen's lives,
 8 high-risk arrest and so on, as I say there were other units
 9 specifically that were going to deal with that, that had a
 10 very important role in their own to deal with that. So,
 11 but POP had a major role to play, yes.
 12 MR MPOFU: Yes, that's sufficient, yes.
 13 And you'd also agree that at the epicentre of the
 14 applicable prescripts for that operation was regulation
 15 262?
 16 CHAIRPERSON: Standing Order.
 17 COLONEL SCOTT: Standing Order.
 18 MR MPOFU: The Standing Order, I'm sorry.
 19 I keep on doing that. Standing Order 262.
 20 COLONEL SCOTT: The Standing Order again
 21 regulates the POP side of the operation as best possible,
 22 but as I say, I've mentioned throughout the Commission
 23 already the limitations that I believe were on Standing
 24 Order 262 with regard to a fluid and spontaneous event like
 25 we were experiencing there.

Page 15581

1 MR MPOFU: Yes. No, no, I accept that.
 2 The fact that you say you needed 262 and more, I accept,
 3 but at the crucial stage is that all that would be added
 4 upon 262.
 5 COLONEL SCOTT: Ja, but I think what I'm
 6 saying as well is that 262 is limited in itself inasmuch as
 7 that it's based very much on the Regulation of Gatherings
 8 Act where we've got a pre-planned event and 262 prescribes
 9 to that type of scenario where you have the time, you have
 10 the role players which are coming to the party in essence,
 11 who all, everybody is coming to a point where they want a
 12 peaceful gathering or picketing or – so 262 is specifically
 13 designed for things like that. Like I say, it does have
 14 principles embedded, as well as a paragraph right at the
 15 end which does deal with the more spontaneous type of
 16 scenario.
 17 MR MPOFU: Ja, okay. We'll come back to
 18 that. Now –
 19 CHAIRPERSON: Please proceed, Mr Mpofo.
 20 MR MPOFU: Yes, thank you very much,
 21 Chairperson. Now going back to the matter that you and I
 22 were discussing on Friday, you gave an answer that I think
 23 both Commissioner Hemraj and myself could not understand,
 24 but I'm trying to understand it so I'll simplify it. Was
 25 your answer to the question that I put to you, or did it

<p style="text-align: right;">Page 15582</p> <p>1 amount to among other things this, that the 100-metre 2 distance that had to be kept, that there was a caveat, it 3 had to be kept at certain times, but not at certain times, 4 or at scene 2 but not at scene 1? Is that a fair summation 5 of some of the qualifications that you put? 6 COLONEL SCOTT: I think in essence what 7 maybe, where we were differing from each other was that it 8 was part of the plan to be that way. 9 MR MPOFU: Yes. 10 COLONEL SCOTT: And in a phase 1, in a 11 phase 2, where – 12 MR MPOFU: Everywhere. 13 COLONEL SCOTT: - where the police could 14 be approached directly from the front from where the 15 strikers were at the koppie, it was implemented, but for a 16 phase 3 it was going to be implemented outside of the razor 17 wire, once the razor wire was closed, because the forces 18 had to move out as a group as such and then they would have 19 staged on the outside and – 20 CHAIRPERSON: By "out" you mean into the 21 area of the koppie side of the wire? 22 COLONEL SCOTT: That's correct, to the 23 western side, yes. So once moving out of the razor wire, 24 the police safe area, which was to the east, around the 25 razor wire on the north they would go out to the west and</p>	<p style="text-align: right;">Page 15584</p> <p>1 it's roughly 50 or more metres from where they actually 2 form up, start with the first crouch, and start moving 3 forward towards the kraal. 4 MR MPOFU: Yes. 5 COMMISSIONER HEMRAJ: Mr Mpofu, your 6 question included scene 2, but there was no planning at 7 scene 2. 8 MR MPOFU: No, it's been clarified in his 9 answer that it was meant to be kept at all time at what – 10 except he says scene 2 and scene 3, and really my question 11 was about scene 1. So I'm happy with the answer. 12 CHAIRPERSON: He didn't plan, as I 13 understand it, for scene 2 and scene 3. Is that correct? 14 COLONEL SCOTT: That's correct. It was 15 part of the initial thrust of the dispersion that went into 16 it – 17 CHAIRPERSON: Yes, well actually - 18 MR MPOFU: There was no plan. 19 CHAIRPERSON: - we need to stick to our 20 terminology we use. We talk about scene 1 and scene 2; we 21 talk about koppie 1, koppie 2, and koppie 3. 22 COLONEL SCOTT: That's correct. 23 CHAIRPERSON: You didn't plan for 24 activity at koppie 2 and koppie 3. You did of course plan 25 for, or scene 2 in the broad sense. You did plan of course</p>
<p style="text-align: right;">Page 15583</p> <p>1 they would actually form up there. The operational 2 commander would form them up and then from there as the 3 proceedings would go ahead with the dispersal action, the 4 physical dispersal action, not the verbal warnings thereof, 5 but the moving forward of the POPS, so the gap would start 6 being created again. So I guess what I was trying to say 7 is that in the planning it is so for how it was planned, 8 but as the event turned out with the unanticipated approach 9 of the strikers to that very vicinity, the police went into 10 crisis management as such. 11 MR MPOFU: Okay, for whatever reason, 12 good or bad, the reduction of that 100-metre distance to 13 about 10 metres was one of the deviations from the original 14 plan? 15 COLONEL SCOTT: Well, I've actually gone 16 and measured that on Google Earth and looking at the 17 Channel 4 video and where you can see them more or less 18 positioned in the Channel 4 video, it looks to be about 50 19 metres from where Mr Noki starts getting them together to 20 start approaching. But again I think the evidence leaders 21 would be in a better position to actually allow that study 22 to go ahead. They're impartial and they would actually 23 look more carefully. 24 MR MPOFU: Yes. 25 COLONEL SCOTT: But from my measurements</p>	<p style="text-align: right;">Page 15585</p> <p>1 for phase 2 and phase 3, but that's a different matter. 2 COLONEL SCOTT: Yes. I did plan for 3 koppie 2, not koppie 3. 4 MR MPOFU: Yes, thank you. 5 COLONEL SCOTT: So scene 2 koppie 3 was 6 not part of the actual briefing and the planning. 7 CHAIRPERSON: Yes, I stated that 8 incorrectly. You've corrected me now, thank you. 9 MR MPOFU: Yes, thank you very much. 10 Yes, no, I think that was clear from Mr Chaskalson's cross- 11 examination. There was basically no plan for scene 2, 12 correct? 13 COLONEL SCOTT: No, there – well, there 14 was a reorganised plan, in other words the plan needed to 15 be an impromptu plan made on the ground by the operational 16 commanders based on what they'd experienced from behind 17 them, as well as what they were witnessing the strikers 18 doing in front of them. 19 MR MPOFU: Ja. Okay – 20 CHAIRPERSON: The plan for scene 2 was to 21 give a discretion to the operational commander to act as he 22 considered appropriate at the time. That's as I 23 understand – 24 COLONEL SCOTT: That is correct, 25 Chairperson.</p>

Page 15586

1 MR MPOFU: Yes. Ja, no in fact I'm the
 2 one who's confusing you. The way the Chairperson put it is
 3 correct. There was no plan for koppie 3, correct?
 4 COLONEL SCOTT: Again as the Chairperson
 5 said it would have been at the discretion of the
 6 operational commander.
 7 MR MPOFU: Ja, thank you. Right, in any
 8 event, let's go back to – I can't remember if you agreed or
 9 did not agree with me that the reduction of the gap from
 10 100 metres to about 10 metres was a deviation of the
 11 original plan in the sense that the 100-metre distance, all
 12 things being equal, should have been kept at that.
 13 COLONEL SCOTT: Well, I'm not sure. I
 14 know you keep going back to the 10; 10 is possibly where
 15 the actual shooting took place.
 16 MR MPOFU: Yes, that's what I'm talking
 17 about. I'm not talking about – I know you refer to the
 18 stage where Mr Noki was kind of organising the people for
 19 the departure. I'm not talking about that stage. I'm
 20 talking about the distance at the actual shooting, which is
 21 more or less – the evidence leaders have said they'll
 22 assist me in measuring it up, but I think it's about 10
 23 metres, 15 metres.
 24 COLONEL SCOTT: Okay, but as I say, you
 25 know, if the TRT line was on the outside and they had kept

Page 15587

1 a hundred-metre gap and the group of militant strikers came
 2 towards them in a similar fashion and they'd gone through
 3 their force continuum, you may have had a similar result at
 4 a 10-metre, so to place the 10 metre as the point, again I
 5 think we're moving out of context from what actually
 6 happened at scene 1, compared to what the plan anticipated
 7 to happen where the TRT would have had a clear view of the
 8 approach because they would have come past the Public Order
 9 Policing line. So, and I'm not in a place to really speak
 10 to what the commands were that were given on that day, and
 11 I've testified that I do know that some of the commanders
 12 below Brigadier Calitz, and I think even Brigadier Calitz
 13 himself had tasked the Public Order Policing vehicles to go
 14 out from what we initially saw as incident 2 when Nyala 4
 15 closed off the razor wire, he tasked them to go out and to
 16 form a barrier with their vehicles, but around the northern
 17 side of the kraal, and that's where they were en route to
 18 because they saw, as we can see in that Channel 4 video,
 19 that the strikers were formed up there again before they
 20 made their last approach towards that police line. So they
 21 were on their way out and the TRT had obviously run up
 22 forward and I'm sure at some stage we're going to see that
 23 video where you can actually see the armoured vehicles
 24 rushing forward with the TRT line running up to a position.
 25 But at the time that they actually stop the strikers are,

Page 15588

1 as I say in my estimation still at least 50 metres away
 2 from them before the strikers then start the approach past
 3 the Public Order Policing vehicles.
 4 MR MPOFU: Okay, look, I'm not interested
 5 in the strikers at the moment. I'm talking about the gap
 6 between POP and TRT, but we'll come to that. I'm at pains
 7 not to – I hear what you're saying. I don't want to ask
 8 you so much about what happened there because Brigadier
 9 Calitz and people like that will testify about that. I'm
 10 really trying to talk to you about what was planned, okay.
 11 Now if you go to L72, the last bullet, have you seen it?
 12 COLONEL SCOTT: Yes.
 13 MR MPOFU: Ja, it says the members of POP
 14 in the armoured vehicles would have a response group of
 15 members of the TRT, approximately 100 metres to their rear,
 16 to respond and assist their colleagues should the
 17 protesters threaten the members of POPS' lives to the point
 18 where they could not escape or were forced to exist their
 19 armoured vehicles. Was that the position as planned? They
 20 had to keep their 100 metres distance so that they could
 21 protect POP should POP get into any kind of life-
 22 threatening situation, correct?
 23 [09:29] COLONEL SCOTT: Yes, it's as planned for
 24 phase 1.
 25 MR MPOFU: Yes.

Page 15589

1 COLONEL SCOTT: The negotiations phase.
 2 MR MPOFU: Thank you. And if you also go
 3 to L138, at the bottom slide on L138 it says there that the
 4 TRT members were to, the first bullet of the last small
 5 box, were to remain 100 metres behind POP. Is that
 6 correct?
 7 COLONEL SCOTT: Yes, it's correct, but
 8 just to put it in perspective again, now we're speaking of
 9 phase 2.
 10 MR MPOFU: Of phase 2?
 11 COLONEL SCOTT: Phase 2.
 12 MR MPOFU: Okay, look, that's exactly the
 13 point. The point of the matter is that until that long
 14 answer you gave on Friday, would you agree that the
 15 impression that one would get from reading the plan is that
 16 the TRT had to maintain this 100-metre distance, or rather
 17 that the 100-metre distance would have been sufficient to
 18 protect lives?
 19 COLONEL SCOTT: Again that was the
 20 envisioned plan. That is how I envisioned to obviously
 21 minimise any conflict, but I'm not sure I'm the right
 22 person to speak to the actual incident of scene 1 –
 23 MR MPOFU: Of what actually happened, no
 24 fair enough.
 25 COLONEL SCOTT: - because as we know,

Page 15590

1 POPS was actually moving forward. TRT were running to take
 2 up a position, and again why I defend them is because they
 3 were defending what we call the police's safe area and they
 4 couldn't make that defence from the middle of the safe
 5 area, trying to protect the people inside that area.
 6 MR MPOFU: Yes. No, as I say, if I
 7 quarrel with that, it will not be with you.
 8 COLONEL SCOTT: Okay.
 9 MR MPOFU: It will be with other people.
 10 The only thing I'm at pains to get from you is that, well
 11 on Friday you've already confirmed that the reason for the
 12 100-metre distance is so that if there's a life-threatening
 13 situation, there is a lot of reaction time before one can
 14 do something, correct?
 15 COLONEL SCOTT: That's correct.
 16 MR MPOFU: Ja, that's all, and therefore
 17 the reduction of the 100-metre distance by whatever
 18 proportion, proportionately reduced that reaction time and
 19 the ability to do something before a life-threatening
 20 situation happens. That's all. Agreed?
 21 COLONEL SCOTT: Ja well, I agree in
 22 context of the plan.
 23 MR MPOFU: Ja, thank you. Yes, in the
 24 context of the plan.
 25 COLONEL SCOTT: But again I don't want to

Page 15591

1 get back into the, you know, into incident, because it was
 2 a different set of circumstances at the incident 1.
 3 MR MPOFU: Sure. Okay, thank you very
 4 much. And you've said that you can't testify about what
 5 orders or instructions were given at that moment, but you'd
 6 agree from what we've seen from the videos that when those
 7 people ran towards a particular point, they must have been
 8 responding to some instruction? They couldn't have all 50
 9 of them thought that they must run to that place.
 10 COLONEL SCOTT: Yes.
 11 MR MPOFU: Yes, thank you, and that what
 12 we've also seen on the video, so apart from the instruction
 13 which said you must run to that place, then at least there
 14 was also an instruction for basic line. That one we saw.
 15 COLONEL SCOTT: Yes.
 16 MR MPOFU: Yes, and when then they cocked
 17 their guns, we don't know if there was an instruction for
 18 that one, but we know that they cocked their guns.
 19 COLONEL SCOTT: Well, their firearms
 20 should actually have been operationally ready throughout
 21 the operation, but different members may carry their
 22 firearms in different stages – we call them stages – so,
 23 but as I say, your firearm's supposed to be in any
 24 operational condition, or should be in an operational
 25 condition when you're in the operational environment. So

Page 15592

1 the cocking of weapons is actually very irrelevant in my
 2 respect.
 3 MR MPOFU: Well, it's not irrelevant if
 4 you are dead. But –
 5 CHAIRPERSON: I don't know if that's an
 6 appropriate comment. What you are saying is the cocking of
 7 the firearms, which some people may wish to give
 8 significance to, is in fact a neutral factor because you
 9 say they should have been cocked actually earlier than they
 10 were. Is that what you're saying?
 11 COLONEL SCOTT: That's correct,
 12 Chairperson, there's supposed to be a – maybe they didn't
 13 get the time to do it, but normally there's an inspection
 14 line before you go forward to go into an operation where,
 15 amongst others, we would check communications, we would
 16 check lights, batteries, so that your torches work,
 17 etcetera, and we would check that your firearms are
 18 operationally ready, which means cocked, round in the
 19 chamber, but on safe.
 20 CHAIRPERSON: So your inference is that
 21 they were simply doing what they should have done earlier.
 22 Of course it may be that there was another reason why they
 23 did it, but that's something you can't tell us about –
 24 COLONEL SCOTT: Yes.
 25 CHAIRPERSON: - that we can perhaps ask

Page 15593

1 someone who was there.
 2 COLONEL SCOTT: Yes.
 3 CHAIRPERSON: Is that correct?
 4 COLONEL SCOTT: I can only imagine that
 5 their time was maybe limited and they didn't get to the
 6 actual full procedure as such. Then again, I speak for –
 7 CHAIRPERSON: We'll find out when they,
 8 when someone gives evidence who was there.
 9 COLONEL SCOTT: Yes.
 10 MR MPOFU: Yes, but what we do know is
 11 that this oversight is something that had happened to many
 12 of them because –
 13 COLONEL SCOTT: Well, then again I must
 14 just say I haven't been at the TRT level.
 15 MR MPOFU: Ja.
 16 COLONEL SCOTT: And I talk on behalf of
 17 the Special Task Force, but much of our training cascades
 18 down to the NIU and to the TRT. They may have different
 19 protocols at their level, but in general that's the way
 20 it's supposed to be. You're supposed to be made
 21 operationally ready before you actually depart for the
 22 operation.
 23 MR MPOFU: You would agree that this
 24 issue of keeping the lines where they should be is a very
 25 important part of an operation that may have deadly

Page 15594

1 consequences, such as this one, correct?
 2 COLONEL SCOTT: No.
 3 MR MPOFU: No?
 4 COLONEL SCOTT: Because again I think
 5 you're taking me back to a scene 1, which I've explained –
 6 MR MPOFU: No.
 7 COLONEL SCOTT: - it was a different set
 8 of circumstances to what was envisioned in the plan.
 9 MR MPOFU: No, forget scene 1. I'm just
 10 talking to you in general. Would you agree that in an
 11 operation such as this one that might have deadly
 12 consequences, one of the key issues is the keeping of the
 13 lines where they should be?
 14 COLONEL SCOTT: Well look, the keeping of
 15 the lines, as I say, once it was envisioned, once POP
 16 starts moving forward and they start with the dispersion
 17 action, TRT and very closely behind them the NIU and the
 18 STF line would follow, although they would be going at a
 19 much slower pace, a very slow walk, giving the Public Order
 20 Policing members the opportunity to open the gap between
 21 them, because to go out and to actually already stage where
 22 you have a hundred-metre gap, you would actually in effect
 23 be moving your TRT and your NIU lines way north of the very
 24 entry/exit point that they came out of, coming from the
 25 east to the west on the north of the razor wire. So that's

Page 15595

1 why I say the lining up would more than likely – and again
 2 it was the operational commander's discretion, so, but I'm
 3 talking as if I was there, what I would have done. I would
 4 have lined them up and about 20 to 30 metres back I would
 5 have placed the TRT line and then simply 20 to 30 metres
 6 behind them, the NIU/STF line, and then when the decision
 7 was taken to go forward, I would have allowed the Public
 8 Order Policing to move forward with the rest, either
 9 remaining static, or at a very, very slow pace, so that the
 10 Public Order could gain the ground forward, and that should
 11 have been at least a hundred plus metres away from koppie 2
 12 to the north.
 13 MR MPOFU: Colonel, please, if you listen
 14 to my question then we'll make a lot of progress. Would
 15 you agree, or would you not agree that in general the
 16 keeping of the lines in an operation such as this that
 17 might have deadly consequences, is a crucial and decisive
 18 factor?
 19 COLONEL SCOTT: Well, it is crucial. The
 20 line needs to be kept and that's what they were briefed to
 21 do. But the discretion again once the operation is
 22 underway is at the discretion of the commander whether he
 23 takes his line closer or not. So, and I've already
 24 testified, so I'm not sure how you want me to testify that
 25 any clearer, that space was given, as we know, for a less

Page 15596

1 lethal, or a less violent confrontation, so that the TRT
 2 could have the opportunity to warn, stun grenades, warning
 3 shots if necessary. Again that's in the planning and
 4 that's for how it should have gone for the dispersal
 5 action, the phase 2 of stage 3 on the outside. So I agree
 6 in that context –
 7 MR MPOFU: Ja.
 8 COLONEL SCOTT: - that that's how it
 9 should have happened.
 10 MR MPOFU: Thank you. Okay, so much do
 11 you agree that you think that one of the factors that
 12 caused the fatalities on the 13th was the fact that the
 13 lines were not kept where they should be, correct?
 14 COLONEL SCOTT: No, because you're going
 15 back into the different set of circumstances again. It
 16 wasn't envisioned where the operation should take place and
 17 the critical aspect I'm trying to raise is that that was
 18 the police's safe area and that is where they didn't want
 19 any, specifically the militant group moving into, as a
 20 militant group –
 21 MR MPOFU: Ja.
 22 COLONEL SCOTT: - because there were soft
 23 assets inside there. There were personnel from the
 24 civilian sector, the media, etcetera, and that was not
 25 going to be permissible. So we're out of context of what

Page 15597

1 the plan had planned for.
 2 MR MPOFU: No, Colonel, please, I'm
 3 pleading with you. Just answer the question. Is your
 4 answer that the keeping of the line –
 5 MR SEMENYA SC: No, Chair-
 6 CHAIRPERSON: I think he is answering
 7 your question, but you could –
 8 MR MPOFU: Well, he must not answer and
 9 then give another long thing about scene 2 and scene 3.
 10 I'm not asking about any scene.
 11 CHAIRPERSON: If he thinks that the
 12 question you asked, to answer it adequately he has to say
 13 something to do with some kind of qualification in respect
 14 of scene 2 and so on, I don't think we can stop him. This
 15 is his evidence, not ours. So ask your question. If he
 16 doesn't answer your question I –
 17 MR MPOFU: That's fine. Okay,
 18 Chairperson –
 19 CHAIRPERSON: But if I think he's within
 20 the permissible bounds of an answer, I want stop him.
 21 MR MPOFU: Okay, thank you. Okay
 22 Colonel, you can go as long as you want.
 23 CHAIRPERSON: No, don't abuse that
 24 licence either. Mr Mpofo has got no right to tell you
 25 that. I'm in charge here and if you go as long as you like

Page 15598

1 and you go beyond what I'm prepared to allow you to do,
 2 I'll pull you up.
 3 COLONEL SCOTT: Yes.
 4 CHAIRPERSON: Please understand that.
 5 COLONEL SCOTT: I understand,
 6 Chairperson.
 7 MR MPOFU: Thank you, Chairperson.
 8 Colonel, maybe I should ask you a leading question. Is
 9 your evidence therefore that the keeping or non-keeping of
 10 the lines had no relevance to what happened on the 13th?
 11 13th –
 12 CHAIRPERSON: On the 13th or the 16th?
 13 MR MPOFU: 13th. One three.
 14 CHAIRPERSON: 13th?
 15 MR MPOFU: Yes.
 16 COLONEL SCOTT: Are you sure we shouldn't
 17 be on the 16th?
 18 CHAIRPERSON: Did you plan anything for
 19 the 13th?
 20 COLONEL SCOTT: No.
 21 CHAIRPERSON: Were you there, were you at
 22 Marikana by the time the events of the 13th took place?
 23 COLONEL SCOTT: No, Chairperson.
 24 CHAIRPERSON: Was there as far as you
 25 were aware, and this is going to be hearsay, was there any

Page 15599

1 suggestion of lines being kept and distances being kept in
 2 that operation?
 3 COLONEL SCOTT: Not that I'm aware of,
 4 Chairperson.
 5 MR MPOFU: Okay, thank you. Then why did
 6 you say to Mr Semenya at page 13694 of the transcript,
 7 "Just through my analysis" – I'm reading from line, about
 8 18, Chairperson – "Just through my analysis or what I
 9 suspected happened possibly on the Monday," – which is the
 10 13th – "was that POPS or TRT members didn't hold the line."
 11 COLONEL SCOTT: If I can explain that?
 12 MR MPOFU: Yes.
 13 COLONEL SCOTT: Is that they didn't stand
 14 – hold the line means hold their line abreast, in other
 15 words, and I've read it I think in Mr X's statement now as
 16 well over the weekend where he admits the policemen were
 17 running; they'd left their colleagues, I think Colonel
 18 Vermaak mentioned that in his statement, watching from the
 19 air, how policemen had run away, had broken the lines and
 20 left individuals standing trying to defend, and that is
 21 what I'm alluding to there is that – and this is why I say
 22 in my statement that I'd mentioned on more than one
 23 occasion after JOCCOMS to lower commanders that it's
 24 critical that they hold the line, they keep the line. In
 25 other words when their members are lined up, that they

Page 15600

1 don't turn and run if they are faced because they will end
 2 up leaving individuals behind again who think that they're
 3 standing to carry out their duty, only to find that they
 4 may be isolated or alone. So they need to work on command.
 5 If the command is given to tactically withdraw, then they
 6 withdraw for instance to the Nyalas, or if you do withdraw,
 7 you need to at least tell the colleagues next to you this
 8 is where we need to go, it's too dangerous. But you can't
 9 just break the line and run.
 10 MR MPOFU: Well, I put it to you that
 11 that answer is not correct. You were making that statement
 12 in relation to what you and I are discussing now, which is
 13 the 100-metre distance –
 14 COLONEL SCOTT: No, no, no, there was no
 15 – I wasn't even there, part of the planning on the Monday.
 16 What that plan was I'm not even sure. The 100-metre
 17 distance was something I introduced on the Tuesday.
 18 MR MPOFU: Okay, well I'll read – if you
 19 still maintain that answer, I'm going to read you the
 20 transcript again, and if you still maintain that answer
 21 that the two had nothing to do with each other, then you
 22 will say so, otherwise we'll move on and I'll argue later.
 23 This is the context in which you made the comparison about
 24 the TRT and POP line. Mr Semenya had said to you at 13693,
 25 talking about your plan, "And where would the TRT unit be

Page 15601

1 placed in relation to that?" Colonel Scott, "They were to
 2 be behind the Public Order Policing line, but as I stated,
 3 at least 100 metres back so that they had time and space to
 4 affect their force continuum." Mr Semenya, "And that would
 5 give them, as you tell us, an opportunity to give a verbal
 6 warning, to use the stun grenades and warning shots to
 7 dissuade the strikers from attacking them?" Colonel Scott,
 8 "That's correct." "Under paragraph 43 you deal with the
 9 background and your consideration in applying lesser
 10 trained tactical units with live ammunition in protection
 11 role throughout the Operation Platinum, do you see that?"
 12 "Yes." "And to tell us what you told the commander, what
 13 did you say to him?" And this is, it's only then that you
 14 then say, "Just through my analysis or what I suspected
 15 happened possibly on the Monday, was that the POPS or TRT
 16 members didn't hold the line." Can you understand the
 17 answer you gave and the context in which it was given?
 18 COLONEL SCOTT: Yes, still the same
 19 answer, because if I'd maybe mentioned didn't hold the
 20 lines in, and then elaborated that they were in different
 21 lines, but I wasn't part of –
 22 CHAIRPERSON: Line doesn't mean a
 23 distance.
 24 COLONEL SCOTT: No, it just means –
 25 CHAIRPERSON: The 100 metres was a

<p style="text-align: right;">Page 15602</p> <p>1 distance –</p> <p>2 COLONEL SCOTT: Yes.</p> <p>3 CHAIRPERSON: - between one line of POP</p> <p>4 people and another line of TRT people. Is that right?</p> <p>5 COLONEL SCOTT: Yes, that's correct.</p> <p>6 CHAIRPERSON: The line itself has got</p> <p>7 nothing to do with distance.</p> <p>8 COLONEL SCOTT: Yes.</p> <p>9 CHAIRPERSON: The line is simply the –</p> <p>10 I'm trying to think of another word for it, but it's a –</p> <p>11 COLONEL SCOTT: It's a line abreast of</p> <p>12 police officials.</p> <p>13 CHAIRPERSON: Yes.</p> <p>14 MR MPOFU: Ja, what I'm saying to you is</p> <p>15 that this discussion was in the context of the slides that</p> <p>16 I showed you where you said where the POP line should be in</p> <p>17 relation to the TRT line, which is 100 metres, metres are</p> <p>18 distance, correct?</p> <p>19 COLONEL SCOTT: That's correct.</p> <p>20 MR MPOFU: Thanks. You would agree that</p> <p>21 – and again I'm talking in general, so please don't tell me</p> <p>22 about scenes here. You would agree that in general a plan</p> <p>23 and its execution - or let's call it implementation - and</p> <p>24 its implementation are two sides of the same coin; both</p> <p>25 must be good, correct?</p>	<p style="text-align: right;">Page 15604</p> <p>1 see Brigadier Calitz doing to the best of his ability at</p> <p>2 least throughout the process, trying to bring it back,</p> <p>3 trying to line up the dispersion force again, not knowing</p> <p>4 in his words of what happened at scene 1 for instance. So,</p> <p>5 but experiencing that crisis moment of having everybody</p> <p>6 approach, which was not according to plan, had not been</p> <p>7 anticipated there but rather around the area of koppie 2.</p> <p>8 MR MPOFU: Okay, well, there we go</p> <p>9 again –</p> <p>10 CHAIRPERSON: I'm not sure that that's</p> <p>11 what Mr Mpofo was after. I got the impression the question</p> <p>12 – if I'm wrong, he'll correct me, I'm sure; he's never been</p> <p>13 one to stand back when he's required to come forward. I</p> <p>14 understood him to be saying this; that even if you have a</p> <p>15 good plan, if it's not implemented properly the result</p> <p>16 could still be a disaster. So you've got to have a good</p> <p>17 plan, but you've also got to have good implementation. I</p> <p>18 think that's all he was saying. Am I right? I would</p> <p>19 expect you to disagree with me.</p> <p>20 COLONEL SCOTT: I do, I understand that,</p> <p>21 and I agree with that, Chairperson.</p> <p>22 MR MPOFU: Thank you.</p> <p>23 COLONEL SCOTT: I just need to put it in</p> <p>24 context because –</p> <p>25 CHAIRPERSON: Yes, I understand your</p>
<p style="text-align: right;">Page 15603</p> <p>1 COLONEL SCOTT: I can tell you that the</p> <p>2 reality, and I think the military has a saying that the</p> <p>3 only plan that goes according to plan after the bullets</p> <p>4 start flying is an ambush. So there is very, very few</p> <p>5 plans that once things start happening and live fire is</p> <p>6 required, that actually still stick to what the initial</p> <p>7 plan requested, and I can speak to that with many, many</p> <p>8 years of experience in many different scenarios that I've</p> <p>9 been in. So you plan for the ideal. You then build</p> <p>10 contingency plans in case, and, but you can never cover</p> <p>11 every base because you cannot anticipate every single move</p> <p>12 of your opponent. So there does come a place where you</p> <p>13 need to make impromptu plans on ground or decisions on</p> <p>14 ground, and that's crisis management, and as I've alluded</p> <p>15 to, that's why we have a decision making process called the</p> <p>16 Ooda loop where you observe, you orientate yourself to what</p> <p>17 you've observed, you take a decision, and then you act on</p> <p>18 that decision, and that is a continual loop that's</p> <p>19 continually going once you're in that crisis management</p> <p>20 zone if things have gone wayward. But again, and I've</p> <p>21 mentioned this in my actual statement, this is why we build</p> <p>22 a plan with a mission statement because everybody must</p> <p>23 understand what the mission is and what the strategic</p> <p>24 objective is of that mission. So if you go off-track you</p> <p>25 try to bring it back on to track, and that is what you can</p>	<p style="text-align: right;">Page 15605</p> <p>1 point is that no plan can be perfect in the sense it can</p> <p>2 foresee everything that's going to happen.</p> <p>3 COLONEL SCOTT: Yes.</p> <p>4 CHAIRPERSON: And plan in advance for</p> <p>5 everything that happens, because life is full of</p> <p>6 uncertainties and this particular kind of operation is a</p> <p>7 particular illustration of that. I take it that's your</p> <p>8 point.</p> <p>9 COLONEL SCOTT: Yes.</p> <p>10 CHAIRPERSON: So you've got to allow some</p> <p>11 kind of discretion – on the part of the operational</p> <p>12 commander; if he sticks rigidly to the plan even though</p> <p>13 the, what was originally foreseen doesn't happen then there</p> <p>14 will also be disaster.</p> <p>15 [09:49] COLONEL SCOTT: Yes.</p> <p>16 MR MPOFU: Unless, as you say, it's an</p> <p>17 ambush and you do know that it is the view of my, the</p> <p>18 people I represent, that this was an ambush.</p> <p>19 COLONEL SCOTT: So in essence you're</p> <p>20 saying we invited the strikers to that very place at the</p> <p>21 kraal and set up an ambush to kill them at that very point?</p> <p>22 MR MPOFU: Well, normally I wouldn't</p> <p>23 answer your questions but I'll answer this one. No, what</p> <p>24 I'm saying is that you foresaw that the strikers were going</p> <p>25 to use that gap near that kraal and your police went and</p>

Page 15606

1 lined up there and cocked their guns so that they could
 2 shoot them.
 3 COLONEL SCOTT: Well, I didn't foresee
 4 that and I don't believe any members on the ground foresaw
 5 that either.
 6 CHAIRPERSON: That's a question which you can't
 7 answer the second part of, that's a matter for those who
 8 were on the scene but the part you can answer, which I
 9 think you have answered, the suggestion was – if I
 10 understood the question correctly and I may not have – was
 11 that when you planned it you deliberately set a trap by
 12 leaving a gap with the intention that the people concerned
 13 should go there and be mown down, but I think that's the
 14 suggestion that has been put to you and what's your answer
 15 to that? Am I correct, is that what has been put?
 16 MR MPOFU: That's correct, Chairperson,
 17 and to be fair to the Colonel - I'm sorry, when I say "you"
 18 I didn't mean you, Colonel Scott, I mean the people who
 19 went there and waited and cocked their guns before the
 20 strikers had even emerged from the kraal, knew that they
 21 were going to come to that gap and they were going to shoot
 22 them.
 23 CHAIRPERSON: I think he has already indicated
 24 that he can't answer that. That's a matter, a question to
 25 be put –

Page 15607

1 MR MPOFU: Well, I'm answering his
 2 question –
 3 CHAIRPERSON: - those who were on the scene.
 4 MR MPOFU: No, I was just answering his
 5 question –
 6 CHAIRPERSON: Insofar – sorry, insofar as he is in
 7 the box and the question I being asked of him, suggestions
 8 of ambush have been raised, that's the only aspect that he
 9 can deal with.
 10 MR MPOFU: Yes. No, fair enough
 11 Chairperson –
 12 CHAIRPERSON: Mr Semenya, you've got your light
 13 on.
 14 MR SEMENYA SC: I'm just asking, Chair,
 15 that we will get a statement of a witness referring to the
 16 ambush. We are a year down the line, I haven't seen it.
 17 MR MPOFU: Well –
 18 CHAIRPERSON: I take it that's an inference that
 19 Mr Mpofo's clients would seek to draw from the facts that
 20 we have before us. You can't, as we have, we discussed
 21 this some months ago, you can't always – sorry, you can't
 22 always have, particularly in the case of circumstantial
 23 evidence and inferences therefrom, you obviously can't have
 24 a statement making the direct allegation but anyway, the
 25 point has been raised, the witness has answered it, I think

Page 15608

1 we can move on but – so insofar as you say that certainly
 2 any direct allegation of that kind is being made, you would
 3 expect a statement from a witness making that direct
 4 allegation and the absence of such statement, your
 5 contention is that that can't be put as a direct
 6 allegation. Am I reading, am I summarising your attitude
 7 correctly?
 8 MR SEMENYA SC: Chair, Mr Mpofo is not
 9 saying we are going to infer the following. He said it is
 10 their view. I want to be able to test that view with his
 11 witnesses.
 12 MR MPOFU: Yes. Unfortunately
 13 Chairperson, if I may respond, if I may respond
 14 Chairperson, I can understand Mr Semenya's predicament
 15 because he was not here when Mr Magidiwana testified and it
 16 was Mr Ngalwana –
 17 CHAIRPERSON: I'm sure he studied the transcript.
 18 MR MPOFU: Well, if he did then he would
 19 have seen that Mr Magidiwana said in response to Mr
 20 Ngalwana, and I'm paraphrasing, that the police waited for
 21 them there and they mowed them down like flies as they
 22 emerged there and that, that line – one - two, that's what
 23 has been confirmed by this witness, that that line of
 24 people was formed even before they emerged from the side of
 25 the kraal. That evidence is before this – and it will be

Page 15609

1 based on evidence such as that and he said a whole lot of
 2 other things, that this was an ambush.
 3 CHAIRPERSON: You put the point to the witness –
 4 MR MPOFU: Thank you.
 5 CHAIRPERSON: The witness answered, I suggest we
 6 move on.
 7 MR MPOFU: Thank you, Chairperson, let's
 8 move.
 9 COLONEL SCOTT: Chairperson, maybe just
 10 to – if it were the case, all three of the statements I
 11 have for the witnesses of Mr Mpofo, all admit to moving
 12 through the public order policing non-lethal force,
 13 admitting to it as happening before they made their final
 14 approach or during their final approach and still moving
 15 through that. So I fail to see then how it could be an
 16 ambush of the police, if the police are trying to repel the
 17 very advance of the strikers, using all the non-lethal
 18 ability at their disposal to get them to move back.
 19 CHAIRPERSON: Colonel, what you fail to see is
 20 what you fail to see. We have to decide at the end of the
 21 day whether it was an ambush or not based on the evidence
 22 of those who can give direct evidence or even
 23 circumstantial evidence on the point.
 24 MR MPOFU: Thank you, and that to your
 25 knowledge the police had foreseen that the protesters would

Page 15610

1 move towards the informal settlement, correct?

2 COLONEL SCOTT: No, not that militant

3 group otherwise there was no purpose of going out to do a

4 dispersion and again we had a reason for not wanting the

5 militant group to actually move into the informal

6 settlement either.

7 CHAIRPERSON: This covers area that was covered to

8 some extent last week. There was quite an important

9 deviation from the plan, as you yourself conceded. Your

10 idea was that the barbed wire should be uncoiled

11 simultaneously from each trailer and you, I understood you

12 to say you wanted to do that because if there were gaps, if

13 it was done sequentially there would be an opportunity for

14 the strikers to move forwards towards the settlement and

15 that was something that you wished to avoid by means of the

16 simultaneous uncoiling. That's what you said last week, as

17 I understood you. Furthermore, you left the gap there, I

18 understood you to indicate that that was because, that was

19 going to be the port as it were, the portal – portal is the

20 right word – the portal of entry for the members of the TRT

21 and the POP, POP first, TRT later, to move into the area on

22 the koppie side of the wire to disarm, encircle and –

23 sorry, the disperse, encircle and disarm exercise. I take

24 it you didn't foresee when you drew the plan that that gap

25 would be used as a means of exit by some of the strikers on

Page 15611

1 their way to the informal settlement.

2 COLONEL SCOTT: Chairperson –

3 CHAIRPERSON: That's right, is that what you said

4 last time?

5 COLONEL SCOTT: Yes, but the razor wire

6 line, the primary purpose for that was not the stopping of

7 the protesters moving to Nkaneng, it was the stopping of

8 the protesters moving towards the police and to the soft

9 assets. It was a barrier between the police and the

10 protesters and then it was, I know it's a strange word but

11 the POPS members use canalise, it was a method to canalise

12 the actual dispersion away from moving towards the east and

13 towards the west –

14 CHAIRPERSON: Yes – I'm sorry, carry on.

15 COLONEL SCOTT: So, and initially that

16 morning as we do know these was Nyala 6 which was placed

17 out which was curving towards the west, in essence to keep

18 that, if the razor wire had gone out, to keep the

19 protesters then from moving into the Nkaneng settlement for

20 the reasons we thought of possible emotional violence

21 against foreigners and the like and the difficulty the

22 police will have then following them in to go and to try to

23 disarm them amongst the shacks and innocent people and so

24 on. So that was the initial reasoning. When it was

25 changed and the Nyala was brought back towards the east, it

Page 15612

1 initially became more of a defensive environment for the

2 police with what was perceived then to be a significant

3 threat towards the police. So I never specifically, I knew

4 that those vehicles had to move out there. Brigadier

5 Calitz has actually explained to me in hindsight now

6 afterwards actually how they were going to do it, so I'm

7 reflecting again his, where he was going to move the

8 vehicles through which was at that very point at the kraal,

9 on the western, on the eastern side of the kraal where the

10 shooting took place. He was going to leave a gap there for

11 the vehicles, for the public order vehicles to come out of

12 and the rest of the police members to come out of, to

13 actually get to their staging area on the outside, on the

14 western side. So, but I'm not sure now, I think I've gone

15 a little bit off point but –

16 CHAIRPERSON: What Mr Mpofu is putting to you was

17 that you, as I understood him, was that you were, you

18 foresaw as you've explained, in the course of your planning

19 that the group, some at least of the strikers might move

20 forward – initially you said towards Nkaneng settlement and

21 you wanted to avoid that, so that was something that was

22 foreseen and later it was foreseen that they might advance

23 towards the police and there had been threats and so forth

24 which presumably it was foreseen that they might be minded

25 to implement, but what he is suggesting to you and I think

Page 15613

1 your answer is probably yes, that you did foresee that they

2 might move towards, firstly the settlement and then

3 secondly towards the police.

4 COLONEL SCOTT: I did, but I have to also

5 from my perspective, I was not that knowledgeable about the

6 routes into Nkaneng and again my impression of how the plan

7 was supposed to be, that once the police lines had moved

8 out to form that line in front of Nkaneng and a dispersal

9 warning is given, if people did decide to move through the

10 police ranks they would have been permitted to do so,

11 unarmed – in other words, weapons laid down on the opposite

12 side and move through unarmed and move away. That's part

13 of dispersion, otherwise they would have been permitted to

14 move off in the directions that they would like to have,

15 away from the police line and away from the razor wire line

16 obviously so that they had the freedom of movement to move.

17 And I know there's been a lot of, in statements and in

18 reports stating that the police wanted to enclose but

19 initially, if you actually look at the environment from an

20 aerial photograph the majority of space, talking about

21 almost up to a 200 degree area, over 180 degree area is

22 open for them to move and not having to come to that

23 specific point is what, at least myself, is trying to

24 state. So they would have been permitted to move freely

25 but if they'd approached the police, obviously as a

<p style="text-align: right;">Page 15614</p> <p>1 militant group in the same manner, in the crouch walk as we 2 know it, obviously that is now becoming a threat towards 3 police who were standing there trying to deliver their 4 duty, with an illegal action coming towards them because 5 that is a threat. It is an armed protest which is illegal 6 in itself and the history of that armed protest which has 7 got its roots back to the Monday and the killings over 8 those days, shows that there's intent within that group to 9 do violence. We don't know if that was the case on the 10 Thursday, obviously as I say we can't be inside the minds 11 of the strikers to know that but whether it was to provoke 12 the police, I'm not sure but –</p> <p>13 CHAIRPERSON: Well, that's speculation, isn't it. 14 COLONEL SCOTT: Yes. 15 CHAIRPERSON: And we're still not clear exactly 16 why they did what they did on the 13th, whether they thought 17 that the stun grenades were live ammunition, whether they 18 were reacting to the teargas, that they thought the stun 19 grenades were live ammunition, that's something that we 20 don't know yet because we haven't had all that evidence. 21 COLONEL SCOTT: Yes. 22 CHAIRPERSON: So we're in the realm of 23 speculation, so perhaps we should avoid that for the moment 24 but Mr Mpofu can proceed with his cross-examination, unless 25 there's something else you want to say first.</p>	<p style="text-align: right;">Page 15616</p> <p>1 Colonel, is whether you agree with me or not that the 2 advance or approach of the strikers towards the informal 3 settlement was foreseen and so foreseen that it was 4 something that you wanted to prevent, for whatever reason. 5 So whether they were going to go there to drink water or to 6 attack people, but you wanted to prevent them from going to 7 the informal settlement, correct?</p> <p>8 COLONEL SCOTT: What was foreseen – and 9 no, what was foreseen is that the militant group and others 10 possibly are going to stay behind after the dispersion 11 warning is given but that a majority we hoped would move 12 off, not wanting any conflict with the police but of course 13 we had to foresee that a group would remain behind to be 14 defiant of what the police were requesting. And again if I 15 refer to the statements, even of Mr Mathunjwa and so on, 16 where his final words were to them, they need to leave for 17 they are going to be killed. I don't know how he made that 18 deduction but that's what he says and all of them in the 19 statements I have are stating, but we're not going to 20 leave. So I'm sure according to the statements then, to 21 where the decision was suddenly taken and this is why I'm 22 also stating that a decision that's taken from the time Mr 23 Mathunjwa leaves, which is minutes when the razor wire 24 starts getting rolled to the place where the strikers now 25 decide to approach the police line, after telling Mr</p>
<p style="text-align: right;">Page 15615</p> <p>1 COLONEL SCOTT: I was reflecting on that 2 and it may be speculation, Chairperson, but there was 3 obviously – again if I'm viewing it - the conscious 4 decision at some stage made, even on the 13th, that at some 5 point if the police did something, that they would 6 retaliate to the police because there was no meeting taking 7 place to decide okay, let's attack the police now. And in 8 the same way why I'm saying that is if you are defending 9 your life because you believe the police are attacking you 10 unfairly, then there's no need to rob the very police 11 officials that you've attacked and killed –</p> <p>12 CHAIRPERSON: Those are matters we'll have to 13 explore later but that's argument, I think, but you can't 14 help us on the 13th really. 15 COLONEL SCOTT: Yes. 16 CHAIRPERSON: Except by drawing inferences from 17 the facts as we have them and we haven't got all the facts 18 yet, so perhaps we should leave that for the moment. Mr 19 Mpofu, would you like to carry on – 20 MR MPOFU: Yes Chairperson – 21 CHAIRPERSON: Or would you like a comfort break at 22 this point? 23 MR MPOFU: Yes, no Chairperson, if I can 24 maybe just try for the last time to get an answer. I don't 25 know how we got to the 13th. All I wanted from you,</p>	<p style="text-align: right;">Page 15617</p> <p>1 Mathunjwa defiantly that they are prepared to die, they are 2 not going to leave, I find it difficult as you are stating 3 and wanting me to admit to, that they were just on their 4 way to Nkaneng. 5 MR MPOFU: No - 6 CHAIRPERSON: I'm sorry, that's speculation really 7 which - we will have to draw inferences in due course when 8 we have all the evidence but Mr Mpofu, as I understand it, 9 is not busy with that, he's busy with something else. He 10 is trying to get you to concede, if it would be an 11 appropriate concession, that what was foreseen was that the 12 group or some of the group might wish to proceed straight 13 towards Nkaneng. He puts it on the basis either to drink 14 water or to attack people. If it was only to drink water 15 I'm sure you wouldn't have tried to stop them but what he 16 is asking you, a simple question, was it foreseen that the 17 group might well, or some of the group I suppose, might 18 well move forward towards Nkaneng. Is that your question, 19 Mr Mpofu? 20 MR MPOFU: That is it, M'Lord - Mr 21 Chairperson. 22 CHAIRPERSON: And obviously it's – we're not 23 interested in what you saw at quarter to four that 24 afternoon, it's just what you foresaw when you were at the 25 drawing board working out your plan and developing the</p>

<p style="text-align: right;">Page 15618</p> <p>1 concept of it and so forth.</p> <p>2 COLONEL SCOTT: I think it was mentioned</p> <p>3 in the last long answer I gave that it was not foreseen</p> <p>4 that the defiant ones would go, it was foreseen that they</p> <p>5 would remain and that only those that didn't want conflict</p> <p>6 were going to actually depart peacefully on their own, not</p> <p>7 in formed-up groups but on their own to walk away, as is</p> <p>8 experienced in any other dispersion action from the police.</p> <p>9 CHAIRPERSON: May I ask a follow-up question on</p> <p>10 that? Mr Mpofo I trust will forgive me. If they had put</p> <p>11 down their weapons, this group, and walked forward through</p> <p>12 the POP line, past the TRT people towards Nkaneng, would</p> <p>13 you have let them do so?</p> <p>14 COLONEL SCOTT: If I was the person on</p> <p>15 the ground, Chairperson, I would have possibly put up a</p> <p>16 filtering line where I would have tried to speak to them.</p> <p>17 I would have quickly tried to put something up to speak to</p> <p>18 them and to say to them, hang on, I see you're unarmed, can</p> <p>19 we just make sure and search you as you come through as a</p> <p>20 matter of protocol just to make sure that you're not</p> <p>21 carrying any concealed weapons. I would have tried to do</p> <p>22 something like that.</p> <p>23 CHAIRPERSON: I understand. So we're really</p> <p>24 talking about the planning stage because you can't talk</p> <p>25 about what happened –</p>	<p style="text-align: right;">Page 15620</p> <p>1 CHAIRPERSON: Now, what we have to accept of</p> <p>2 course is that they hadn't yet been given a warning. They</p> <p>3 weren't told you can come through here to Nkaneng, but you</p> <p>4 can't come through with your weapons. If you want to come</p> <p>5 through with your weapons, that's out, but if you leave</p> <p>6 your weapons you can come through. They weren't told that</p> <p>7 and I know the reason, because you hadn't yet got to the</p> <p>8 warning stage but as a fact –</p> <p>9 COLONEL SCOTT: Yes.</p> <p>10 CHAIRPERSON: - we know the warning wasn't yet</p> <p>11 given.</p> <p>12 COLONEL SCOTT: Yes, That's correct.</p> <p>13 CHAIRPERSON: I don't know if that helps you or</p> <p>14 hurts you, Mr Mpofo.</p> <p>15 MR MPOFU: It helps, Chairperson, but we</p> <p>16 also do know is that at that time when such a warning might</p> <p>17 have been given, a similar warning was given to the media</p> <p>18 to go away, correct?</p> <p>19 COLONEL SCOTT: A similar warning, I know</p> <p>20 Captain Dennis Adriaio spoke to the media. I think it's</p> <p>21 also in one of the videos, it may be in one of the videos</p> <p>22 where you actually hear them telling the media go back or</p> <p>23 go away, but that's not trying to have media not film,</p> <p>24 that's trying to – it's in concern for the safety of the</p> <p>25 media.</p>
<p style="text-align: right;">Page 15619</p> <p>1 COLONEL SCOTT: Yes.</p> <p>2 CHAIRPERSON: - at quarter to four and thereafter</p> <p>3 that afternoon, but on the planning stage it seems what</p> <p>4 you're saying is that if people had walked forward without</p> <p>5 weapons, they would have been allowed through to Nkaneng.</p> <p>6 COLONEL SCOTT: Through a filtering line.</p> <p>7 CHAIRPERSON: Well, now obviously from what you</p> <p>8 say, tell us, the objection was they had weapons and I</p> <p>9 think you also said there was of course the fear on the</p> <p>10 part of the police that they were implementing the threats</p> <p>11 that had been made earlier and they were actually moving</p> <p>12 forward to attack the police, but let's leave that out of</p> <p>13 the equation for the moment. Of course they weren't – so</p> <p>14 there certainly was a concern they had weapons and the plan</p> <p>15 did not envisage them marching through towards the</p> <p>16 settlement still armed, is that correct?</p> <p>17 COLONEL SCOTT: I wasn't just the armed,</p> <p>18 Mr Chairperson, I think it was also just the actual visual</p> <p>19 organisation, if one would, of this group.</p> <p>20 CHAIRPERSON: Yes, well –</p> <p>21 COLONEL SCOTT: It wasn't normal.</p> <p>22 CHAIRPERSON: But the two of course went together,</p> <p>23 it was because they were armed that the organisation became</p> <p>24 relevant, didn't it? Isn't that so?</p> <p>25 COLONEL SCOTT: Yes.</p>	<p style="text-align: right;">Page 15621</p> <p>1 MR MPOFU: Yes. No, no, fair enough.</p> <p>2 All I'm saying is that that is a communication to human</p> <p>3 beings to do something or to refrain from doing something</p> <p>4 when he says, "Media, go away." Correct?</p> <p>5 COLONEL SCOTT: It's a communication to</p> <p>6 human beings, yes.</p> <p>7 MR MPOFU: Yes.</p> <p>8 COLONEL SCOTT: I agree with you, yes.</p> <p>9 MR MPOFU: These other human beings were</p> <p>10 coming, were not also told put down your weapons if you</p> <p>11 want to pass here or some similar human communication.</p> <p>12 CHAIRPERSON: Mr Mpofo, the problem is this</p> <p>13 witness wasn't there at the time. He can't –</p> <p>14 MR MPOFU: He was here when the video was</p> <p>15 played.</p> <p>16 CHAIRPERSON: He can't comment on that. That's</p> <p>17 something you must ask one of the persons who was there,</p> <p>18 perhaps Brigadier Calitz when he gives evidence.</p> <p>19 MR MPOFU: Yes.</p> <p>20 [10:09] CHAIRPERSON: This witness can't help us on that.</p> <p>21 MR MPOFU: Thank you, Chairperson.</p> <p>22 CHAIRPERSON: Of course there may be reasons why</p> <p>23 that wasn't said but those are matters that you and I and</p> <p>24 the Colonel can only speculate on and our speculation isn't</p> <p>25 going to be very helpful at this stage.</p>

<p style="text-align: right;">Page 15622</p> <p>1 MR MPOFU: Yes.</p> <p>2 CHAIRPERSON: I speak for myself, I can't speak</p> <p>3 for –</p> <p>4 MR MPOFU: No, you're quite right,</p> <p>5 Chairperson, and that's why I didn't ask him why it was not</p> <p>6 done. All I was asking, he was here when the video was</p> <p>7 played and I thought it was common cause that no such</p> <p>8 warning, as you've just elicited from him, was given. I'm</p> <p>9 just extracting that fact, not why or why not.</p> <p>10 CHAIRPERSON: We know no such warnings were given,</p> <p>11 so let's just move on -</p> <p>12 MR MPOFU: Thank you. Thanks</p> <p>13 Chairperson. Anyway it's a matter for argument, yes. I</p> <p>14 put it to you that – well, let me put it this way, thank</p> <p>15 you, when the Chairperson asked or rather assisted me with</p> <p>16 the question and then you gave the long answer, would it be</p> <p>17 fair to say that as, one of the summaries of that answer is</p> <p>18 that you were saying that the people that you foresaw going</p> <p>19 to the settlement were the harmless ones? In other words,</p> <p>20 you foresaw not what you call the dangerous ones but the</p> <p>21 harmless ones going towards Nkaneng, correct?</p> <p>22 CHAIRPERSON: Perhaps the non-militant would be an</p> <p>23 appropriate expression.</p> <p>24 MR MPOFU: Ja, and harmless – correct?</p> <p>25 CHAIRPERSON: Well, the non-militant ones</p>	<p style="text-align: right;">Page 15624</p> <p>1 again I think we just need to break it up. Dispersion is</p> <p>2 not necessarily then the arresting part of it, so again</p> <p>3 with the dispersion action you would find that even if</p> <p>4 there were some supporters to the militant group remaining</p> <p>5 behind, when the POPS dispersion happens they would quite</p> <p>6 quickly, I was hoping, lose faith in their support and move</p> <p>7 off and that is initially what we wanted. I didn't foresee</p> <p>8 necessarily that that militant group was going to do that.</p> <p>9 I gave the three options of what I thought they may do but</p> <p>10 I thought that they were going to be defiant to some degree</p> <p>11 from the worst, and to moving away to just try to be</p> <p>12 defiant by regrouping on the open ground as the latter.</p> <p>13 But the other ones moving off, as we actually did see</p> <p>14 happening where they, in twos and threes and maybe even up</p> <p>15 to fives and going off, not being interested in actually</p> <p>16 what's going on anymore. So those ones are, as I say there</p> <p>17 are those that would have left on the warning, there are</p> <p>18 those that would have left just out of the visual stimulus</p> <p>19 from what we actually did see, of seeing that here comes</p> <p>20 the razor wire and they decided we don't want to be part of</p> <p>21 this. If the police had lined up and a verbal warning was</p> <p>22 given which would have actually also told them what the</p> <p>23 issue was, what was going to happen if they didn't disperse</p> <p>24 within a certain amount of time, be it 15 or 20 minutes,</p> <p>25 and then they would have had the opportunity for a decision</p>
<p style="text-align: right;">Page 15623</p> <p>1 presumably would be harmless. Do you agree with the</p> <p>2 proposition being put to you? This is now at the stage</p> <p>3 when you, what you foresaw when you were doing the plan,</p> <p>4 that when the warning was given – of course we hadn't</p> <p>5 reached that stage yet – when the warning was given the</p> <p>6 non-militant ones, what Mr Mpofo calls the harmless ones,</p> <p>7 might well go minus weapons towards Nkaneng but the</p> <p>8 militant ones, I think you said, you foresaw would stay and</p> <p>9 they were the ones who would be then the subjects, if</p> <p>10 that's the right word, of the disperse, encircle and disarm</p> <p>11 exercise, is that right?</p> <p>12 COLONEL SCOTT: Yes, the militant ones</p> <p>13 and possibly a smaller group or not a group like the</p> <p>14 militant ones but some that were maybe defiant as well that</p> <p>15 remained maybe in support of the militant ones, so –</p> <p>16 CHAIRPERSON: We know that you only – sorry, we</p> <p>17 know you only had arrangements for 170 cells so you didn't</p> <p>18 expect to arrest all 3 000. In fact you intended to arrest</p> <p>19 or envisaged that you might well arrest a relatively small</p> <p>20 fraction of those who were there and even the militant</p> <p>21 group, according to the evidence you've given, was of the</p> <p>22 order of 3, 400. So you didn't even intend, or perhaps</p> <p>23 intend is the wrong word, envisage arresting all the</p> <p>24 militant group, is that right?</p> <p>25 COLONEL SCOTT: No, Chairperson, but</p>	<p style="text-align: right;">Page 15625</p> <p>1 making process and those that didn't want to be part of it</p> <p>2 again would have left and of course the non, less than</p> <p>3 lethal, non-lethal force continuum of POPS would also have</p> <p>4 chased away those that didn't want to be there, but again</p> <p>5 the arrests then would have been made of those that were</p> <p>6 kept on scene or possibly that retried to form up to the</p> <p>7 west and regroup on the west, that arrests would have been</p> <p>8 made to – well, disarming and arrests made of those groups.</p> <p>9 But again like you are saying I think the number of cells</p> <p>10 that one is talking about here is also just the restriction</p> <p>11 because of what the four police stations could handle, but</p> <p>12 it is so that I don't think we envisioned that there would</p> <p>13 be that many arrests actually made.</p> <p>14 COMMISSIONER HEMRAJ: Colonel, did you</p> <p>15 foresee that in the dispersal of militant or the non-</p> <p>16 militant persons, that in the dispersal they would go</p> <p>17 towards the police line, towards Nkaneng?</p> <p>18 COLONEL SCOTT: No, ma'am. In the</p> <p>19 warning phase if the police line was formed up I considered</p> <p>20 that they would probably walk around the police line and go</p> <p>21 into Nkaneng more to the north, as we saw many of them did</p> <p>22 after the shooting, to avoid the police line itself. And I</p> <p>23 say that again because even if a man is carrying a</p> <p>24 knobkerrie or what we would consider traditional weapons,</p> <p>25 my previous experiences are that they're not just going to</p>

Page 15626

1 hand it over to the police. It's something which is
 2 normally personal to them and so on, so they would have
 3 probably moved around, walked around the police line to
 4 gain entry. So I didn't see them approaching the police
 5 line as such, trying to move through.
 6 MR MPOFU: Alright.
 7 CHAIRPERSON: Mr Mpofo, we think we have a – we
 8 think we understand what you want to put but let's see
 9 whether our understanding is correct.
 10 MR MPOFU: Yes Chair, thanks Chairperson.
 11 Well, maybe to short-circuit it I'm just going to put a
 12 proposition to you regarding this and then say why I'm
 13 putting it to you. I put to you that the advance of the
 14 people towards the informal settlement was foreseen and
 15 that what was foreseen was not the advance of the harmless
 16 ones but an advance that included the so-called militant
 17 ones from whom protection might be needed. What's your
 18 comment to that, to those two propositions – that you had
 19 foreseen and of people from whom protection might be
 20 required?
 21 COLONEL SCOTT: I think I've actually
 22 answered that to the degree that it was foreseen that the
 23 ones who didn't want conflict with police would move off
 24 and that being the non-militant ones.
 25 CHAIRPERSON: I think the opposite proposition is

Page 15627

1 put as well.
 2 COLONEL SCOTT: I know, so –
 3 CHAIRPERSON: He says you also foresaw - I don't
 4 know whether "also" is his word, it's mine – also foresaw
 5 that the militant group might well advance towards the
 6 police as well.
 7 COLONEL SCOTT: Advance towards the
 8 police or towards Nkaneng –
 9 MR MPOFU: No, not towards the police,
 10 Chairperson, sorry –
 11 CHAIRPERSON: Sorry, can I – you're quite right.
 12 The police were in the way, advance towards Nkaneng.
 13 COLONEL SCOTT: I anticipated only that
 14 the militant group would advance towards the POP line as
 15 the worst case scenario, around the vicinity where they
 16 were, that when POPS got close enough to them that we may
 17 have a similar situation as we experienced on Monday, but
 18 not that they would advance to Nkaneng itself. And as I
 19 say, at that stage and maybe just to give the reasoning is
 20 –
 21 MR MPOFU: No –
 22 COLONEL SCOTT: I was of the impression
 23 that many of them had come from Karee hostel, not knowing
 24 that they'd actually moved towards that environment to go
 25 to K3 shaft on the Monday. I thought they were coming from

Page 15628

1 Karee hostel to the koppie.
 2 MR MPOFU: Well, Colonel, I put it to you
 3 that that answer is also incorrect because if that was true
 4 you wouldn't have said, as you say at L139, the first of
 5 the two boxes there and the last small box within that,
 6 bullet 3 where you say, "The northern Nyala was to angle
 7 slightly towards the west to assist in protecting a
 8 possible advance towards the informal settlement." That
 9 statement carries with it two things. One is that there
 10 was a possible advance to the informal settlement and the
 11 fact that it needed to be protected, do you accept that?
 12 COLONEL SCOTT: That it needed to be
 13 protected, yes, but again like I'm stating, that the police
 14 line would then in my view, would have been approached,
 15 which would have been between them and the informal
 16 settlement. So the razor wire was also there –
 17 MR MPOFU: No, Colonel –
 18 COLONEL SCOTT: I see what you're saying,
 19 this is still at the early morning when the razor wire is –
 20 MR MPOFU: That's fine, at whatever
 21 stage, Colonel, I'm saying you foresaw that the people will
 22 want to advance to Nkaneng and that something had to be
 23 done to protect –
 24 CHAIRPERSON: Mr Mpofo, you're over-egging the
 25 pudding now. What he says is a possible advance, so if you

Page 15629

1 put it –
 2 MR MPOFU: - foresight.
 3 CHAIRPERSON: If you put it on the basis not that
 4 they would want but they might well want, then your
 5 proposition is in line with what appears here in slide 13 –
 6 but don't over-egg the pudding.
 7 MR MPOFU: Fair enough, fair enough
 8 Chairperson, okay.
 9 CHAIRPERSON: You understand the point being made?
 10 It was foreseen that there was a, that there might be a
 11 possible advance towards the informal settlement, something
 12 that you didn't want, therefore you put in place protection
 13 against it.
 14 COLONEL SCOTT: Yes.
 15 CHAIRPERSON: The protection against it was the
 16 angling slightly towards the west of the northern Nyala.
 17 The answer to that must be yes.
 18 COLONEL SCOTT: Yes, Chairperson.
 19 CHAIRPERSON: That's what you want, Mr Mpofo?
 20 MR MPOFU: That's all, Chairperson, thank
 21 you very much.
 22 CHAIRPERSON: Adv Hemraj wants to ask a question
 23 on this point.
 24 COMMISSIONER HEMRAJ: When you use the
 25 word "advance," are you using it as a dispersal, as part of

Page 15630

1 the dispersal?
 2 COLONEL SCOTT: Ma'am, I'm trying to
 3 reflect back there because it is a stage 2 deployment.
 4 CHAIRPERSON: It's in the context of stage 2 in
 5 exhibit L.
 6 COLONEL SCOTT: Yes.
 7 CHAIRPERSON: Because if you look at slide 135
 8 it's clear that this was the – admittedly this was reverse-
 9 engineered, this slide –
 10 COLONEL SCOTT: Yes.
 11 CHAIRPERSON: But what you say is that this was,
 12 under the heading of stage 2 deployment this was your
 13 endeavour to recapture, as it were –
 14 COLONEL SCOTT: Yes.
 15 CHAIRPERSON: - what the concept was at the time.
 16 So it was stage 2.
 17 COLONEL SCOTT: Yes.
 18 CHAIRPERSON: And the question is whether by that
 19 phrase "a possible advance" you meant, what precisely you
 20 meant by that.
 21 COLONEL SCOTT: Chairperson, if you go to
 22 the fourth bullet it says, "In stage 2, deploying the
 23 barbed wire is a contingency action and is done on command
 24 of the operational commander." In other words, a
 25 contingency action meaning that imminent violence is

Page 15631

1 anticipated, the group may be standing up to mobilise to a
 2 key point or to a target somewhere and that razor wire
 3 would be there to protect the police and at that stage my
 4 anticipation was as well to prevent them then from going
 5 into the Nkaneng settlement –
 6 CHAIRPERSON: Well, you see the word "possible"
 7 indicates that it wasn't a certainty.
 8 COLONEL SCOTT: Yes.
 9 CHAIRPERSON: And a contingency action means it's
 10 something that's foreseen as something which may happen.
 11 COLONEL SCOTT: May happen.
 12 CHAIRPERSON: Will not necessarily happen but
 13 which may happen, you don't want it to happen so to make
 14 sure it doesn't happen you put something in place. That's
 15 what that's all about.
 16 COLONEL SCOTT: Yes.
 17 CHAIRPERSON: So it seems clear, does it not, that
 18 you did foresee as a reasonable possibility that that might
 19 happen and you didn't want it to happen and therefore you
 20 planned to prevent it –
 21 COLONEL SCOTT: Yes.
 22 CHAIRPERSON: - if it did happen.
 23 COLONEL SCOTT: Yes.
 24 COLONEL SCOTT: Is that right? Now, the
 25 question though is, which I'm still not quite sure what you

Page 15632

1 mean by it, what exactly do you mean by "advance?" Do you
 2 just mean the intention to disperse to Nkaneng or did you
 3 have something else in mind?
 4 COLONEL SCOTT: No, that was, this was
 5 seen in the light of, again, if the wire deploys it's
 6 because there is a very valid reason for it deploying and
 7 our concerns were, whether they are valid or not, was the
 8 consideration of innocent people inside Nkaneng because if
 9 the wire was going to be deployed here it was because of an
 10 imminent violent threat or that violence was breaking out
 11 and we didn't want that violence to spill over into
 12 Nkaneng. Again, I still don't know today but I'm quite
 13 sure there must be foreign nationals inside and the like
 14 and that we wanted to prohibit from going actually into the
 15 township or the little settlement itself.
 16 MR MPOFU: Ja, thank you.
 17 COMMISSIONER HEMRAJ: So the word
 18 "advance" does not include a dispersal?
 19 COLONEL SCOTT: No.
 20 MR MPOFU: Thank you. That is exactly
 21 what I suspected. In other words, the phrase "protecting a
 22 possible advance," "protecting a possible advance" meant –
 23 COLONEL SCOTT: An org –
 24 MR MPOFU: - stopping people who might be
 25 inclined towards violence moving towards –

Page 15633

1 CHAIRPERSON: I think he said that. What he means
 2 is stopping – stopping, he does, he has already said that,
 3 stopping people who were intent on mischief, who might well
 4 be intent on mischief.
 5 MR MPOFU: Yes.
 6 CHAIRPERSON: Non-mischievous people there wasn't
 7 a problem with but those who might be up to mischief –
 8 MR MPOFU: Correct.
 9 CHAIRPERSON: - they wanted to stop. We now have
 10 his evidence on that point.
 11 MR MPOFU: Thank you.
 12 CHAIRPERSON: Would you now like to move to the
 13 next point?
 14 MR MPOFU: Not the harmless ones, ja.
 15 Thank you. Okay –
 16 COLONEL SCOTT: Chair, Chairperson,
 17 because you know again this isn't a plan to the detail that
 18 – but once that razor wire in a stage 2 is deployed because
 19 of a contingency, because of an anticipated threat, the
 20 police wouldn't have just deployed that wire. The
 21 operational commander again would have had the discretion
 22 to see what is going on and if necessary to take other
 23 defensive actions again, considering what's going on. If
 24 they saw the crowd therefore move towards the west, there
 25 would've been assets sent out ahead of the crowd to certain

Page 15634

1 key points to start isolating, for instance. So it doesn't
 2 stop there just with the deployment of the razor wire for
 3 instance.
 4 MR MPOFU: Yes.
 5 CHAIRPERSON: Mr Mpofu, when we get to a suitable
 6 stage we can take the tea adjournment but I give you the
 7 right to decide when that will be, based upon your cross-
 8 examination as you've prepared it.
 9 MR MPOFU: I will not abuse the right,
 10 Chairperson.
 11 CHAIRPERSON: I wouldn't expect you to.
 12 MR MPOFU: Thank you. I just want to
 13 round off this point, Colonel, so that when we come back
 14 from tea we start on a new topic. Yes, I just want to,
 15 maybe we'll deal with it when we get back but would you
 16 agree with me that there isn't this Chinese wall or total
 17 separation between stage 2 and stage 3, that stage 2 was
 18 actually a – and stage 3 are merged in the sense that stage
 19 2 is a prepositioning for stage 3. Would you agree with
 20 that?
 21 COLONEL SCOTT: It wasn't stage 2's
 22 primary purpose. The primary purpose was to dissuade
 23 violent action and so – but it was, you're quite correct in
 24 saying it was part of a prepositioning. Not all forces had
 25 been brought in yet but it was part of a prepositioning,

Page 15635

1 yes.
 2 MR MPOFU: Yes and for example on that
 3 page where you are at slide 140, at the bottom slide where
 4 you say, "STF and NIU" – right at the bottom – "will
 5 respond to situations where lives are imminently
 6 threatened, to assist or protect the police forces" and so
 7 on. Those lives threatened, threatening of lives and so on
 8 would happen in stage 3 but you are already planning for
 9 them in stage 2.
 10 COLONEL SCOTT: No, this is only a stage
 11 2 document which is on screen now.
 12 MR MPOFU: No, I accept that, Colonel.
 13 I'm saying, you know what I'm saying. I'm saying that in
 14 your stage 2 document some of the issues you are dealing
 15 with were issues that might happen in stage 3 such as
 16 threat to lives, attacks on people and so on, correct?
 17 COLONEL SCOTT: Well, some of the issues,
 18 like you are rightly stating, are generic throughout.
 19 MR MPOFU: That's correct.
 20 COLONEL SCOTT: So –
 21 MR MPOFU: Ja.
 22 COLONEL SCOTT: TRT being placed even in
 23 a phase 1, had a similar role from phase 1 right through to
 24 phase 3, just with extra duties in stage 3 which became
 25 more primary.

Page 15636

1 MR MPOFU: Ja. Thank you, that's exactly
 2 the point I'm making, that we can't just say when we are
 3 talking about life threatening situations, no – no, that
 4 was stage 2. Some of the issues were continuous throughout
 5 the stages, correct?
 6 COLONEL SCOTT: You must maybe just be
 7 more specific on the issues before I agree to that.
 8 MR MPOFU: Okay, I'll leave it for
 9 argument. Thanks, Chairperson, we might take the break.
 10 CHAIRPERSON: We'll take the tea adjournment at
 11 this stage.
 12 [COMMISSION ADJOURNS COMMISSION RESUMES]
 13 [11:03] CHAIRPERSON: The Commission resumes.
 14 Colonel, you're still under oath.
 15 DUNCAN GEORGE SCOTT: s.u.o.
 16 CHAIRPERSON: Mr Mpofu.
 17 MR MPOFU: Thank you, Chairperson.
 18 CHAIRPERSON: Mr Mpofu, you told me in
 19 chambers that there was a question in relation to the
 20 precise extent and location of a neutral area.
 21 MR MPOFU: Yes, Chairperson.
 22 CHAIRPERSON: I gather, I see there are,
 23 you drew my attention to the fact that there are
 24 coordinates on the various slides in exhibit L.
 25 MR MPOFU: Yes, around 130 something.

Page 15637

1 CHAIRPERSON: And perhaps you and the
 2 evidence leaders, perhaps you can tell us about that, put
 3 that on record?
 4 MR MPOFU: Yes, thank you, Chairperson.
 5 Chairperson, yes, we – or rather I started some cross-
 6 examination on Friday around the exact location of the
 7 neutral area, which I was intending to come back to that
 8 topic, but I've also seen that, I noticed yesterday that in
 9 slides, around 135 to 136, 137, actually ja, 136 onwards,
 10 there are bearings that are given, south 25 degrees and so
 11 on, of the neutral area. For example slide 137, one, two,
 12 three, four, the fourth box says neutral area and then
 13 central point is S25 degrees 40 inches, and so on. Ja, so
 14 the arrangement that I've made with the evidence leaders is
 15 that at some stage the exact, those exact measurements will
 16 be checked and we will then submit probably on an agreed
 17 basis with SAPS that, submit to the Commission the
 18 locations.
 19 CHAIRPERSON: Yes, all we get in those
 20 slides is the central point of the neutral area, but I'm
 21 quite sure that by agreement with the SAPS, the evidence
 22 leaders, and yourself, it should be possible for us to be
 23 informed precisely what the boundaries of the neutral area
 24 were. Is that – I'm sure you agree with that, Mr Semanya.
 25 So that will save us a bit of time.

Page 15638

1 CROSS-EXAMINATION BY MR MPOFU (CONTD.):
 2 Thank you. Colonel, just apropos this question, can I just
 3 confirm with you that the neutral area is a static place;
 4 the neutral area is a neutral area?
 5 COLONEL SCOTT: Yes, it's a static area.
 6 MR MPOFU: It doesn't change according to
 7 who's doing what at what time, correct?
 8 COLONEL SCOTT: It's – again it, look,
 9 it's written into Public Order Policing SOPs and so on, so
 10 as crowds move, if a crowd starts moving, in essence the
 11 neutral area is just an area which is reflected, an
 12 environment the police occupies, which is between your
 13 strikers or gatherers, or opponents, and critical key
 14 points on the opposite side. So it can quite easily move
 15 if your strikers may move, etcetera, but in essence that's
 16 why I said there's no necessary boundary unless you would
 17 be in a city context where you may say we're occupying this
 18 piece of ground because there's a building forming a
 19 barrier on the left and a building forming a barrier on the
 20 right, so we consider this then the police neutral area.
 21 CHAIRPERSON: I think, Colonel, you're
 22 not understanding the point. For the purposes of our
 23 discussion the neutral area to which you have referred,
 24 which is defined in the documents we have and so on, that
 25 remains static. I understand in the normal –

Page 15639

1 COLONEL SCOTT: Yes.
 2 CHAIRPERSON: - situation with crowds
 3 move around and so on, the neutral area moves, but in this
 4 particular case you had a particular neutral area which you
 5 wanted demarcated and we could ascertain with absolute
 6 accuracy what that area was. It's not necessary for
 7 evidence on it. It should be able to be the subject of an
 8 agreement between SAPS, the evidence leaders, and Mr Mpoфу.
 9 Is that correct?
 10 COLONEL SCOTT: It's – it can be probably
 11 ascertained, Chairperson, but I can maybe already state
 12 that at no time did I give it any specific boundaries other
 13 than the front boundary. So I don't know if there would
 14 have been –
 15 CHAIRPERSON: A front boundary is the one
 16 between the police and the strikers. So that's the
 17 relevant one.
 18 COLONEL SCOTT: Yes.
 19 CHAIRPERSON: How far it went behind is
 20 probably not relevant. It's the front boundary, the front
 21 tier as it were –
 22 COLONEL SCOTT: Ja.
 23 CHAIRPERSON: - that counts. Is that
 24 right? And that we can determine with accuracy.
 25 COLONEL SCOTT: Pretty much so, on the

Page 15640

1 actual placement of the Nyala line.
 2 CHAIRPERSON: Yes, that's right.
 3 MR MPOFU: Ja.
 4 COLONEL SCOTT: But – okay.
 5 MR MPOFU: I'm sorry to cut you. All I
 6 was saying is that as the person who did the plan and these
 7 slides, when you gave these bearings it was in relation to
 8 a neutral point that is ascertainable, correct?
 9 COLONEL SCOTT: Ja, that's why it's given
 10 as a central point –
 11 MR MPOFU: Ja.
 12 COLONEL SCOTT: - and not as a boundary
 13 to the left, to the right, to the front, or to the back.
 14 It's given, this is the central point of the neutral area.
 15 CHAIRPERSON: My question relates to the
 16 boundary, it can be ascertained, that particular boundary?
 17 COLONEL SCOTT: It's – that's why I say
 18 it's a big ambiguous, Chairperson, because you weren't
 19 within a city context to say so –
 20 CHAIRPERSON: No, I understand, but here
 21 at Marikana on that day we know where the boundaries – we
 22 will be able to work out accurately where the boundary was?
 23 COLONEL SCOTT: One would be able to,
 24 yes, using –
 25 CHAIRPERSON: That's all I want.

Page 15641

1 COLONEL SCOTT: - the police line.
 2 MR MPOFU: Thank you. Ja, no, that's
 3 all. Thank you, Colonel, and would it be fair to say that
 4 one of the things about the neutral area is that members of
 5 the public or protesters would not be allowed in it,
 6 correct?
 7 COLONEL SCOTT: No, an organised group
 8 for instance, that is the, in essence the purpose of a
 9 neutral area. It's neutral because the police are neutral,
 10 because they're trying to protect something which they deem
 11 to be on the opposite side from a possible threat to be on
 12 the other side. So at this stage if people were moving
 13 through the police area not as an organised group, that
 14 would be fine. You could come and go, move as you would
 15 like, but if the police at any stage perceived a threat, in
 16 essence what I'm trying to say is a neutral area is created
 17 because if you take the police out the equation you have a
 18 group of people who could pose a possible threat, with a
 19 key point on the opposite side, and in Public Order
 20 procedures the police would then if need be move the group
 21 of people away from the key point and create a neutral area
 22 which they themselves become the neutral force to protect
 23 the key point from the protesting group for instance. So
 24 this is why I'm saying I'm not sure that it's even given
 25 demarcated boundaries as such. It's seen as a piece of

<p style="text-align: right;">Page 15642</p> <p>1 ground occupied by the police to keep a protesting group 2 away from possible key points. 3 CHAIRPERSON: In this case the boundary 4 was the wire, wasn't it? 5 COLONEL SCOTT: Yes. 6 CHAIRPERSON: Ja. In military terms, 7 your distinction between neutrals and belligerents, so 8 people who weren't belligerents in the technical sense, who 9 were neutral, who were harmless, I think as Mr Mpofo put 10 it, they would have been allowed passage through that area, 11 as long as they remained neutral. 12 COLONEL SCOTT: That's correct, 13 Chairperson. 14 MR MPOFU: Yes, well that's exactly why I 15 was asking you about its qualities rather than its 16 boundaries as such. The point really that I'm driving at 17 is this; that it was known to you and to the police who 18 were there that throughout the day, from the video 19 evidence, the protesters were moving towards the koppie and 20 away from it, utilising that road or path in front of the 21 kraal, correct? 22 COLONEL SCOTT: It is so, but to state, 23 to my knowledge they were coming from many directions, but 24 like you say, on that path, it seems to be quite a – 25 MR MPOFU: Popular place.</p>	<p style="text-align: right;">Page 15644</p> <p>1 "Protesters organised group remain with others on the 2 koppies while a number of protesters are departing," and 3 your point is directly in front of the kraal at that path, 4 correct? There is the white arrow. 5 COLONEL SCOTT: That's correct. 6 MR MPOFU: And that white arrow might as 7 well have been depicting the general area where the other 8 people were killed and injured, correct? 9 COLONEL SCOTT: Look, it wasn't intended 10 to depict that. 11 MR MPOFU: No, no – 12 COLONEL SCOTT: It was intended to depict 13 the people walking on the ground there. 14 MR MPOFU: Yes, Sir. I know that, and I 15 know that no-one had been killed at this stage. I'm saying 16 that arrow that depicts the people departing using that 17 path is in the area where the people died and were killed. 18 COLONEL SCOTT: Yes. 19 MR MPOFU: Thank you. 20 CHAIRPERSON: Can I ask a question about 21 that? There are various colours on this, yellow, red, and 22 white. Now the caption says protesters "organised group" 23 remain with others on the koppies while a number of 24 protesters are departing. Now, and there's a red circle 25 around the group and a red arrow pointing to it. Is that</p>
<p style="text-align: right;">Page 15643</p> <p>1 COLONEL SCOTT: Popular, yes. 2 MR MPOFU: Yes, thank you. And indeed 3 after Mr Mathunjwa's departure, many of the people used 4 that same popular path in front of the kraal – 5 CHAIRPERSON: I don't know if the witness 6 knows that. He was in the JOC. 7 MR MPOFU: He does. Can you go - 8 CHAIRPERSON: Well, let's find out. Do 9 you know what – this may have been communicated by other 10 witnesses, I'm not stopping the topic as it were, but do 11 you know from your own knowledge the answer to the question 12 you're being asked? 13 COLONEL SCOTT: Only in hindsight, 14 Chairperson. 15 CHAIRPERSON: Only through hearsay? 16 COLONEL SCOTT: Say again. 17 CHAIRPERSON: Only through hearsay? 18 COLONEL SCOTT: No, in hindsight through 19 looking at photographs. 20 CHAIRPERSON: Yes. 21 COLONEL SCOTT: I can see that in 22 photographs. 23 MR MPOFU: Exactly. That's exactly where 24 I was going. Can you go to slides 191 and 193? Actually 25 in 193 your caption says it all. You say there,</p>	<p style="text-align: right;">Page 15645</p> <p>1 intended to indicate the organised group? 2 COLONEL SCOTT: That's intended – yes, it 3 sort of runs in perception of danger, Chairperson. 4 CHAIRPERSON: Ja, and then – 5 COLONEL SCOTT: Red, orange, and white, 6 white being neutral, walking away, orange being possible to 7 disperse if the dispersion action carries on with the 8 warning and the POPS less-than-lethal, and the red being 9 the anticipated group that would be a problematic group. 10 MR MPOFU: Good. So the place with the 11 white arrow where the harmless people were walking towards 12 Nkaneng, is the same place where the so-called militant 13 group was killed, correct? 14 COLONEL SCOTT: I think I've answered 15 that on the last question, yes. 16 MR MPOFU: Yes, thank you. And you and I 17 have already agreed that that was the popular route which 18 was being used to and from Nkaneng on that day, correct? 19 CHAIRPERSON: We've got that answer on 20 record already. 21 MR MPOFU: So well, what I want really is 22 your comment. Mr Magidiwana's evidence was exactly that 23 that route which they were taking to Nkaneng and which was 24 first of all closed by Nyala 4, closed off by Nyala 4, is 25 exactly the same place that they were accessing when they</p>

Page 15646

1 went around the kraal for the same purpose as the people in
 2 that white line were doing, namely to go towards Nkaneng.
 3 Do you have any comment?
 4 COLONEL SCOTT: It's Mr Magidiwana's
 5 testimony, so I don't know if I can comment on what he's
 6 saying, unless –
 7 CHAIRPERSON: I don't think it's your
 8 function to comment on it.
 9 COLONEL SCOTT: No.
 10 MR MPOFU: Well, you made it your
 11 function to say that you did not believe that they were
 12 going to Nkaneng. That's the only reason I was asking you,
 13 but it's fine –
 14 CHAIRPERSON: That's a matter for
 15 argument later.
 16 MR MPOFU: Ja. Well, Chairperson, I've
 17 now shown him evidence that it was his – the fact that he
 18 said it last week in a different context, with respect, has
 19 got nothing to do with the fact that I'm asking him now in
 20 the light of what I've just shown him.
 21 CHAIRPERSON: I've already made it clear
 22 to him that his views on the matter are his views, what we
 23 have to decide at the end of the day and we will do so on
 24 the basis of the evidence and the arguments.
 25 COLONEL SCOTT: I think –

Page 15647

1 MR MPOFU: Would you agree that from the
 2 point of view of a person who had been sitting there all
 3 day and seeing people going up and down that path, that
 4 walking up and down that path was something that in their
 5 view was –
 6 CHAIRPERSON: That's a matter that can be
 7 dealt with in argument and dealt with in evidence of
 8 witnesses who were there. I'm not prepared to allow that
 9 question to be put to him because his answer is not going
 10 to take it any further, one way or the other.
 11 MR MPOFU: Sorry, if you can just bear
 12 with me. The slide that's – I think it's JJJ18.8, yes,
 13 JJJ18.8, page 2055, JJJ18 –
 14 CHAIRPERSON: [Microphone off, inaudible]
 15 MR MPOFU: 118, thank you, Chairperson.
 16 COMMISSIONER HEMRAJ: What is the
 17 document that you're referring to, Mr Mpofo?
 18 MR MPOFU: JJJ118, I'm told, Chairperson.
 19 COMMISSIONER HEMRAJ: Yes, what is it?
 20 MR MPOFU: The document, well I don't
 21 know how to identify it –
 22 CHAIRPERSON: It's a document that was
 23 shown to the work session in Pretoria –
 24 MR MPOFU: Ja, within that, it's page
 25 2055 of, if that makes any difference.

Page 15648

1 CHAIRPERSON: This is the document that
 2 was taken to the work session in Pretoria -
 3 MR MPOFU: Yes, but I want the slide –
 4 CHAIRPERSON: - and shown to them, in
 5 other words an early edition of exhibit L, preliminary
 6 edition.
 7 MR MPOFU: Yes, that's correct, Chair.
 8 CHAIRPERSON: That's what it is. Let us
 9 see the relevant page.
 10 COLONEL SCOTT: Chairperson, I think it
 11 may not be. This is a document, that document you referred
 12 to now has HQ, the one that was – so this one –
 13 CHAIRPERSON: This isn't the HQ document,
 14 no.
 15 COLONEL SCOTT: No, this is a, if I'm not
 16 mistaken, this is a document which Colonel Visser took the
 17 day of the 16th out and it's going to, if we just see it,
 18 I'll know now, but he took the inputs, the narratives of
 19 what the groups had come back with and started placing it
 20 into the day of the 16th.
 21 CHAIRPERSON: I'm told that HQ is JJJ199.
 22 So this is an earlier one. Anyway, let's look at the page
 23 that Mr Mpofo wants to refer to, and then he can put his
 24 question and you can then answer him. Which page did you
 25 want, Mr Mpofo? You did tell us.

Page 15649

1 MR MPOFU: 2055. It's the, if you've got
 2 the right presentation, it's after the slide that says
 3 "detailed sequence of events." The evidence leaders are
 4 trying to help me to identify it better, Chairperson.
 5 [Microphone off, inaudible]
 6 CHAIRPERSON: It doesn't look like the
 7 slide you're looking for.
 8 MR MPOFU: [Microphone off, inaudible].
 9 The slide I'm looking for will say "Thursday 16th August
 10 2012, 15:43."
 11 CHAIRPERSON: That is substantially
 12 further on than the one we're looking at, at the moment.
 13 MR MPOFU: Yes, 15:43.
 14 CHAIRPERSON: 15:43, you say?
 15 MR MPOFU: Yes.
 16 CHAIRPERSON: Can that be found, please?
 17 MR MPOFU: Slide 36, thank you, Mr
 18 Chaskalson.
 19 CHAIRPERSON: This looks like slide 191
 20 of exhibit L.
 21 MR MPOFU: That's correct, except for one
 22 little difference, that you –
 23 CHAIRPERSON: It's at the top in the
 24 narrative –
 25 MR MPOFU: That's correct.

Page 15650

1 CHAIRPERSON: - these words were there,
 2 which were not later kept in exhibit L, "People not wanting
 3 to be involved in confrontation moving away."
 4 MR MPOFU: Yes, that's correct,
 5 Chairperson.
 6 CHAIRPERSON: It's something that Colonel
 7 Visser added when he was collecting these slides together,
 8 is that part of the narrative that he added based upon
 9 information he'd received at Roots?
 10 COLONEL SCOTT: I was dealing with the
 11 photographs, Chairperson. It's possible that I would have
 12 done it, but a good way to check is just to go back into
 13 older presentations to see if that was there at the time.
 14 CHAIRPERSON: It doesn't matter really.
 15 The question is that information that's no longer in
 16 exhibit L, "People not wanting to be involved in
 17 confrontation moving away," was that based upon information
 18 received at Roots?
 19 COLONEL SCOTT: I can't actually speak to
 20 that. If it was me, and it probably was, I would have been
 21 looking at the people on the ground that are not on the
 22 koppies anymore, and that the crowd has actually thinned
 23 out significantly. So if I did make that deduction - and
 24 I'm saying it probably is, it's just difficult to
 25 specifically pinpoint it - that would have been the

Page 15651

1 rationale behind doing that.
 2 MR MPOFU: Well, I'm told - and if I'm
 3 wrong I won't take responsibility, I'll blame it on Mr
 4 Chaskalson - that the answer to the Chairperson's question
 5 has to be yes because that slide was manufactured, well I
 6 don't mean it negatively, was generated on the 1st of
 7 September.
 8 COLONEL SCOTT: You know what -
 9 MR MPOFU: You agree? In that case would
 10 you then agree that -
 11 COLONEL SCOTT: Oh well, I'll take Mr
 12 Chaskalson's word for it, yes.
 13 MR MPOFU: The presentation was that
 14 presentation he was given on the 1st of September, and the
 15 simple question was merely that at some stage that is the
 16 information that was given either to you or Visser.
 17 COLONEL SCOTT: Yes, or it's possibly a
 18 deduction that I made, as I say, looking at the photograph.
 19 [11:23] CHAIRPERSON: Well that follows from the
 20 words thinning out. The protester group isn't good English
 21 but what the squatters meant is what we see in exhibit L, a
 22 protest group starts thinning out before mobilising. The
 23 thinning out is what we see here, with people leaving it.
 24 COLONEL SCOTT: Yes, Chairperson.
 25 CHAIRPERSON: The group becomes, if one

Page 15652

1 can use the metaphor, thinner after a number of people have
 2 left. The only inference that one can draw in the
 3 circumstances is that those who left, left because they
 4 didn't want to be involved in what was happening or what
 5 was going to happen.
 6 COLONEL SCOTT: Yes and as Mr Chaskalson
 7 pointed out, I wasn't aware of it at this time but Nyala 1
 8 has actually started with its deployment. It seems to have
 9 moved about 10 to 20 metres, deploying its razor wire as
 10 well.
 11 MR MPOFU: Ja, well thank you.
 12 CHAIRPERSON: That strengthens the point,
 13 that when some people at least saw what was happening, that
 14 razor wire was being uncoiled they decided this is not for
 15 them and they started to leave. Isn't that right?
 16 COLONEL SCOTT: Yes, Chairperson.
 17 MR MPOFU: Thank you, ja. My point is
 18 simply that the place where the people were killed is a
 19 place where, one of the descriptions of the police, the
 20 people were using that path were people did not want to be
 21 involved in confrontation, correct?
 22 COLONEL SCOTT: It's true, but if you
 23 even look at the picture you can see the amount of people
 24 that are not using that path that are still walking towards
 25 the north. So I think it's maybe a one sided view to say

Page 15653

1 people are only walking on that path, we can see probably
 2 even more people that are moving just from the koppies and
 3 moving to a more northwards environment.
 4 CHAIRPERSON: Mr Mpofo isn't saying that
 5 - putting it on a basis that people are only going there.
 6 But it's one of the routes that were being followed.
 7 COLONEL SCOTT: That's correct, ja.
 8 MR MPOFU: Thank you. And it's one of
 9 the routes that were being followed by people who did not
 10 want to get involved in confrontation, correct?
 11 COLONEL SCOTT: Yes.
 12 MR MPOFU: Yes. And I know you were not
 13 there, so if you would favour me with an answer I'll be
 14 happy, but if you don't then we'll move on. From what
 15 you've seen or what you've been told would it be fair that
 16 had it not been for the blocking of that path by Nyala 4
 17 then the Noki group was following that same path of the
 18 people who didn't want to be involved in confrontation,
 19 correct?
 20 COLONEL SCOTT: They were moving in that
 21 direction, that I can say. I'm not sure if they were
 22 moving on the path or just to the north of the path, but
 23 they were moving in the direction of the kraal.
 24 MR MPOFU: Thank you. If I may move to
 25 something new, a completely new topic and please I just

Page 15654

1 want you to understand where I'm going with this. I want
 2 to talk to you about what I would call the philosophical
 3 basis or assumptions that underpinned the plan. Is it
 4 correct that one of those was that this plan of phase 3 at
 5 least of stage 3 would only be rolled out if the
 6 negotiations or when the negotiations had failed?
 7 COLONEL SCOTT: That was my
 8 interpretation and my perception, yes.
 9 CHAIRPERSON: You were the main planner,
 10 so that was your approach.
 11 COLONEL SCOTT: That was my approach –
 12 CHAIRPERSON: Your plan was the last
 13 resort. If they voluntarily put their arms down and left
 14 then your plan would never have to be put into operation.
 15 COLONEL SCOTT: That's correct,
 16 Chairperson.
 17 MR MPOFU: Yes and another underpinning
 18 assumption was that the militant would refuse to leave the
 19 koppie, correct?
 20 COLONEL SCOTT: It was anticipated. As I
 21 say, I've explained that before that we have hope and we
 22 have what we need to anticipate. So although we hoped it
 23 would be resolved even through dialogue, we had to
 24 anticipate that what they'd shown us in their history, may
 25 come to the forefront again and we needed to plan in

Page 15655

1 accordance with what we could expect in that possibly
 2 happening again.
 3 MR MPOFU: Ja, but that can't be correct.
 4 What history? They had never been in this situation.
 5 COLONEL SCOTT: The history from the
 6 Monday with the conflict the police experienced with them
 7 on the Monday.
 8 MR MPOFU: Do you accept, Colonel, that
 9 on the Monday that the Monday was an isolated incident
 10 where the police fired teargas and stun grenades?
 11 COLONEL SCOTT: I'm not sure how you see
 12 that as an isolated incident, it was an incident still
 13 dealing with the same group of people. And the fact that
 14 the police exercised a tactical option, a non-lethal
 15 tactical option was what I planned here also to have a non-
 16 lethal tactical option. And if there was going to be
 17 retaliation like was experienced on Monday to the tactical
 18 option obviously we needed to have a contingency plan in
 19 place for that.
 20 MR MPOFU: So you agree that Monday would
 21 only be relevant in a situation where the police attack
 22 first?
 23 COLONEL SCOTT: I'm not sure how you see
 24 the police attacked.
 25 MR MPOFU: Well you and I have agreed

Page 15656

1 that on Monday the situated had started with the police
 2 attacking first. Shooting teargas and stun grenades.
 3 COLONEL SCOTT: The police tried to
 4 enforce the law.
 5 CHAIRPERSON: I don't think that's an
 6 accurate way of putting it. It depends on what you mean by
 7 attacked. I mean there was scope for misunderstanding
 8 perhaps when stun grenades were used and it was thought
 9 that live ammunition was used. Whether stun grenade as
 10 such and teargas constitutes an attack is a matter for
 11 debate which I don't we should get involved in.
 12 MR MPOFU: Okay.
 13 CHAIRPERSON: But perhaps you can – I
 14 think I know what you're trying to put to the witness, but
 15 perhaps you can reformulate it in a way which avoids the
 16 problem.
 17 MR MPOFU: Thank you, okay do you agree
 18 that the firing of stun grenades and teargas is defined in
 19 the police as the use of non-lethal force?
 20 COLONEL SCOTT: Yes, it is.
 21 MR MPOFU: Yes and so do you agree that
 22 in the situation of the 13th the police had been the first
 23 ones to use force?
 24 COLONEL SCOTT: What I will say is that
 25 the police took in impromptu decision it would seem, I

Page 15657

1 don't know who that person was –
 2 CHAIRPERSON: That's not necessarily the
 3 evidence. The evidence on that is not yet clear.
 4 COLONEL SCOTT: Ja, that's right.
 5 CHAIRPERSON: And there are various
 6 interpretations which we will be exploring in due course,
 7 but that's perhaps what one can describe as the official
 8 version, whether the official stands – will stand and suit
 9 me is a matter that's still open. But anyway I don't think
 10 you and I need to get involved in that debate and I don't
 11 propose to let Mr Mpofo either. Mr Semenya.
 12 MR SEMENYA SC: Only to say the witness
 13 cannot testify on such specificity when we know he wasn't
 14 there.
 15 MR MPOFU: Well, Chairperson, that very –
 16 CHAIRPERSON: Sorry, before you get
 17 there, it's not as simple as that, Mr Semenya, because the
 18 witness is saying, based on his understanding of what
 19 happened on Monday, the plan was conceived in a particular
 20 way. All right I think I'm stating his evidence correctly.
 21 The point Mr Mpofo is trying to make is that what he
 22 understood about what happened on Monday may not be
 23 correct, but once that's stated I don't know how much
 24 further the point can be taken but you're quite correct.
 25 If he goes more specific than that, as to what actually

Page 15658

1 happened on Monday and to what extent that played a role in
 2 his plan well then the question is not going to help us.
 3 COLONEL SCOTT: Chairperson, maybe I can
 4 express my view to this, it will hopefully clarify it. My
 5 view was that there was an illegal happening then going on
 6 which the police tried to restore law and order to by means
 7 of public order means. Whether decisions were made by
 8 whoever that's not important to me, but the fact that the
 9 police tried to exert a tactical option of POPs there was a
 10 retaliation on the police to the fact that members died and
 11 were robbed. And that is in principle what I had to
 12 consider a possibility of happening again on any tactical
 13 option that I proposed for a way forward to dealing with
 14 the situation in the days to come. Knowing that it was not
 15 the first option that obviously we wanted to deal with
 16 because we had two before that, being negotiating and
 17 dialogue and a show of force to try to dissuade us even
 18 having to go to a tactical option. But in essence the plan
 19 would need a tactical option and if it had a tactical
 20 option I had to consider the history of the Monday and what
 21 the police had experienced at that time.
 22 CHAIRPERSON: Can I put it this way? The
 23 first option was just telling them to lay down their arms.
 24 COLONEL SCOTT: Yes.
 25 CHAIRPERSON: The second was the show of

Page 15659

1 force.
 2 COLONEL SCOTT: That's correct.
 3 CHAIRPERSON: Alright, if neither of
 4 those worked then I take it the third one would be the use
 5 of non-lethal force with water canon I think.
 6 COLONEL SCOTT: That's correct.
 7 CHAIRPERSON: Teargas and stun grenades.
 8 All right that's possible the third stage.
 9 COLONEL SCOTT: That's correct.
 10 CHAIRPERSON: Now what I understand you
 11 to be saying is that if you'd reached the third stage it
 12 might have elicited the kind of response that that "third
 13 stage" without the water canon had elicited on the Monday.
 14 COLONEL SCOTT: That's correct,
 15 Chairperson.
 16 MR MPOFU: Do you accept that if or
 17 rather can you tell us since this was an important
 18 component of the plan, when exactly did you regard that
 19 negotiations had failed?
 20 COLONEL SCOTT: Well I think as myself,
 21 but I think as the police as well, I'd been told, I think
 22 it was on the Wednesday that after the strikers had heard
 23 that the police were not there to bring the mine management
 24 to the koppie and did not want to get involved in the
 25 labour relations but were there more in the interests of

Page 15660

1 law and order, and having a peaceful resolution that they,
 2 the strikers, said well then we've got nothing more to
 3 speak about. I do know that they remained on, as I say
 4 because there was the hope of the union presidents coming
 5 to address them. On Thursday when the razor wire was
 6 deployed I know that the strikers did come back to the
 7 Nyalas and what I didn't know per se in so much words was
 8 what Mr Nzuzza, part of the party of leaders of the
 9 strikers, actually mentioned in his statement that on that
 10 approach the police actually requested them again –
 11 CHAIRPERSON: On exhibit?
 12 COLONEL SCOTT: It's Mr Nzuzza's
 13 statement, it's exhibit HHH21.
 14 CHAIRPERSON: Thank you, page, paragraph?
 15 COLONEL SCOTT: I'm going to get there in
 16 a moment, Chairperson, I've got to find it. It's page 5,
 17 paragraph 17. And if I read it "on the 16th of August 2012
 18 I arrived before 9 o'clock as we were expecting Mr
 19 Mathunjwa. He only arrived at about midday and he informed
 20 us that he had not been allowed into a meeting between the
 21 management and the NUM. And that the management had failed
 22 to meet with him." And then he says the word "before" and
 23 he's referring obviously to that midday. "Before him" Mr
 24 Mathunjwa "the police had called the five madoda and
 25 repeated their request for friendship. This time there

Page 15661

1 were about four Nyalas towing barbed wire, we pointed out
 2 we needed access to Nkaneng." But even there the police
 3 are still trying and I know that we would have continued
 4 trying at all costs to try and resolve this any other way
 5 other than having to go to a tactical option. And that's
 6 where he's stating again "repeated their request for
 7 friendship."
 8 MR MPOFU: Ja, Colonel, honestly all I
 9 want from you is would it be fair to say that the, let's
 10 call it the Mathunjwa effort, was regarded by you as part
 11 of the efforts that needed to be exhausted before stage 3
 12 could be rolled out, that it was part of generally what is
 13 defined as the negotiations? I accept that it was not the
 14 same negotiations as were being done by McIntosh and so on,
 15 but that it was part of the effort, let's leave it at that.
 16 COLONEL SCOTT: I do believe that to be
 17 so. I'm not sure at what stage though, once the
 18 relationship or the verbal dialogue between police and mine
 19 management and Mr Mathunjwa ended whether that was still
 20 common knowledge then to the police of exactly what was
 21 going on. But I do agree that Mr Mathunjwa was still part
 22 of the process to bring about peaceful resolution.
 23 MR MPOFU: Yes, so much so that – and if
 24 I have to play the video I will, it's quite short – that -
 25 is it Brigadier Calitz?

<p style="text-align: right;">Page 15662</p> <p>1 COLONEL SCOTT: The operational 2 commander? 3 MR MPOFU: Yes. 4 COLONEL SCOTT: Yes. 5 MR MPOFU: - that Brigadier Calitz had a 6 conversation with Mr Mathunjwa when he finished his first 7 address Mr Mathunjwa came to him and said "I'm now going to 8 management" and so on and so on and Brigadier Calitz said 9 "we will wait for them to come back to Mr Xolumgabi," who's 10 the ETV anchor who was at scene 1, who was asking what's 11 going on, we'll wait for them to come back. In other words 12 the police placed store and the fact that Mr Mathunjwa was 13 going to come back a second time as part of all the efforts 14 and the first resort if there's such a thing before the 15 last resort could be resorted to. 16 COLONEL SCOTT: Well I believe what 17 you're saying, I've seen that part of the video as well. 18 Yes, so I think Brigadier Calitz' mindset is the same. 19 There's still hope of Mr Mathunjwa resolving the situation. 20 MR MPOFU: Yes. 21 CHAIRPERSON: We know what happened. We 22 know that the operation, if one can call it that, only 23 began when – the uncoiling of the wire only began after Mr 24 Mathunjwa had left, after his second visit. And we in fact 25 see that on slide 193. We see Mr Mathunjwa's vehicle</p>	<p style="text-align: right;">Page 15664</p> <p>1 plan, his philosophy of the plan and all that kind of 2 thing. But I don't think the time is profitably spent in 3 questioning him about matters upon which we can be equally 4 wise, based upon direct evidence from people who were there 5 and the slides and photographs and so on and video which 6 are available. So – 7 MR MPOFU: Well okay. Can we try and 8 spend the time profitably in the following way? If indeed 9 Mr Mathunjwa's effort was one of the – or the outcome 10 thereof really, which is more important, was one of the 11 sine qua non's was one of the pre-conditions for the roll 12 out of phase 3, would it be fair that one would have 13 expected to see the outcome – 14 CHAIRPERSON: No, that also – 15 MR MPOFU: No, as far as the plan is 16 concerned, Chairperson. 17 CHAIRPERSON: Oh okay, as long as you're 18 asking about the plan it's okay. 19 MR MPOFU: That's all I'm asking. I'm 20 saying from your plan, you've said that one of the 21 philosophical foundations of your plan was that stage 3 22 must only be rolled out once it's clear that negotiations 23 have failed, correct? 24 COLONEL SCOTT: Yes. 25 MR MPOFU: From that answer then you</p>
<p style="text-align: right;">Page 15663</p> <p>1 leaving the area and we also see immediately thereafter the 2 barbed wire being uncoiled as a barrier as is described in 3 the narrative at the foot of that slide. So it's quite 4 clear that nothing was done as far as uncoiling the wire 5 and moving forward on the police side until the end of Mr 6 Mathunjwa's second visit, very shortly after the second 7 visit, but that's clearly the evidence. 8 COLONEL SCOTT: Yes. 9 MR MPOFU: Yes, that's fine, but the 10 point is that negotiation effort by Mr Mathunjwa, or rather 11 as the Chairperson has said to you, the operation, stage 3 12 was started immediately as Mr Mathunjwa was leaving, 13 correct? 14 COLONEL SCOTT: He was given the 15 opportunity to leave first, yes. 16 MR MPOFU: Yes, and as he was leaving, on 17 the same slide, part of the crowd was leaving as well, 18 correct? 19 COLONEL SCOTT: Yes, I can see that. 20 MR MPOFU: And as he was leaving actually 21 the whole mountain, I think it's called – 22 CHAIRPERSON: No, Mr Mpofo, you're now 23 dealing with what happened at that time. We can see it 24 from the slides, we've had direct evidence on it. I can 25 understand your asking the witness questions about the</p>	<p style="text-align: right;">Page 15665</p> <p>1 would have wanted to know whether Mr Mathunjwa's effort has 2 succeeded or failed, correct? 3 COLONEL SCOTT: Yes, that's also so. 4 MR MPOFU: Ja, thank you. 5 COLONEL SCOTT: But I just want to state 6 that maybe the point that needs to be made is that I'm not 7 a decision maker and that's what I tried to say at the 8 beginning when you went down this line of questioning – 9 MR MPOFU: No, no, sorry no, I accept 10 that, Colonel, please you must trust me on that. I accept 11 that. I'm talking – that's why I'm talking about from the 12 planning point of view, that once negotiations had failed, 13 fail as something that is determinable, failure or success, 14 do you understand that? 15 [11:42] COLONEL SCOTT: I do and again, 16 Chairperson, if I may just respond in the sense that if Mr 17 Mathunjwa had come back to Brigadier Calitz, which he did 18 do after he spoke to the group for the last time, and said 19 we have now an agreement or something positive for that 20 matter, I'm very sure that Brigadier Calitz would have got 21 on the radio to tell the JOC, hang on a second, we have a 22 positive situation developing. 23 MR MPOFU: Do you think you – 24 CHAIRPERSON: That's a matter that 25 Brigadier Calitz can tell us about.</p>

Page 15666

1 COLONEL SCOTT: Yes.

2 CHAIRPERSON: One of the points which of

3 course arises that he will be asked, but I don't think you

4 can deal with it, inasmuch as some people were going away,

5 it might well be argued he should have waited a bit longer

6 to see whether other people went away. But that's a

7 question for him. I don't know that you can answer it one

8 way or the other, and if you do, I'm not sure that your

9 evidence means anything. Mr Mpopu has laid the foundation

10 for the question he's going to ask Brigadier Calitz. Mr

11 Mpopu, shall we move on?

12 MR MPOFU: Ja. Yes, you've already

13 answered the question about the other voluntarily

14 assumption – or rather, assumption, philosophical

15 assumption. As it happened that the assumption about one

16 group refusing to leave the koppie and another group

17 staying didn't materialise in that everybody left, correct?

18 CHAIRPERSON: It's not an argument about

19 what actually happened, especially what happened –

20 MR MPOFU: No, it's not. There's no

21 evidence that anyone remained at the koppie, not that I –

22 CHAIRPERSON: No, I know that, but you're

23 asking him a question about what happened. That's a matter

24 for argument. I understand it's an argument, it's a

25 question for those who were there, but I'm not sure he can

Page 15667

1 add any value by answering your question.

2 MR MPOFU: No, Chairperson, with greatest

3 respect, if someone has said that I've made an assumption

4 that certain people were going to remain at the koppie and

5 others were going to leave, are we suggesting that sitting

6 there now he doesn't know whether that assumption

7 materialised or not? A man of his stature, the nodal

8 point, the planner, the architect.

9 CHAIRPERSON: No, it's not a matter of

10 which he has direct knowledge. The knowledge he has is the

11 same as the knowledge we have, based upon what other people

12 have said and on the photographs and the slides.

13 MR MPOFU: That's fine, thank you,

14 Chairperson.

15 CHAIRPERSON: And the video clips. The

16 argument is open to you, but you don't have to get him to

17 confirm it before you advance the argument.

18 MR MPOFU: Another philosophical

19 assumption that you had was that stage 3 would be rolled

20 out if there was an escalation in violence, correct?

21 COLONEL SCOTT: Yes.

22 MR MPOFU: And that escalation in

23 violence had also not materialised by the time you rolled

24 out stage 3, correct?

25 COLONEL SCOTT: That's correct.

Page 15668

1 MR MPOFU: Thank you. And in fact from

2 what we know, and I know you don't have personal knowledge,

3 between the 14th and the 15th there was a period of relative

4 quiet, correct?

5 COLONEL SCOTT: I agree with you, other

6 than just the death of Mr Twala on the Tuesday.

7 MR MPOFU: On the 14th, yes, correct.

8 Okay, is it also correct that according to your plan the

9 NIU and the STF would only fire their guns if they

10 perceived that the TRT's lives were in danger, correct?

11 COLONEL SCOTT: No. The TRT could

12 protect themselves, but –

13 MR MPOFU: Okay, I'll have to look for

14 the slide, sorry.

15 COLONEL SCOTT: But I'm just stating, I

16 think in the essence of the plan the Public Order Policing

17 policemen were the people that had the lesser capability of

18 protecting their lives against a potentially lethal attack.

19 So the line directly behind them was the TRT line and the

20 NIU/STF line was behind the TRT line. But in saying that,

21 there is no reason why an STF or NIU member does not

22 respond in private defence of another police official,

23 media person, or any other innocent person which may be –

24 CHAIRPERSON: Was it necessary for them

25 to do so if the TRT people were able to handle the

Page 15669

1 situation?

2 COLONEL SCOTT: No, Chairperson. If it

3 was handled, it was handled. So it would not be necessary

4 therefore for others to intervene.

5 MR MPOFU: Chairperson, if you'll please

6 bear with me. Okay, I'll find the slide, but I –

7 CHAIRPERSON: What slide are you looking

8 for, Mr Mpopu? Tell us.

9 MR MPOFU: Where it says that the STF and

10 NIU would respond only if the lives of the people of the

11 TRT were under attack.

12 CHAIRPERSON: Perhaps one of the co-

13 authors of exhibit L can help find it for us. You know

14 what it is that Mr Mpopu wants. Can you find it for us?

15 COLONEL SCOTT: Chairperson, it's

16 possibly slide 140 in stage 2, the second bullet in

17 comments.

18 MR MPOFU: Yes.

19 COLONEL SCOTT: The STF and NIU –

20 MR MPOFU: Yes, that's one of them, yes.

21 CHAIRPERSON: You see, the important

22 point of both 140 – I'm stealing Mr Mpopu's thunder, I hope

23 he'll forgive me – the important point of slide 140 and 141

24 is that it appears that the STF and the NIU were only to

25 respond to defend others on command of the operational

<p style="text-align: right;">Page 15670</p> <p>1 commander.</p> <p>2 COLONEL SCOTT: That's correct.</p> <p>3 CHAIRPERSON: As I understand it – if I'm</p> <p>4 wrong, I hope you'll correct me – the TRT if they thought</p> <p>5 it was necessary to act for purposes of self-defence or</p> <p>6 private defence, didn't require a command. They were</p> <p>7 entitled to act on their own initiative, as it were, for</p> <p>8 that purpose. But it does appear that that wasn't the case</p> <p>9 for the NIU and the STF. They, if they were going to act</p> <p>10 in obviously private defence, presumably they could; if</p> <p>11 they had to act in self-defence it would be a different</p> <p>12 matter, by if they were going to act in private defence,</p> <p>13 they required a command of the operational commander. Is</p> <p>14 that distinction correct?</p> <p>15 COLONEL SCOTT: Chairperson, that's – the</p> <p>16 reason it's in these slides where it is, is it's part of</p> <p>17 stage 2, or phase 2, and the STF and NIU are not positioned</p> <p>18 at the neutral area. They're in immediate reaction areas.</p> <p>19 So the operational commander, feeling that the threat was</p> <p>20 too great for that matter, the TRT to respond effectively</p> <p>21 to, would then call in from either the north or the south</p> <p>22 immediate reaction area the NIU or the STF to come and</p> <p>23 assist. So it's in that context that the operational</p> <p>24 commander makes that decision, and not in a stage 3 or a</p> <p>25 phase 3.</p>	<p style="text-align: right;">Page 15672</p> <p>1 where we were going to ourselves go out with a tactical</p> <p>2 option, then we could pre-warn them that something was</p> <p>3 going to happen and it was not safe for them to be there.</p> <p>4 But if the media was for instance at the striking miners</p> <p>5 and something happened, obviously the police commander on</p> <p>6 ground would have had to make certain decisions, impromptu</p> <p>7 decisions on how to at that stage if media personnel were</p> <p>8 being attacked, he would have had to send TRT members</p> <p>9 possibly to save the lives of the media at the front,</p> <p>10 etcetera. So there's a host of different things that could</p> <p>11 have happened in a stage 2, understanding that stage 2 is</p> <p>12 when we felt the threat was heightened and we needed to</p> <p>13 bring in extra forces and possible defence measures like a</p> <p>14 razor wire line, which was not deployed yet, because of the</p> <p>15 anticipated threat.</p> <p>16 MR MPOFU: Yes. Well, Colonel, all I'm</p> <p>17 asking you really is this; if you read that second bullet</p> <p>18 at 140, "The STF and NIU will respond to situations where</p> <p>19 lives are imminently threatened, to assist or protect the</p> <p>20 police forces in the neutral area on command of the</p> <p>21 operational commander," that postulates the stage when the</p> <p>22 operation is at a particular level and that's when, that it</p> <p>23 would be stage 3. I know it was planned in stage 2, but</p> <p>24 I'm saying that those imminent threats were to materialise</p> <p>25 at the time when the operation was at a further stage,</p>
<p style="text-align: right;">Page 15671</p> <p>1 MR MPOFU: No, but do you accept that the</p> <p>2 media would be in the so-called neutral area and facing any</p> <p>3 danger according to the plan only when the stage 3</p> <p>4 situation was happening?</p> <p>5 COLONEL SCOTT: No, and that's why stage</p> <p>6 2's contingency is the deploying of the razor wire -</p> <p>7 MR MPOFU: No, I understand that.</p> <p>8 COLONEL SCOTT: - so that -</p> <p>9 MR MPOFU: I'm sorry.</p> <p>10 COLONEL SCOTT: - their barriers are</p> <p>11 formed – okay.</p> <p>12 MR MPOFU: I'm sorry, sorry I interrupted</p> <p>13 you.</p> <p>14 COLONEL SCOTT: May I continue?</p> <p>15 MR MPOFU: Mm.</p> <p>16 COLONEL SCOTT: No, I'm stating that if</p> <p>17 obviously the police on ground, and that's why we had a</p> <p>18 police communication liaison officer on ground, and I think</p> <p>19 it was already on the Tuesday or the Wednesday he'd</p> <p>20 actually approached the media and spoken to them about a</p> <p>21 demarcated area that he preferred the media to be at, where</p> <p>22 he would also meet them to give briefings possibly, but</p> <p>23 which he felt to be safe, and we discussed that, the safety</p> <p>24 of the media in the JOC. We knew that we couldn't limit</p> <p>25 the movement of the media other than if phase 3 was coming</p>	<p style="text-align: right;">Page 15673</p> <p>1 correct?</p> <p>2 COLONEL SCOTT: I can't agree with you</p> <p>3 because they were not even at the neutral area. The STF</p> <p>4 and the NIU were at the immediate reaction areas and this</p> <p>5 is why, if they were at the neutral area for that matter,</p> <p>6 if I'd positioned them at the neutral area they would have</p> <p>7 had the same powers as the TRT for that matter, as any</p> <p>8 police official is mandated to do, is to save life. So if</p> <p>9 they needed to respond and they were at that area, for</p> <p>10 instance if an STF member on an armoured vehicle could get</p> <p>11 to the front faster with his armoured vehicle, surely you</p> <p>12 would expect the STF to respond and not the TRT, who would</p> <p>13 be trying to run that distance. So for that matter it's</p> <p>14 about saving life, but in, what you're showing us on</p> <p>15 screen, the STF and the NIU are not even at that neutral</p> <p>16 area with Brigadier Calitz.</p> <p>17 CHAIRPERSON: Can I interrupt you for a</p> <p>18 moment?</p> <p>19 MR MPOFU: Yes, I was just going to –</p> <p>20 maybe to drive the point home really, let's look at slide –</p> <p>21 CHAIRPERSON: Before you drive your point</p> <p>22 home, can I drive another point home? If you look at slide</p> <p>23 211, it appears that at scene 1 no munitions were expended</p> <p>24 by members of the STF or the NIU. The only munitions that</p> <p>25 were expended there were expended by members of the POP and</p>

Page 15674

1 members of the TRT.
 2 COLONEL SCOTT: Yes, I see that.
 3 CHAIRPERSON: What appears from
 4 subsequent slides is that when we move to say, towards
 5 scene 2, the NIU and the STF spring into action, as it were
 6 - circumstances presumably will be explored later in
 7 evidence - and they expended munitions, to use the phrase
 8 in slide 211. But as you had planned it, at the initial
 9 phase the NIU and the STF weren't going to expend any
 10 munitions and they didn't - sorry, except on command of the
 11 operational commander, and they didn't do so. That appears
 12 to be the position. Am I correct?
 13 MR SEMENYA SC: The record, Chair, must
 14 show that the STF did not expend any munitions.
 15 MR MPOFU: Did not spring into action,
 16 yes.
 17 CHAIRPERSON: And the NIU didn't either.
 18 Are you talking about scene 2?
 19 MR SEMENYA SC: Scene 2, STF.
 20 CHAIRPERSON: Yes, yes, no, you're
 21 correct. Yes, well I'm not sure you're correct, but I
 22 assume you are. But anyway, as far as scene 1 is
 23 concerned, the NIU and the STF expended no munitions at
 24 all.
 25 COLONEL SCOTT: That's correct.

Page 15675

1 CHAIRPERSON: Right, and your plan was
 2 that they wouldn't unless there was a special reason to do
 3 so and they got a specific command to do so, and that
 4 didn't arise. Is that correct?
 5 COLONEL SCOTT: Well, if there was - the
 6 command being somebody's being attacked, we need
 7 assistance, help; so but I doubt -
 8 CHAIRPERSON: Yes, no, what you
 9 envisage -
 10 COLONEL SCOTT: - command -
 11 CHAIRPERSON: Sorry to interrupt you -
 12 was that they would act only on a command of the
 13 operational commander and we know from, if we can accept
 14 slide 211, that they didn't expend any munitions at all at
 15 scene 1. As far as scene 2 was concerned, the NIU expended
 16 munitions. I'm looking for the relevant - Mr Tokota is
 17 always springing to my assistance - slide 257, the NIU
 18 expended munitions, as did K9, as did TRT and POP, but
 19 again the STF didn't do so.
 20 COLONEL SCOTT: That's correct,
 21 Chairperson.
 22 CHAIRPERSON: That's the correct
 23 position.
 24 COLONEL SCOTT: Yes.
 25 CHAIRPERSON: Ja. You're right, Mr

Page 15676

1 Semenya; I'm sorry that I doubted you for a moment.
 2 MR MPOFU: Thank you. And well, you know
 3 that the general plan was that people should either shoot
 4 in self-defence or on command, correct?
 5 COLONEL SCOTT: The only command -
 6 CHAIRPERSON: Self or private defence, I
 7 think.
 8 MR MPOFU: Self or private defence, or on
 9 command.
 10 COLONEL SCOTT: No, the only command -
 11 I'm not aware of any command other than what an STF sniper
 12 is given in a hostage situation, which is then a decision
 13 taken on, based on the private defence of the hostages
 14 where the sniper is told to initiate. Other than that
 15 there's no verbal command given to fire live ammunition at
 16 any person within the SAPS. You're either working in self-
 17 defence, private defence, or in a section 49(2) dangerous
 18 arrest scenario -
 19 MR MPOFU: Then - sorry, then why did
 20 your plan say that live ammunition could be used in self-
 21 defence or on command?
 22 COLONEL SCOTT: Where does the plan say
 23 live ammunition can be used on command?
 24 MR MPOFU: Okay, it's SS something. I'll
 25 find it. I think it's SS3. Actually it says it

Page 15677

1 repeatedly. All the plans of 12, 13, 14, 15, 16. I'll
 2 find it for you. It must be SS3.
 3 COLONEL SCOTT: The only ammunition
 4 that's utilised in the police where command is given, is an
 5 offensive Public Order Policing action, and that we are
 6 speaking to dispersion and that is where a section
 7 commander needs to give the command of "fire" for rubber
 8 bullets to be utilised.
 9 MR MPOFU: No, okay, go to exhibit SS3.
 10 Okay, let's go to, I think it's page 18 - is it 16? 1678,
 11 that's just an example. Paragraph 7. So it's not the
 12 slide, it's the narrative, it's just before - sorry, I
 13 can't find other examples. I wanted to find an example -
 14 okay, it's on the 13th, just from after the beginning of
 15 that SS3 there's a heading that says, "South African Police
 16 Service Rustenburg POP." That's -
 17 COLONEL SCOTT: Sorry, are you on page
 18 13?
 19 MR MPOFU: Ja, there are many examples,
 20 it doesn't matter. Okay, can you go to paragraph 7 of
 21 that, I think? Ja, any way, "use of force only on command
 22 or self-defence." Are you familiar with that?
 23 COLONEL SCOTT: Yes, and that's speaking
 24 very pertinently on command, as I say, to Public Order
 25 Policing. Firstly, this plan is not written by me.

<p style="text-align: right;">Page 15678</p> <p>1 Secondly, this plan is written for the Public Order 2 Policing which was happening over that time, on the 10th and 3 on the 13th, I believe. 4 MR SEMENYA SC: Chair, my understanding 5 of Standing Order 262 relates to public order management 6 and concerns itself with the optimum use of rubber. There 7 is nothing to read in there that they are talking about 8 firing live ammunition. 9 CHAIRPERSON: Yes, "force," Mr Mpofu, 10 doesn't necessarily mean force using live ammunition. 11 MR MPOFU: Of course, but – 12 CHAIRPERSON: There are lesser forms of 13 force, and if this is a – 14 MR MPOFU: - it is included – 15 CHAIRPERSON: Sorry, let's not both talk 16 at the same time. And if this is a POP plan, not drafted 17 by the present witness, then the passage to which you refer 18 is susceptible of the interpretation that relates to the 19 use of non-lethal force, but it also of course is 20 susceptible to the other interpretation as well. But I 21 don't know if this is the right witness to ask questions 22 about that topic. 23 MR MPOFU: Ja, Chairperson, with respect, 24 did you envisage that you'd use for self-defence water 25 cannons and teargas, or lethal force?</p>	<p style="text-align: right;">Page 15680</p> <p>1 with me. 2 CHAIRPERSON: Might I suggest, Mr Mpofu, that we 3 take a short comfort break at this stage, it is just after 4 noon, and you can then find what you're looking for and we 5 can then resume. 6 MR MPOFU: Yes, yes, Chairperson. 7 CHAIRPERSON: We'll take the comfort break now for 8 ten minutes. 9 MR MPOFU: Thank you. 10 [COMMISSION ADJOURNS COMMISSION RESUMES] 11 [12:16] CHAIRPERSON: The Commission resumes. 12 Colonel, you're still under oath. 13 DUNCAN GEORGE SCOTT: s.u.o. 14 CHAIRPERSON: Mr Mpofu, I hope you had an 15 opportunity to go through your notes and find what you were 16 looking for. 17 CROSS-EXAMINATION BY MR MPOFU (CONTD.): 18 Yes, I have, Chairperson. I'm going to move to another 19 topic which might be challenging, but let's try, 20 Chairperson. If not, I'll abandon it for after lunch. If 21 the operators could assist us, there's a video that is, 22 I've succeeded with exhibit L90, L90. 23 CHAIRPERSON: Is this something that the 24 witness will be able to testify about? 25 MR MPOFU: I don't know, Chairperson.</p>
<p style="text-align: right;">Page 15679</p> <p>1 CHAIRPERSON: Well, he didn't draft this 2 document. That's the problem. This is not a plan he drew 3 up. So the person who drafted the plan, drew up the plan, 4 should be asked the question. He can't leap into the mind 5 of the person who drafted that plan and tell us what that 6 person intended. 7 [12:02] COLONEL SCOTT: Chairperson, the 8 reflection of the plan is actually seen in point 8 which 9 deals with the equipment which shows it to be bulletproof 10 shields and helmets being public order policing - shotgun 11 with rubber and tear shots and then sidearms. 12 CHAIRPERSON: You could use firearms, sidearms to 13 fire live ammunition. 14 COLONEL SCOTT: That's correct - 15 CHAIRPERSON: I'm not sure that's a good point – 16 COLONEL SCOTT: - needing it in self- 17 defence. 18 CHAIRPERSON: Yes. Well, also in private defence 19 I suppose, or for other purposes. It doesn't fall in those 20 two, but anyway you can't really tell us what the draftsman 21 of this plan – 22 COLONEL SCOTT: No. 23 CHAIRPERSON: - had in mind, I take it? 24 COLONEL SCOTT: No. 25 MR MPOFU: Chair, if you'll just bear</p>	<p style="text-align: right;">Page 15681</p> <p>1 You mean in the sense that he would have – 2 CHAIRPERSON: Is it something he'll be 3 able to give evidence that will add value to our inquiry? 4 MR MPOFU: Yes. Alright, let me just say 5 this to you, because you don't have – you'll have to trust 6 me for now. If we have to play it, we'll do it after 7 lunch. You know that there's a suggestion that some 8 evidence was omitted deliberately. At least it's a 9 suggestion that I'm going to make and I understand that the 10 evidence leaders might make as well. 11 MR SEMENYA SC: May the question – 12 CHAIRPERSON: I don't know what you mean 13 by evidence. That's rather vague. What precisely is the 14 suggestion to which you're referring? There's the evidence 15 for example that certain video clips were omitted, that was 16 covered in cross-examination – 17 MR MPOFU: Yes, Chairperson, I'll – 18 CHAIRPERSON: There is also evidence that 19 in the case of one at least of the slides here, the full 20 clip was not included and an important part was left out. 21 I don't know whether you're referring to that – 22 MR MPOFU: That's exactly what I'm 23 getting at. 24 CHAIRPERSON: It wasn't 90, though, it 25 was something else.</p>

<p style="text-align: right;">Page 15682</p> <p>1 MR MPOFU: Yes, okay, let me give you 2 examples. You know that the evidence of Fritz giving an 3 instruction for the stun grenade was only discovered later, 4 correct? 5 COLONEL SCOTT: Correct. 6 MR MPOFU: And you'd accept that that is 7 important evidence? 8 COLONEL SCOTT: Yes, I would. 9 MR MPOFU: Yes, you also know that the 10 evidence of General Mbombo saying that the matter would be 11 dealt with today, which appeared in – 12 CHAIRPERSON: Not her evidence. She 13 hasn't given evidence yet. You're referring to slide 155, 14 I think. 15 MR MPOFU: Ja, or General Mbombo's 16 utterances that the matter would be ended today, was that 17 we were given a video which did not contain the word 18 "today" at some stage, and then later we found one that 19 did, correct? 20 MR SEMENYA SC: Chair, all these matters 21 Mr Chaskalson covered. 22 MR MPOFU: Ja, well, I've just been 23 challenged to say I mustn't say there's, I have to give him 24 examples now – 25 CHAIRPERSON: No, no, no, Mr Mpofu, there</p>	<p style="text-align: right;">Page 15684</p> <p>1 about already – 2 MR MPOFU: Yes, I – 3 CHAIRPERSON: There was a clip which was 4 shown as part of the, I'm not sure it's accurately 5 described as Al Jazeera, but it's some of the previously 6 undisclosed material which was supposed to have been 7 disclosed to the Commission in terms of an undertaking from 8 the media houses. That was shown recently, last week I 9 think, and there we saw an exchange between Captain Adriaio 10 and a journalist and the journalist did talk about a 11 peaceful protest. That's what you're referring to, but now 12 that you'd referred to it, it's been identified, please ask 13 your question that you want to ask. 14 MR MPOFU: Alright, there is – once again 15 we've now found that there is a video that was shown, which 16 I will identify if the need arises, the one with L90. You 17 might remember, among other things it shows a gentleman 18 urinating. You remember that one? 19 COLONEL SCOTT: The one with the rituals, 20 yes. 21 MR MPOFU: Yes, and the point I wanted to 22 make to you is that, and which I will demonstrate after 23 lunch if need be, that the video that we were given is cut 24 exactly, or not exactly, shortly after the person urinates, 25 but we've now found a clip that shows the continuation just</p>
<p style="text-align: right;">Page 15683</p> <p>1 are two points. The one is you used the phrase "evidence," 2 which is vague – 3 MR MPOFU: I've correct that, 4 Chairperson. 5 CHAIRPERSON: But you've now narrowed it 6 and specified what it is. But the next question is, the 7 point Mr Semanya raises is that if this is material that's 8 already been fully covered, then I don't propose letting 9 you cover it again. But if you're going to use this as a 10 launching pad to another point which hasn't been covered 11 which will help us, carry on. 12 MR MPOFU: That's all I'm doing, 13 Chairperson. You also know that some of the previously 14 unrevealed footage showed a journalist saying to Captain 15 Adriaio that this was a peaceful protest, "Would you agree 16 that this is a peaceful protest?" Correct? 17 MR SEMENYA SC: Which one is a peaceful 18 protest, Chair? 19 MR MPOFU: The peaceful protest at about 20 15:35 when Adriaio was addressing the media and saying that 21 they are moving to stage 3, then the journalist says to 22 him, "Would you agree this is a peaceful protest?" That is 23 part of the undisclosed evidence. 24 CHAIRPERSON: Yes, the point is that 25 we've had this already. You're referring to things we know</p>	<p style="text-align: right;">Page 15685</p> <p>1 slightly after that where one of the police members says 2 that, "They are showing no aggression towards us." 3 CHAIRPERSON: If I could intervene at 4 this point. Do you know what Mr Mpofu's talking about? 5 Have you seen the video clip to which he's now referring, 6 which contains the statement by a policeman which was not 7 part of slide 90? 8 COLONEL SCOTT: Chairperson, I know of 9 the videos. I know they were covered last year. We did 10 put them in. We just wanted to show the parts of the 11 rituals that had been observed, obviously trying to put it 12 together, not with any malice, just wanting to show that 13 so – 14 CHAIRPERSON: Yes, I know, but the 15 question Mr Mpofu asked you is, it is suggested to you that 16 this particular video clip, which is slide 90, continues 17 with a part that's not, a section that's not part of 18 exhibit L, where a policeman says – 19 MR MPOFU: "They show no aggression 20 towards us." 21 CHAIRPERSON: "They show no aggression 22 towards us." Are you able to confirm that that is so? 23 COLONEL SCOTT: I can't confirm it. I 24 can't remember it, but if it's there, I'm sure he'll show 25 it. I don't recall hearing it, no.</p>

Page 15686

1 MR MPOFU: Yes, I will show it. I'm
 2 getting assistance. All I want to say - that's why I was
 3 saying trust me, assume that I'm going to show it - if a
 4 video is cut just at the point at which, with only really
 5 two or three seconds to go, but containing the words of a
 6 policeman who says, "They show no aggression towards us,"
 7 would you also agree that that would be crucial evidence
 8 which was cut off? I'm not even suggestion deliberately or
 9 indeliberately at this stage.

10 COLONEL SCOTT: Well, you're talking
 11 about exhibit L, and exhibit L is trying to show in that
 12 slide the rituals as we put it there. The fact that that
 13 was said, I don't recall, and you're probably right that it
 14 is there. It was not part of the objective to show in that
 15 slide. However, all that footage is submitted to the
 16 Commission, and I know Mr Chaskalson still showed it in its
 17 full length after exhibit L was - because he picked up an
 18 issue that we'd custom-made videos, if one would, being the
 19 presentation, us not seeing it as evidence, just to
 20 enlighten the Commission. So the fact that you're saying
 21 it's critical evidence, it's on the Tuesday. The police
 22 have just moved into position. It's a police official
 23 saying then something in the lines of, as you've said, they
 24 don't seem to be showing aggression to us. I wouldn't have
 25 deemed that as critical evidence. I can see what you're

Page 15687

1 saying, that it is evidence, but I mean to say it's
 2 critical evidence on a Tuesday when we were trying to just
 3 show the rituals being shown, I can't agree with that.

4 MR MPOFU: Alright, while that is being
 5 done, I just want to ask you one or two things unrelated.
 6 When exactly, or was it before or after Roots that you
 7 became aware of Standing Order 262, yourself for the first
 8 time?

9 COLONEL SCOTT: Hearing of it being
 10 mentioned on its Standing Order 262 name, that I'd heard.
 11 Reading the actual document, only later after Roots.

12 MR MPOFU: Even after Roots? So
 13 effectively you, the architect of the plan, throughout the
 14 critical period of the 9th to the, the 13th in your case, to
 15 the 16th, were not familiar with regulation 262? You had
 16 never seen it -

17 CHAIRPERSON: Standing Order.
 18 MR MPOFU: Standing Order 262. You had
 19 not seen it?

20 COLONEL SCOTT: No, and if I can just -
 21 Chairperson, as I've stated before in my evidence, there's
 22 already a new draft National Instruction on Standing Order
 23 262. Standing Order 262 again was the predecessor of a
 24 document called "Public Order Police Policy Document on
 25 Crowd Management," in which I was trained on my course.

Page 15688

1 CHAIRPERSON: Standing Order 262 was the
 2 successor to that document. You said predecessor, not
 3 successor.

4 COLONEL SCOTT: Yes, no it was -
 5 CHAIRPERSON: There was a previous
 6 document that you were trained on.

7 COLONEL SCOTT: Yes.
 8 CHAIRPERSON: And I presume you're going
 9 to tell me that the main approach in that document was
 10 taken over into 262.

11 COLONEL SCOTT: Was this [inaudible] -
 12 CHAIRPERSON: But the details of 262 with
 13 any possible changes you weren't aware of?

14 COLONEL SCOTT: No.
 15 MR MPOFU: Thanks. And whatever changes
 16 we have to assume were, whatever changes might have been
 17 introduced would have been introduced in order to improve
 18 the situation of the police actions around crowd
 19 management, correct?

20 COLONEL SCOTT: Well, I think we need to
 21 look at what was improved then, maybe if you can highlight
 22 the points of what was improved and this document can show
 23 then, because I'm not sure which points of 262 in my
 24 planning per se I've omitted.

25 MR MPOFU: No, you see, you're

Page 15689

1 anticipating my next question, which all I'm saying is that
 2 would you accept that if 262 was amended, those amendments
 3 would be in an effort to improve the police actions around
 4 crowd management?

5 COLONEL SCOTT: I think it's a very vague
 6 question and I would like to actually know what we are
 7 specifically talking about in order to answer that
 8 accurately for you.

9 MR MPOFU: That's fine. The next
 10 question is, your knowledge about the National Management
 11 Forum - I don't know if that's what it's called - Senior
 12 Management Forum that took place on the 15th, evening of the
 13 15th, did you acquire that knowledge before or after Roots?

14 COLONEL SCOTT: After.
 15 MR MPOFU: 15th of August, I'm sorry.
 16 COLONEL SCOTT: After Roots.
 17 CHAIRPERSON: He already said, he was
 18 already asked about that and he said it was only after
 19 Roots. He said when he went to Roots, he said the whole
 20 period he was there he didn't know anything about that and
 21 he was asked other questions flowing from that, but his
 22 evidence on that is on the record.

23 CHAIRPERSON: Where did you first here
 24 about it?
 25 COLONEL SCOTT: At Rustenburg,

<p style="text-align: right;">Page 15690</p> <p>1 Chairperson. It must have been the month of November. 2 CHAIRPERSON: You mean the Commission has 3 already started? 4 COLONEL SCOTT: Yes. 5 CHAIRPERSON: The Commission had already 6 started. 7 COLONEL SCOTT: Yes. 8 CHAIRPERSON: And I think exhibit L had 9 already been presented. Is that correct? 10 COLONEL SCOTT: I'm not sure if it was – 11 CHAIRPERSON: As far as I recollect – 12 COLONEL SCOTT: - before or after, but – 13 CHAIRPERSON: Round about that time. 14 COLONEL SCOTT: Ja, but I know it was, 15 somebody mentioned it in the little office, because that's 16 where we used to sit quite often in Rustenburg in the 17 police office down in the basement. That's where I got to 18 hear of it the first time. 19 CHAIRPERSON: Who told you? 20 COLONEL SCOTT: I'm not sure. It could 21 have – I don't want to put a name to it, Chairperson. 22 Maybe it was – 23 CHAIRPERSON: Was it someone of the same 24 rank as you or someone – 25 COLONEL SCOTT: No –</p>	<p style="text-align: right;">Page 15692</p> <p>1 MR MPOFU: He is. 2 CHAIRPERSON: You're either referring to 3 Mr Mathunjwa, the president of AMCU, or you're referring to 4 Bishop Seoka who is an ordained priest in the Anglican 5 Church and in fact a [inaudible] bishop – 6 MR MPOFU: That's correct, Chairperson. 7 I think, yes, I'm promoting Mr Mathunjwa and demoting the 8 bishop. 9 CHAIRPERSON: Which of these two 10 gentlemen do you have in mind? 11 MR MPOFU: It's the one, the man of the 12 cloth. Were you aware that one of the efforts alongside 13 that of Mr Mathunjwa was conducted by Bishop Seoka, 14 correct? 15 COLONEL SCOTT: No, I wasn't aware of 16 that, and I wasn't aware until, I think at some stage when 17 he started giving testimony and I started trying to find 18 his vehicle in the actual photographs to show the times 19 that he was actually at the koppie. 20 CHAIRPERSON: Had you not seen the 21 article – he wrote an article shortly after the events of 22 the 16th, two articles as far as I remember, which were 23 published in Business Report, which is a supplement of The 24 Star and Argus and the - is it the Mercury or the Daily 25 News? - the Mercury, two quite extensive articles and in</p>
<p style="text-align: right;">Page 15691</p> <p>1 CHAIRPERSON: - junior rank to you, or 2 someone senior rank to you? 3 COLONEL SCOTT: No, I'm speculating. It 4 may have been in conversation with Brigadier Pretorius. 5 I'm not sure though. 6 MR MPOFU: And when you were told about 7 that meeting, were you told in the context of saying that 8 the decision to move to stage 3 was taken on the 15th 9 already in the evening? 10 COLONEL SCOTT: I can remember them, it 11 was said that there was a meeting that was held in that 15th 12 and that the, there were minutes, and somebody had read the 13 minutes and was, this is why I say I, we didn't have a copy 14 of minutes or anything, it was going on hearsay that a 15 decision had been taken already the previous day. 16 MR MPOFU: Yes, thank you. Is it just a 17 coincidence – or sorry, I'm just going back to the issue of 18 exhausting of negotiations. You know that one of the 19 efforts to try and facilitate negotiations was done by 20 Bishop Mathunjwa, correct? 21 CHAIRPERSON: No, Mr Mathunjwa is – 22 MR MPOFU: Seoka. 23 CHAIRPERSON: - as far as I'm aware, 24 although he does quote scripture occasionally, he's an 25 unordained layman.</p>	<p style="text-align: right;">Page 15693</p> <p>1 one of them, the first one as far as I recall, he did set 2 out a fairly full narrative of what he'd done on the 16th. 3 Did you not see that at all? 4 COLONEL SCOTT: No, I still haven't seen 5 that, Chairperson. 6 MR MPOFU: Okay, would that then explain 7 the fact that that particular intervention is not mentioned 8 anywhere in exhibit L? 9 COLONEL SCOTT: Well, yes. 10 MR MPOFU: Were any other police people 11 aware of the bishop's efforts, to your knowledge? 12 COLONEL SCOTT: Well no, none reported it 13 to us and I don't know if maybe he arrived, not going to 14 the police line and possibly while Brigadier Calitz was at 15 the briefing which I was giving at the 14:30 to 15:00 time 16 period, so, but no, it wasn't made mention to us, or to me. 17 CHAIRPERSON: I think the evidence 18 indicates he came earlier than that and then he went to the 19 JOC. He obviously didn't enter the room where the JOC was 20 meeting, but he went to the vicinity of the JOC and spoke 21 to certain high-ranking police officials, but you weren't 22 aware of that? 23 COLONEL SCOTT: No, Chairperson. 24 MR MPOFU: Yes, the Chairperson is quite 25 correct, and I'm working from memory now; the occurrence</p>

<p style="text-align: right;">Page 15694</p> <p>1 book indicated that his vehicle was there at about 13:40, 2 so it is something that was recorded in the police sequence 3 of events. You accept that? 4 COLONEL SCOTT: Well, if it's recorded, 5 yes. I'm not sure if it's just the vehicle that's recorded 6 as being there, or if him by name is mentioned in the 7 actual OB, whether the people knew who it was that was 8 there. 9 MR MPOFU: Well, we also know that he had 10 an interaction with General Mbombo, who called him Bishop. 11 COLONEL SCOTT: I wasn't, I'm not aware 12 of that. I wasn't aware of that, no. 13 CHAIRPERSON: It obviously follows from 14 what you said that it wasn't mentioned at Roots, or was it? 15 [12:36] COLONEL SCOTT: No, it wasn't, 16 Chairperson. 17 MR MPOFU: And General Mbombo was present 18 at Roots, correct? 19 COLONEL SCOTT: Sporadically, yes. 20 MR MPOFU: Yes. Now I want to ask you 21 about the fact that the police, rather on your exhibit L 22 and on some of the videos on numerous occasions it is 23 indicated that the protesters told the police repeatedly 24 that they were not fighting with the police, would you 25 agree?</p>	<p style="text-align: right;">Page 15696</p> <p>1 because that's not borne out by the evidence before us, but 2 perhaps you – 3 MR MPOFU: That's why I didn't – 4 CHAIRPERSON: - in the light of what I've said, 5 perhaps you can rephrase the question – 6 MR MPOFU: But Chairperson – 7 CHAIRPERSON: I understand you're trying to make a 8 point, I don't want to stop you from making the point, I 9 just want to stop you from making it on a basis where, to 10 some extent – I'm not suggesting you're doing it 11 deliberately but to some extent misleading, but I'm sure 12 you'll be able to rephrase the question in a way which 13 meets the point I've raised and conveys the point you want 14 to make. 15 MR MPOFU: Well, Chairperson, not only am 16 I not doing it deliberately, I didn't do it. I never said 17 to the witness that no threats were made and all, what the 18 Chairperson has put whatsoever. All I've said – 19 CHAIRPERSON: You did talk about exhibit L, as I 20 understand it. 21 MR MPOFU: No. 22 CHAIRPERSON: And there are things in exhibit L 23 which go the other way. 24 MR MPOFU: All I've said to you, Colonel, 25 I haven't said anything about threats or whatever, is that</p>
<p style="text-align: right;">Page 15695</p> <p>1 COLONEL SCOTT: If you can give me 2 references? I know that it was maybe mentioned in the 3 dialogue with General Mpembe on the Monday, I've heard it 4 mentioned there. 5 CHAIRPERSON: I'm not sure that that statement 6 that you put is correct. You say that, talked about 7 exhibit L. There's also a slide 192 which indicates that 8 there was a threat at 15:40, if this allegation in slide 9 192 is correct. There was an earlier reference in the 10 second bullet of 192 and of course on the, I think it's the 11 tape recording of Mr Mathunjwa's address there's also 12 threats addressed or uttered in respect of a senior 13 policeman from the homelands. So to say that – 14 MR MPOFU: You mean the joke, the thing 15 that people laughed at, Chairperson? 16 CHAIRPERSON: I don't remember whether it was a 17 joke but certainly what was said wasn't very funny. 18 MR MPOFU: But it was perceived as such. 19 CHAIRPERSON: Well, I don't know about that but 20 anyway the fact of the matter is that it's not correct to 21 say that at no stage in exhibit L or on the videos is any 22 aggression or anything of that sort directed against the 23 police and it's also not correct to say, although you 24 haven't said it in direct terms, that there were no threats 25 ever uttered against the police or particular policemen</p>	<p style="text-align: right;">Page 15697</p> <p>1 the evidence that is both in exhibit L and on the videos is 2 that the protesters had said repeatedly to the police that 3 their fight was not with the police. Yes, are you aware of 4 it or not, nothing about threats. 5 COLONEL SCOTT: As I said, I'm only aware 6 of something like that being mentioned on the Monday when 7 General Mpembe was addressing the group at the railway 8 line. 9 MR MPOFU: Chairperson, I'm sorry, I've 10 just lost my references. I've got three references of 11 this. Alright, it will be found, I'll come back to it now, 12 but to your knowledge and according to your evidence the 13 place, the koppie was the place where the protesters felt 14 safe, correct? 15 COLONEL SCOTT: Sorry, I didn't – the 16 koppie was the place where the protesters? 17 MR MPOFU: Felt safe. 18 COLONEL SCOTT: Felt safe? 19 MR MPOFU: Yes. 20 COLONEL SCOTT: Well, I don't know about 21 them feeling safe there. we were happy that they were 22 congregating there because it was not in an environment 23 where anything could be destroyed for that matter, or close 24 to environments where unwanted people from their context 25 would come to gather as well. So for the police's sake it</p>

<p style="text-align: right;">Page 15698</p> <p>1 was a convenient area.</p> <p>2 MR MPOFU: Yes, okay. Well, it's your</p> <p>3 evidence at page 13708 that the koppies were, you knew that</p> <p>4 the koppie is where they felt safe. Are you now saying you</p> <p>5 didn't know that?</p> <p>6 COLONEL SCOTT: I knew that they felt</p> <p>7 safe at the koppies?</p> <p>8 MR MPOFU: Ja.</p> <p>9 COLONEL SCOTT: Where is that?</p> <p>10 MR MPOFU: At page 13708.</p> <p>11 CHAIRPERSON: Perhaps you could read the passage</p> <p>12 to us?</p> <p>13 MR MPOFU: Yes, I will, Chair.</p> <p>14 CHAIRPERSON: While he's looking for the passage,</p> <p>15 I take it the –</p> <p>16 MR MPOFU: I've found it.</p> <p>17 CHAIRPERSON: - it's a fair assumption that they</p> <p>18 did think they were safe there. Your point of view, there</p> <p>19 had been attacks upon, in some cases fatal attacks on</p> <p>20 people who weren't complying with the unprotected strike</p> <p>21 and property was damaged. None of that could presumably</p> <p>22 happen, if it was being done by people who were on the</p> <p>23 koppie, as long as they were on the koppie. So to that</p> <p>24 extent from the police side the kind of murder and mayhem</p> <p>25 that had taken place earlier wasn't happening and couldn't</p>	<p style="text-align: right;">Page 15700</p> <p>1 gather there," and so on. Then you say, "Yes, and to me</p> <p>2 that would</p> <p>3 10 have not been an option. At the koppie it was</p> <p>4 an environment that the strikers felt safe." Do you</p> <p>5 remember saying that.</p> <p>6 COLONEL SCOTT: The full context of that,</p> <p>7 is that not speaking to why they would not go back to their</p> <p>8 residences overnight because the police may go and identify</p> <p>9 and pick them up at their residence?</p> <p>10 MR MPOFU: And I'm sorry to be jumping</p> <p>11 from topic to topic but just, I found the reference of –</p> <p>12 it's slide 97.</p> <p>13 MR SEMENYA SC: Can we tidy up that one</p> <p>14 criticism because if the witness is correct –</p> <p>15 CHAIRPERSON: I think Mr Semenya is right,</p> <p>16 otherwise it's pointless to be kept dangling in the air, as</p> <p>17 it were. Perhaps you should finish the –</p> <p>18 MR MPOFU: I don't intend to bring it to</p> <p>19 the ground at any stage, Chairperson.</p> <p>20 CHAIRPERSON: You want to leave it dangling in the</p> <p>21 air. I think Mr Semenya is entitled to get it sorted out</p> <p>22 unless he wants to do it in re-examination.</p> <p>23 MR MPOFU: Ja, but he can't ask me, he</p> <p>24 can't force me to ask questions I don't want to ask. I'm</p> <p>25 finished with that topic. Okay, can you go to slide 97?</p>
<p style="text-align: right;">Page 15699</p> <p>1 happen while they were on the koppie.</p> <p>2 COLONEL SCOTT: That's correct.</p> <p>3 CHAIRPERSON: And equally, of course, they had</p> <p>4 been involved in an incident at the NUM office on the</p> <p>5 Saturday where two of their people were wounded, that of</p> <p>6 course couldn't happen either while they were on the</p> <p>7 koppie. So to that extent they were safe also. As long as</p> <p>8 they were on the koppie, even though they had, some of them</p> <p>9 had dangerous weapons, the kind of violent action that had</p> <p>10 taken place earlier had come to an end, for the time being</p> <p>11 at least. That must be right.</p> <p>12 COLONEL SCOTT: That sounds right, yes,</p> <p>13 Chairperson.</p> <p>14 MR MPOFU: Oh, so you agree now that the</p> <p>15 koppie was a place that –</p> <p>16 COLONEL SCOTT: Ja, I don't think I have</p> <p>17 said that, though.</p> <p>18 CHAIRPERSON: I was just asking those questions</p> <p>19 while you were looking for the passage. Have you now found</p> <p>20 it?</p> <p>21 MR MPOFU: Oh yes, no, I thought if he</p> <p>22 agreed it would no longer be necessary but okay, you said</p> <p>23 at 13708 that, Mr Semenya says to you, "The other criticism</p> <p>24 to the plan is that you ought to have occupied the koppie</p> <p>25 in the morning so that the strikers would not come and</p>	<p style="text-align: right;">Page 15701</p> <p>1 He can tidy it up or bring it up in re-examination,</p> <p>2 Chairperson. Paragraph 97 you say in the first bullet,</p> <p>3 "The 12-36/0945 said that they had no fight with the police</p> <p>4 and that their members of AMCU had been shot and killed by"</p> <p>5 – slide 97, L97 sorry – "and that their members had been</p> <p>6 shot and killed by persons of NUM, the mine security and</p> <p>7 the police." Do you remember that being a point that was</p> <p>8 made, that they said they had no fight with the police at</p> <p>9 least on that occasion?</p> <p>10 COLONEL SCOTT: As I've maintained from</p> <p>11 the outset, exhibit L or the police presentation was meant</p> <p>12 to be as objective as it could be and I think this is proof</p> <p>13 of that. The critique that we've received about videos and</p> <p>14 the like has not been intentional and many times where</p> <p>15 there may be faults shown out can be attributed to the fact</p> <p>16 that we didn't have access to all the different parties,</p> <p>17 which the critique does have, or to the footage that they</p> <p>18 have but in the same light I see that written here and it</p> <p>19 was placed it because what was is what was and if that's</p> <p>20 what was said, that's what was said and it was placed into</p> <p>21 the presentation.</p> <p>22 MR MPOFU: And the police were also</p> <p>23 aware, as shown in slide 114, that the protesters did not</p> <p>24 want to surrender their weapons as they alleged that they</p> <p>25 needed them for protection against members of NUM, correct?</p>

<p style="text-align: right;">Page 15702</p> <p>1 COLONEL SCOTT: Yes, it's also reflected 2 there.</p> <p>3 MR MPOFU: And you also knew that the 4 strikers said that all they wanted was for management to 5 come and address them, correct?</p> <p>6 COLONEL SCOTT: They didn't say that to 7 me but that's what I'd heard they were saying to our 8 negotiators, yes.</p> <p>9 MR MPOFU: That's what you understood. 10 And you don't know of any efforts on the part of the police 11 to put pressure, as it were, on management to address the 12 strikers so that the situation could be –</p> <p>13 CHAIRPERSON: Is it for the witness to ask that 14 question of? I understand it's a point of criticism which 15 you will obviously be able to deal with when you deal with 16 higher ranking officials, generals and others who were 17 actually in contact with people from Lonmin but unless we 18 know that this witness was involved in negotiations and 19 discussions with Lonmin, I don't see how this answer, this 20 question can take it any further. Anything he knows on the 21 subject would be hearsay but we would get far more 22 satisfactory evidence of a direct nature – I mean you could 23 ask, for example, General Mpembe who will be coming back 24 and you will have an opportunity to cross-examine him and 25 he was in, as far as we understand, in direct contact with</p>	<p style="text-align: right;">Page 15704</p> <p>1 there was a report which, after the work session concluded, 2 that the police did not comply with the prescripts? Are 3 you aware of any such?</p> <p>4 COLONEL SCOTT: I'm not aware of any 5 report drafted or handed in.</p> <p>6 CHAIRPERSON: I understand that the 7 evidence leaders have requested certain documentation in 8 respect of that work session, the call-up, the report, if 9 any, and so forth. If there is anything of the kind we 10 will, I trust we will get it so we'll have direct evidence 11 on the point. So you don't have to fear that that point 12 relates to a stone that will be left unturned.</p> <p>13 MR SEMENYA SC: Chair, also that question 14 assumes a fact not in evidence.</p> <p>15 CHAIRPERSON: Pardon?</p> <p>16 MR SEMENYA SC: I say that question 17 assumes a fact not in evidence.</p> <p>18 CHAIRPERSON: Well, I said if a report, if any.</p> <p>19 MR SEMENYA SC: I'm saying the question 20 by Mr Mpofu –</p> <p>21 CHAIRPERSON: I brushed aside his question, don't 22 you worry about it. He'll carry, he'll move on to 23 something, I'm sure, not directly relevant.</p> <p>24 MR MPOFU: Alright.</p> <p>25 CHAIRPERSON: Mr Mpofu, would it assist you if we</p>
<p style="text-align: right;">Page 15703</p> <p>1 officials from Lonmin and we also know from the transcript 2 that was given that General Mbombo was in discussions on 3 the Tuesday with people from Lonmin and you can ask her 4 about it as well. I don't know how any value is to be 5 derived from asking this witness about that.</p> <p>6 MR MPOFU: Well, if you – if, 7 Chairperson, that is your view, I won't pursue it but I'm 8 obviously asking it from the point of view of someone who 9 has agreed that one of the philosophical foundations of his 10 plan was that those, the two, the two sides – or rather 11 not, even forget about the two sides but that the situation 12 should be de-escalated before any violence could be –</p> <p>13 CHAIRPERSON: He said –</p> <p>14 MR MPOFU: - but it's fine.</p> <p>15 CHAIRPERSON: He said that, you succeeded in 16 getting that from him –</p> <p>17 MR MPOFU: No, I'm just saying the 18 relevance, relevance of this particular witness to it, but 19 I'll leave it. Regarding what Mr Ntsebeza said was the 20 review meeting or let's call it, I don't know, let's not 21 call it review meeting –</p> <p>22 CHAIRPERSON: I think you're referring to the work 23 session in Pretoria.</p> <p>24 MR MPOFU: Ja, the work session. 25 Regarding the work session, are you aware that or whether</p>	<p style="text-align: right;">Page 15705</p> <p>1 took the lunch adjournment earlier and resumed again at say 2 ten to two? Well, we would normally resume –</p> <p>3 MR MPOFU: Yes, it will assist me, 4 Chairperson.</p> <p>5 CHAIRPERSON: - at quarter two but if we took the 6 lunch adjournment now and resumed at say 25 to two we 7 wouldn't lose any time but you may get a chance to go 8 through your notes and find the slides and video clips and 9 so on. Anyhow, it's an offer you don't have to accept but 10 if it will be off assistance I tender it to you.</p> <p>11 MR MPOFU: Okay Chairperson, may I not 12 accept it immediately?</p> <p>13 CHAIRPERSON: If the offer is rejected it will 14 fall away.</p> <p>15 MR MPOFU: Yes, at least it's not a 16 counter-offer, Chairperson. What I want to, what I'm 17 trying to do is just to tie up the small things. There's 18 just one discreet topic which I don't want to start with 19 before lunch, so if you'll allow me. I know that I'm 20 jumping from place to place.</p> <p>21 CHAIRPERSON: Continue with your housework, 22 tidying up the small little points.</p> <p>23 MR MPOFU: Yes, just tidying up the 24 smaller points. Chair – Colonel, of course one of the 25 standpoints taken by the police of which you are aware is</p>

<p style="text-align: right;">Page 15706</p> <p>1 that the fatal shooting, at least at scene 1, was not done 2 as a response to any specific instruction. Would that be a 3 fair summary? 4 COLONEL SCOTT: As in there was no order 5 to shoot given, yes. 6 MR MPOFU: Yes, yes. And you know that 7 that is something that we have contested, pointing out for 8 example to Mr Botes saying that he heard the words "engage, 9 engage, engage" and I'm not going to debate with you but 10 you know that we don't accept that there was instruction. 11 COLONEL SCOTT: Well, I accept that 12 that's your view, yes, that you don't accept that. 13 MR MPOFU: Yes. Now if you go to GGG – 14 sorry? 15 COLONEL SCOTT: You know, one must 16 understand that Brigadier Calitz was dealing with public 17 order policing members and he's speaking over a radio 18 system which only commanders have, so even that line of TRT 19 members on ground does not have the radio system to hear 20 Brigadier Calitz necessarily saying engage, for that 21 matter. You would have one or maybe two of their 22 commanders, would have had a radio. 23 MR MPOFU: Yes, but be that as it may, if 24 you go to GGG17 which is Vermaak's statement, lieutenant I 25 think, the one who starts his statement by saying, "Ek is</p>	<p style="text-align: right;">Page 15708</p> <p>1 se opdrag herhaal uit die helikopter" - it should be 2 "helikopter" – "waarop ek gesien het dat die lede optree." 3 I'm not quite sure what, there are some words missing but 4 it says, literally says, "I again" – it must be heard. 5 MR MPOFU: I'm sorry, Chairperson, to 6 interrupt you. I was saying from the beginning of the 7 paragraph. 8 CHAIRPERSON: From the beginning up to there, I 9 see. 10 MR MPOFU: Up to there. 11 [12:56] CHAIRPERSON: Okay. I will endeavour to 12 translate. The group moved backwards and again and again 13 regrouped on the other side of the kraal. Photo 1516 and 14 the policemen again" – and attacked the policemen again," I 15 think that would be, "at approximately 15:55. It's clearly 16 seen," it had been clearly seen, I think, "from the air 17 that the group was not going to surrender or yield. 18 Brigadier Calitz again gave the members the instruction to 19 launch an operation. It almost appeared as if the members 20 did not hear. In view of the incidents on Monday the 13th 21 of August where the police members under the helicopter had 22 been chopped to death, I realised that the members would 23 have to act in order to protect themselves." It probably – 24 ek het, "I again repeated Brigadier Calitz's instruction 25 from out of the helicopter whereupon I saw that the members</p>
<p style="text-align: right;">Page 15707</p> <p>1 'n wit man." Sorry, ja, that one. 2 COLONEL SCOTT: I just – 3 CHAIRPERSON: What paragraph is it? Sorry, Mr 4 Mpofo, which paragraph do you refer to? 5 MR MPOFU: It's paragraph 7, Chairperson. 6 CHAIRPERSON: It's in Afrikaans. 7 MR MPOFU: It's in Afrikaans. It's 8 paragraph 2 that says, "Ek is 'n wit man." 9 CHAIRPERSON: Hang on. Which part of – yes, no, 10 we don't need to go there now. What section of para 7 do 11 you want? 12 MR MPOFU: The first part and I'm going 13 to, well – 14 CHAIRPERSON: How many – which sentences do you 15 want to put to the witness? 16 MR MPOFU: Okay, one, two, three, four, 17 four. 18 CHAIRPERSON: Is it the fourth sentence or the 19 first four sentences? 20 MR MPOFU: "Ek weer" – just before 21 "groepe," Chairperson. 22 CHAIRPERSON: Yes, the sentence beginning "Ek 23 weer." I take it the "het" is missing. 24 MR MPOFU: Yes. 25 CHAIRPERSON: It reads, "Ek weer Brigadier Calitz</p>	<p style="text-align: right;">Page 15709</p> <p>1 were acting." Is that all you wanted? 2 MR MPOFU: That's fine, thank you, 3 Chairperson. In other words according to that section when 4 the strikers allegedly attacked Brigadier Calitz gave an 5 instruction for action to be taken and then when Vermaak 6 was of the view that the members might not have heard that 7 instruction he repeated it. After which the action was 8 taken, would you agree with that? 9 COLONEL SCOTT: I agree that's what he's 10 saying, he repeated the instruction noticing that the – I'm 11 not sure if he's speaking to the public order people or 12 not. 13 MR MPOFU: And then after that he says – 14 sorry I've misled the Chairperson. After that he says then 15 – 16 CHAIRPERSON: Do want me to translate the 17 next sentence? 18 MR MPOFU: Groepe. 19 CHAIRPERSON: "The groups [attackers] 20 photo 1517 ran away in the direction of the squatters' 21 houses adjacent to the scene. At 15:58 we flew over the 22 scene and noticed that a number of people were lying on the 23 ground." 24 MR MPOFU: Yes, thank you. So what seems 25 to come out of that paragraph is that the people attacked,</p>

Page 15710

1 an order was given for action to be taken, it was probably
 2 not heard, it was repeated by Vermaak and thereafter people
 3 were running and others were lying on the ground, correct?
 4 CHAIRPERSON: The answer is yes, that's
 5 what appears and what I translated. The answer's yes, but
 6 what's your question based on that?
 7 MR MPOFU: Well my question is that
 8 between the so-called attack and the people lying on the
 9 ground it looks like at least two instructions were given
 10 for the action to be taken, would you agree?
 11 COLONEL SCOTT: What I want to just
 12 highlight is that Colonel Vermaak is not mentioning that he
 13 reflected the words engage, engage, engage as you put out.
 14 We know that Brigadier Calitz did say those words, but
 15 Brigadier Calitz also did try to put an organised movement
 16 of public order policing in before it. Those words engaged
 17 are simply part of the instructions he was giving. He was
 18 trying to organise the POP force and at no place here is
 19 Colonel Vermaak mentioning that he's telling people to
 20 engage and needs to be obviously questioned himself. But
 21 I'm sure he's actually relaying the commands that Brigadier
 22 Calitz has been giving to the members on the ground to
 23 start moving and the vehicles to move and whatever action
 24 he had in mind, tactical option he had in mind.
 25 MR MPOFU: Are you being serious? So

Page 15711

1 you're saying – he says he gave –
 2 CHAIRPERSON: Mr Mpofu, Mr Mpofu, how do
 3 we derive value from asking this witness these questions?
 4 This is based upon a statement made by Lieutenant-Colonel
 5 Vermaak who will testify. He states what he heard
 6 Brigadier Calitz saying and he says he repeated it.
 7 Brigadier Calitz is going to give evidence, I mean this is
 8 – I don't see how it helps to ask this witness anything
 9 about it.
 10 MR MPOFU: Chairperson, this is the last
 11 time I'm going to do this, but I'm saying it for the last
 12 time. This witness has testified in this Commission that
 13 all this information was collated and brought to him that
 14 on the basis of all this information including this
 15 statement from Vermaak, he compiled things like exhibit L.
 16 So how this witness – who else is going to answer them on
 17 these questions?
 18 CHAIRPERSON: I'm sorry to interrupt, if
 19 you want to ask him why this wasn't in L you can do so.
 20 MR MPOFU: Chairperson, can we take the
 21 lunch break?
 22 CHAIRPERSON: No, no, is that what you
 23 want to ask?
 24 MR MPOFU: No.
 25 CHAIRPERSON: What do you want to ask him

Page 15712

1 about then?
 2 MR MPOFU: No, it's –
 3 CHAIRPERSON: No, no, please look I don't
 4 want to force you to ask a question you don't want to ask
 5 and I don't want you to ask questions that are just going
 6 to be a waste of time –
 7 MR MPOFU: I find it frustrating that
 8 when I've made it repeatedly clear to the witness that I'm
 9 only asking him from the point of view of the plan. I'm
 10 obviously not asking him to answer about statements he was
 11 not party of. I'm only asking him from the point of view
 12 of the plan and his compilation of exhibit L which is why I
 13 said for example why was the Bishop's involvement not in
 14 exhibit L. I'm not saying he was there with the Bishop,
 15 I'm not saying he was –
 16 CHAIRPERSON: No, no, no, I can
 17 understand that. If you want to ask him why it's in
 18 exhibit L you can ask him. Why is this not in exhibit L?
 19 COLONEL SCOTT: I wasn't aware that
 20 Colonel Vermaak had repeated the instructions given by
 21 Brigadier Calitz for that matter. I see it in his
 22 statement, I don't remember it pertinently over the radio
 23 being done. Again I'm saying it's not that it wasn't said,
 24 I mean there was a half an hour odd of radio
 25 communications, but I don't remember every word of that.

Page 15713

1 But again I don't see with Vermaak having repeated
 2 Brigadier Calitz's instructions how that would have
 3 warranted a place in a limited slide show.
 4 MR MPOFU: You don't think that the
 5 question as to whether or not there was an instruction
 6 immediately before there were bodies lying on the ground
 7 could find a place in your busy slide?
 8 COLONEL SCOTT: Are you trying to allude
 9 to the fact that somebody gave an instruction that they
 10 should open fire with sharp point ammunition because that
 11 never happened. The instructions were given to public
 12 order policing members.
 13 MR MPOFU: Thanks, Chairperson, can we
 14 take the lunch?
 15 CHAIRPERSON: All right we'll take lunch
 16 adjournment at this stage and resume about quarter to two.
 17 [COMMISSION ADJOURNS COMMISSION RESUMES]
 18 [13:51] CHAIRPERSON: The Commission resumes. Colonel,
 19 you're still under oath. Mr Mpofu, you have more cross-
 20 examination, I understand.
 21 DUNCAN GEORGE SCOTT: s.u.o.
 22 CROSS-EXAMINATION BY MR MPOFU (CONTD.):
 23 Yes, thank you, Chairperson. Colonel, knowing what we know
 24 now, can you turn to page – rather, L174?
 25 CHAIRPERSON: 174 of exhibit L?

Page 15714

1 MR MPOFU: Of L. yes, Chairperson. Yes,
 2 I'm going to argue at the end of the case that the evidence
 3 that has been led with you, this slide might as well be
 4 thrown away, it is not worth the paper it's written on and
 5 I'll just take you through the reasons why I will say so.
 6 The first bullet, or rather the impression that you wanted
 7 to give, or not you personally, that the police would have
 8 wanted to give to the Commission in this slide is that the
 9 decision to move to stage 3 was somewhat causally connected
 10 to reports on the ground and Mr Mathunjwa's failure to
 11 deliver on his so-called commitment. Would that be a fair
 12 summary of what is sought to be conveyed by this slide?
 13 COLONEL SCOTT: It's what the slide is
 14 portraying, yes.
 15 MR MPOFU: I'm sorry?
 16 COLONEL SCOTT: Yes, that is what the
 17 slide is portraying.
 18 CHAIRPERSON: The answer is in the affirmative,
 19 yes.
 20 MR MPOFU: Oh good, I shouldn't, I should
 21 not -. So, well, I'm sorry, maybe I asked a complex
 22 question. Are you saying you would agree with the
 23 conclusion that I'm saying I will accept that this slide
 24 then really should be disregarded because then I won't take
 25 you through –

Page 15715

1 CHAIRPERSON: I doubt if he said yes to that.
 2 MR MPOFU: Ja, well, I hope he did
 3 because then I won't take you through the instances. Yes,
 4 no?
 5 COLONEL SCOTT: I don't think that the
 6 full truth is shown in here. There are obviously aspects
 7 here that we didn't know at the time but I don't think it's
 8 totally wrong in –
 9 MR MPOFU: Okay, thanks. Okay, then we
 10 have to do it the long way. You would agree that what is
 11 sought to be conveyed in the first bullet about possible
 12 implementation of stage 3 is not the correct state of
 13 affairs, by then the decision had been taken.
 14 COLONEL SCOTT: You are correct, the
 15 decision had been taken.
 16 MR MPOFU: Yes, thank you. And then the
 17 next bullet where there's the suggestion that Lieutenant-
 18 General Mbombo had been involved in a meeting the whole
 19 meeting with Mr Mathunjwa.
 20 CHAIRPERSON: The whole morning.
 21 MR MPOFU: Rather, I'm sorry, the whole
 22 morning with Mr Mathunjwa to resolve the current situation.
 23 You would also accept that that isn't correct?
 24 COLONEL SCOTT: Yes.
 25 MR MPOFU: And the third bullet –

Page 15716

1 CHAIRPERSON: Mr Mpofu, before you move to the
 2 third bullet can I ask a question? Is what is reflected in
 3 the first sentence of the second bullet based upon what
 4 Lieutenant-General Mbombo told the Roots meeting?
 5 MR MPOFU: Good question.
 6 COLONEL SCOTT: Chairperson, again I
 7 didn't put this in, this slide. So I'm just reading it for
 8 accuracy but I wasn't the architect of this or the placing
 9 of this in – it was Colonel Visser's role still but why I
 10 say bullet 2, at least the whole morning, I mean if we're
 11 being that accurate we do know that General Mbombo, as far
 12 as I know, met with Mr Mathunjwa, he says so in his own
 13 statement but obviously not the whole morning. I know she
 14 did phone him first, according to Mr Mathunjwa's statement,
 15 and then they met thereafter. The fact that Mr Mathunjwa
 16 was supposed to indicate at 9 o'clock whether the
 17 protesters on the koppie were prepared to put their weapons
 18 down, I believe to be true and he did fail to provide
 19 feedback, I also believe that to be true.
 20 CHAIRPERSON: It's the first sentence that creates
 21 the problem, isn't it?
 22 COLONEL SCOTT: Yes.
 23 CHAIRPERSON: Now, you say Colonel Visser was
 24 responsible for that slide, this slide.
 25 COLONEL SCOTT: Well, of course he was

Page 15717

1 again just a scribe –
 2 CHAIRPERSON: No – no, I understand that. You see
 3 what I'm interested in is the source of the information in
 4 the first sentence. Now, if that's what Lieutenant-General
 5 Mbombo told the assembled people at Roots and you were one
 6 of them, then you can confirm that's what she said, but if
 7 you didn't hear her say that and you don't know where
 8 Colonel Visser got that from, well then obviously you can
 9 take the point no further.
 10 COLONEL SCOTT: I didn't hear her say
 11 that, Chairperson.
 12 MR MPOFU: Thank you. Thank you,
 13 Chairperson.
 14 CHAIRPERSON: What we do know is that, or do we,
 15 exhibit L was presented, after it was finished, to a
 16 meeting at which both National Commissioner Phiyega and
 17 Provincial Commissioner Mbombo were present.
 18 COLONEL SCOTT: Chairperson, the meetings
 19 I referred to that they were present was for instance when
 20 we dealt with scene 2, which wouldn't have dealt with the
 21 whole of the presentation when they were present and I'm
 22 talking on a recollection where myself and Colonel Visser
 23 tried to actually go back through the dates and to have a
 24 look and see where we were on what day and when meetings
 25 took place and so on. Again we were working long hours

<p style="text-align: right;">Page 15718</p> <p>1 there to try and get the presentations done and sequencing 2 of photographs and so on but – and I speak from his 3 recollection that there were two occasions that we 4 presented it to senior police officials but it was 5 officials that were part of the Marikana operation which – 6 CHAIRPERSON: Sorry to interrupt you. I must say 7 this, I got the impression yesterday but I may have 8 misunderstood you, that the exhibit L more or less as we 9 have it, was presented in two tranches as it were, the 10 second one dealing with the phase, the stage 2 part in 11 respect of which the information that you had was gained 12 later after quite a lengthy process of collation and 13 investigation but the first tranche more or less towards 14 the end of Roots, was presented at a meeting attended by 15 Lieutenant-General Mbombo. If I misunderstood then please 16 correct me. 17 COLONEL SCOTT: No, that is correct. Or 18 should I say yes, that is correct. The National 19 Commissioner and the Provincial Commissioner were present 20 at Roots. I'm just not sure whether this slide was part of 21 that slide show because we know it changed after that 22 still, as it went along it grew, got refined. So I don't 23 know whether this was in on the presentation that she would 24 have seen at Roots or whether she has, for instance, seen 25 this slide since then.</p>	<p style="text-align: right;">Page 15720</p> <p>1 inputs for the actual JOCCOM but I don't know if this 2 slide, Chairperson, is dealing with the JOCCOM yet. Oh 3 yes, it is, "informed the JOCCOM," yes. 4 CHAIRPERSON: The point – now I haven't got the 5 minutes of that meeting in front of me at the moment but 6 the thing that interests me is the first sentence of the 7 second bullet and from whom could that information have 8 been obtained? You see the – oh, Adv Hemraj has come to my 9 aid. Exhibit EEE, sorry, exhibit EE are the minutes of 10 this meeting that was held at 13:30 and I see that the 11 third paragraph headed "Purpose of the meeting" reads as 12 follows, "The Provincial Commissioner, Lieutenant-General 13 Mbombo, informed the meeting that she was involved in 14 meetings with the leadership of AMCU, namely Mr Joseph 15 Mathunjwa, to resolve the current situation for the whole 16 morning. Mr Mathunjwa was supposed to indicate at nine 17 o'clock whether the protesters at the koppie were prepared 18 to lay down their weapons. Mr Mathunjwa failed to provide 19 feedback as agreed." And then it goes on, "The Provincial 20 Commissioner instructed Major-General Annandale to proceed 21 with the implementation of stage 3 of the operational 22 plan." And then it goes on, the next paragraph, 23 "Discussion and execution of stage 3." But even this 24 minute then is not in, exactly in accord with this slide, 25 although the first sentence, because it talks about the</p>
<p style="text-align: right;">Page 15719</p> <p>1 CHAIRPERSON: You see what puzzles me about that 2 is, you had to do quite a lot of investigation and 3 obtaining of information from people in respect of quite a 4 number of the matters dealt with in exhibit L, but I 5 wouldn't have expected the same kind of problems in 6 relation to the JOCCOM meeting at 13:30 on the Thursday 7 because General Annandale was there, you were there – 8 COLONEL SCOTT: Yes. 9 CHAIRPERSON: Various other people were there, 10 Lieutenant-General Mbombo was there. 11 COLONEL SCOTT: Yes. 12 CHAIRPERSON: So you didn't have to dig very deep 13 to get the information for that one. Is that correct, 14 isn't it? 15 COLONEL SCOTT: Again I didn't actually 16 collate that – 17 CHAIRPERSON: No, no, sorry. By "you", I don't 18 mean you in the singular, I mean those responsible which in 19 this case means Lieutenant Visser, sorry, Colonel Visser. 20 Colonel Visser didn't have to do very much legwork to get 21 the information required for this particular slide as to 22 what happened at the JOCCOM meeting at 13:30, did he? 23 COLONEL SCOTT: He shouldn't have. I 24 think it's possibly coming from minutes, the minutes that 25 were set up at Roots. I think that's where he got his</p>	<p style="text-align: right;">Page 15721</p> <p>1 possible implementation and so on and my main concern – Mr 2 Semenya I gather wants to say something in a moment but my 3 main concern is this first sentence in the second bullet. 4 That appears to have been taken over from these minutes. 5 MR SEMENYA SC: Chair – 6 CHAIRPERSON: Mr Semenya? 7 MR SEMENYA SC: For the record, GGG5 is a 8 statement of General Mbombo deposed to on the 19th November. 9 It does not use that expression of "whole morning," so 10 however that was compiled, it clearly was not on the 11 strength of her statement she made. 12 CHAIRPERSON: No, I understand that. Exhibit L 13 was, I take it, more or less finished long – before the 19th 14 November. I think it was presented to the Commission 15 before then. 16 COLONEL SCOTT: Yes, it was. On the 4th, 17 5th November it was being presented. 18 CHAIRPERSON: And it seems now clear that this is 19 not entirely accurate, shall we say. The first sentence of 20 the second bullet is based upon the minutes. I think 21 that's fair but presumably Colonel Visser will tell us that 22 when he comes. 23 COLONEL SCOTT: Yes, but that's in my own 24 – 25 MR MPOFU: Thank you, thank you,</p>

<p style="text-align: right;">Page 15722</p> <p>1 Chairperson.</p> <p>2 CHAIRPERSON: Sorry I interrupted you, Mr Mpofo, I</p> <p>3 hope you –</p> <p>4 MR MPOFU: No, that's –</p> <p>5 CHAIRPERSON: - we didn't destroy the thrust of</p> <p>6 your cross-examination.</p> <p>7 MR MPOFU: No, Chairperson, this time it</p> <p>8 didn't steal my thunder.</p> <p>9 CHAIRPERSON: Mr Mpofo, before you carry on, I see</p> <p>10 – [microphone off, inaudible].</p> <p>11 MR MPOFU: Yes. Thank you, Chair.</p> <p>12 COLONEL SCOTT: Chair, I was just saying</p> <p>13 that when I was actually drafting my statement, because I</p> <p>14 had trouble recollecting some of what was put into the</p> <p>15 special JOCCOM's minutes, I also saw that the slides and</p> <p>16 the minutes were speaking to each other. So as I say, from</p> <p>17 what I can deduct from that is that Colonel Visser was</p> <p>18 placing in obviously what had been given to him from the</p> <p>19 minutes.</p> <p>20 CHAIRPERSON: Is it possible for us to ascertain</p> <p>21 whether the version of exhibit L, the first tranche of</p> <p>22 exhibit L which was presented at the end of Roots at a</p> <p>23 meeting attended by the Provincial Commissioner, included</p> <p>24 this slide?</p> <p>25 COLONEL SCOTT: I can have a quick look,</p>	<p style="text-align: right;">Page 15724</p> <p>1 was presented to a gathering attended by the National and</p> <p>2 Provincial Commissioners, included that slide but perhaps</p> <p>3 you can help us on this specifically.</p> <p>4 COLONEL SCOTT: I wonder if it's possible</p> <p>5 to put on the screen a complete Marikana 2012-08-03,</p> <p>6 although it's saved on the 5th of September at 10:42PM. I'm</p> <p>7 not sure if it has an exhibit number.</p> <p>8 CHAIRPERSON: This is a question, if it's</p> <p>9 addressed to me I have to confess incompetence to answer</p> <p>10 but Mr Chaskalson hopefully can help us.</p> <p>11 COLONEL SCOTT: It does have an exhibit</p> <p>12 number, JJJ155 and that will actually show what was</p> <p>13 presented at the end of Roots.</p> <p>14 CHAIRPERSON: Alright, well, let's see if we can</p> <p>15 get that.</p> <p>16 MR MPOFU: Yes. And just for completion,</p> <p>17 the last bullet also that says, "After evaluating the</p> <p>18 situation and from reports on the ground the Provincial</p> <p>19 Commissioner instructed Major-General Annandale to proceed</p> <p>20 with the implementation" and so on. Also particularly if</p> <p>21 you read it with exhibit EE, would also seem to be seeking</p> <p>22 to give us the impression that that instruction was based</p> <p>23 on that so-called evaluation and reports from the ground,</p> <p>24 correct?</p> <p>25 COLONEL SCOTT: I do believe that part</p>
<p style="text-align: right;">Page 15723</p> <p>1 Chairperson.</p> <p>2 MR MPOFU: Thank you, Chairperson.</p> <p>3 MR CHASKALSON SC: Chairperson sorry, if</p> <p>4 can possibly assist. That wording is in there in JJJ118</p> <p>5 which is a draft of the chapter on the 16th, which was saved</p> <p>6 on the 1st of September.</p> <p>7 CHAIRPERSON: So it does seem from that as if that</p> <p>8 slide that we now have before us was part of the</p> <p>9 presentation made of the first tranche, as I call it, of</p> <p>10 exhibit L at the end of Roots which was attended, as far as</p> <p>11 you can recall, by both the National and the Provincial</p> <p>12 Commissioner.</p> <p>13 COLONEL SCOTT: I see that. I'm just</p> <p>14 going to also verify in the final one which was shown at</p> <p>15 Roots, similarly whether it was there as well.</p> <p>16 CHAIRPERSON: So it was there? Are you checking</p> <p>17 or have you found the answer yet?</p> <p>18 COLONEL SCOTT: I think I'm on – Adv</p> <p>19 Chaskalson.</p> <p>20 CHAIRPERSON: Mr Chaskalson spoke about what was</p> <p>21 the position on the 1st of September.</p> <p>22 COLONEL SCOTT: Ja.</p> <p>23 CHAIRPERSON: What I'm interested in, and I used</p> <p>24 that to infer, possibly incorrectly, that what was shown,</p> <p>25 what was part of the presentation at the end of Roots which</p>	<p style="text-align: right;">Page 15725</p> <p>1 took place. I am not disputing that a decision may have</p> <p>2 been taken prior to this, that this situation needed to</p> <p>3 come to an end that day. Again, what I've been saying</p> <p>4 earlier in the Commission as well is that there's a</p> <p>5 decision obviously taken that it must end this day and then</p> <p>6 there's a decision on the time which needs to be taken,</p> <p>7 when do we do this. So whether they're talking here about</p> <p>8 that point of, is it now the applicable time, have we</p> <p>9 exhausted Mr Mathunjwa's dialogue for that matter, et</p> <p>10 cetera, so –</p> <p>11 CHAIRPERSON: There's a problem with that because</p> <p>12 Mathunjwa hadn't reported back yet. I mean he, as far as I</p> <p>13 can make out, when the 1:30 meeting – sorry, the 13:30,</p> <p>14 sorry, I must use police language – when the 13:30 meeting</p> <p>15 began, he hadn't even come back from the first meeting.</p> <p>16 COLONEL SCOTT: Yes.</p> <p>17 CHAIRPERSON: So that's a problem but of course he</p> <p>18 then later, as we know, went the second time and I don't</p> <p>19 know that his lack of success on the second occasion was</p> <p>20 reported to anybody before the actual uncoiling of the wire</p> <p>21 began, but anyway that's another problem, but anyway it</p> <p>22 does seem as if the third bullet would require some</p> <p>23 rephrasing to bring it in line with total accuracy. Would</p> <p>24 you agree with that? I don't know if I'm – my</p> <p>25 recollection, maybe I'm wrong but my recollection is that</p>

<p style="text-align: right;">Page 15726</p> <p>1 Mr Mathunjwa came back after 13:30 but, because I think 2 there's even a video clip of his motor car leaving the 3 scene and coming back to the JOC. I think that's after 4 13:30 but anyway let's not – that's something we can verify 5 easily later. All I'm putting to you or asking you, it's 6 not for me to put, I ask – would you say, this really 7 follows from Mr Mpopu's question – that the third bullet 8 requires some rephrasing to bring it in line with absolute 9 accuracy?</p> <p>10 MR SEMENYA SC: Chair, may we place on 11 record, at an appropriate stage we'll make the argument 12 whether it was or it was not a problem for the uncoiling of 13 the wire at the time of Mathunjwa's departure? We know for 14 a fact he was not going to make a report. He was on the 15 freeway when scene 1 happened, he was leaving. So whether 16 or not he was going to give a report and whether it 17 constituted a problem, we reserve the right to argue those 18 points at the end.</p> <p>19 CHAIRPERSON: No, I understand and that's a point 20 well made I think.</p> <p>21 MR MPOFU: Yes.</p> <p>22 CHAIRPERSON: If I may say so. Let's get an 23 answer from the witness to the question we've been asking 24 him.</p> <p>25 MR MPOFU: Yes.</p>	<p style="text-align: right;">Page 15728</p> <p>1 CHAIRPERSON: So it seems as if the 2 question then falls away, doesn't it? It doesn't have to 3 be persisted in.</p> <p>4 MR MPOFU: Thank you, Chairperson. Now 5 Colonel, I just, there's something I want to understand. 6 Your evidence is that when, that you were shocked – maybe 7 I'm overstating the thing, but you were surprised that this 8 whole meeting, this one on EE now, 13:30, was effectively 9 coming to its conclusion and nobody was saying what's the 10 plan, and you then either raised your hand or made it clear 11 that that stage needed to be looked at. Is that a fair 12 summary?</p> <p>13 COLONEL SCOTT: Well, that is what I can 14 specifically recall was sitting and why I say I was, 15 possibly my mind was preoccupied, knowing that we were 16 going to phase 3, that I was brainstorming and just putting 17 everything in order, but I do recollect that it was asked 18 to the JOCCOM how do we go about doing this, and I don't 19 say what strategy. The strategy was already accepted as 20 it's going to be a dispersal action, and of course, as I've 21 mentioned before, being a junior officer it's not my place 22 just to jump in. So I waited a short while and then asked 23 if I can make a recommendation.</p> <p>24 MR MPOFU: Yes. No, no, I accept that's 25 how it happened sequentially. All I'm saying is that at</p>
<p style="text-align: right;">Page 15727</p> <p>1 CHAIRPERSON: And then you can proceed. Do you 2 remember the question? The question was whether the third 3 bullet requires some reformulation to bring it in line with 4 absolutely accuracy.</p> <p>5 CHAIRPERSON: Chair –</p> <p>6 COLONEL SCOTT: You're requiring of me, 7 Chairperson, to remember specifically what was said there 8 but –</p> <p>9 CHAIRPERSON: If you can't remember, you know, you 10 can't answer the question then you can say so.</p> <p>11 COLONEL SCOTT: Ja, I think –</p> <p>12 CHAIRPERSON: No-one wants to force you to say 13 anything which you can't truthfully say.</p> <p>14 COLONEL SCOTT: Because –</p> <p>15 MR SEMENYA SC: But Chair, again the 16 proposition being placed by Mr Mpopu on it is incorrect. 17 It is the instruction that is given to go to stage 3, not 18 the decision to go to stage 3.</p> <p>19 CHAIRPERSON: Mr Mpopu, what do you say about that 20 point Mr Semenya raises?</p> <p>21 [14:11] MR MPOFU: I will say nothing, 22 Chairperson. The witness has already confirmed that the 23 impression that is sought to be conveyed by this slide is 24 that these things were causally connected, and they were 25 not.</p>	<p style="text-align: right;">Page 15729</p> <p>1 some stage you were concerned – I don't want to put it more 2 than that – you were concerned that this whole discussion 3 was basically coming to an end and nobody had raised issues 4 about what actual plan was going to be implemented?</p> <p>5 COLONEL SCOTT: I wouldn't say concerned, 6 and it wasn't coming to an end; it was by no means. I 7 think we were still in the infancy of the actual JOCCOM at 8 that stage, so it was just a point of respect, allowing 9 others to first have the opportunity to give input and then 10 thereafter giving my input. So that is what I actually 11 waited for and then did. So I don't, it wasn't exactly a 12 point of me sort of thinking well, we, you know, I'm 13 concerned now, I need to say something. I knew quite well 14 in my mind what I thought should happen and that's what I 15 eventually got to convey to the JOCCOM.</p> <p>16 MR MPOFU: Okay, and in any event, you 17 did give the rudimentary – or rather, you did give a 18 briefing to the meeting about the proposed plan now that 19 the decision was taken, correct?</p> <p>20 COLONEL SCOTT: Yes.</p> <p>21 MR MPOFU: And when you gave that 22 decision - and I won't blame you if you don't remember this 23 – but can you remember whether when you gave that decision, 24 Major-General Annandale had already said that the operation 25 is going to start at 15:30?</p>

Page 15730

1 COLONEL SCOTT: No, if –
 2 MR SEMENYA SC: Which decision is Mr
 3 Mpofo referring to?
 4 CHAIRPERSON: I think he wants you to
 5 reformulate your question, if it's not –
 6 MR MPOFU: Okay, fine.
 7 CHAIRPERSON: Anyway, let's give him a
 8 chance to raise his problem directly and then you can
 9 answer it.
 10 MR MPOFU: Yes, thank you.
 11 CHAIRPERSON: These answers, questions
 12 and answers may well be very important. So let's get it
 13 right.
 14 MR MPOFU: Yes, it may be, yes. Just go
 15 to EE again –
 16 CHAIRPERSON: No, Mr Semenya wants to
 17 make a point. Let him make his point –
 18 MR MPOFU: Oh, no I'm conceding –
 19 CHAIRPERSON: I'm not quite sure –
 20 MR MPOFU: I'm conceding, that's fine.
 21 CHAIRPERSON: - precisely how he wants to
 22 make his point. Let's give him a chance.
 23 MR SEMENYA SC: No, I was going to say it
 24 is unclear what decision is Mr Mpofo referring to.
 25 MR MPOFU: Yes, thank you. I plead

Page 15731

1 guilty. Now can you go to EE at the end, it's numbered
 2 page 1613. The last sentence says, "Meeting adjourned at
 3 14:00." The one just before that where it says, "Major-
 4 General Annandale instructed Brigadier Pretorius and
 5 Lieutenant-Colonel Scott to report back at 15:15 as he
 6 wants the operation to commence at 15:30." Remember that?
 7 COLONEL SCOTT: I remember that being
 8 said.
 9 MR MPOFU: Ja.
 10 COLONEL SCOTT: The times were given that
 11 I needed to, half past 2, and –
 12 MR MPOFU: Yes, all I'm saying is that
 13 from the minutes that seems to have happened at the end.
 14 COLONEL SCOTT: Yes.
 15 MR MPOFU: Okay, so when you were giving
 16 your briefing, at that stage you were not aware that you
 17 only had, you would only have less than an hour to do the
 18 briefings of the commanders and they must do the briefings
 19 of the troops –
 20 COLONEL SCOTT: No.
 21 MR MPOFU: - so to speak.
 22 COLONEL SCOTT: When I gave my briefing,
 23 I don't believe that that 15:30 had been set yet.
 24 MR MPOFU: Yes, thank you.
 25 CHAIRPERSON: Can I ask you this,

Page 15732

1 Colonel; you told us that you took your laptop with you
 2 into the field as it were, and you there showed the
 3 commanders what was on your laptop. Now what you showed
 4 them, was it already on your laptop as 14:00 at the time
 5 when the meeting adjourned, or did you actually have to sit
 6 down and do some work with your computer to get everything
 7 that you wanted to show the commanders into a form that you
 8 could show them?
 9 COLONEL SCOTT: I had to first rearrange
 10 the icons, Chairperson, on the Google Earth map itself on
 11 the computer, just to better reflect the photograph that
 12 I'd seen earlier from how the police had now deployed with
 13 Nyala 6 moving back. I think it is shown as one of the
 14 exhibits in the KMZ files, but I had to first do that, and
 15 that's why I say I remember that when the meeting sort of
 16 got to that stage when I'd finished briefing and it was
 17 said okay, you need to brief them, you need to go to them
 18 at forward holding area 1 and so on, then I started working
 19 on fixing up my presentation, or that Google Earth picture,
 20 and General Annandale started on a whiteboard, a flipchart,
 21 where he started making a list of sorts that, I wasn't
 22 paying attention to that though, but I know him with one or
 23 two or three people stood around a flipchart just to go
 24 over a checklist, to draft up a checklist. But as soon as
 25 I was complete, myself and Brigadier Pretorius jumped in

Page 15733

1 the vehicle and went so we could get there.
 2 CHAIRPERSON: I think you've told us
 3 previously that you started the presentation I think at
 4 2:30. Is that right?
 5 COLONEL SCOTT: Yes.
 6 CHAIRPERSON: 14:30, and it would have
 7 taken you 20 minutes to have had that printed –
 8 COLONEL SCOTT: Approximately yes.
 9 CHAIRPERSON: - and there wasn't time.
 10 So which tells me, I take it, that it must have been in
 11 final form, or in form to be shown to the commander in the
 12 field some time after 14:10.
 13 COLONEL SCOTT: Yes, yes.
 14 CHAIRPERSON: I mean clearly I take it,
 15 it would have been desirable to have given them a printout
 16 if you'd had time to do so. I understand –
 17 COLONEL SCOTT: Yes.
 18 CHAIRPERSON: - you were in a bit of a
 19 jam there, you had a time at which you had to give the
 20 briefing.
 21 COLONEL SCOTT: Yes.
 22 CHAIRPERSON: And if you had to save time
 23 on something, printing the printouts was where you were
 24 going to save time. Is that right?
 25 COLONEL SCOTT: It was amongst others,

<p style="text-align: right;">Page 15734</p> <p>1 Chairperson, because it's not just about printing that map 2 off Google; it's about saving the photo, opening a new 3 document in a PowerPoint presentation, pasting it in there, 4 pulling it to size and all this task taking a bit of time, 5 saving that onto a memory stick, running over to Lonmin's 6 offices to get to the secretary there again, and so it was 7 quite a time process.</p> <p>8 CHAIRPERSON: You told us that process 9 would have taken 20 minutes.</p> <p>10 COLONEL SCOTT: Ja.</p> <p>11 CHAIRPERSON: So is that still right, or 12 on reflection do you think that's wrong?</p> <p>13 COLONEL SCOTT: I should think that's 14 about correct, yes.</p> <p>15 CHAIRPERSON: Thanks.</p> <p>16 MR MPOFU: Thank you. Now Colonel, I'm 17 sure you're aware that – okay no, let me not bother you 18 with that. Did it ever occur to you that an operation that 19 involved a tactical phase would not be advisable for the 20 reason that the members might have been motivated by 21 revenge in respect of what had happened on the 13th?</p> <p>22 COLONEL SCOTT: That wasn't an issue for 23 me. I think that the police members are really 24 professional enough to know that you don't allow issues 25 that you have, or whether you're seeking vengeance, to come</p>	<p style="text-align: right;">Page 15736</p> <p>1 emotional. I'd obviously not dealt with his members, but 2 I'd heard the story of the threats made to General Mpmembe. 3 But these are not again made towards strikers in any way, 4 and I didn't foresee at that stage – my aim of what I'm 5 saying there is not based on the fact that those police 6 officers were not fit for duty the next day. It was based 7 on the fact that should a conflict happen the next day, 8 that it would be interpreted as the fact that it was 9 retaliation, and I'm in no way saying that the emotions 10 weren't high. I'd seen Colonel Merafe and he was pretty 11 taken back by what had happened to the members in his, that 12 he had to carry.</p> <p>13 MR MPOFU: Ja, Colonel, I hear all that, 14 and I used the words "at any stage" deliberately. So the 15 14th, the 13th, whatever it is, is covered by "at any 16 stage." I said to you that was this issue ever a 17 consideration, and you said no, and I'm saying can you then 18 explain to the Commission why you thought that a tactical 19 option was ill-advised at a particular stage because 20 emotions were high on all sides, if it never crossed your 21 mind, all the things you said, and it never was a 22 consideration that there might be a motive of vengeance.</p> <p>23 COLONEL SCOTT: But that's the very point 24 you're making.</p> <p>25 MR SEMENYA SC: No, Chair –</p>
<p style="text-align: right;">Page 15735</p> <p>1 in the way of the law. They were still working as teams. 2 If, hypothetically if there was somebody that was thinking 3 that way, it would have been very difficult for him to have 4 done something like that, considering that they were in 5 teams, and it was, I think – I stand under correction, but 6 I think more than half of, or more of the police officers 7 deployed were not there on the Monday. So I don't think, 8 that never crossed my mind as being a possibility.</p> <p>9 MR MPOFU: Okay, so that never crossed 10 your mind. So it was never a consideration on your part at 11 any stage?</p> <p>12 COLONEL SCOTT: No.</p> <p>13 MR MPOFU: Then what did you mean when 14 you said at page 13358 of the record in your evidence-in- 15 chief against line 15, Mr Semenya says to you, "It was your 16 perception that emotions were high on all sides, was it 17 not?" Colonel Scott, "Yes." "And that a tactical option 18 at that time was ill-advised?" Colonel Scott, "Yes."</p> <p>19 COLONEL SCOTT: Okay, but again if you 20 continue, the reason that I'm going through that reasoning 21 process is that if we get into conflict with the miners 22 that next day, the Tuesday, I said that the public and the 23 media may perceive it as being a retaliation. So that is 24 the issue that that is about. I was aware that emotions 25 were high. I'd seen Colonel Merafe, who was really</p>	<p style="text-align: right;">Page 15737</p> <p>1 COLONEL SCOTT: I'm saying that I don't 2 believe the police officers at any time would have taken up 3 a motive of vengeance. I'm –</p> <p>4 CHAIRPERSON: Before you carry on with 5 your answer, Mr Semenya wants to say something.</p> <p>6 MR SEMENYA SC: Chair, the question of 7 "at no stage going tactical" was asked in the context of 8 the 16th.</p> <p>9 MR MPOFU: No. No, it was not.</p> <p>10 MR SEMENYA SC: And my learned colleague 11 now refers –</p> <p>12 CHAIRPERSON: Mr Mpofu, give Mr Semenya a 13 chance.</p> <p>14 MR MPOFU: Could I just -</p> <p>15 MR SEMENYA SC: And my learned colleague 16 refers now to the evidence of the witness in relation to 17 why the Monday when he arrived there and the plans he 18 sought to make, was that it might be ill-advised to go 19 tactical because it would be seen to be retaliation for the 20 events of yesterday, but that's not where the question 21 started.</p> <p>22 CHAIRPERSON: I think the matter has now 23 been cleared up by Mr Semenya and I take it the witness now 24 understands the point which you are endeavouring to make 25 and perhaps he can give us his answer.</p>

<p style="text-align: right;">Page 15738</p> <p>1 MR MPOFU: Well, no Chairperson, I'm 2 sorry, before it is answered, I think the matter has not 3 been cleared up by Mr Semenya; it's been unnecessarily 4 confused and narrowed up – 5 CHAIRPERSON: No, what he says is the 6 passage that you quoted was a passage from his evidence 7 dealing with his thinking on the morning, I think it is, 8 either the evening of the 13th or the morning of the 14th. 9 The question you asked is of a broader ambit. It's covered 10 by the phrase "at any stage," and includes the situation up 11 to the 16th. So the witness now knows that's what you want 12 the answer to. He knows the passage you're relying on 13 relates to either the evening of the 13th or the morning of 14 the 14th, but of course it's possible that that thinking 15 would have continued to prevail through the whole period. 16 But let's get his answer to it. 17 MR MPOFU: Yes, okay, Chairperson. 18 COLONEL SCOTT: Well, that was my 19 perception that I had, was that if there was a conflict on 20 the Tuesday, that it would have been viewed as a 21 retaliatory measure from the police for having members 22 killed. I'm not saying that the police members would in 23 any way have done that. I'm saying I feel that they are 24 too professional to think that way, and I said before if 25 there was an individual or more than one individual that</p>	<p style="text-align: right;">Page 15740</p> <p>1 telling him that that's going to be your argument. 2 MR MPOFU: Yes. 3 CHAIRPERSON: Whether the argument will 4 be a fair argument, is something for us to decide. 5 MR MPOFU: Well, it will be, because you 6 said you never, it never crossed your mind – does the word 7 "never" to you cover the 14th or the 15th or the 16th? 8 COLONEL SCOTT: Mr Mpofu, you're asking 9 about vengeance. There's a difference between somebody 10 that's hurting with emotions and vengeance, and it never 11 crossed my mind that there would be vengeance. It crossed 12 my mind that there was emotions and that the international 13 community, if the police even acted rightfully on the 14 Tuesday and there were deaths, would view that as 15 vengeance. 16 MR MPOFU: Yes, but that's not the point. 17 The point is that all that crossed your mind – your mind as 18 Colonel Scott – at some stage of your life. So to say that 19 it never crossed your mind is not correct. Is that so? 20 COLONEL SCOTT: I think I've explained it 21 pretty clearly. 22 CHAIRPERSON: Why "never"? Did you mean 23 never at all, or did you mean never on a particular, during 24 a particular timeframe? 25 COLONEL SCOTT: Chairperson, and I don't</p>
<p style="text-align: right;">Page 15739</p> <p>1 may have felt that way, it would have been difficult for 2 him to have done anything in that light because he was in 3 team context with other people. So what my perception, I 4 was concerned with then was what South Africa would have 5 thought and the international community would have thought 6 if the police had gone tactical on the Tuesday morning and 7 there was conflict, let's say a conflict similar to what 8 happened on the Thursday, they would immediately have 9 placed blame on the fact that the police were in 10 retaliation for what happened because of the Monday 11 incident, and I felt that was an ill-advised way to go 12 forward, thus bring in dialogue and negotiations. If there 13 are high emotions, which I did perceive with some of the 14 officers, they can subside for that matter, and that very 15 officer I was speaking about wasn't even there on the 16 Thursday for that matter. That's the person I was 17 referring to as seeing as emotional, and I think rightly so 18 after what he'd experienced. 19 MR MPOFU: Ja well, Colonel, in fairness 20 to you I'm going to argue that your answers in this respect 21 are not completely truthful. But maybe let me do this - 22 CHAIRPERSON: I don't know how fair that 23 argument is going to be. I don't think you're being – 24 MR MPOFU: Well, you'll know at the – 25 CHAIRPERSON: In fairness to him you're</p>	<p style="text-align: right;">Page 15741</p> <p>1 think I'm naive in saying this; I did not foresee that the 2 police had a motive of vengeance, whether it be on the 3 Tuesday or Wednesday or Thursday. The organisation is too 4 big and is too professional and there's too many people, as 5 I'm saying, there. I didn't even consider that individuals 6 for that matter would be thinking that way. My concern was 7 just on that fact, that I knew that emotions were high, and 8 I think anybody can make that deduction after witnessing 9 what happened on the Monday, and that any action that would 10 happen on the Tuesday, if there was any form of violence or 11 police action, was going to be perceived as vengeance, and 12 it's a difference being perceived as vengeance and truly 13 being vengeance. I just wanted to prohibit that perception 14 being made, thus also proposing amongst others the 15 dialogue, the negotiations. 16 MR MPOFU: Did you know that some of the 17 briefings that were given to the members on the ground 18 suggested that these protesters were very dangerous and 19 they had killed eight, they had already claimed eight 20 innocent lives? 21 COLONEL SCOTT: I can't speak to that. I 22 haven't read that in statements either. Although I haven't 23 read the members' statements that were on the ground, so – 24 MR MPOFU: No, fine. That was Captain 25 Kidd that –</p>

Page 15742

1 CHAIRPERSON: I must confess, I don't
 2 remember that evidence, but I could be wrong.
 3 MR MPOFU: Well, it's the second –
 4 CHAIRPERSON: I'm looking at Mr Semenya;
 5 he doesn't object. So I presume it's correct.
 6 MR MPOFU: It's there. Well, it's all
 7 over the IPID statements. Captain Kidd in particular, K-I-
 8 D-D, was responsible for that, but that's for another day.
 9 CHAIRPERSON: Are you moving on to
 10 something else? Because I'd like to ask a question about
 11 the passage in the minutes that are on the screen, but if
 12 you want to ask about it, then I'll stand back for you.
 13 MR MPOFU: No, Chairperson, let me just
 14 round off this point before, if I may, before the
 15 Chairperson asks that question. So when you said a
 16 tactical option would be ill-advised because emotions were
 17 high on both sides, you were not referencing that to the
 18 incident of the 13th, were you?
 19 COLONEL SCOTT: It was in reference to
 20 the incident of the 13th.
 21 MR MPOFU: Okay. Thank you, Chairperson,
 22 you can ask your question.
 23 [14:30] CHAIRPERSON: The passage we have here on
 24 the screen, the sentence, the paragraph beginning "The
 25 Provincial Commissioner indicated." As far as you are

Page 15743

1 aware, was the Provincial Commissioner in the JOCCOM
 2 meeting the whole time from when it began at 13:30 to 14:00
 3 when it adjourned?
 4 COLONEL SCOTT: I recall her, I would
 5 have recalled her leaving, Chairperson, so she was there
 6 and up until the time I started working on my computer, no
 7 one had left up until that time. But as I say, then it
 8 became a little bit informal, groups started forming,
 9 people started wandering around doing their thing. It's
 10 possible she left after that.
 11 CHAIRPERSON: But then, did she come
 12 back? If it's possible – you know, did you see her coming
 13 back at any stage?
 14 COLONEL SCOTT: The only time I really
 15 recall her in person again was when I saw her pacing up and
 16 down inside the JOC which was later that afternoon. How
 17 long she'd been there, I don't know.
 18 CHAIRPERSON: The reason I ask the
 19 question, it's obviously a matter for us to ask her, but it
 20 does look from this paragraph, as if she'd already told the
 21 National Commissioner before the 13:30 meeting began that
 22 phase 3 of the operation plan would be executed and that
 23 there was a deadlock in negotiations and so forth. But
 24 anyway, that's a matter you can't turn your light on.
 25 COLONEL SCOTT: And that's why I am

Page 15744

1 saying, I think at times, there's maybe two decisions that
 2 needed to be made, one was, phase 3 will happen, it's just
 3 about when will phase 3 happen or is this the appropriate
 4 time? But again, I don't want to go there, that wasn't my
 5 area or where I could actually give input.
 6 COMMISSIONER HEMRAJ: Colonel, do you
 7 perhaps know when it was that General Mbombo was appraised
 8 of the details of phase 3, for the first time?
 9 COLONEL SCOTT: Ma'am, it was, unless the
 10 generals had informed her earlier, which I was not there,
 11 it was at the 13:30 JOCCOM.
 12 COMMISSIONER HEMRAJ: And prior to that,
 13 the only other person who was aware of the details, was
 14 Major-General Annandale.
 15 COLONEL SCOTT: No, not even of the
 16 details.
 17 COMMISSIONER HEMRAJ: Not of the details.
 18 COLONEL SCOTT: He would have known of
 19 the strategy as I am sure would have General Mpembe and –
 20 but in saying this, in police circles, if you talk, if we
 21 spoke about encirclement, we are going to encircle the
 22 protesters at the koppie, immediately that picture speaks
 23 volumes. You know what you are going to do. There's going
 24 to be a razor wire thrown right around them to encircle
 25 them fully, with a gap left, and if you speak to the fact

Page 15745

1 that we are going to disperse them, again, that again
 2 speaks volumes. There could be additions to that, just to
 3 say, but we will put out the razor wire as a barrier
 4 between us and them, as a protective measure, etcetera. So
 5 when we are saying these things, although it can be
 6 mentioned in a sentence or two, a police official will
 7 understand to some degree a whole lot more than what's just
 8 been mentioned in those two sentences. That's why I say,
 9 even so, there are standard operating procedures on how to
 10 disperse and how to do these things, and this is what's
 11 relied upon even on the ground. When we talked about the
 12 discretion of operational commanders, to make decisions
 13 based on what they are observing their opponents doing,
 14 they rely on training and on standard operating procedures
 15 to be brought to the front, because it is not possible for
 16 them to call briefings in the heat of the moment. So they
 17 would simply give through already approved, trained,
 18 accepted procedures on what's about to happen now. They
 19 would just give the detail of the direction and other
 20 specific small things that they maybe want included you
 21 know, I see a group to the left, and a group to the right,
 22 or whatever it's going to be. So much of the time, and
 23 that's how the police would work, in fact, many times even
 24 in the military, if they are in a conventional warfare type
 25 of situation, you find the same thing. Once they are going

<p style="text-align: right;">Page 15746</p> <p>1 into an action situation and the opponent dictates 2 something else, there are certain strategies that are in 3 place already from exercises or training that they would 4 execute without having to call meetings and briefings and 5 it's a matter of standard operating procedure then which 6 take over based upon that commander's call on what to do on 7 ground. So the chance that General Annandale or Brigadier 8 – or General Mpembe had already informed the Provincial 9 Commissioner that morning, because I know they were called 10 out of the JOCCOM just after eight o'clock, 20 past eight, 11 maybe, and the media briefing I think is only at about 12 09:30. 13 CHAIRPERSON: 09:30? 14 COLONEL SCOTT: So there was a time 15 period that they probably got to spend with her, and maybe 16 even briefed her, I am in speculation now but something had 17 to have been said but I am quite sure that knowing the 18 chain of command, they would have brought her up to speed 19 with where the police are at now, and what's going on. 20 COMMISSIONER HEMRAJ: The informal 21 discussion that you had with Major-General Annandale on the 22 Wednesday, do you know whether that was conveyed up the 23 line, the contents of that - 24 COLONEL SCOTT: I don't know. 25 COMMISSIONER HEMRAJ: - phase 3.</p>	<p style="text-align: right;">Page 15748</p> <p>1 third of the meeting was taken over by your presentation? 2 COLONEL SCOTT: I would absolutely 3 speculate. 4 CHAIRPERSON: The meeting is ten minutes, 5 isn't it? 6 MR MPOFU: Is that correct? 7 CHAIRPERSON: Do you take ten minutes, or 8 longer? 9 COLONEL SCOTT: More or less, I think the 10 actual briefing part would have been between 10 and 15 11 minutes that I actually did. 12 MR MPOFU: Okay, fine. So effectively 13 then what we have for this major operation, is you giving a 14 presentation to this meeting of about 10-15 minutes, and 15 then later giving a presentation to the commanders of 16 around the same period and they, giving a presentation to 17 their people of roughly the same period. 18 COLONEL SCOTT: I know that the one I 19 gave to them was a bit longer. I can recall going on the 20 way there, understanding that how I would go through my 21 briefing process on a certain acronym that I use, so I 22 would have been going more into depth with them as well, 23 and I know I did go more in depth with them and I did 24 actually at the JOCCOM for that matter. So it was probably 25 more to half-an-hour because if I see, I arrive there</p>
<p style="text-align: right;">Page 15747</p> <p>1 COLONEL SCOTT: I don't know that, 2 Chairperson, no. Sorry, Commissioner, no. 3 MR MPOFU: Thank you, Colonel, I am once 4 again, I actually don't remember the answer, I won't hold 5 it against you, but it looks like the duration of that 6 meeting was about half-an-hour, correct? 7 COLONEL SCOTT: The JOCCOM? 8 MR MPOFU: Yes. The 13:30 meeting - 9 COLONEL SCOTT: Probably half-an-hour to 10 40 minutes, yes. 11 MR MPOFU: Yes. Now, if you can 12 remember, of that 30 minutes or 40 minutes, your 13 presentation of the plan, what duration did it take of that 14 period? 15 COLONEL SCOTT: Well for me, it's that 16 long, obviously I can't say, we weren't keeping time or 17 clocks, but because that was my majority input so I was 18 concentrating on it, I think before I actually got to 19 present it, while I presented it and then afterwards, so as 20 I say to me, that took up the bulk of that time. I am 21 aware that other things were said, I just don't quite 22 recall listening in depth to what was being said, knowing 23 where we were going and knowing that I needed to more than 24 likely present something to the JOCCOM on the way forward. 25 MR MPOFU: So would I be fair, maybe a</p>	<p style="text-align: right;">Page 15749</p> <p>1 exactly at 02:30 on the dot, well on my watch anyway, and I 2 got back to the JOC according to my vehicle, at about ten 3 past three, and it's probably not even a ten minute drive, 4 it's three, four kilometres of driving. So that period I 5 would have been spent briefing those members there. 6 MR MPOFU: Yes, and if that's correct, 7 then there would only have been half-an-hour for them to 8 walk or drive back to their stations, brief their people, 9 and for those people to take their positions. Correct? 10 COLONEL SCOTT: Yes. 11 MR MPOFU: Now, you'd agree that those 12 kinds of tight time lines, are not consistent to what we 13 have been told was meticulous planning for this operation, 14 correct? 15 COLONEL SCOTT: Well, you are talking 16 again about the stage 3, and I think the police's opening 17 statement is talking wider than stage 3, it's talking right 18 from phase 1 to phase 6. So, and yes, time lines were 19 tight regarding the revised stage 3. 20 MR MPOFU: Right, now you remember that 21 there's also evidence, I think it's part of the what we 22 nicely call, previously undisclosed evidence, but do you 23 know that there was evidence about Brigadier Calitz 24 addressing the members and informing them that they had 25 done nothing wrong?</p>

<p style="text-align: right;">Page 15750</p> <p>1 COLONEL SCOTT: I remember seeing that 2 video, yes, here in the Commission. 3 MR MPOFU: Are you also aware of the 4 report, I think it's FFF27. FFF27 that ascribed to the 5 National Commissioner, there were similar words about not 6 doing something wrong, but mainly that we are not sorry 7 about what happened. 8 COLONEL SCOTT: I've heard of that being 9 spoken, and I am just not sure the words are totally 10 accurate, or whether it's quoted out of a media, open 11 source media, I am not sure. 12 MR MPOFU: No, don't worry about whether 13 it's accurate or not, were you aware that such words were 14 ascribed – that's why I use the word "ascribed." 15 COLONEL SCOTT: I'd heard of the 16 criticism towards the National Commissioner, but as I say, 17 I never heard her saying them and I am quite aware that at 18 times, people can be misquoted. I am not saying she was, I 19 just know that that's a very big possibility. I've been 20 misquoted in the Commission already. 21 MR SEMENYA SC: Chair - 22 CHAIRPERSON: Mr Semenya has got his 23 light on, Mr Semenya? 24 MR SEMENYA SC: As I recall, it is the 25 editorial caption given to the article that follows, it's</p>	<p style="text-align: right;">Page 15752</p> <p>1 CHAIRPERSON: - it may well be that you 2 can rephrase the question in the way it meets the test. 3 MR MPOFU: Okay, the reason I used the 4 word "ascribed," is exactly for all this discussion. I 5 would never have said, these were – I would have said, these 6 are the words she uttered, I am saying, were you aware of 7 the words that were ascribed to her by the newspaper, 8 exactly to cover this, all this discussion. 9 COLONEL SCOTT: No. 10 MR MPOFU: About whether – 11 CHAIRPERSON: Now, put more accurately, 12 by saying, are you aware that these words were ascribed to 13 her, there's a difference between the two. 14 MR SEMENYA SC: But were also denied by 15 her must the addition, we must put the things in – 16 MR MPOFU: No. 17 MR SEMENYA SC: - in completion. 18 MR MPOFU: No, I would never put that. 19 CHAIRPERSON: I think in the interests of 20 fairness, it's quite an important part of the case, and 21 reporting of what's happening here today, will also take 22 place. 23 MR MPOFU: Yes. 24 CHAIRPERSON: So let's put it accurately, 25 were you aware of two facts, 1) that those words were</p>
<p style="text-align: right;">Page 15751</p> <p>1 not her words. 2 MR MPOFU: Well, you recall incorrectly, 3 can you go to FFF27 then. It's an article, it's not an 4 editorial. "We are not sorry." Can you see? 5 CHAIRPERSON: What I can recall, well I 6 have now got the document in front of me, it's a headline 7 and the issue, sub-editors sometimes summarise 8 inaccurately. The question is whether the headline 9 accurately summarises the report, is the first question, 10 and the second question of course is whether the report is 11 accurate? Now I see that the reporter has put in quotation 12 marks the following words, "Safety of the public is not 13 negotiable," said Phiyega, "don't be sorry about what 14 happened, the quotation marks aren't renewed but I imagine 15 it looks as if it was necessary. Take into account the 16 reasons why we did what we did." And my recollection is 17 that when she gave evidence, she denied that she used those 18 words, and no one has produced any recording to indicate 19 that those were her exact words. The caption on the 20 photograph, there's a photograph of the National 21 Commissioner addressing the mourners at the funeral service 22 of Warrant Officer Lepaaku and the opening words are "No 23 remorse;" but she denies that she used that language and 24 therefore, the question as put, I think it goes too far – 25 MR MPOFU: No –</p>	<p style="text-align: right;">Page 15753</p> <p>1 ascribed to her, the first fact, and are you aware of the 2 fact that she denies using language of that kind? 3 COLONEL SCOTT: Chairperson, neither. 4 Again, I saw this article when it was brought in as 5 evidence or me to go over. I have heard of criticism, as I 6 say, but I wasn't aware of words as such ascribed to the 7 National Commissioner saying that. The criticism that I am 8 referring to has got to do with, "we are not sorry." 9 MR MPOFU: Okay. Maybe, let me put it 10 this way, so that we are all clear, were you aware that 11 this was ascribed to her last year, and that she only 12 denied them this year in March or April? 13 COLONEL SCOTT: No, I wasn't aware. 14 MR MPOFU: Okay, thanks. And – but you 15 were aware of Brigadier Calitz's words that the police had 16 done nothing wrong, much earlier than what we are 17 discussing about the National Commissioner? 18 CHAIRPERSON: I think he actually used 19 the expression 110%, if everything gone to plan 110%, did 20 you know he'd said that? 21 COLONEL SCOTT: No Chairperson, I watched 22 the video here, for the first time in the Commission. 23 CHAIRPERSON: I take it you wouldn't say 24 that the plan went, that it went to plan 110%? 25 COLONEL SCOTT: No, obviously I am of the</p>

<p style="text-align: right;">Page 15754</p> <p>1 opinion otherwise, but I mean that I think is, if that 2 video if I am not mistaken is two days after on the 17th or 3 18th. 4 CHAIRPERSON: I think it was the 18th, 5 wasn't it? 6 COLONEL SCOTT: 18th. So the amount that 7 he could have known by the 18th, I think is also very 8 limited, and whether we are saying that to try to just make 9 the members work on their morale to get them to go out 10 again to another huge march or gathering with Mr Malema, I 11 don't know, but he would need to obviously testify to that, 12 but I don't think accurately he could have known the full 13 extent of what had gone on within that short period of 14 time. 15 CHAIRPERSON: I take it, to put it 16 gently, that the plan didn't envisage 34 people be killed. 17 COLONEL SCOTT: No. 18 MR MPOFU: And to that extent it would be 19 less than 10% successful, correct? In your estimation? 20 COLONEL SCOTT: I don't understand how 21 you can ask me to place percentage on the success rate of a 22 plan. 23 MR MPOFU: Well, Brigadier Calitz placed 24 a percentage and you have now agreed that it was not 25 correct. So you must –</p>	<p style="text-align: right;">Page 15756</p> <p>1 that the police and he sign a contract that they'd have a 2 battle or something. A different version of that alleged 3 contract appears in one of the earlier Roots' documents. 4 MR MPOFU: That is correct. 5 CHAIRPERSON: Which, it suggests that the 6 strikers or perhaps the militant group, it's not clear, had 7 signed a contract among themselves that they would stand 8 and fight and die if necessary. But the suggestion that 9 there should be a – it's a bizarre suggestion that there 10 should be a contract signed between representatives of the 11 police on the one hand and the representatives of the 12 strikers on the other, that they should have a fight, I 13 mean that's in exhibit L, but that's contradicted if that's 14 the right word, by the earlier version of the narrative. 15 So I am not quite sure what exactly you are putting the 16 witness in this regard. 17 MR MPOFU: Well, thank you, Chairperson, 18 your summary is 110% correct. 19 CHAIRPERSON: I never go above 100%. 20 MR MPOFU: But that's exactly the point I 21 am just closing the loop here, Chairperson, all I am doing 22 is to make sure that there's not two contracts, that 23 there's one contract and really that's all. And that – 24 CHAIRPERSON: Can the witness help us on 25 that?</p>
<p style="text-align: right;">Page 15755</p> <p>1 CHAIRPERSON: Well, he says he can't, he 2 doesn't agree with it, but he says let Brigadier Calitz 3 explain why he says it, he can't do so. I think you've got 4 enough ammunition for cross-examination. 5 MR MPOFU: I have more than enough, yes. 6 CHAIRPERSON: Without pushing this 7 witness further in respect of matters he can't really 8 answer. 9 MR MPOFU: No, I am not, Chairperson. I 10 am simply following up on your question but that's fine. 11 Then there's the issue of Mr Noki and I am not going to go 12 for long on this because Mr Chaskalson dealt with it, but 13 in my understanding of your evidence that from what you 14 were told, the so-called contract between Mr Noki and Mr 15 McIntosh, there was only one such contract, quote unquote. 16 Correct? 17 COLONEL SCOTT: There was only one 18 contract between Mr Noki and Mr McIntosh? 19 MR MPOFU: Yes, sorry, I am sorry it's 20 vague, there is a suggestion in the documents that there 21 was some contract of death, to put it lightly. 22 COLONEL SCOTT: A contract? 23 MR MPOFU: Contract, ja. 24 CHAIRPERSON: Mr Mpofo, to put it 25 accurately, the exhibit L suggests that Mr Noki suggested</p>	<p style="text-align: right;">Page 15757</p> <p>1 MR MPOFU: Well, he can tell us what he 2 was told, which he put in the exhibit. 3 CHAIRPERSON: It may well be you'll find 4 that that part of the exhibit was Colonel Visser's work, 5 but let's close that door first. The section of the 6 exhibits which talks about this rather bizarre contract – 7 MR MPOFU: L190. 8 CHAIRPERSON: - is the second bullet of 9 slide 192, the words are that Noki is alleged to have said 10 to Lieutenant-Colonel McIntosh at 13:40 "we must sign a 11 paper so the world can see how we kill one another today." 12 Are you author of that slide, or is that Colonel Visser's 13 work? 14 COLONEL SCOTT: Colonel Visser's work, 15 Chairperson. I sourced the photograph. 16 CHAIRPERSON: The information upon which 17 the slide is – that bullet and slide is based, were you 18 present when that was furnished to Colonel Visser? 19 [14:50] COLONEL SCOTT: No. And I think we 20 covered some of this in, previously in the cross- 21 examination that the previous version seemed to have come 22 verbatim from Brigadier Calitz although Colonel McIntosh 23 was the main negotiator. But also where Colonel McIntosh 24 after the operation returned to his unit whereas Calitz 25 stayed on and when they got to Roots they obviously got</p>

Page 15758

1 back together.

2 CHAIRPERSON: There's also some evidence

3 that Lieutenant-Colonel McIntosh can speak Fanagalo and the

4 evidence is that Brigadier Calitz couldn't speak any of the

5 vernacular languages which is why he wasn't at the scene on

6 the 13th. But again I don't know what light that throws on

7 that. Mr Semenya wants to throw some light on it, let's

8 give him a chance.

9 MR SEMENYA SC: Chair, you'd recall we

10 just don't have the document as an exhibit here as yet, but

11 there is a document of a translation of that conversation

12 which has been given to all of us by Cliffe Dekker Hofmeyr

13 attorneys where they conceal the identity of the individual

14 for his safety. The actual words on that translation

15 appear on that document, if it should be an exhibit now

16 with which Mr Mpfu wants to tackle this subject we make

17 this available. All of the parties have it actually.

18 CHAIRPERSON: The parties obviously are

19 ahead of us on that one, but not only on that issue, but Mr

20 Mpfu you've seen the document to which Mr Semenya refers?

21 MR MPOFU: No, I haven't, Chairperson,

22 but it's not such a big point, I can have a look at it now.

23 CHAIRPERSON: Well you and I are

24 colleagues in ignorance on that one.

25 MR MPOFU: For the first time,

Page 15759

1 Chairperson.

2 CHAIRPERSON: I hope for the last. I

3 might want to take a look at it, should we take the tea

4 adjournment now. I did understand to say, Mr Mpfu, that

5 you might go as far as tea. Sometimes it may help for you

6 to gather your thoughts and your notes together. Shall we

7 take the tea adjournment now?

8 MR MPOFU: Thank you, Chairperson.

9 CHAIRPERSON: Look at the documents, you

10 can decide whether it should go in as an exhibit now and

11 then refreshed by tea we can then come and address the last

12 part of your cross-examination.

13 MR MPOFU: Thank you, Chairperson.

14 [COMMISSION ADJOURNS COMMISSION RESUMES]

15 [15:17] CHAIRPERSON: Colonel, you're still under

16 oath.

17 DUNCAN GEORGE SCOTT: s.u.o.

18 CHAIRPERSON: Mr Mpfu, is this the

19 last –

20 MR MPOFU: Segment.

21 CHAIRPERSON: Segment. Yes, I see we've

22 been given some reading matter.

23 MR MPOFU: Yes, Chairperson, if that

24 could be made an exhibit.

25 CHAIRPERSON: Which one? There are two

Page 15760

1 bits of paper we got. We have firstly a document signed by

2 the National Commissioner for a work session on Operational

3 Response Services policies. That goes in as an exhibit,

4 does it?

5 MS PILLAY: Chair, that will be exhibit

6 JJJ203.

7 CHAIRPERSON: Exhibit what?

8 MS PILLAY: JJJ203.

9 CHAIRPERSON: 203, alright. I have to

10 write that in my book, and the other one is a document

11 headed "Private and Confidential."

12 MR MPOFU: Yes.

13 CHAIRPERSON: Despite the fact that it's

14 private and confidential, it's been given to us.

15 MS PILLAY: That's correct, Chair; that's

16 JJJ202.

17 MR MPOFU: 4?

18 CHAIRPERSON: Alright, I'm going to write

19 them in that order. Exhibit JJJ202 is an affidavit, is it?

20 Is it an affidavit?

21 MR MPOFU: No.

22 CHAIRPERSON: A statement.

23 MR MPOFU: Statement, yes.

24 CHAIRPERSON: Statement with a

25 fingerprint on the bottom. Statement by – do we know who

Page 15761

1 the statement maker is? Statement by Lonmin interpreter.

2 Is that right?

3 MR MPOFU: Yes.

4 CHAIRPERSON: Alright, statement by

5 Lonmin interpreter. It's not even under oath, but it has

6 got his fingerprint on it, and then the other one is

7 exhibit JJJ203, and that is – it looks like a bundle of

8 documents, is it?

9 MS PILLAY: Chair, it's the call-up

10 instructions.

11 CHAIRPERSON: I see. Call-up

12 instructions for – plural – for work session, and I put

13 this in quotation marks, "work session on Operational

14 Response Service Policies." Right, so just for the sake of

15 good order, let me repeat that. Exhibit JJJ202 is a

16 statement by Lonmin interpreter, and exhibit JJJ203 is

17 call-up instructions for "work session on Operational

18 Response Service policies." Mr Semenya, are you handing

19 these documents in? Would you like to say something about

20 them, or do you delegate that difficult task to Mr Mpfu?

21 MR SEMENYA SC: Indeed to Mr Mpfu,

22 Chair.

23 COMMISSIONER HEMRAJ: Well Mr Semenya,

24 there seems to be different call-up instructions on

25 different dates.

Page 15762

1 MR SEMENYA SC: It is an extension of the
 2 first call-up.
 3 MR MPOFU: Thank you.
 4 CHAIRPERSON: What appears from this
 5 document is that it relates to a work session on
 6 Operational Response Service policies, as it was called,
 7 commencing it would seem on the 28th of August 2012 at the
 8 Burgers Park Hotel in Pretoria – no, that’s wrong. The
 9 officers summoned to the work session had to report to the
 10 Burgers Park Hotel on Tuesday the 28th of August 2012 at
 11 8PM, and the work session was due to begin the following
 12 day, the 29th August 2012 and to extend to the 31st of
 13 August in the Divisional Commissioner ORS’s office, Muapa
 14 Naga Building. Depending on progress made, the officers
 15 should be prepared to stay longer, and then this is then
 16 extended from - the next letter relates to the extension
 17 from the 3rd of September to the 7th of September, and this
 18 time the venue is Potchefstroom and it appears as if
 19 certain other persons have been added. The first one has
 20 called up five people. A sixth person has been added in
 21 this letter relating to the continuation on the 3rd of
 22 September. It’s then extended by another letter, still at
 23 Potchefstroom, at the Elgro Hotel, from the 10th of
 24 September to the 16th, and now there are nine people
 25 present, so three more have been added, and then it goes

Page 15763

1 on, on the 16th of September to the 10th of September, the
 2 Elgro Hotel in Potchefstroom. Now we’ve only got seven
 3 people; I’m not quite sure who’s fallen out. Then there’s
 4 another letter extended – no, this looks like a copy of the
 5 same letter. It’s a copy of the second letter. I don’t
 6 know why we have another copy of that, just to ensure that
 7 more paper is used. Anyway, those are the documents we
 8 have. I’ve explained what they are, Mr Mpfu. You don’t
 9 have to do so.
 10 And the other document is a document made by the
 11 – this is JJJ202, made by the Lonmin interpreter. It
 12 begins with the following heading, “The identity of the
 13 author of the statement is being held at Cliffe Dekker
 14 Hofmeyr Inc., the attorneys of record acting on behalf of
 15 Lonmin Platinum. This is being done for the purposes of
 16 protecting the author’s identity in the interest of the
 17 author’s safety and security. The author’s identity will
 18 only be released on instruction of Lonmin and on condition
 19 Lonmin is satisfied that reasonable measures have been put
 20 in place and have been agreed upon in order to protect the
 21 safety and security of the author.”
 22 Now in the light of this heading, Mr Mpfu, what
 23 is your attitude to the production of this document by an
 24 anonymous person?
 25 MR MPOFU: Chairperson, a time is going

Page 15764

1 to come, I think, in the future, where the issue of the
 2 identity will be, or rather the concealment thereof may be
 3 contested by us, but for the purposes of this witness and
 4 this cross-examination, Chairperson, we are happy that the
 5 document should be provisionally accepted as an exhibit.
 6 CHAIRPERSON: I see, and I see the
 7 relevant passages appear to be paragraphs 45 to –
 8 MR MPOFU: Yes, and 46 –
 9 CHAIRPERSON: It looks like 49. The ones
 10 particularly highlighted are 45 and 46.
 11 MR MPOFU: Yes, thank you, Chairperson.
 12 CHAIRPERSON: Okay, so you don’t object
 13 to this document being handed in, despite the fact that
 14 it’s not under oath and we don’t know the identity of the
 15 author.
 16 MR MPOFU: That’s correct, Chairperson,
 17 without abandoning my rights to do so later.
 18 CHAIRPERSON: Whoa, whoa, whoa, before we
 19 carry on; this document comes from Lonmin, from their
 20 attorneys Cliffe Dekker & Hofmeyr. What we’re being told
 21 by Mr Mpfu is if this document goes in, though he accepts
 22 at the moment that he will not request that the identity of
 23 the author be revealed, he reserves the right to do so
 24 later. Now that means that presumably once this document
 25 is in, if his application for the identity of the person to

Page 15765

1 be revealed is successful, then the identity of the person
 2 will become known. Now on the basis of that reservation
 3 that he’s made, are Lonmin happy the document go in?
 4 MR SHOZI: On this basis, Chair, yes.
 5 CHAIRPERSON: Very well. Okay.
 6 MR MPOFU: Thank you very much,
 7 Chairperson. Now Colonel –
 8 COMMISSIONER HEMRAJ: Excuse me, if we
 9 could just –
 10 MR MPOFU: Sorry Chair, Ms Pillay –
 11 CHAIRPERSON: A further question. Has
 12 the witness read the document?
 13 COLONEL SCOTT: No, I haven’t,
 14 Chairperson.
 15 CHAIRPERSON: It looks to me as if all
 16 you’ve got to read is paragraphs 45 to 48. I could be
 17 wrong on that. But if you want more time, have you been
 18 given a copy?
 19 COLONEL SCOTT: No. Somebody I –
 20 CHAIRPERSON: Well, that’s an omission
 21 that should be rectified immediately. Have a quick look at
 22 45 to 48 and when you’ve seen that, tell me whether you
 23 want more time to read the whole document.
 24 MR CHASKALSON SC: Chairperson, possibly
 25 while Colonel Scott is reading the document, I wonder if I

Page 15766

1 could put on record a position for the evidence leaders,
 2 although it's not a fully caucused position, I must
 3 confess. It seems to us that we should also take a
 4 position in relation to this document, and what I –
 5 CHAIRPERSON: Yes, you're quite right.
 6 I'm sorry, I omitted to ask you to take a position.
 7 MR CHASKALSON SC: What I would propose
 8 is that we engage with Lonmin and set up a consultation
 9 with this witness to take a statement to put before the
 10 Commission. If it's necessary to protect the identity of
 11 the witness, we can protect the identity of the witness.
 12 That route has already been followed in some cases
 13 previously, and I would propose that this document goes in
 14 provisionally at this stage, on the understanding that a
 15 full statement from this witness will be procured by the
 16 evidence leaders with the assistance of Lonmin, and how
 17 this statement stands up relative – how this document
 18 stands up relative to the statement is something we'll
 19 assess later.
 20 CHAIRPERSON: I understand that, but
 21 there's a further problem, and that is that we have been
 22 very strong in this Commission - and the time has not come
 23 to abandon that stance - that witnesses shouldn't be
 24 questioned about documents, about sections of documents
 25 which, unless the witness has been given the opportunity to

Page 15767

1 acquaint himself or herself with the full context of the
 2 statement. So that's why I see the Colonel, who looks like
 3 a fast reader to me, has been – have you read the whole
 4 statement?
 5 COLONEL SCOTT: I've read roughly from 44
 6 through to 50, 51, which is the piece of the context –
 7 CHAIRPERSON: I doubt – sorry?
 8 COLONEL SCOTT: I presume that's the
 9 essence that Mr Mpofo wants to put the questions to me.
 10 CHAIRPERSON: Then if you are content to
 11 be questioned on the basis that you've seen that part of
 12 the context, I permit it, but I want to make it clear for
 13 future reference and all concerned that basically we expect
 14 a witness to be given an opportunity to read the document
 15 beforehand, the whole document, so that there's no question
 16 of passages which are out of context being put. But if
 17 you would prefer to have a couple of minutes just to read
 18 the whole statement, I think it might be wiser. So
 19 possibly if you think you can read in a couple of minutes
 20 then we won't adjourn, you can just sit and read it quietly
 21 now while we wait, but we can all read it, so we'll all
 22 know the context, then the questions proceed. Have you
 23 read the document? Oh, you're still reading.
 24 [15:36] CHAIRPERSON: It seems to me as if you've
 25 read the whole document. Mr Mpofo, can you carry on with

Page 15768

1 your cross-examination? Do your best to finish by 4, if
 2 you can.
 3 MR MPOFU: Well, Chairperson, all
 4 contracts are off now. But –
 5 CHAIRPERSON: I never signed a paper.
 6 CROSS-EXAMINATION BY MR MPOFU (CONTD.):
 7 Yes. I'll do my best, Chairperson. Colonel, the
 8 importance of this is that it would seem – you've read
 9 paragraphs 45 and 46 of the document, correct? Of exhibit
 10 202.
 11 COLONEL SCOTT: Yes, I have.
 12 CHAIRPERSON: JJJ202.
 13 MR MPOFU: JJJ202, I'm sorry, yes. Would
 14 it be fair then to say that we now have – and this might be
 15 important because this might go down as whatever Mr Noki's
 16 last words were – we now have three versions, one which Mr
 17 Chaskalson asked you about, which suggests that the
 18 contract was among the protesters that they would die
 19 there, as summarised by the Chairperson earlier, and then
 20 there's the version of the interpreter that we have here,
 21 which says two people came forward and they said that
 22 "Today there will be a fight," and we don't know who the
 23 two people are, but for the purposes of discussion we'll
 24 assume that one of them was Mr Noki. Then there's the
 25 third version which I'm going to argue is a doctored

Page 15769

1 version, or an embellished version, which says that Mr Noki
 2 said "We will kill each other today." That's a fair
 3 summary of the situation as we have now, correct?
 4 COLONEL SCOTT: The way I'm summarising
 5 it after reading this document is that line 45, paragraph
 6 45, is early morning, is on the arrival of the police at
 7 the neutral area, because you can see in 47 they asked why
 8 these barbed wires were brought, which I know that Calitz
 9 said he answered to, and 44, "We stopped at the koppie and
 10 asked for five men to come forward to speak to us. Two men
 11 came forward and they said that today there will be a
 12 fight," so what's being alluded to here is obviously in the
 13 morning where –
 14 CHAIRPERSON: That appears from paragraph
 15 49 on the following page.
 16 COLONEL SCOTT: Yes. No, that is so,
 17 Chairperson, where it mentioned this is still morning. Now
 18 the other one that we're speaking of is in the afternoon
 19 where the photograph was taken where Mr Noki sees the razor
 20 wire being rolled out, approaches the negotiation Nyala and
 21 makes the comments to the people inside the Nyala, two
 22 different occasions.
 23 CHAIRPERSON: There are three occasions –
 24 COLONEL SCOTT: Ja, well those two that –
 25 CHAIRPERSON: Because if you look at

Page 15770

1 slide 192, slide 192 refers to two meetings between Noki
 2 and the police. The earlier one in the slide is in fact
 3 the second bullet, 13:40, Noki comes to the Nyala and
 4 speaks to Lieutenant-Colonel McIntosh and says, "We must
 5 sign a paper so the world can see how we'll kill one
 6 another today." And then the later one, about, to the
 7 effect that he said, "These Hippos would not leave this
 8 place and you will all die today," that's 15:40. So that's
 9 two, both in the afternoon, and this statement refers to
 10 another one in the morning. Now before you proceed, can I
 11 just ask you this; am I correct in thinking that there's
 12 been evidence that Lieutenant-Colonel McIntosh can speak
 13 Fanagalo?
 14 COLONEL SCOTT: I don't recall it,
 15 Chairperson. But I haven't been following it obviously as
 16 closely as you have. So –
 17 MR MPOFU: Yes, thanks, Chairperson –
 18 CHAIRPERSON: If that's so, then he
 19 didn't need an interpreter for what he was told at, or he
 20 was allegedly told at 13:40.
 21 COLONEL SCOTT: Chairperson, the –
 22 MR SEMENYA SC: Chair –
 23 CHAIRPERSON: I reminded that what he
 24 said was, or what was said – he hasn't given evidence – was
 25 that he's conversant in Fanagalo, that he wasn't

Page 15771

1 sufficiently confident to conduct the negotiations in
 2 Fanagalo, so he used an interpreter. But it may be – and
 3 that we'll find out later, I take it – that he might have
 4 understood what was said to him, if what is said here was
 5 said. But anyway, that's a matter that we can look at
 6 later. Mr Mpofo. Sorry Colonel, you wanted to say
 7 something before Mr Mpofo speaks.
 8 COLONEL SCOTT: I'm noticing, as I know I
 9 have with other people's statements with regard to when
 10 General Annandale and I would have discussed issues with
 11 regard to the arresting and so on, it's not just me who
 12 struggles to remember exact times and possibly even days,
 13 but some of these incidents that we are referring to seem
 14 to be the same incidents, just different times of the day,
 15 which I can also understand being there at that time,
 16 knowing that it was difficult to, you know, keep a solid
 17 memory of everything that was going on. But what I can
 18 recall being told was that initially there was something
 19 said when the police did arrive with the razor wires, they
 20 were approached and asked why, and the explanation was
 21 given. The threats were made. I'm not sure if that
 22 coincides with the actual speaking to Nyala 6 when it was
 23 positioned, and that at two other occasions during that
 24 day, the last one being when Mr Noki saw the razor wire
 25 being rolled out, when the final threat was made, but I was

Page 15772

1 aware of three. But I think Brigadier Calitz and Colonel
 2 McIntosh have got those more or less sorted out to what was
 3 said and when.
 4 MR MPOFU: Yes, thank you, Colonel.
 5 Really what I'm getting at is this; is simply the following
 6 proposition, that from the versions that we have it's
 7 possible – I won't put it higher than that – it's possible
 8 that these words that are contained in your exhibit L and
 9 ascribed to Mr Noki about killing each other, were not
 10 made. Well, at least as far as the interpreter is
 11 concerned. Possible. Agree?
 12 MR SEMENYA SC: No. No, this witness -
 13 CHAIRPERSON: The witness I take it can't
 14 comment on it. I mean he wasn't there. So he can't – at
 15 most he can say it's possible, maybe, maybe not. Am I
 16 right? From your own knowledge you don't know.
 17 COLONEL SCOTT: All I can say, becoming
 18 wise to these type of questions, is that I can't answer
 19 that.
 20 MR MPOFU: Well, yes. But the thrust of
 21 my question is that, I mean this is something that has been
 22 ascribed to somebody and even, there's a book that has been
 23 published, which title is, "We are going to kill each other
 24 today," and I'm saying that if it was your loved one, you
 25 would be interested to know if he merely said there's going

Page 15773

1 to be a fight today, or he said we agree that we're going
 2 to die today, or he said what is being now bandied about in
 3 the literature of this country. Would you agree?
 4 COLONEL SCOTT: I fully agree with you.
 5 But as I say, it's something that – and I've always
 6 maintained, what was said and what was done is what was
 7 said and what was done, and if what I know is what I can
 8 contribute, and I will quite openly contribute, but
 9 obviously I don't know this and the slides we are actually
 10 talking to here was information not dealt with by me; it
 11 was brought into the presentation through Colonel Visser.
 12 MR MPOFU: Yes, anyway, and of course you
 13 know that our version, or that the version of Mr Magidiwana
 14 of Mr Noki's last words were, "Let us walk to Nkaneng; let
 15 us not run. We have done nothing wrong," and that is what
 16 the Chairperson called not directly disputed evidence.
 17 COLONEL SCOTT: I'm aware –
 18 MR MPOFU: You're aware of that, ja.
 19 Okay, now are you also aware – well, did you play any role
 20 in the rollout of phase 6, which happened in September?
 21 COLONEL SCOTT: I know it's not directly
 22 disputed, as you've mentioned, but I have to also just
 23 mention, playing open cards for the Commission, that the
 24 statements of Mr Zuma and the other two don't mention
 25 anywhere that Mr Noki told them that. On the contrary,

<p style="text-align: right;">Page 15774</p> <p>1 when Mr Mathunjwa speaks to them and says to them you 2 should leave here today, because he believes that they are 3 going to come to some harm, for whatever reason he believes 4 that, they actually take the decision to tell him that they 5 are not leaving here today and that he should leave so that 6 somebody can tell the story, but that they are not going 7 anywhere. So it's – 8 MR MPOFU: Ja. No, I think you can leave 9 that to Mr Semanya. But were you – 10 CHAIRPERSON: It's indirect disputation 11 of what he said. 12 MR MPOFU: Yes. The question is, did you 13 play any role in the rollout of phase 6 of your plan? 14 COLONEL SCOTT: Initially I helped with 15 the, getting the documents in line for the Provincial 16 Commissioner, to have some form of documentation to which 17 she would agree to a cordon and search operation happening, 18 section 13(7). That was on the morning of – I think I 19 started already assisting with the brigadiers on the 20 Wednesday afternoon. Mr Dirk Botes I think got plans of 21 some of the hostels and they were looking at how many 22 people were where, what the hostels looked like, doing a 23 general appreciation of the hostels, but by the Thursday 24 morning I assisted putting some small type of presentation 25 just together. It wasn't meant to be a presentation, it</p>	<p style="text-align: right;">Page 15776</p> <p>1 MR MPOFU: You were not aware? 2 COLONEL SCOTT: No. 3 MR MPOFU: Okay. Right, did Colonel 4 Merafe, when he told you about the events of the 13th, in 5 which event you say he was very emotional, did he also tell 6 you that he blamed General Mpenbe for that event? 7 COLONEL SCOTT: No, as I say he gave 8 feedback to the National Commissioner, but it was mostly 9 restricted to just the fact he was having to carry away, I 10 think it was Lieutenant Baloyi – 11 MR MPOFU: Baloyi. 12 COLONEL SCOTT: - I think that he carried 13 him and took him to hospital, but no, he didn't mention – 14 MR MPOFU: Yes, and before – I'm just 15 going to do a video, which is going to be my last, it's 16 very short, it's going to be my last question for you, 17 which I hope we'll be able to get to, but before – or 18 rather, let me ask for it to be set up and then I'll ask 19 you the question in between. It's M43 – MTS43 of the 20 videos of the 14th of August 2012. 21 CHAIRPERSON: Have we seen this already? 22 Is it an exhibit? 23 MR MPOFU: No, Chairperson, this is – if 24 I can just appraise the – 25 CHAIRPERSON: Alright, no it's alright.</p>
<p style="text-align: right;">Page 15775</p> <p>1 was just to be printed thereafter, to be attached to the 2 application for the cordon and search operation. But when 3 it actually did take place later in September, I assisted 4 with the Google map of sort, which I've emailed through, 5 but I'm not sure that it was used in any way. 6 MR MPOFU: Yes, and the thrust of my 7 question will really be that by the time you implemented 8 phase 6 it was after Roots, correct? 9 COLONEL SCOTT: Yes, it was. 10 MR MPOFU: And to the extent that in that 11 operation in the implementation of phase 6 of your plan, 12 Councillor Masuthe was killed, would it be fair to say 13 that the lessons learnt, or rather no lessons had been 14 learnt – 15 CHAIRPERSON: I don't think it's for the 16 witness to be asked that question – 17 MR MPOFU: Well, I was asking the 18 witness – 19 CHAIRPERSON: It may be a point you can 20 argue at the end, maybe we'll agree with you, but with 21 great respect to the witness, I don't think his answer is 22 going to take it any further, whatever he says. 23 MR MPOFU: Okay, but you are aware that 24 somebody died during the course of the rollout of phase 6? 25 COLONEL SCOTT: I wasn't, no.</p>	<p style="text-align: right;">Page 15777</p> <p>1 If it's not an exhibit already, do we have to give it an 2 exhibit number now? 3 MR MPOFU: Yes. 4 CHAIRPERSON: Alright, Ms Pillay will 5 tell us what it will be. 6 MS PILLAY: It's JJJ204. 7 CHAIRPERSON: How do I describe it? 8 MR MPOFU: Okay, don't play it, please. 9 Yes, I think it's ready now. 10 CHAIRPERSON: How do I describe it? Or 11 should I be asking Ms Pillay? 12 MR MPOFU: Chairperson, you can describe 13 it as video clip – 14 CHAIRPERSON: Has it got a number? 15 MR MPOFU: Ja, I want to – let me explain 16 what it is, then the Chairperson can phrase it himself. I 17 referred to L90 – 18 CHAIRPERSON: 9-0? 19 MR MPOFU: Nine zero, yes. 20 CHAIRPERSON: Video clip in – 21 MR MPOFU: L90, full video clip, fuller 22 video clip of L90. 23 CHAIRPERSON: Fuller video clip relating 24 to slide 90 of exhibit – 25 MR MPOFU: Exhibit L, that's correct,</p>

<p style="text-align: right;">Page 15778</p> <p>1 Chairperson.</p> <p>2 CHAIRPERSON: L.</p> <p>3 MR MPOFU: And this is a video clip which</p> <p>4 I want to contrast with the one that was offered to the</p> <p>5 Commission, just to highlight the portion.</p> <p>6 CHAIRPERSON: Show it to us.</p> <p>7 MR MPOFU: But before we play the video</p> <p>8 clip, I just wanted to ask just one question. To your</p> <p>9 knowledge, the people of the TRT, are they trained</p> <p>10 marksmen?</p> <p>11 COLONEL SCOTT: Sorry, you get what we</p> <p>12 call in the police course for a dedicated marksman and it</p> <p>13 rises to two different, two higher levels, higher-list</p> <p>14 level being at the Special Task Force level, but they are</p> <p>15 trained in the use of an assault rifle, yes.</p> <p>16 MR MPOFU: Yes.</p> <p>17 CHAIRPERSON: The TRT people are trained</p> <p>18 in the use of assault rifles –</p> <p>19 COLONEL SCOTT: Yes.</p> <p>20 CHAIRPERSON: - but not to the standard</p> <p>21 of "dedicated marksmen".</p> <p>22 COLONEL SCOTT: That's correct.</p> <p>23 MR MPOFU: Yes, fair enough, but at</p> <p>24 distances of about 10, 20 metres, if they had wanted to do</p> <p>25 so, they could have shot the people in their legs, for</p>	<p style="text-align: right;">Page 15780</p> <p>1 shooting range and they could quite accurately, even for</p> <p>2 that matter under time pressure shoot at something which</p> <p>3 resembles legs, yes, it's very possible.</p> <p>4 MR MPOFU: Okay, at the very least do</p> <p>5 they know that once a call for cease fire has been made,</p> <p>6 which is associated with the end of any perceived threat,</p> <p>7 that they should stop shooting at people who might, in case</p> <p>8 other people die after, when there's no longer any need for</p> <p>9 them to die?</p> <p>10 COLONEL SCOTT: Again you must ask the</p> <p>11 question; you've got somebody that's perceiving a threat.</p> <p>12 So the person who's calling for the ceasefire may be</p> <p>13 calling for that for a reason, and I allude to the person</p> <p>14 who's standing at the front of the vehicle, who's putting</p> <p>15 his arm up, shouting, "Cease fire," and whether he is one</p> <p>16 of two scenarios here; (1), he's perceived the threat is</p> <p>17 over; (2) which I know he had a stoppage on his weapon, his</p> <p>18 weapon stopped firing and he needed to move backwards and</p> <p>19 he couldn't, with the person to his left firing his R5</p> <p>20 rifle, like he was, thus he was shouting "cease fire" for</p> <p>21 that purpose. So again when people are shouting "Cease</p> <p>22 fire," you take notice of that, but you're in any case not</p> <p>23 firing indiscriminately, you're supposed to be firing at a</p> <p>24 threat. So if somebody is shouting "cease fire" and you're</p> <p>25 still perceiving a threat, you will still need to deal with</p>
<p style="text-align: right;">Page 15779</p> <p>1 example, correct?</p> <p>2 COLONEL SCOTT: Well, on a shooting</p> <p>3 range, very possible, understanding that in reality – and</p> <p>4 this is what we try to educate people on, even in the</p> <p>5 Special Task Force environment; you don't in reality come</p> <p>6 up against a cardboard target, you're coming up against</p> <p>7 somebody that's moving, that's posing a threat to you,</p> <p>8 that's possibly firing at you. It's a different scenario</p> <p>9 to just shooting at a static target that's placing no</p> <p>10 pressure upon you as a human being. So it depends what the</p> <p>11 scenario is that you find yourself in. 20 metres can</p> <p>12 become a very pressurised environment for that matter to</p> <p>13 shoot accurately.</p> <p>14 MR MPOFU: You see the problem, Colonel,</p> <p>15 is that you answer something I've not asked you. I've</p> <p>16 simply asked you whether in those distances these people,</p> <p>17 should they have wished to do so, are able to aim for the</p> <p>18 lower limbs, for the legs for example.</p> <p>19 COLONEL SCOTT: But that's what I'm</p> <p>20 saying; on a static target that's easy. When somebody's</p> <p>21 walking, running, crouched down, to expect then to shoot at</p> <p>22 lower limbs when you've got a body position that is in fact</p> <p>23 hiding your legs to some degree, I'm just putting it back</p> <p>24 into that context, could be difficult for them to take that</p> <p>25 shot at – if you're asking if they're standing on a</p>	<p style="text-align: right;">Page 15781</p> <p>1 the threat that you're perceiving in essence.</p> <p>2 MR MPOFU: Yes, okay. So at the minimum</p> <p>3 we have to accept that from the point of view of the person</p> <p>4 who's shouting "cease fire," the threat has dissipated?</p> <p>5 COLONEL SCOTT: From the point of view of</p> <p>6 the person saying that, like I said one of two scenarios;</p> <p>7 either he has a problem and he needs somebody to stop</p> <p>8 shooting so he can move into that person's line of fire, or</p> <p>9 he has accepted that the threat has dissipated and he's</p> <p>10 calling for a ceasefire because of that reason.</p> <p>11 MR MPOFU: And you're aware from the</p> <p>12 videos that there was more than one person shouting "cease</p> <p>13 fire"?</p> <p>14 COLONEL SCOTT: I am aware, yes.</p> <p>15 MR MPOFU: Thanks. And that those shouts</p> <p>16 were repeated many times?</p> <p>17 COLONEL SCOTT: It is common practice</p> <p>18 when someone starts shouting "cease fire," you will do a</p> <p>19 snap appreciation of the situation and relay the order.</p> <p>20 MR MPOFU: Yes, now we can play the</p> <p>21 video, thanks.</p> <p>22 [15:56] MR MPOFU: No, there's no warning.</p> <p>23 [VIDEO SHOWN]</p> <p>24 MR MPOFU: Please stop. Chairperson, I</p> <p>25 am just worried, what's important about this video is</p>

Page 15782

1 actually the audio, right towards the end and I am not
 2 happy with the level of the audio at this stage, but maybe
 3 let's – ja. Can you maybe just increase the volume and
 4 start forward.
 5 COLONEL SCOTT: It's not long.
 6 MR MPOFU: Okay.
 7 CHAIRPERSON: You better go back to the
 8 beginning –
 9 MR MPOFU: No please, don't go back to
 10 the beginning. The portion we want is right at the end
 11 here.
 12 CHAIRPERSON: How long is the whole clip?
 13 MR MPOFU: It's a few seconds.
 14 CHAIRPERSON: Well, you may as well go
 15 back to the beginning, then we get the thing in context,
 16 and we heard everything clearly from the beginning, let's
 17 do that.
 18 [VIDEO SHOWN]
 19 MR MPOFU: Please stop it at 1:13. Okay,
 20 sorry, I think I was speaking over the video. Can you
 21 reverse it for something like ten seconds? Stop it at
 22 1:13. Ja. Okay, Chairperson, that's not exactly where I
 23 wanted it but it's close. The point about this video is
 24 that the version that was given to the Commission stops
 25 round about here but I am now going to play just the last

Page 15783

1 few seconds which were omitted which there's somebody in
 2 Afrikaans says "Hulle het nie," and I couldn't hear it
 3 properly and then immediately after that, is the part that
 4 I quoted to you which says, they don't show any aggression
 5 towards us." Please continue.
 6 [VIDEO SHOWN]
 7 MR MPOFU: Did you hear that part,
 8 Colonel? The English part.
 9 COLONEL SCOTT: You know now
 10 MR MPOFU: "They are showing no
 11 aggression towards us."
 12 COLONEL SCOTT: That you've for the first
 13 time, yes, I have.
 14 MR MPOFU: Thank you.
 15 CHAIRPERSON: And only because you've
 16 highlighted it. I didn't hear that the first time I played
 17 this video.
 18 MR MPOFU: Ja, no, that's fine. But you
 19 would agree that that's practically, it's practically, it's
 20 less than seconds.
 21 CHAIRPERSON: Perhaps we should record
 22 that the sound is very poor quality, and if one listens
 23 very carefully, I heard what I thought sounded like "they
 24 are not showing," I didn't hear the rest of it. But I can
 25 quite understand someone who is looking at video clips to

Page 15784

1 see what to include in a presentation, might have had
 2 difficulty in making out what was being said, and might
 3 therefore have considered, it wasn't necessary to include
 4 in the presentation, but I know that's not what you want,
 5 but that's the way it seems to me.
 6 MR MPOFU: Well, I can assure you that
 7 whatever the Chairperson might understand it, but may be
 8 you need to make me understand why it would be necessary to
 9 cut off five seconds of something which contains such an
 10 important utterance, that they are showing no aggression
 11 towards us.
 12 CHAIRPERSON: May I ask him this? Did
 13 you hear that important utterance when you looked at that
 14 video for the purposes of deciding whether to include it,
 15 and if so, how much of it in the presentation?
 16 COLONEL SCOTT: Firstly, no, Chairperson,
 17 and secondly, I think the majority of that video is not
 18 actually part of the presentation. It's more just the part
 19 where the man walks away, goes to urinate and then it stops
 20 again. I know this is why we actually cut these videos
 21 because of the very poor video footage being blurred, being
 22 shaken, we tried to get to parts that we could actually
 23 show.
 24 MR MPOFU: Yes, but this version that
 25 ends five seconds later was available on your, what do you

Page 15785

1 call it? Hard drive, correct?
 2 COLONEL SCOTT: Yes, it was.
 3 MR MPOFU: And despite it being
 4 available, those five seconds, the one that was presented
 5 to the Commission was five seconds shorter, correct?
 6 COLONEL SCOTT: No, it was significantly
 7 shorter, there are lot from the beginning of that is not
 8 displayed either, as well as the part you are talking about
 9 at the end, but again as the Chairperson has correctly put
 10 out, this is the first time I actually hear that being
 11 said, and if you had played it and asked me to listen for
 12 something, I probably wouldn't have picked it up either.
 13 MR MPOFU: Let me put it this way, would
 14 you agree that the effort of cutting out five seconds from
 15 a video is, if it was just a neutral occurrence, is not
 16 worth even saving to the extent that you would waste your
 17 time in editing a video by taking out a crucial five
 18 seconds out of it. Do you get what I am saying?
 19 MR SEMENYA SC: Chair, once we know,
 20 unless we are told differently that that editorial was done
 21 by the witness, maybe the answer would be useful but can
 22 the record also indicate this is on Tuesday, not on
 23 Thursday.
 24 CHAIRPERSON: Well, you've heard what Mr
 25 Semenya has said, it was on Tuesday, were you the editor of

Page 15786

1 the video clips? Did you decide what to – what segment of
 2 that video would be included in the presentation?
 3 COLONEL SCOTT: At the end of the day,
 4 yes, there was a couple of us looking, but I was the one
 5 who would have cut and put it together and put it in.
 6 CHAIRPERSON: No, Mr Mpofu has described
 7 as a crucial five seconds, did you see it as a crucial five
 8 seconds?
 9 COLONEL SCOTT: No, I was not aware that
 10 that was said for that matter, where it's been said.
 11 COMMISSIONER TOKOTA: I must also say
 12 that I didn't hear that.
 13 MR MPOFU: Well, the witness –
 14 COMMISSIONER TOKOTA: You have to be very
 15 attentive and repeat it, if you want to hear, I didn't hear
 16 that.
 17 MR MPOFU: Yes, no thank you, I am happy,
 18 the witness said he heard those words, so I am happy with
 19 that.
 20 COMMISSIONER TOKOTA: Only today.
 21 COLONEL SCOTT: Only today, and they are
 22 interrupted, if I am correct, he says something, somebody
 23 else speaks, and then the last word is muffled or comes
 24 through somewhere there, but as I say, with you giving me
 25 the words before the time, I can try to place them as they

Page 15787

1 are being spoken but without you having given the words, I
 2 would have probably over-listened that again, without
 3 hearing it.
 4 MR MPOFU: Yes, and for the record, I can
 5 tell you that it's clearer on the computer than it is in
 6 this kind of auditorium. But it's fine, as long as you
 7 heard it, you heard it. Now, okay, now, finally I want to
 8 put it to you or rather, no, that's fine. I will put it to
 9 you that we are going to argue that the, both the planning
 10 and the implementation of your plan were to say the least,
 11 shambolic and that resulted in the deaths of those people
 12 and the injuries of the others. Any comment?
 13 COLONEL SCOTT: I am not sure how I am
 14 supposed to respond.
 15 MR MPOFU: Okay, well, then don't.
 16 CHAIRPERSON: I will give you an
 17 opportunity to respond. If you feel that it is not
 18 necessary, then you don't have to.
 19 MR MPOFU: Well, if you think it was not
 20 shambolic planning, you can say it was not.
 21 COLONEL SCOTT: I can say that's not a
 22 short answer, Chairperson, that's a huge amount of evidence
 23 that we've already passed through, being through, for me to
 24 go back to recite why I don't believe, etcetera is –
 25 CHAIRPERSON: Unless Mr Mpofu has got

Page 15788

1 some rabbits up his sleeve that we don't know about. I
 2 suspect that the argument he will present will be based
 3 upon Mr White's report, who does criticise the planning in
 4 quote strong terms.
 5 MR MPOFU: Mm.
 6 CHAIRPERSON: And inasmuch as you've had
 7 the opportunity of dealing with Mr White's criticism, when
 8 Ms Le Roux was cross-examining you, are you content to
 9 stand with what you said in answer to her? Or is there
 10 something more you want to say?
 11 COLONEL SCOTT: Chairperson, I think
 12 we'll probably cover more of that in re-examination. As I
 13 said, I was limited in the time I had to actually go
 14 through everything Ms Le Roux gave me to go through.
 15 MR MPOFU: Okay.
 16 COLONEL SCOTT: So and again, it can open
 17 up days of debate in that respect as well. But pretty much
 18 what I've said to her still stands, well, not pretty much,
 19 everything I've said to her in relation to Mr White's
 20 statement still stands as such.
 21 CHAIRPERSON: Do you intend, if the
 22 opportunity is given to you in re-examination, possibly to
 23 enlarge on some of your points?
 24 COLONEL SCOTT: Yes, yes, Chairperson.
 25 MR MPOFU: Thank you, for now, I will

Page 15789

1 take that as a "no." And I am also putting it to you that
 2 there's no evidence which was contained either in your
 3 presentation or presented to you, that suggested that there
 4 was an attack on the police apart from what you inferred
 5 from the crouch walking which we know was a sign of
 6 submissiveness or at least which you said you can't comment
 7 on, but the evidence will be that it's a sign of
 8 submissiveness.
 9 COLONEL SCOTT: Is there a question in
 10 there?
 11 MR MPOFU: Yes, I am saying, I am putting
 12 it to you, sorry, what you do is, you comment, you can
 13 disagree, agree or say nothing. It's up to you.
 14 MR SEMENYA SC: Well, I don't know now,
 15 we are told that crouching is a sign of respect, now we are
 16 told it's submissiveness.
 17 CHAIRPERSON: Well, ja, that's a point
 18 you can be arguing –
 19 MR MPOFU: Whichever one it fits.
 20 MR SEMENYA SC: Respect -
 21 CHAIRPERSON: We know that, well, he may
 22 know it, but the witness doesn't as I understand. It may
 23 be a controversial matter at the end of the day, but let's
 24 not spend time on it. What's been put to you is, your
 25 inference that they were coming forward to attack the

Page 15790

1 police, is based solely upon the manner in which they
 2 walked, that's what counsel puts to you. Do you agree with
 3 that?
 4 COLONEL SCOTT: I disagree, Chairperson,
 5 it's based on numerous facts, it's based on a history which
 6 is built over days, it's based on what I know in hindsight
 7 now, having dealt with the presentation, having seen the
 8 transcripts of the videos of the strikers speaking, knowing
 9 the threats. It's based on, as I mentioned earlier, that
 10 the strikers had no intention of leaving that area
 11 according to Mr Mathunjwa, as well as their own statements.
 12 A decision is somehow then taken to mobilise or to move and
 13 again seeing the razor wire coming, Mr Noki still
 14 approaches the negotiation Nyala to voice his threats again
 15 at that stage to them, moves away, takes the group, and
 16 then mobilises the group. They move towards the kraal,
 17 they go right through the public order policing non-lethal
 18 moving through it, which is a definite sign of the police
 19 saying, move away, disperse away, move in the opposite
 20 direction. They choose to move in the same direction, they
 21 are going towards the police. They fire upon the police,
 22 in saying that, on approaching the police they shoot at the
 23 public order policing members with sharp ammunition and
 24 then walk into the TRT line. And in respect of all that,
 25 put together, my opinion again, is still that that is not a

Page 15791

1 dispersion effort on behalf of that militant group.
 2 CHAIRPERSON: That's your inference.
 3 Whether that inference can be drawn is something for us to
 4 decide, at the end of the day, and there may be
 5 countervailing factors particularly what one can see on the
 6 video, the way they walked and so on, these are matters, I
 7 don't think we need debate at this stage of the afternoon.
 8 MR MPOFU: No.
 9 CHAIRPERSON: Is there anything further
 10 you want to put to him?
 11 MR MPOFU: Yes, I also want to put to you
 12 that exhibit L, which you co-authored was in very major
 13 respects doctored and riddled with inaccuracies intended to
 14 give wrong, the wrong impression to the Commission.
 15 CHAIRPERSON: It's a very wide statement.
 16 There are various inaccuracies, various inaccuracies have
 17 been put to the witness. Are you as it were incorporating
 18 those inaccuracies in the questions and saying all those
 19 inaccuracies have been pointed out, you say were done for
 20 the purpose as you –
 21 MR MPOFU: Yes, actually, I am only
 22 confining it to those that have been put to him.
 23 CHAIRPERSON: Alright, okay.
 24 COLONEL SCOTT: Again, Chairperson, with
 25 regard to exhibit L, there was no ill intent, at least on

Page 15792

1 the part of myself and I would stand proxy for Colonel
 2 Visser, working with him a long time on that. What we know
 3 is what we were given. We didn't have access as I've
 4 stated to other parties' inputs, or to, for that matter
 5 some of the video footage and expertise that other parties
 6 had. Considering that it's taken some others many months,
 7 probably up to eight months to have analysed some of that
 8 footage to come up with their findings. We initially had
 9 two months, and others have worked off the foundation we
 10 laid. We had nothing when we started, and we had to start
 11 from scratch. We were doing the best job that we could do
 12 and again, being truthful and objective with what we could
 13 find, we were limited in the amount that we could present.
 14 It was never meant to be a full presentation. It was meant
 15 to be something to, as best possible, enlighten the
 16 Commission to what the police at least have experienced to
 17 some degree, and then from there on, obviously it was going
 18 to be open for scrutiny. I didn't even personally think
 19 that there was going to be evidence, I thought it was just
 20 a presentation for that matter.
 21 CHAIRPERSON: It isn't evidence, it's
 22 just a presentation.
 23 COLONEL SCOTT: Yes. So that is where we
 24 came from, and I know there's been many points raised in
 25 it, and where they are justified, it is so, and I will

Page 15793

1 stand as well with the points that have been raised in
 2 objection, if I can see the point is true. If things need
 3 to be changed, then it is so, but it doesn't mean that what
 4 we were doing at that time was malicious, it was only what
 5 we knew and what we were told and the deductions we could
 6 have made through the video footages and inputs that we had
 7 at that time.
 8 MR MPOFU: I put it to you that as
 9 exemplified by this latest example of the video that I
 10 played to you, that the videos were also deliberately
 11 manipulated to exclude crucial portions from the
 12 Commission.
 13 COLONEL SCOTT: Well, if you are saying
 14 this in relation to the last video, you've just shown, then
 15 –
 16 MR MPOFU: As an example.
 17 COLONEL SCOTT: As an example, then
 18 again, I dispute that, that's not something that I even
 19 picked up then, and struggled even to hear now. So like I
 20 say it's one thing to sit afterwards and to take everything
 21 that the police has provided, and to go into depth and have
 22 experts analyse it, when at the time the police doesn't
 23 have the luxury of that time or the expertise or the
 24 accessibility to some of the devices that experts have got
 25 to go through the same procedure. So as laymen and in the

Page 15794

1 presentation we presented, that's what we presented and
 2 that slide was only meant to depict the rituals which are
 3 objective evidence of the rituals happening.
 4 MR MPOFU: Yes, and finally then, I put
 5 it to you that if the answer is given to the last two
 6 propositions were correct, and given the fact that you also
 7 had the eighth months that you ascribed to others, that you
 8 would have at the beginning of your evidence presented to
 9 the Commission those areas which after eight months you
 10 have found to be inaccurate and not have waited for them to
 11 be extracted out of you in cross-examination.
 12 COLONEL SCOTT: Well, the areas that have
 13 been shown, I was not even aware of. Some of them that
 14 have been shown to be malicious, I still feel were totally
 15 done by coincidence showing the, Mr Mathunjwa's video at
 16 the end of the protesters for instance, I wasn't even aware
 17 that that was an issue, or that it had been placed there
 18 for that matter. So I disagree with that, it's not that we
 19 presented a presentation and then said, okay, let us spend
 20 the next eight months going through this to scrutinise our
 21 own work. What had been delivered to the Commission had
 22 been delivered, and it was left at that, because it became
 23 an exhibit, exhibit L, so for us to have continued, I just
 24 didn't continue with that and had no reason to for that
 25 matter, because it was as thought we had reached the end of

Page 15795

1 what we had laid down in the presentation and could not go
 2 ahead and change it for that matter.
 3 MR MPOFU: Thank you very much,
 4 Chairperson, I have nothing further. Thank you.
 5 CHAIRPERSON: Thank you, Mr Mpofo. Yes,
 6 Mr Budlender?
 7 MR BUDLENDER SC: Might I deal with one
 8 housekeeping matter, there's some lack of clarity as to
 9 what's to happen on Thursday. Could I just ask that that
 10 the key people involved, the SAPS legal team and Mr Mpofo
 11 and the evidence leaders meet the Commissioners straight
 12 away to, for a decision to be made on that.
 13 CHAIRPERSON: I take it there's no one
 14 else to cross-examine. So Mr Semanya will re-examine on
 15 Thursday, we will recommence at nine o'clock, but the
 16 meeting to which Mr Budlender has issued an invitation will
 17 take place now. But we will adjourn, we are not sitting
 18 tomorrow for the reasons I explained at the beginning of
 19 the session this morning, and we will resume on Thursday
 20 morning at nine o'clock.
 21 MR NTSONKOTA: Sorry, Chair, may we be
 22 apprised of the outcome of the meeting if it changes what's
 23 going to be taken place on Thursday?
 24 CHAIRPERSON: I think that's a perfectly
 25 reasonable request, is it not? If anything material

Page 15796

1 happens at the meeting I am sure Ms Pillay in her usual
 2 efficient fashion will send an email to all affected
 3 parties. We will now adjourn until Thursday morning at
 4 nine o'clock.
 5 [COMMISSION ADJOURNED]
 6 .
 7 .
 8 .
 9 .
 10 .
 11 .
 12 .
 13 .
 14 .
 15 .
 16 .
 17 .
 18 .
 19 .
 20 .
 21 .
 22 .
 23 .
 24 .
 25 .

A	<p>action 15583:3,4 15594:17 15596:5 15614:4 15618:8 15624:3 15630:23,25 15631:9 15634:23 15645:7 15674:5,15 15677:5 15699:9 15709:5,7 15710:1,10 15710:23 15728:20 15741:9,11 15746:1</p> <p>actions 15633:23 15688:18 15689:3</p> <p>activity 15584:24</p> <p>actual 15585:6 15586:15,20 15589:22 15593:6 15603:21 15611:12 15619:18 15640:1 15687:11 15692:18 15694:7 15720:1 15725:20 15729:4,7 15748:10 15758:14 15771:22</p> <p>add 15667:1 15681:3</p> <p>added 15581:3 15650:7 15650:8 15762:19,20 15762:25</p> <p>addition 15752:15</p> <p>additions 15745:2</p> <p>address 15574:9,12,17 15660:5 15662:7 15695:11 15702:5,11 15759:11</p> <p>addressed 15695:12 15724:9</p> <p>addresses 15578:13</p> <p>addressing 15683:20 15697:7 15749:24 15751:21</p> <p>adequately 15597:12</p> <p>adjacent 15709:21</p> <p>adjourn 15767:20 15795:17 15796:3</p> <p>adjourned 15731:2 15732:5 15743:3 15796:5</p> <p>adjournment 15634:6 15636:10 15705:1,6 15713:16 15759:4,7</p> <p>ADJOURNS 15636:12 15680:10 15713:17 15759:14</p> <p>admit 15609:11 15617:3</p> <p>admits 15599:16</p> <p>admittedly 15630:8</p> <p>admitting 15609:13</p> <p>Adriao 15620:20 15683:15,20 15684:9</p> <p>Adv 15629:22 15720:8 15723:18</p> <p>advance 15605:4 15609:17 15612:22 15616:2 15626:13,15 15626:16 15627:5,7 15627:12,14,18</p>	<p>15628:8,10,22,25 15629:11,25 15630:19 15632:1,18 15632:22,22 15667:17</p> <p>advisable 15734:19</p> <p>Advocate 15579:4</p> <p>aerial 15613:20</p> <p>affairs 15715:13</p> <p>affect 15601:4</p> <p>affidavit 15760:19,20</p> <p>affirmative 15714:18</p> <p>Africa 15574:15 15575:1,17 15579:11 15739:4</p> <p>African 15677:15</p> <p>Afrikaans 15707:6,7 15783:2</p> <p>afternoon 15617:24 15619:3 15743:16 15769:18 15770:9 15774:20 15791:7</p> <p>aggression 15685:2,19 15685:21 15686:6,24 15695:22 15783:4,11 15784:10</p> <p>ago 15607:21</p> <p>agree 15579:7,8,22 15580:13 15586:9 15589:14 15590:21 15591:6 15593:23 15594:10 15595:15 15595:15 15596:5,11 15602:20,22 15604:21 15616:1 15621:8 15623:1 15634:16,19 15636:7 15637:24 15647:1 15651:9,10 15655:20 15656:17,21 15661:21 15668:5 15673:2 15683:15,22 15686:7 15687:3 15694:25 15699:14 15709:8,9 15710:10 15714:22 15715:10 15725:24 15749:11 15755:2 15772:11 15773:1,3,4 15774:17 15775:20 15783:19 15785:14 15789:13 15790:2</p> <p>agreed 15586:8 15590:20 15637:16 15645:17 15655:25 15699:22 15703:9 15720:19 15754:24 15763:20</p> <p>agreement 15637:21 15639:8 15665:19</p> <p>ahead 15583:3,22 15633:25 15758:19 15795:2</p> <p>aid 15574:15,15,25 15575:17 15720:9</p> <p>aim 15736:4 15779:17</p>	<p>air 15574:22 15599:19 15700:16,21 15708:16</p> <p>AI 15684:5</p> <p>allegation 15607:24 15608:2,4,6 15695:8</p> <p>alleged 15701:24 15756:2 15757:9</p> <p>allegedly 15709:4 15770:20</p> <p>allow 15583:21 15598:1 15605:10 15647:8 15705:19 15734:24</p> <p>allowed 15595:7 15619:5 15641:5 15642:10 15660:20</p> <p>allowing 15729:8</p> <p>allude 15713:8 15780:13</p> <p>alluded 15603:14 15769:12</p> <p>alluding 15599:21</p> <p>alongside 15692:12</p> <p>alright 15626:6 15659:3 15681:4 15684:14 15687:4 15697:11 15704:24 15724:14 15760:9,18 15761:4 15776:25,25 15777:4 15791:23</p> <p>ambiguous 15640:18</p> <p>ambit 15738:9</p> <p>ambush 15603:4 15605:17,18,21 15607:8,16 15609:2 15609:16,21</p> <p>AMCU 15692:3 15701:4 15720:14</p> <p>amended 15689:2</p> <p>amendments 15689:2</p> <p>ammunition 15601:10 15614:17,19 15656:9 15676:15,20,23 15677:3 15678:8,10 15679:13 15713:10 15755:4 15790:23</p> <p>amount 15582:1 15624:24 15652:23 15754:6 15787:22 15792:13</p> <p>analyse 15793:22</p> <p>analysed 15792:7</p> <p>analysis 15599:7,8 15601:14</p> <p>anchor 15662:10</p> <p>angle 15628:6</p> <p>Anglican 15692:4</p> <p>angling 15629:16</p> <p>Annandale 15719:7 15720:20 15724:19 15729:24 15731:4 15732:20 15744:14 15746:7,21 15771:10</p> <p>announce 15574:23 15577:14</p>	<p>anonymous 15763:24</p> <p>answer 15574:18 15577:8 15581:22,25 15584:9,11 15589:14 15597:3,4,8,12,16,20 15600:11,19,20 15601:17,19 15605:23,23 15606:7 15606:8,14,24 15613:1 15615:24 15618:3 15622:16,17 15628:3 15629:17 15643:11 15645:19 15647:9 15648:24 15651:4 15653:13 15664:25 15666:7 15689:7 15702:19 15710:4 15711:16 15712:10 15714:18 15723:17 15724:9 15726:23 15727:10 15730:9 15737:5,25 15738:12,16 15747:4 15755:8 15772:18 15775:21 15779:15 15785:21 15787:22 15788:9 15794:5</p> <p>answered 15606:9 15607:25 15609:5 15626:22 15645:14 15666:13 15738:2 15769:9</p> <p>answering 15597:6 15607:1,4 15667:1</p> <p>answers 15730:11,12 15739:20</p> <p>answer's 15710:5</p> <p>anticipate 15603:11 15654:22,24</p> <p>anticipated 15587:6 15604:7 15627:13 15631:1 15633:19 15645:9 15654:20 15672:15</p> <p>anticipating 15689:1</p> <p>anticipation 15631:4</p> <p>anybody 15725:20 15741:8</p> <p>anymore 15624:16 15650:22</p> <p>anyway 15576:25 15607:24 15622:13 15648:22 15657:9 15674:22 15679:20 15695:20 15725:21 15725:21 15726:4 15730:7 15743:24 15749:1 15763:7 15771:5 15773:12</p> <p>apart 15591:12 15789:4</p> <p>appeal 15574:14,14 15575:1,7,15,21,25 15576:1,5,5,6,8,10,12 15576:22</p> <p>appear 15670:8</p>
----------	--	--	--	---

15758:15 15764:7 appeared 15682:11 15708:19 appears 15629:5 15669:24 15673:23 15674:3,11 15710:5 15721:4 15756:3 15762:4,18 15769:14 applicable 15580:14 15725:8 application 15574:14 15575:11,15,17 15576:8 15764:25 15775:2 applying 15601:9 appraise 15776:24 appraised 15744:7 appreciation 15774:23 15781:19 apprised 15795:22 approach 15583:8 15587:8,20 15588:2 15604:6 15609:14,14 15616:2,25 15654:10 15654:11 15660:10 15688:9 approached 15582:14 15613:25 15628:14 15671:20 15771:20 approaches 15769:20 15790:14 approaching 15583:20 15626:4 15790:22 appropriate 15585:22 15592:6 15617:11 15622:23 15726:11 15744:3 approved 15745:17 approximately 15588:15 15708:15 15733:8 April 15753:12 apropos 15638:2 architect 15667:8 15687:13 15716:8 area 15582:21,24 15590:3,5,5 15596:18 15604:7 15610:7,21 15612:13 15613:21 15613:21 15636:20 15637:7,11,12,20,23 15638:3,4,4,5,11,11 15638:20,23 15639:3 15639:4,6 15640:14 15641:4,9,13,16,21 15642:10 15644:7,17 15663:1 15670:18,22 15671:2,21 15672:20 15673:3,5,6,9,16 15698:1 15732:18 15744:5 15769:7 15790:10 areas 15670:18 15673:4 15794:9,12 aren't 15751:14 argue 15600:22	15714:2 15726:17 15739:20 15768:25 15775:20 15787:9 argued 15666:5 arguing 15789:18 argument 15615:13 15622:13 15636:9 15646:15 15647:7 15666:18,24,24 15667:16,17 15726:11 15739:23 15740:1,3,4 15788:2 arguments 15646:24 Argus 15692:24 arises 15666:3 15684:16 arm 15780:15 armed 15614:5,6 15619:16,17,23 armoured 15587:23 15588:14,19 15673:10,11 arms 15654:13 15658:23 arrangement 15637:14 arrangements 15578:6 15623:17 arrest 15580:8 15623:18,18,19 15676:18 arrested 15574:16 15575:9 arresting 15623:23 15624:2 15771:11 arrests 15625:5,7,8,13 arrival 15769:6 arrive 15748:25 15771:19 arrived 15660:18,19 15693:13 15737:17 arrow 15644:4,6,16,25 15645:11 article 15692:21,21 15750:25 15751:3 15753:4 articles 15692:22,25 ascertain 15639:5 15722:20 ascertainable 15640:8 ascertained 15639:11 15640:16 ascribed 15750:4,14,14 15752:4,7,12 15753:1 15753:6,11 15772:9 15772:22 15794:7 aside 15704:21 asked 15577:17 15597:12 15607:7 15622:15 15643:12 15666:3 15679:4 15685:15 15689:18 15689:21 15714:21 15728:17,22 15737:7 15738:9 15768:17 15769:7,10 15771:20 15775:16 15779:15	15779:16 15785:11 asking 15597:10 15607:14 15617:16 15622:6 15642:15 15646:12,19 15662:10 15663:25 15664:18,19 15666:23 15672:17 15699:18 15703:5,8 15711:3 15712:9,10 15712:11 15726:5,23 15740:8 15775:17 15777:11 15779:25 asks 15742:15 aspect 15596:17 15607:8 aspects 15715:6 assault 15778:15,18 assembled 15717:5 assess 15766:19 assets 15596:23 15611:9 15633:25 assist 15586:22 15588:16 15628:7 15635:6 15670:23 15672:19 15680:21 15704:25 15705:3 15723:4 assistance 15675:7,17 15686:2 15705:10 15766:16 assisted 15622:15 15774:24 15775:3 assisting 15774:19 associated 15780:6 assume 15674:22 15686:3 15688:16 15768:24 assumes 15704:14,17 assumption 15654:18 15666:14,14,15,15 15667:3,6,19 15698:17 assumptions 15654:3 assure 15574:24 15784:6 atmospheric 15579:8 attached 15775:1 attack 15615:7 15616:6 15617:14 15619:12 15655:21 15656:10 15668:18 15669:11 15710:8 15789:4,25 attacked 15615:11 15655:24 15656:7 15672:8 15675:6 15708:14 15709:4,25 attackers 15709:19 attacking 15601:7 15615:9 15656:2 attacks 15635:16 15698:19,19 attendance 15578:7 attended 15575:3 15718:14 15722:23 15723:10 15724:1	attention 15636:23 15732:22 attentive 15786:15 attire 15578:17 attitude 15608:6 15763:23 attorneys 15575:5 15758:13 15763:14 15764:20 attributed 15701:15 audio 15782:1,2 auditorium 15787:6 August 15649:9 15660:17 15689:15 15708:21 15762:7,10 15762:12,13 15776:20 author 15757:12 15763:13,21 15764:15,23 authors 15669:13 author's 15763:16,17 15763:17 Automatically 15575:22,23 available 15578:3 15664:6 15758:17 15784:25 15785:4 avoid 15610:15 15612:21 15614:23 15625:22 avoids 15656:15 aware 15598:25 15599:3 15652:7 15676:11 15687:7 15688:13 15691:23 15692:12,15,16 15693:11,22 15694:11,12 15697:3 15697:5 15701:23 15703:25 15704:3,4 15705:25 15712:19 15731:16 15734:17 15735:24 15743:1 15744:13 15747:21 15750:3,13,17 15752:6,12,25 15753:1,6,10,13,15 15772:1 15773:17,18 15773:19 15775:23 15776:1 15781:11,14 15786:9 15794:13,16	15691:17 15697:11 15700:7 15702:23 15717:23 15725:12 15725:15 15726:1,3 15731:5 15732:13 15736:11 15742:12 15743:12,13 15749:2 15749:8 15758:1 15779:23 15782:7,9 15782:15 15787:24 background 15601:9 backwards 15708:12 15780:18 bad 15583:12 Baloyi 15776:10,11 banded 15773:2 barbed 15610:10 15630:23 15661:1 15663:2 15769:8 barrier 15587:16 15611:9 15638:19,19 15663:2 15745:3 barriers 15671:10 base 15603:11 based 15581:7 15585:16 15609:1,21 15634:7 15650:8,17 15657:18 15664:4 15667:11 15676:13 15710:6 15711:4 15716:3 15721:20 15724:22 15736:5,6 15745:13 15746:6 15757:17 15788:2 15790:1,5,5,6,9 basement 15690:17 basic 15591:14 basically 15585:11 15729:3 15767:13 basis 15577:25 15578:7 15617:13 15629:3 15637:17 15646:24 15653:5 15654:3 15696:9 15711:14 15765:2,4 15767:11 batteries 15592:16 battle 15756:2 bear 15647:11 15669:6 15679:25 bearings 15637:10 15640:7 becoming 15614:2 15772:17 began 15662:23,23 15725:15,21 15743:2 15743:21 beginning 15665:8 15677:14 15707:22 15708:6,8 15742:24 15782:8,10,15,16 15785:7 15794:8 15795:18 begins 15763:12 behalf 15593:16 15763:14 15791:1 beings 15621:3,6,9
B				
back 15581:17,21 15586:8,14 15591:1 15594:5 15595:4 15596:15 15601:3 15603:25 15604:2,13 15609:18 15611:25 15614:7 15620:22 15630:3 15634:13,15 15637:7 15640:13 15648:19 15650:12 15660:6 15662:9,11 15662:13 15665:17				

<p>believe 15575:7,10 15580:23 15606:4 15615:9 15646:11 15661:16 15662:16 15678:3 15716:18,19 15724:25 15731:23 15737:2 15787:24</p> <p>believes 15774:2,3</p> <p>belligerents 15642:7,8</p> <p>benefit 15576:18</p> <p>best 15580:21 15604:1 15768:1,7 15792:11 15792:15</p> <p>better 15583:21 15649:4 15732:11 15782:7</p> <p>beyond 15598:1</p> <p>big 15640:18 15741:4 15750:19 15758:22</p> <p>biggest 15579:10,12,14</p> <p>bishop 15691:20 15692:4,5,8,13 15694:10 15712:14</p> <p>bishop's 15693:11</p> <p>Bishop's 15712:13</p> <p>bit 15612:15 15637:25 15666:5 15733:18 15734:4 15743:8 15748:19</p> <p>bits 15760:1</p> <p>bizarre 15756:9 15757:6</p> <p>blame 15651:3 15729:22 15739:9</p> <p>blamed 15776:6</p> <p>blocking 15653:16</p> <p>blurred 15784:21</p> <p>board 15574:15 15617:25</p> <p>bodies 15713:6</p> <p>body 15779:22</p> <p>book 15694:1 15760:10 15772:22</p> <p>borne 15696:1</p> <p>Botes 15706:8 15774:20</p> <p>bother 15734:17</p> <p>bottom 15589:3 15635:3,4 15760:25</p> <p>boundaries 15637:23 15639:12 15640:21 15641:25 15642:16</p> <p>boundary 15638:16 15639:13,15,20 15640:12,16,16,22 15642:3</p> <p>bounds 15597:20</p> <p>box 15589:5 15607:7 15628:5 15637:12</p> <p>boxes 15628:5</p> <p>brainstorming 15728:16</p> <p>break 15600:9 15615:21 15624:1 15636:9 15680:3,7 15711:21</p>	<p>breaking 15632:10</p> <p>brief 15732:17 15749:8</p> <p>briefed 15595:20 15746:16</p> <p>briefing 15585:6 15693:15 15729:18 15731:16,22 15732:16 15733:20 15746:11 15748:10 15748:21 15749:5</p> <p>briefings 15671:22 15731:18,18 15741:17 15745:16 15746:4</p> <p>Brigadier 15587:12,12 15588:8 15604:1 15612:4 15621:18 15661:25 15662:5,8 15662:18 15665:17 15665:20,25 15666:10 15673:16 15693:14 15706:16 15706:20 15707:25 15708:18 15709:4 15710:14,15,22 15711:6,7 15712:21 15749:23 15754:23 15755:2 15757:22,24 15758:4 15769:8 15772:1</p> <p>Calitz's 15753:15</p> <p>Calitz's 15708:24 15713:2</p> <p>call 15590:3 15591:22 15602:23 15622:20 15654:2 15661:10 15662:22 15670:21 15703:20,21 15723:9 15745:16 15746:4,6 15749:22 15778:12 15780:5 15785:1</p> <p>called 15603:15 15660:24 15663:21 15687:24 15689:11 15694:10 15746:9 15762:6,20 15773:16</p> <p>calling 15780:12,13 15781:10</p> <p>calls 15623:6</p> <p>call-up 15704:8 15761:9,11,17,24 15762:2</p> <p>canalise 15611:11,11</p> <p>cannons 15678:25</p> <p>canon 15659:5,13</p> <p>can't 15580:4 15586:8 15591:4 15592:23 15600:8 15607:20,21 15621:16 15622:2 15650:19 15673:2 15677:13 15679:4,20 15685:23,24 15687:3 15741:21 15743:24 15747:16 15755:1,3,7 15772:13,14,18 15789:6</p> <p>capability 15668:17</p> <p>Captain 15620:20 15683:14 15684:9</p>	<p>15770:3</p> <p>bulletproof 15679:9</p> <p>bullets 15603:3 15677:8</p> <p>bundle 15761:7</p> <p>Burgers 15762:8,10</p> <p>Business 15692:23</p> <p>busy 15579:6 15617:9,9 15713:7</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>Calitz 15587:12,12 15588:9 15604:1 15612:5 15621:18 15661:25 15662:5,8 15662:18 15665:17 15665:20,25 15666:10 15673:16 15693:14 15706:16 15706:20 15707:25 15708:18 15709:4 15710:14,15,22 15711:6,7 15712:21 15749:23 15754:23 15755:2 15757:22,24 15758:4 15769:8 15772:1</p> <p>Calitz's 15753:15</p> <p>Calitz's 15708:24 15713:2</p> <p>call 15590:3 15591:22 15602:23 15622:20 15654:2 15661:10 15662:22 15670:21 15703:20,21 15723:9 15745:16 15746:4,6 15749:22 15778:12 15780:5 15785:1</p> <p>called 15603:15 15660:24 15663:21 15687:24 15689:11 15694:10 15746:9 15762:6,20 15773:16</p> <p>calling 15780:12,13 15781:10</p> <p>calls 15623:6</p> <p>call-up 15704:8 15761:9,11,17,24 15762:2</p> <p>canalise 15611:11,11</p> <p>cannons 15678:25</p> <p>canon 15659:5,13</p> <p>can't 15580:4 15586:8 15591:4 15592:23 15600:8 15607:20,21 15621:16 15622:2 15650:19 15673:2 15677:13 15679:4,20 15685:23,24 15687:3 15741:21 15743:24 15747:16 15755:1,3,7 15772:13,14,18 15789:6</p> <p>capability 15668:17</p> <p>Captain 15620:20 15683:14 15684:9</p>	<p>15741:24 15742:7</p> <p>caption 15643:25 15644:22 15750:25 15751:19</p> <p>car 15726:2</p> <p>cardboard 15779:6</p> <p>cards 15773:23</p> <p>carefully 15583:23 15783:23</p> <p>carried 15776:12</p> <p>carries 15628:9 15645:7</p> <p>carry 15591:21 15600:3 15611:14 15615:19 15683:11 15704:22 15722:9 15736:12 15737:4 15764:19 15767:25 15776:9</p> <p>carrying 15618:21 15625:23</p> <p>cascades 15593:17</p> <p>case 15578:10 15603:10 15607:22 15609:10 15614:9 15627:15 15639:4 15642:3 15651:9 15670:8 15681:19 15687:14 15714:2 15719:19 15752:20 15780:7,22</p> <p>cases 15576:15 15577:24 15698:19 15766:12</p> <p>caucused 15766:2</p> <p>causally 15714:9 15727:24</p> <p>cause 15622:7</p> <p>caused 15596:12</p> <p>caveat 15582:2</p> <p>cease 15576:1 15780:5 15780:15,20,21,24 15781:4,12,18</p> <p>ceasefire 15780:12 15781:10</p> <p>cells 15623:17 15625:9</p> <p>central 15637:13,20 15640:10,14</p> <p>certain 15582:3,3 15624:24 15633:25 15667:4 15672:6 15681:15 15693:21 15704:7 15746:2 15748:21 15762:19</p> <p>certainly 15574:10 15608:1 15619:14 15695:17</p> <p>certainty 15631:7</p> <p>cetera 15725:10</p> <p>chain 15746:18</p> <p>Chair 15597:5 15607:14 15608:8 15626:10 15633:16 15648:7 15674:13 15678:4 15679:25 15682:20 15683:18</p>	<p>15698:13 15704:13 15705:24 15721:5 15722:11,12 15726:10 15727:5,15 15736:25 15737:6 15750:21 15758:9 15760:5,15 15761:9 15761:22 15765:4,10 15770:22 15785:19 15795:21</p> <p>Chairperson's 15651:4</p> <p>challenged 15682:23</p> <p>challenging 15680:19</p> <p>chamber 15592:19</p> <p>chambers 15577:24 15578:3,9,12,13 15636:19</p> <p>chance 15705:7 15730:8,22 15737:13 15746:7 15758:8</p> <p>change 15638:6 15795:2</p> <p>changed 15611:25 15718:21 15793:3</p> <p>changes 15688:13,15 15688:16 15795:22</p> <p>Channel 15583:17,18 15587:18</p> <p>chapter 15723:5</p> <p>charge 15597:25</p> <p>chased 15625:4</p> <p>Chaskalson 15649:18 15651:4 15652:6 15682:21 15686:16 15723:3,19,20 15724:10 15755:12 15765:24 15766:7 15768:17</p> <p>Chaskalson's 15585:10 15651:12</p> <p>check 15592:15,16,17 15650:12</p> <p>checked 15637:16</p> <p>checking 15723:16</p> <p>checklist 15732:24,24</p> <p>chief 15735:15</p> <p>Chinese 15634:16</p> <p>choose 15790:20</p> <p>chopped 15708:22</p> <p>Church 15692:5</p> <p>circle 15644:24</p> <p>circles 15744:20</p> <p>circumstances 15578:8 15591:2 15594:8 15596:15 15652:3 15674:6</p> <p>circumstantial 15607:22 15609:23</p> <p>city 15638:17 15640:19</p> <p>civilian 15596:24</p> <p>clad 15578:20</p> <p>claimed 15741:19</p> <p>clarified 15584:8</p> <p>clarify 15658:4</p> <p>clarity 15795:8</p> <p>clear 15585:10 15587:7</p>
---	---	--	---	--

<p>15614:15 15630:8 15631:17 15646:21 15657:3 15663:4 15664:22 15712:8 15721:18 15728:10 15753:10 15756:6 15767:12 cleared 15737:23 15738:3 clearer 15595:25 15787:5 clearly 15663:7 15708:15,16 15721:10 15733:14 15740:21 15782:16 clients 15575:8,24 15578:17 15607:19 Cliffe 15758:12 15763:13 15764:20 clip 15681:20 15684:3 15684:25 15685:5,16 15726:2 15777:13,20 15777:21,22,23 15778:3,8 15782:12 clips 15667:15 15681:15 15705:8 15783:25 15786:1 clocks 15747:17 close 15627:16 15697:23 15757:5 15782:23 closed 15582:17 15587:15 15645:24 15645:24 closely 15594:17 15770:16 closer 15595:23 closing 15756:21 cloth 15692:12 cocked 15591:16,18 15592:9,18 15606:1 15606:19 cocking 15592:1,6 coin 15602:24 coincidence 15691:17 15794:15 coincides 15771:22 collate 15719:16 collated 15711:13 collation 15718:12 colleague 15737:10,15 colleagues 15588:16 15599:17 15600:7 15758:24 collecting 15650:7 colours 15644:21 combine 15574:17 come 15576:15 15581:17 15587:8 15588:6 15603:12 15604:13 15606:21 15612:11,12 15613:22 15618:19 15620:3,4,4,6 15627:23 15634:13 15637:7 15641:14</p>	<p>15648:19 15654:25 15658:14 15660:6 15662:9,11,13 15665:17 15670:22 15697:11,25 15699:10,25 15702:5 15709:25 15720:8 15725:3,15 15734:25 15743:11 15757:21 15759:11 15764:1 15766:22 15769:10 15774:3 15779:5 15792:8 comes 15624:19 15721:22 15764:19 15770:3 15786:23 comfort 15615:21 15680:3,7 coming 15581:10,11 15594:24 15614:4 15621:10 15627:25 15642:23 15660:4 15671:25 15702:23 15719:24 15726:3 15728:9 15729:3,6 15743:12 15779:6 15789:25 15790:13 command 15600:4,5 15630:23 15669:25 15670:6,13 15672:20 15674:10 15675:3,6 15675:10,12 15676:4 15676:5,9,10,11,15 15676:21,23 15677:4 15677:7,21,24 15746:18 commander 15583:2 15585:21 15586:6 15595:22 15601:12 15605:12 15630:24 15633:21 15662:2 15670:1,13,19,24 15672:5,21 15674:11 15675:13 15677:7 15733:11 commanders 15585:16 15587:11 15599:23 15706:18,22 15731:18 15732:3,7 15745:12 15748:15 commander's 15595:2 15746:6 commands 15587:10 15710:21 commence 15731:6 commencing 15762:7 comment 15592:6 15621:16 15626:18 15645:22 15646:3,5,8 15772:14 15787:12 15789:6,12 comments 15669:17 15769:21 Commission 15574:2,9 15577:8,17 15580:22 15636:12,12,13</p>	<p>15637:17 15680:10 15680:10,11 15684:7 15686:16,20 15690:2 15690:5 15711:12 15713:17,17,18 15714:8 15721:14 15725:4 15736:18 15750:2,20 15753:22 15759:14,14 15766:10,22 15773:23 15778:5 15782:24 15785:5 15791:14 15792:16 15793:12 15794:9,21 15796:5 Commissioner 15581:23 15584:5 15625:14 15629:24 15632:17 15647:16 15647:19 15717:16 15717:17 15718:19 15718:19 15720:12 15720:20 15722:23 15723:12 15724:19 15742:25 15743:1,21 15744:6,12,17 15746:9,20,25 15747:2 15750:5,16 15751:21 15753:7,17 15760:2 15761:23 15762:13 15765:8 15774:16 15776:8 15786:11,14,20 Commissioners 15724:2 15795:11 commitment 15714:11 committee 15577:25 common 15622:7 15661:20 15781:17 communicated 15643:9 communication 15621:2,5,11 15671:18 communications 15592:15 15712:25 community 15739:5 15740:13 compared 15587:6 comparison 15600:23 compilation 15712:12 compiled 15711:15 15721:10 complete 15724:5 15732:25 completely 15653:25 15739:21 completion 15724:16 15752:17 complex 15714:21 comply 15704:2 complying 15698:20 component 15659:18 computer 15732:6,11 15743:6 15787:5 conceal 15758:13 concealed 15618:21</p>	<p>concealment 15764:2 concede 15617:10 conceded 15610:9 conceding 15730:18,20 conceived 15657:19 concentrating 15747:18 concept 15618:1 15630:15 concern 15578:13 15619:14 15620:24 15721:1,3 15741:6 concerned 15606:12 15664:16 15674:23 15675:15 15729:1,2,5 15729:13 15739:4 15767:13 15772:11 concerns 15632:7 15678:6 concession 15617:11 concluded 15704:1 conclusion 15714:23 15728:9 condition 15591:24,25 15763:18 conduct 15771:1 conducted 15692:13 confess 15724:9 15742:1 15766:3 confident 15771:1 confidential 15760:11 15760:14 confining 15791:22 confirm 15638:3 15667:17 15685:22 15685:23 15717:6 confirmed 15579:9 15590:11 15608:23 15727:22 conflict 15589:21 15616:12 15618:5 15626:23 15655:6 15735:21 15736:7 15738:19 15739:7,7 confrontation 15596:1 15650:3,17 15652:21 15653:10,18 confused 15738:4 confusing 15586:2 congregating 15697:22 connected 15714:9 15727:24 conscious 15615:3 consequences 15594:1 15594:12 15595:17 consider 15578:10 15625:24 15638:20 15658:12,20 15741:5 consideration 15601:9 15632:8 15735:10 15736:17,22 considered 15585:22 15625:19 15784:3 considering 15633:23 15735:4 15792:6 consistent 15749:12</p>	<p>constituted 15726:17 constitutes 15656:10 Constitutional 15576:10,13 consultation 15766:8 contact 15702:17,25 contain 15682:17 contained 15772:8 15789:2 containing 15686:5 contains 15685:6 15784:9 CONTD 15579:2 15638:1 15680:17 15713:22 15768:6 content 15767:10 15788:8 contention 15608:5 contents 15746:23 contested 15706:7 15764:3 context 15587:5 15590:22,24 15596:6 15596:25 15600:23 15601:17 15602:15 15604:24 15630:4 15638:17 15640:19 15646:18 15670:23 15691:7 15697:24 15700:6 15737:7 15739:3 15767:1,6,12 15767:16,22 15779:24 15782:15 contingency 15603:10 15630:23,25 15631:9 15633:19 15655:18 15671:6 continual 15603:18 continually 15603:19 continuation 15684:25 15762:21 continue 15576:2 15579:6 15671:14 15705:21 15735:20 15783:5 15794:24 continued 15661:3 15738:15 15794:23 continues 15685:16 continuous 15636:4 continuum 15580:3 15587:3 15601:4 15625:3 contract 15755:14,15 15755:18,21,22,23 15756:1,3,7,10,23 15757:6 15768:18 contracts 15756:22 15768:4 contradicted 15756:13 contrary 15773:25 contrast 15778:4 contribute 15773:8,8 controversial 15789:23 convenient 15698:1 conventional 15745:24 conversant 15770:25</p>
--	---	---	---	--

<p>conversation 15662:6 15691:4 15758:11 convey 15729:15 conveyed 15714:12 15715:11 15727:23 15746:22 conveys 15696:13 coordinates 15636:24 copy 15691:13 15763:4 15763:5,6 15765:18 cordon 15774:17 15775:2 corrected 15585:8 correction 15735:5 correctly 15606:10 15608:7 15657:20 15785:9 costs 15661:4 couldn't 15590:4 15591:8 15671:24 15698:25 15699:6 15780:19 15783:2 Councillor 15775:12 counsel 15578:5 15790:2 countervailing 15791:5 counter-offer 15705:16 country 15578:19,21 15773:3 counts 15639:23 couple 15767:17,19 15786:4 course 15584:24,25 15592:22 15612:18 15616:12 15617:7 15619:9,13,22 15620:2 15621:22 15623:4 15625:2 15657:6 15666:3 15678:11,19 15687:25 15695:10 15699:3,6 15705:24 15716:25 15725:17 15728:20 15738:14 15751:10 15773:12 15775:24 15778:12 court 15574:19 15575:12 15576:6,11 15576:14 cover 15603:10 15683:9 15740:7 15752:8 15788:12 covered 15610:7 15681:16 15682:21 15683:8,10 15685:9 15736:15 15738:9 15757:20 covers 15610:7 co-authored 15791:12 create 15641:21 created 15583:6 15641:16 creates 15716:20 crisis 15583:10 15603:14,19 15604:5 critical 15596:17</p>	<p>15599:24 15638:13 15686:21,25 15687:2 15687:14 criticism 15788:3 criticism 15699:23 15700:14 15702:14 15750:16 15753:5,7 15788:7 critique 15701:13,17 cross 15585:10 15634:7 15637:5 15713:19 15757:20 crossed 15735:8,9 15736:20 15740:6,11 15740:11,17,19 cross-examination 15579:1,2 15614:24 15638:1 15680:17 15681:16 15713:22 15722:6 15755:4 15759:12 15764:4 15768:1,6 15794:11 cross-examine 15702:24 15795:14 cross-examining 15788:8 crouch 15584:2 15614:1 15789:5 crouched 15779:21 crouching 15789:15 crowd 15633:24,25 15638:10 15650:22 15663:17 15687:25 15688:18 15689:4 crowds 15638:10 15639:2 crucial 15581:3 15595:17,19 15686:7 15785:17 15786:7,7 15793:11 current 15715:22 15720:15 curving 15611:17 custom-made 15686:18 cut 15640:5 15684:23 15686:4,8 15784:9,20 15786:5 cutting 15785:14</p> <hr/> <p style="text-align: center;">D</p> <p>Daily 15692:24 damaged 15698:21 danger 15645:3 15668:10 15671:3 dangerous 15600:8 15622:20 15676:17 15699:9 15741:18 dangling 15700:16,20 dat 15708:2 dates 15717:23 15761:25 day 15575:2 15578:11 15587:10 15609:21 15640:21 15642:18 15645:18 15646:23 15647:3 15648:17,20</p>	<p>15691:15 15717:24 15725:3,5 15735:22 15736:6,7 15742:8 15762:12 15771:14 15771:24 15786:3 15789:23 15791:4 days 15614:8 15658:14 15754:2 15771:12 15788:17 15790:6 dead 15592:4 deadlock 15743:23 deadly 15593:25 15594:11 15595:17 deal 15580:9,10 15581:15 15601:8 15607:9 15634:15 15658:15 15666:4 15702:15,15 15780:25 15795:7 dealing 15635:14 15650:10 15655:13 15658:13 15663:23 15706:16 15718:10 15720:2 15738:7 15788:7 deals 15679:9 dealt 15647:7,7 15682:11 15717:20 15717:20 15719:4 15736:1 15755:12 15773:10 15790:7 death 15668:6 15708:22 15755:21 deaths 15740:14 15787:11 debate 15656:11 15657:10 15706:9 15788:17 15791:7 decently 15578:19 decide 15609:20 15613:9 15615:7 15616:25 15634:7 15646:23 15740:4 15759:10 15786:1 15791:4 decided 15624:20 15652:14 deciding 15784:14 decision 15595:6 15603:15,17,18 15615:4 15616:21,22 15624:25 15656:25 15665:7 15670:24 15676:12 15691:8,15 15714:9 15715:13,15 15725:1,5,6 15727:18 15729:19,22,23 15730:2,24 15774:4 15790:12 15795:12 decisions 15603:13 15658:7 15672:6,7 15744:1 15745:12 decisive 15595:17 dedicated 15778:12,21 deduct 15722:17 deduction 15616:18</p>	<p>15650:23 15651:18 15741:8 deductions 15793:5 deem 15641:10 deemed 15686:25 deep 15719:12 defence 15590:4 15668:22 15670:6,10 15670:12 15672:13 15676:6,8,13,17,17 15676:21 15679:17 15679:18 defend 15590:2 15599:20 15669:25 defending 15590:3 15615:8 defensive 15612:1 15633:23 defiant 15616:14 15618:4 15623:14 15624:10,12 defiantly 15617:1 defined 15638:24 15656:18 15661:13 definite 15790:18 degree 15613:21,21 15624:10 15626:22 15745:7 15779:23 15792:17 degrees 15637:10,13 Dekker 15758:12 15763:13 15764:20 delegate 15761:20 deliberately 15606:11 15681:8 15686:8 15696:11,16 15736:14 15793:10 deliver 15614:3 15714:11 delivered 15794:21,22 demarcated 15639:5 15641:25 15671:21 demonstrate 15684:22 demoting 15692:7 denied 15751:17 15752:14 15753:12 denies 15751:23 15753:2 Dennis 15620:20 depart 15593:21 15618:6 departing 15644:2,16 15644:24 departure 15586:19 15643:3 15726:13 Depending 15762:14 depends 15656:6 15779:10 depict 15644:10,12 15794:2 depicting 15644:7 depicts 15644:16 deployed 15632:9 15633:18,20 15660:6 15672:14 15732:12 15735:7</p>	<p>deploying 15630:22 15632:6 15652:9 15671:6 deployment 15630:3,12 15634:2 15652:8 deploys 15632:5 deposed 15721:8 depth 15747:22 15748:22,23 15793:21 derive 15711:3 derived 15703:5 describe 15657:7 15777:7,10,12 described 15663:2 15684:5 15786:6 descriptions 15652:19 designed 15581:13 desirable 15733:15 despite 15574:25 15575:7,14 15760:13 15764:13 15785:3 destroy 15722:5 destroyed 15697:23 detail 15633:17 15745:19 detailed 15649:3 details 15688:12 15744:8,13,16,17 determinable 15665:13 determine 15639:24 developing 15617:25 15665:22 deviation 15586:10 15610:9 deviations 15583:13 devices 15793:24 de-escalated 15703:12 dialogue 15580:2 15654:23 15658:17 15661:18 15695:3 15725:9 15739:12 15741:15 dictates 15746:1 didn't 15577:22 15584:12,23 15592:12 15593:5 15596:18 15599:10 15599:13 15601:16 15601:19 15606:3,18 15610:24 15618:5 15619:24 15622:5 15623:17,22 15624:7 15624:23 15625:1,4 15626:4,23 15629:12 15631:19 15632:11 15666:17 15670:6 15674:10,11,17 15675:4,14,19 15679:1 15689:20 15691:13 15693:19 15696:3,16 15697:15 15698:5 15701:16 15702:6 15715:7 15716:7 15717:7,10 15719:12,15,20</p>
---	---	--	--	--

15722:5,8 15736:4 15741:5 15754:16 15770:19 15776:13 15783:16,24 15786:12,15 15792:3 15792:18 15794:24 die 15617:1 15708:1,2 15756:8 15768:18 15770:8 15773:2 15780:8,9 died 15644:17 15658:10 15775:24 difference 15647:25 15649:22 15740:9 15741:12 15752:13 different 15585:1 15591:2,21,22 15593:18 15594:7 15596:15 15601:20 15603:8 15646:18 15670:11 15672:10 15701:16 15756:2 15761:24,25 15769:22 15771:14 15778:13 15779:8 differently 15785:20 differing 15582:7 difficult 15617:2 15650:24 15735:3 15739:1 15761:20 15771:16 15779:24 difficulty 15611:21 15784:2 dig 15719:12 direct 15607:24 15608:2,3,5 15609:22 15663:24 15664:4 15667:10 15695:24 15702:22,25 15704:10 directed 15695:22 direction 15653:21,23 15709:20 15745:19 15790:20,20 directions 15613:14 15642:23 directly 15576:10 15582:14 15644:3 15668:19 15704:23 15730:8 15773:16,21 Dirk 15774:20 disagree 15604:19 15789:13 15790:4 15794:18 disarm 15610:22,23 15611:23 15623:10 disarming 15625:8 disaster 15604:16 15605:14 disclosed 15684:7 discovered 15682:3 discreet 15705:18 discretion 15585:21 15586:5 15595:2,21 15595:22 15605:11 15633:21 15745:12	discussed 15607:20 15671:23 15771:10 discussing 15581:22 15600:12 15753:17 discussion 15575:6 15602:15 15638:23 15720:23 15729:2 15746:21 15752:4,8 15768:23 discussions 15575:16 15702:19 15703:2 dispersal 15583:3,4 15596:4 15613:8 15625:15,16 15629:25 15630:1 15632:18 15728:20 disperse 15610:23 15623:10 15624:23 15632:2 15645:7 15745:1,10 15790:19 dispersion 15584:15 15594:16 15604:3 15610:4 15611:12 15613:13 15616:10 15618:8 15624:1,3,5 15645:7 15677:6 15791:1 displayed 15785:8 disposal 15609:18 disputation 15774:10 dispute 15793:18 disputed 15773:16,22 disputing 15725:1 disregarded 15714:24 dissipated 15781:4,9 dissuade 15601:7 15634:22 15658:17 distance 15582:2 15583:12 15586:11 15586:20 15588:20 15589:16,17 15590:12,17 15600:13,17 15601:23 15602:1,7 15602:18 15673:13 distances 15599:1 15778:24 15779:16 distinction 15642:7 15670:14 Divisional 15762:13 doctored 15768:25 15791:13 document 15635:11,14 15647:17,20,22 15648:1,11,11,13,16 15679:2 15687:11,24 15687:24 15688:2,6,9 15688:22 15734:3 15751:6 15758:10,11 15758:15,20 15760:1 15760:10 15762:5 15763:10,10,23 15764:5,13,19,21,24 15765:3,12,23,25 15766:4,13,17 15767:14,15,23,25	15768:9 15769:5 documentation 15704:7 15774:16 documents 15638:24 15755:20 15756:3 15759:9 15761:8,19 15763:7 15766:24,24 15774:15 doesn't 15597:16 15601:22 15605:13 15631:14 15634:1 15638:6 15649:6 15650:14 15667:6 15677:20 15678:10 15679:19 15728:2,2 15742:5 15755:2 15789:22 15793:3,22 doing 15575:2 15580:19 15585:18 15592:21 15604:1 15621:3 15623:3 15638:7 15646:2 15651:1 15683:12 15696:10,16 15728:18 15743:9 15745:13 15750:6 15756:21 15774:22 15792:11 15793:4 door 15757:5 dot 15749:1 doubt 15675:7 15715:1 15767:7 doubted 15676:1 draft 15679:1 15687:22 15723:5 15732:24 drafted 15678:16 15679:3,5 15704:5 drafting 15722:13 draftsman 15679:20 draw 15607:19 15617:7 15652:2 drawing 15615:16 15617:25 drawn 15791:3 drew 15610:24 15636:23 15679:2,3 drink 15616:5 15617:13,14 drive 15673:20,21,22 15749:3,8 15785:1 driving 15642:16 15749:4 due 15617:7 15657:6 15762:11 DUNCAN 15574:4 15636:15 15680:13 15713:21 15759:17 duration 15747:5,13 duties 15635:24 duty 15600:3 15614:4 15736:6 D-D 15742:8	15693:18 15695:9 15698:25 15699:10 15705:1 15725:4 15732:12 15744:10 15753:16 15756:3,14 15768:19 15770:2 15790:9 early 15628:19 15648:5 15769:6 Earth 15583:16 15732:10,19 easily 15638:14 15726:5 east 15582:24 15594:25 15611:12,25 eastern 15612:9 easy 15779:20 editing 15785:17 edition 15648:5,6 editor 15785:25 editorial 15750:25 15751:4 15785:20 educate 15779:4 EE 15720:9 15724:21 15728:8 15730:15 15731:1 EEE 15720:9 effect 15575:12 15594:22 15770:7 effectively 15670:20 15687:13 15728:8 15748:12 efficient 15796:2 effort 15661:10,15 15663:10 15664:9 15665:1 15689:3 15785:14 15791:1 efforts 15661:11 15662:13 15691:19 15692:12 15693:11 15702:10 eight 15741:19,19 15746:10,10 15792:7 15794:9,20 eighth 15794:7 either 15595:8 15597:24 15606:5 15610:6 15617:13 15651:16 15657:11 15670:21 15674:17 15676:3,16 15692:2 15699:6 15728:10 15738:8,13 15741:22 15781:7 15785:8,12 15789:2 ek 15706:25 15707:8,20 15707:22,25 15708:2 15708:24 elaborated 15601:20 Elgro 15762:23 15763:2 elicited 15622:8 15659:12,13 email 15796:2 emailed 15775:4 embedded 15581:14	embellished 15769:1 emerged 15606:20 15608:22,24 emotional 15611:20 15736:1 15739:17 15776:5 emotions 15735:16,24 15736:9,20 15739:13 15740:10,12 15741:7 15742:16 en 15587:17 encircle 15610:22,23 15623:10 15744:21 15744:24 encirclement 15744:21 enclose 15613:18 endangerment 15580:7 endeavour 15630:13 15708:11 endeavouring 15737:24 ended 15661:19 15682:16 ends 15784:25 enforce 15656:4 engage 15706:8,9,9,20 15710:13,13,13,20 15766:8 engaged 15710:16 engagements 15575:3,5 engineered 15630:9 English 15651:20 15783:8 enlarge 15788:23 enlighten 15686:20 15792:15 ensure 15763:6 enter 15693:19 entirely 15721:19 entitled 15578:19,20 15670:7 15700:21 entry 15610:20 15626:4 entry/exit 15594:24 environment 15591:25 15612:1 15613:19 15627:24 15638:12 15653:3 15697:22 15700:4 15779:5,12 environments 15697:24 envisage 15619:15 15623:23 15675:9 15678:24 15754:16 envisaged 15623:19 envisioned 15589:20,20 15594:8,15 15596:16 15625:12 epicentre 15580:13 equal 15586:12 equally 15664:3 15699:3 equation 15619:13 15641:17 equipment 15679:9 escalate 15580:7
E				
earlier 15592:9,21 15619:11 15648:22				

<p>escalation 15667:20,22 escape 15588:18 especially 15666:19 essence 15581:10 15582:6 15605:19 15611:17 15638:10 15638:15 15641:8,16 15658:18 15668:16 15767:9 15781:1 estimation 15588:1 15754:19 et 15725:9 etcetera 15592:17 15596:24 15638:15 15672:10 15745:4 15787:24 ETV 15662:10 evaluating 15724:17 evaluation 15724:23 evening 15689:12 15691:9 15738:8,13 event 15580:24 15581:8 15583:8 15586:8 15729:16 15776:5,6 events 15579:17 15598:22 15649:3 15692:21 15694:3 15737:20 15776:4 eventually 15729:15 everybody 15580:5 15581:11 15603:22 15604:5 15666:17 evidence-in 15735:14 exact 15637:6,15,15 15751:19 15771:12 exactly 15589:12 15614:15 15632:1,20 15636:1 15642:14 15643:23,23 15645:22,25 15659:18 15661:20 15681:22 15684:24 15684:24 15687:6 15720:24 15729:11 15749:1 15752:4,8 15756:15,20 15782:22 examination 15585:11 15634:8 15637:6 15713:20 15757:21 example 15635:2 15637:11 15677:11 15677:13 15681:15 15702:23 15706:8 15712:13 15779:1,18 15793:9,16,17 examples 15677:13,19 15682:2,24 exchange 15684:9 exclude 15793:11 Excuse 15765:8 execute 15746:4 executed 15575:14 15743:22 execution 15602:23</p>	<p>15720:23 exemplified 15793:9 exercise 15610:23 15623:11 exercised 15655:14 exercises 15746:3 exert 15658:9 exhausted 15661:11 15725:9 exhausting 15691:18 exhibit 15630:5 15636:24 15648:5 15649:20 15650:2,16 15651:21 15660:11 15660:13 15669:13 15677:9 15680:22 15685:18 15686:11 15686:11,17 15690:8 15693:8 15694:21 15695:7,21 15696:19 15696:22 15697:1 15701:11 15711:15 15712:12,14,18,18 15713:25 15717:15 15718:8 15719:4 15720:9,9 15721:12 15722:21,22 15723:10 15724:7,11 15724:21 15755:25 15756:13 15757:2,4 15758:10,15 15759:10,24 15760:3 15760:5,7,19 15761:7 15761:15,16 15764:5 15768:9 15772:8 15776:22 15777:1,2 15777:24,25 15791:12,25 15794:23,23 exhibits 15578:10 15732:14 15757:6 exist 15588:18 exit 15610:25 expect 15604:19 15608:3 15623:18 15634:11 15655:1 15673:12 15676:13 15779:21 expected 15664:13 15719:5 expecting 15660:18 expend 15674:9,14 15675:14 expended 15673:23,25 15673:25 15674:7,23 15675:15,18 experience 15603:8 experienced 15585:16 15618:8 15627:17 15655:6,17 15658:21 15739:18 15792:16 experiences 15625:25 experiencing 15580:25 15604:5 expertise 15792:5 15793:23</p>	<p>experts 15793:22,24 explain 15599:11 15693:6 15736:18 15755:3 15777:15 explained 15594:5 15612:5,18 15654:21 15740:20 15763:8 15795:18 explanation 15771:20 explore 15615:13 explored 15674:6 exploring 15657:6 express 15658:4 expression 15622:23 15721:9 15753:19 extend 15762:12 extended 15762:16,22 15763:4 extension 15762:1,16 extensive 15692:25 extent 15610:8 15636:20 15658:1 15696:10,11 15698:24 15699:7 15754:13,18 15775:10 15785:16 extra 15635:24 15672:13 extracted 15794:11 extracting 15622:9</p> <hr/> <p style="text-align: center;">F</p> <p>faced 15600:1 facilitate 15691:19 facing 15671:2 fact 15574:25 15575:14 15578:9 15581:2 15586:1 15592:8 15596:12 15620:8 15622:9 15623:18 15628:11 15636:23 15646:17,19 15655:13 15658:8,10 15662:12,24 15668:1 15686:12,20 15692:5 15693:7 15694:21 15695:20 15701:15 15704:14,17 15713:9 15716:15 15726:14 15736:5,7,8 15739:9 15741:7 15744:25 15745:23 15753:1,2 15760:13 15764:13 15770:2 15776:9 15779:22 15794:6 factor 15592:8 15595:18 factors 15596:11 15791:5 facts 15607:19 15615:17,17 15752:25 15790:5 fail 15609:15,19,20 15665:13 15716:18 failed 15654:6 15659:19 15660:21</p>	<p>15664:23 15665:2,12 15720:18 failure 15665:13 15714:10 fair 15582:4 15589:24 15606:17 15607:10 15621:1 15622:17 15629:7,7 15641:3 15653:15 15661:9 15664:12 15698:17 15706:3 15714:11 15721:21 15728:11 15739:22 15740:4 15747:25 15768:14 15769:2 15775:12 15778:23 fairly 15693:2 fairness 15739:19,25 15752:20 faith 15624:6 fall 15679:19 15705:14 fallen 15763:3 falls 15728:2 familiar 15677:22 15687:15 Fanagalo 15758:3 15770:13,25 15771:2 far 15598:24 15639:19 15663:4 15664:15 15674:22 15675:15 15690:11 15691:23 15692:22 15693:1 15702:21,25 15716:11 15723:10 15725:12 15742:25 15751:24 15759:5 15772:10 fashion 15587:2 15796:2 fast 15767:3 faster 15673:11 fatal 15698:19 15706:1 fatalities 15596:12 faults 15701:15 favour 15575:20 15653:13 fear 15619:9 15704:11 feedback 15716:19 15720:19 15776:8 feel 15738:23 15787:17 15794:14 feeling 15670:19 15697:21 felt 15671:23 15672:12 15697:13,17,18 15698:4,6 15700:4 15739:1,11 FFF27 15750:4,4 15751:3 field 15732:2 15733:12 fight 15697:3 15701:3,8 15756:8,12 15768:22 15769:12 15773:1 fighting 15694:24 filed 15575:1 files 15732:14</p>	<p>film 15620:23 filtering 15618:16 15619:6 final 15609:13,14 15616:16 15723:14 15733:11 15771:25 finally 15787:7 15794:4 find 15593:7 15600:3 15617:2 15624:3 15643:8 15660:16 15669:6,13,14 15676:25 15677:2,13 15677:13 15680:4,15 15692:17 15705:8 15712:7 15713:7 15745:25 15757:3 15771:3 15779:11 15792:13 findings 15792:8 fine 15597:17 15628:20 15641:14 15646:13 15663:9 15667:13 15689:9 15703:14 15709:2 15730:6,20 15741:24 15748:12 15755:10 15783:18 15787:6,8 fingerprint 15760:25 15761:6 finish 15700:17 15768:1 finished 15662:6 15700:25 15717:15 15721:13 15732:16 fire 15603:5 15668:9 15676:15 15677:7 15679:13 15713:10 15780:5,15,20,22,24 15781:4,8,13,18 15790:21 firearms 15591:19,22 15592:7,17 15679:12 firearm's 15591:23 fired 15655:10 firing 15656:18 15678:8 15779:8 15780:18,19,23,23 first 15577:7,21,23 15578:1 15580:2 15584:2 15589:4 15610:21 15614:25 15628:4 15645:24 15655:22 15656:2,22 15658:15,23 15662:6 15662:14 15663:15 15687:7 15689:23 15690:18 15693:1 15701:2 15707:12,19 15714:6 15715:11 15716:3,14,20 15717:4 15718:13 15720:6,25 15721:3 15721:19 15722:21 15723:9 15725:15 15729:9 15732:9,14 15744:8 15751:9</p>
---	---	--	--	---

15753:1,22 15757:5 15758:25 15762:2,19 15783:12,16 15785:10 firstly 15575:11 15613:2 15677:25 15760:1 15784:16 fit 15736:6 fits 15789:19 five 15660:24 15762:20 15769:10 15784:9,25 15785:4,5,14,17 15786:7,7 fives 15624:15 fixing 15732:19 flew 15709:21 flies 15608:21 flipchart 15732:20,23 flowing 15689:21 fluid 15580:24 flying 15603:4 follow 15594:18 followed 15653:6,9 15766:12 following 15608:9 15611:22 15653:17 15664:8 15751:12 15755:10 15762:11 15763:12 15769:15 15770:15 15772:5 follows 15651:19 15694:13 15720:12 15726:7 15750:25 follow-up 15618:9 foot 15663:3 footage 15683:14 15686:15 15701:17 15784:21 15792:5,8 footages 15793:6 force 15580:3 15587:3 15593:17 15601:4 15604:3 15609:12 15625:3 15641:22 15656:19,23 15658:17 15659:1,5 15677:21 15678:9,10 15678:13,19,25 15700:24 15710:18 15712:4 15727:12 15778:14 15779:5 forced 15588:18 forces 15582:17 15634:24 15635:6 15672:13,20 forefront 15654:25 foreign 15632:13 foreigners 15611:21 foresaw 15605:24 15606:4 15612:18 15617:24 15622:18 15622:20 15623:3,8 15627:3,4 15628:21 foresee 15605:2 15606:3 15610:24 15613:1 15616:13 15624:7 15625:15	15631:18 15736:4 15741:1 foreseen 15605:13 15609:25 15612:22 15612:22,24 15616:3 15616:3,8,9 15617:11 15617:16 15618:3,4 15626:14,15,19,22 15629:10 15631:10 foresight 15629:2 forget 15594:9 15703:11 forgive 15618:10 15669:23 form 15583:1,2 15584:2 15587:16 15613:8 15625:6 15732:7 15733:11,11 15741:10 15774:16 formed 15587:19 15608:24 15625:19 15671:11 formed-up 15618:7 forming 15638:18,19 15743:8 forms 15678:12 forth 15578:11 15612:23 15618:1 15704:9 15743:23 forthcoming 15575:9 Forum 15689:11,12 forward 15583:5 15584:3 15587:22,24 15590:1 15592:14 15594:16 15595:7,8 15595:10 15604:13 15612:20 15617:18 15618:11 15619:4,12 15658:13 15663:5 15732:18 15739:12 15747:24 15768:21 15769:10,11 15782:4 15789:25 forwards 15610:14 found 15649:16 15682:18 15684:15 15684:25 15697:11 15698:16 15699:19 15700:11 15723:17 15794:10 foundation 15666:9 15792:9 foundations 15664:21 15703:9 four 15617:23 15619:2 15625:11 15637:12 15661:1 15707:16,17 15707:19 15749:4 fourth 15630:22 15637:12 15707:18 fraction 15623:20 free 15578:19,21 freedom 15613:16 freely 15613:24 freeway 15726:15 Friday 15581:22	15589:14 15590:11 15637:6 friendship 15660:25 15661:7 Fritz 15682:2 front 15582:14 15585:18 15613:8 15639:13,15,20,20 15640:13 15642:20 15643:4 15644:3 15672:9 15673:11 15720:5 15745:15 15751:6 15780:14 frustrating 15712:7 full 15593:6 15605:5 15681:19 15686:17 15693:2 15700:6 15715:6 15754:12 15766:15 15767:1 15777:21 15792:14 fuller 15777:21,23 fully 15683:8 15744:25 15766:2 15773:4 function 15646:8,11 funding 15574:16 funeral 15751:21 funny 15695:17 furnished 15757:18 further 15575:5 15576:12 15580:3 15647:10 15649:12 15657:24 15672:25 15702:20 15717:9 15755:7 15765:11 15766:21 15775:22 15791:9 15795:4 Furthermore 15610:17 future 15764:1 15767:13 <hr/> G <hr/> gain 15595:10 15626:4 gained 15718:11 gap 15583:5 15586:9 15587:1 15588:5 15594:20,22 15605:25 15606:12 15606:21 15610:17 15610:24 15612:10 15744:25 gaps 15610:12 gather 15636:22 15697:25 15700:1 15721:2 15759:6 gatherers 15638:13 gathering 15581:12 15724:1 15754:10 Gatherings 15581:7 general 15593:19 15594:10 15595:15 15602:21,22 15644:7 15676:3 15682:10,15 15694:10,17 15695:3 15697:7 15702:23 15703:2 15715:18 15716:11 15719:7	15721:8 15731:4 15732:20 15736:2 15744:7,19 15746:7,8 15771:10 15774:23 15776:6 generally 15576:15 15661:12 generals 15702:16 15744:10 generated 15651:6 generic 15635:18 gentleman 15684:17 gentlemen 15692:10 gently 15754:16 GEORGE 15574:4 15636:15 15680:13 15713:21 15759:17 gesien 15708:2 getting 15583:19 15616:24 15681:23 15686:2 15703:16 15772:5 15774:15 GGG 15706:13 GGG17 15706:24 GGG5 15721:7 give 15585:21 15592:7 15597:9 15601:5,5 15609:22 15627:19 15634:6 15639:12 15671:22 15677:7 15681:3 15682:1,23 15695:1 15711:7 15714:7,8 15724:22 15726:16 15729:9,17 15729:17 15730:7,22 15733:19 15737:12 15737:25 15744:5 15745:17,19 15758:8 15777:1 15787:16 15791:14 given 15577:1 15587:10 15591:5 15595:25 15600:5 15601:17 15613:9 15616:11 15620:2,11 15620:17,17 15622:8 15622:10 15623:4,5 15623:21 15624:22 15637:10 15640:9,14 15641:24 15651:14 15651:16 15663:14 15676:12,15 15677:4 15682:13,17 15684:23 15703:2 15706:5 15710:1,9 15712:20 15713:11 15722:18 15727:17 15731:10 15733:15 15741:17 15750:25 15758:12 15759:22 15760:14 15765:18 15766:25 15767:14 15770:24 15771:21 15782:24 15787:1 15788:22 15792:3 15794:5,6	gives 15593:8 15621:18 giving 15594:19 15682:2 15692:17 15693:15 15710:17 15710:22 15729:10 15731:15 15748:13 15748:15,16 15786:24 glad 15574:23 goes 15603:3 15657:25 15720:19,22 15751:24 15760:3 15762:25 15764:21 15766:13 15784:19 good 15579:3 15583:12 15602:25 15604:15 15604:16,17 15645:10 15650:12 15651:20 15679:15 15714:20 15716:5 15761:15 Google 15583:16 15732:10,19 15734:2 15775:4 great 15670:20 15775:21 greatest 15667:2 grenade 15656:9 15682:3 grenades 15596:2 15601:6 15614:17,19 15655:10 15656:2,8 15656:18 15659:7 grew 15718:22 groep 15707:21 15709:18 ground 15585:15 15595:10 15603:13 15603:14 15606:4 15618:15 15624:12 15638:18 15642:1 15644:13 15650:21 15671:17,18 15672:6 15700:19 15706:19 15709:23 15710:3,9 15710:22 15713:6 15714:10 15724:18 15724:23 15741:17 15741:23 15745:11 15746:7 group 15582:18 15587:1 15588:14 15596:19,20 15610:3 15610:5 15612:19 15614:1,8 15616:9,13 15617:12,12,17,17 15618:11 15619:19 15623:13,13,21,24 15624:4,8 15627:5,14 15631:1 15641:7,13 15641:18,20,23 15642:1 15644:1,22 15644:25 15645:1,9,9 15645:13 15651:20 15651:22,25 15653:17 15655:13
--	---	---	---	---

15665:18 15666:16 15666:16 15697:7 15708:12,17 15745:21,21 15756:6 15790:15,16 15791:1 groups 15618:7 15625:8 15648:19 15709:19 15743:8 guess 15583:6 guilty 15731:1 guns 15591:17,18 15606:1,19 15668:9	15796:1 happily 15577:18 happy 15584:11 15653:14 15697:21 15764:4 15765:3 15782:2 15786:17,18 Hard 15785:1 harm 15774:3 harmless 15622:19,21 15622:24 15623:1,6 15626:15 15633:14 15642:9 15645:11 hasn't 15682:13 15683:10 15770:24 haste 15577:3 haven't 15578:24 15593:14 15693:4 15741:22,22 15765:13 15770:15 headed 15720:11 15760:11 heading 15630:12 15677:15 15763:12 15763:22 headline 15751:6,8 hear 15588:7 15620:22 15690:18 15706:19 15708:20 15717:7,10 15736:13 15783:2,7 15783:16,24 15784:13 15785:10 15786:12,15,15 15793:19 heard 15575:25 15659:22 15687:10 15695:3 15702:7 15706:8 15708:4 15709:6 15710:2 15711:5 15736:2 15750:8,15,17 15753:5 15782:16 15783:23 15785:24 15786:18 15787:7,7 hearing 15685:25 15687:9 15787:3 hearsay 15598:25 15643:15,17 15691:14 15702:21 heat 15745:16 heightened 15672:12 held 15691:11 15720:10 15763:13 helicopter 15708:21,25 helikopter 15708:1,2 helmets 15679:10 help 15615:14 15621:20 15649:4 15658:2 15669:13 15675:7 15683:11 15724:3,10 15756:24 15759:5 helped 15774:14 helpful 15621:25 helps 15620:13,15 15711:8 Hemraj 15581:23	15584:5 15625:14 15629:22,24 15632:17 15647:16 15647:19 15720:8 15744:6,12,17 15746:20,25 15761:23 15765:8 herhaal 15708:1 het 15707:23 15708:2 15708:24 15783:2 he'd 15650:9 15671:19 15693:2 15739:18 15753:20 he'll 15604:12 15669:23 15681:2 15685:24 15704:22 15704:22 he's 15597:19 15604:12 15604:13 15617:9 15646:5 15666:10 15685:5 15691:24 15698:14 15706:17 15765:3 15770:25 15780:16 15781:9 HHH21 15660:13 hiding 15779:23 high 15735:16,25 15736:10,20 15739:13 15741:7 15742:17 higher 15702:16 15772:7 15778:13 higher-list 15778:13 highlight 15688:21 15710:12 15778:5 highlighted 15764:10 15783:16 high-ranking 15693:21 high-risk 15580:8 hindsight 15612:5 15643:13,18 15790:6 Hippos 15770:7 history 15614:6 15654:24 15655:4,5 15658:20 15790:5 Hofmeyr 15758:12 15763:14 15764:20 hold 15599:10,14,14,24 15601:16,19 15747:4 holding 15732:18 home 15673:20,22,22 homelands 15695:13 honestly 15661:8 hope 15654:21 15660:4 15662:19 15669:22 15670:4 15680:14 15715:2 15722:3 15759:2 15776:17 hoped 15580:1,3 15616:11 15654:22 hopefully 15658:4 15724:10 hoping 15624:6 hospital 15776:13 host 15672:10 hostage 15676:12	hostages 15676:13 hostel 15627:23 15628:1 hostels 15774:21,22,23 Hotel 15762:8,10,23 15763:2 hour 15712:24 15731:17 hours 15717:25 housekeeping 15795:8 houses 15684:8 15709:21 housework 15705:21 HQ 15648:12,13,21 huge 15754:10 15787:22 Hulle 15783:2 human 15621:2,6,9,11 15779:10 hundred 15595:11 hundred-metre 15587:1 15594:22 hurry 15577:2 hurting 15740:10 hurts 15620:14 hypothetically 15735:2	15724:20 15775:11 15787:10 implemented 15582:15 15582:16 15604:15 15729:4 15775:7 implementing 15619:10 importance 15768:8 important 15579:10 15580:1,4,10 15593:25 15610:8 15658:8 15659:17 15664:10 15669:21 15669:23 15681:20 15682:7 15730:12 15752:20 15768:15 15781:25 15784:10 15784:13 impression 15589:15 15604:11 15613:6 15627:22 15714:6 15718:7 15724:22 15727:23 15791:14 impromptu 15585:15 15603:13 15656:25 15672:6 improve 15688:17 15689:3 improved 15688:21,22 inaccuracies 15791:13 15791:16,16,18,19 inaccurate 15794:10 inaccurately 15751:8 inasmuch 15581:6 15666:4 15788:6 inaudible 15647:14 15649:5,8 15688:11 15692:5 15722:10 inches 15637:13 incident 15587:14 15589:22 15591:1,2 15655:9,12,12 15699:4 15739:11 15742:18,20 incidents 15708:20 15771:13,14 inclined 15632:25 include 15632:18 15784:1,3,14 included 15584:6 15626:16 15678:14 15681:20 15722:23 15724:2 15745:20 15786:2 includes 15738:10 including 15711:14 incompetence 15724:9 incorporating 15791:17 incorrect 15628:3 15727:16 incorrectly 15585:8 15723:24 15751:2 increase 15782:3 indeliberately 15686:9 indicate 15610:18
<hr/> H <hr/> hadn't 15620:2,7 15623:4 15725:12,15 half 15712:24 15731:11 15735:6 half-an-hour 15747:6,9 15748:25 15749:7 hand 15626:1 15728:10 15756:11 handed 15704:5 15764:13 handing 15761:18 handle 15625:11 15668:25 handled 15669:3,3 hang 15618:18 15665:21 15707:9 happen 15576:24 15587:7 15605:2,13 15624:23 15631:10 15631:11,12,13,13,14 15631:19,19,22 15635:8,15 15652:5 15672:3 15698:22 15699:1,6 15729:14 15736:7 15741:10 15744:2,3 15745:18 15795:9 happened 15587:6 15588:8 15589:23 15593:11 15596:9 15598:10 15599:9 15601:15 15604:4 15618:25 15657:19 15657:22 15658:1 15662:21 15663:23 15666:15,19,19,23 15672:5,11 15713:11 15719:22 15726:15 15728:25 15731:13 15734:21 15736:11 15739:8,10 15741:9 15750:7 15751:14 15773:20 happening 15603:5 15609:13 15624:14 15652:4,13 15655:2 15658:5,12 15671:4 15678:2 15698:25 15752:21 15774:17 15794:3 happens 15590:20 15605:5 15624:5			<hr/> I <hr/> icons 15732:10 idea 15610:10 ideal 15603:9 identified 15684:12 identify 15647:21 15649:4 15684:16 15700:8 identity 15758:13 15763:12,16,17 15764:2,14,22,25 15765:1 15766:10,11 ignorance 15758:24 ill 15791:25 illegal 15614:4,5 15658:5 illustration 15605:7 ill-advised 15735:18 15736:19 15737:18 15739:11 15742:16 imagine 15593:4 15751:14 immediate 15670:18,22 15673:4 immediately 15663:1 15663:12 15705:12 15713:6 15739:8 15744:22 15765:21 15783:3 imminent 15630:25 15632:10 15672:24 imminently 15635:5 15672:19 impartial 15583:22 implement 15612:25 implementation 15602:23,24 15604:17 15715:12 15720:21 15721:1	

<p>15645:1 15716:16 15720:16 15751:18 15785:22 indicated 15576:14 15606:23 15694:1,23 15742:25 indicates 15631:7 15693:18 15695:7 indirect 15774:10 indiscriminately 15780:23 individual 15738:25,25 15758:13 individuals 15599:20 15600:2 15741:5 infancy 15729:7 infer 15608:9 15723:24 inference 15592:20 15607:18 15652:2 15789:25 15791:2,3 inferences 15607:23 15615:16 15617:7 inferred 15789:4 informal 15610:1,5 15611:1 15616:2,7 15626:14 15628:8,10 15628:15 15629:11 15743:8 15746:20 information 15650:9 15650:15,17 15651:16 15711:13 15711:14 15717:3 15718:11 15719:3,13 15719:21 15720:7 15757:16 15773:10 informed 15578:2 15637:23 15660:19 15720:3,13 15744:10 15746:8 informing 15749:24 initial 15584:15 15603:6 15611:24 15674:8 initially 15587:14 15611:15 15612:1,20 15613:19 15624:7 15771:18 15774:14 15792:8 initiate 15676:14 initiative 15670:7 injured 15574:17 15575:9 15644:8 injuries 15787:12 innocent 15611:23 15632:8 15668:23 15741:20 input 15729:9,10 15744:5 15747:17 inputs 15576:19 15648:18 15720:1 15792:4 15793:6 inquiry 15681:3 inside 15590:5 15596:23 15614:10 15632:8,13 15743:16 15769:21</p>	<p>insofar 15607:6,6 15608:1 inspection 15592:13 instance 15600:6 15604:4 15634:1,3 15641:8,23 15672:4 15673:10 15717:19 15718:24 15794:16 instances 15715:3 instructed 15720:20 15724:19 15731:4 instruction 15591:8,12 15591:14,17 15682:3 15687:22 15706:2,10 15708:18,24 15709:5 15709:7,10 15713:5,9 15724:22 15727:17 15763:18 instructions 15575:11 15576:7 15591:5 15710:9,17 15712:20 15713:2,11 15761:10 15761:12,17,24 intend 15623:22,23 15700:18 15788:21 intended 15623:18 15644:9,12 15645:1,2 15679:6 15791:13 intending 15637:7 intent 15614:8 15633:3 15633:4 15791:25 intention 15606:12 15632:2 15790:10 intentional 15701:14 interaction 15694:10 interest 15763:16 interested 15588:4 15617:23 15624:15 15717:3 15723:23 15772:25 interests 15659:25 15720:6 15752:19 international 15739:5 15740:12 interpretation 15654:8 15678:18,20 interpretations 15657:6 interpreted 15736:8 interpreter 15761:1,5 15761:16 15763:11 15768:20 15770:19 15771:2 15772:10 interrupt 15673:17 15675:11 15708:6 15711:18 15718:6 interrupted 15671:12 15722:2 15786:22 intervene 15669:4 15685:3 intervention 15693:7 introduced 15600:17 15688:17,17 investigation 15718:13 15719:2 invitation 15795:16</p>	<p>invited 15605:20 involved 15578:6 15650:3,16 15652:4 15652:21 15653:10 15653:18 15656:11 15657:10 15659:24 15699:4 15702:18 15715:18 15720:13 15734:19 15795:10 involvement 15712:13 IPID 15742:7 irrelevant 15592:1,3 isn't 15633:17 15648:13 15748:5 15792:21 isolated 15600:4 15655:9,12 isolating 15634:1 issue 15574:12,18 15577:17 15593:24 15624:23 15686:18 15691:17 15734:22 15735:24 15736:16 15751:7 15755:11 15758:19 15764:1 15794:17 issued 15795:16 issues 15574:22 15576:9 15579:7,8 15594:12 15635:14 15635:15,17 15636:4 15636:7 15729:3 15734:24 15771:10 I'd 15599:22 15601:19 15673:6 15687:10 15732:12,16 15735:25 15736:1,2 15736:10 15742:10 15750:15 I'll 15581:24 15598:2 15600:18,22 15648:18 15651:3,11 15668:13 15669:6 15676:24 15677:1 15680:20 15681:17 15714:5 15742:12 15768:7 15776:18 I've 15788:18 I've 15577:1,8 15580:22 15583:15 15587:11 15594:5 15595:23 15599:15 15603:8,14,20 15637:8,14 15645:14 15646:16,20,21 15667:3 15680:22 15682:22 15683:3 15687:21 15688:24 15728:20 15740:20 15750:8,19 15763:8 15767:5 15773:5 15775:4 15779:15,15 15788:19 15792:3</p>	<p>15585:19 15586:1,7 15588:13 15590:16 15590:21,23 15593:15 15596:7,21 15602:14 15622:24 15632:16 15633:14 15635:21 15636:1 15637:9,13 15639:22 15640:3,9,11 15641:2 15642:6 15645:4 15646:16 15647:24 15652:11,17 15653:7 15655:3 15657:4 15661:8 15665:4 15666:12 15675:25 15677:19,21 15678:23 15682:15 15682:22 15690:14 15698:8 15699:16 15700:23 15703:24 15707:1 15715:2 15723:22 15727:11 15731:9 15734:10 15736:13 15739:19 15755:23 15769:24 15773:18 15774:8 15777:15 15782:3,22 15783:18 15789:17 jam 15733:19 Jazeera 15684:5 JJJ118 15647:18 15723:4 JJJ155 15724:12 JJJ18 15647:13 JJJ18.8 15647:12,13 JJJ199 15648:21 JJJ202 15760:16,19 15761:15 15763:11 15768:12,13 JJJ203 15760:6,8 15761:7,16 JJJ204 15777:6 job 15792:11 JOC 15643:6 15665:21 15671:24 15693:19 15693:19,20 15726:3 15743:16 15749:2 JOCCOM 15719:6,22 15720:1,2,3 15728:18 15729:7,15 15743:1 15744:11 15746:10 15747:7,24 15748:24 JOCCOMS 15599:23 JOCCOM's 15722:15 joke 15695:14,17 Joseph 15720:14 journalist 15683:14,21 15684:10,10 judgment 15575:14,20 jump 15728:22 jumped 15732:25 jumping 15700:10 15705:20 junior 15691:1 15728:21 justified 15792:25</p>	<p style="text-align: center;">K</p> <p>Karee 15627:23 15628:1 keep 15580:19 15586:14 15588:20 15599:24 15611:17 15611:18 15642:1 15771:16 keeping 15593:24 15594:12,14 15595:16 15597:4 15598:9 15747:16 kept 15582:2,3 15584:9 15586:12,25 15595:20 15596:13 15599:1,1 15625:6 15650:2 15700:16 key 15594:12 15631:2 15634:1 15638:13 15641:19,21,23 15642:2 15795:10 Kidd 15741:25 15742:7 kill 15605:21 15757:11 15769:2 15770:5 15772:23 killed 15615:11 15616:17 15644:8,15 15644:17 15645:13 15652:18 15701:4,6 15738:22 15741:19 15754:16 15775:12 killings 15772:9 killings 15614:7 kilometres 15749:4 kind 15579:8,18,19,20 15586:18 15588:21 15597:13 15605:6,11 15608:2 15659:12 15664:1 15698:24 15699:9 15704:9 15719:5 15753:2 15787:6 kinds 15749:12 KMZ 15732:14 knew 15606:20 15612:3 15671:24 15694:7 15698:3,6 15702:3 15729:13 15741:7 15793:5 knobkerrie 15625:24 knowing 15604:3 15627:23 15658:14 15713:23 15728:15 15746:17 15747:22 15747:23 15771:16 15790:8 knowledge 15609:25 15642:23 15643:11 15661:20 15667:10 15667:10,11 15668:2 15689:10,13 15693:11 15697:12 15772:16 15778:9 knowledgeable 15613:5</p>
		J		
		ja 15579:5 15581:5,17		

<p>known 15642:17 15744:18 15754:7,12 15765:2 knows 15643:6 15702:20 15738:11 15738:12 koppie 15582:15,21 15584:21,21,21,24,24 15585:3,3,5 15586:3 15595:11 15604:7 15610:22 15628:1 15642:19 15654:19 15659:24 15666:16 15666:21 15667:4 15692:19 15697:13 15697:16 15698:4,23 15698:23 15699:1,7,8 15699:15,24 15700:3 15716:17 15720:17 15744:22 15769:9 koppies 15644:2,23 15650:22 15653:2 15698:3,7 kraal 15584:3 15587:17 15605:21 15605:25 15606:20 15608:25 15612:8,9 15642:21 15643:4 15644:3 15646:1 15653:23 15708:13 15790:16 K-I 15742:7 K3 15627:25 K9 15675:18</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>L 15630:5 15636:24 15648:5 15649:20 15650:2,16 15651:21 15669:13 15685:18 15686:11,11,17 15690:8 15693:8 15694:21 15695:7,21 15696:19,22 15697:1 15701:11 15711:15 15711:19 15712:12 15712:14,18,18 15713:25 15714:1 15717:15 15718:8 15719:4 15721:12 15722:21,22 15723:10 15755:25 15756:13 15772:8 15777:25 15778:2 15791:12,25 15794:23 labour 15659:25 lack 15725:19 15795:8 laid 15613:11 15666:9 15792:10 15795:1 language 15725:14 15751:23 15753:2 languages 15758:5 laptop 15732:1,3,4 late 15578:2 latest 15793:9</p>	<p>laughed 15695:15 launch 15575:11 15576:12 15708:19 launched 15574:15 15575:1 launching 15683:10 law 15656:4 15658:6 15660:1 15735:1 lay 15658:23 15720:18 layman 15691:25 laymen 15793:25 Le 15788:8,14 leaders 15583:20 15586:21 15637:2,14 15637:22 15639:8 15649:3 15660:8 15681:10 15704:7 15766:1,16 15795:11 leadership 15720:14 leading 15598:8 leap 15679:4 learned 15737:10,15 learnt 15775:13,14 leave 15574:14 15576:5 15576:6,8 15612:10 15615:18 15616:16 15616:20 15617:2 15619:12 15620:5 15636:8 15652:15 15654:18 15661:15 15663:15 15666:16 15667:5 15700:20 15703:19 15770:7 15774:2,5,8 leaves 15616:23 leaving 15600:2 15606:12 15651:23 15663:1,12,16,17,20 15726:2,15 15743:5 15774:5 15790:10 led 15579:24 15714:3 lede 15708:2 left 15599:17,20 15610:17 15624:17 15624:18 15625:2 15638:19 15640:13 15652:2,3,3 15654:13 15662:24 15666:17 15681:20 15704:12 15743:7,10 15744:25 15745:21 15780:19 15794:22 legal 15574:15,15,25 15575:17 15795:10 legs 15778:25 15779:18 15779:23 15780:3 legwork 15719:20 length 15686:17 lengthy 15718:12 Lepaaku 15751:22 lesser 15601:9 15668:17 15678:12 lessons 15775:13,13 less-than-lethal 15645:8 lethal 15596:1 15625:3</p>	<p>15655:16 15668:18 15678:25 letter 15762:16,21,22 15763:4,5,5 letting 15683:8 let's 15579:18 15586:8 15602:23 15609:7 15615:7 15619:12 15622:11 15626:8 15643:8 15648:22 15673:20 15677:10 15678:15 15680:19 15703:20,20 15724:14 15726:4,22 15730:7,12,22 15738:16 15739:7 15752:24 15757:5 15782:3,16 15789:23 let's 15661:9,15 15758:7 level 15593:14,19 15672:22 15778:14 15778:14 15782:2 levels 15778:13 liaison 15671:18 licence 15597:24 lieutenant 15706:24 15715:17 15719:19 15776:10 Lieutenant-Colonel 15711:4 15731:5 15757:10 15758:3 15770:4,12 Lieutenant-General 15716:4 15717:4 15718:15 15719:10 15720:12 life 15588:21 15605:5 15615:9 15636:3 15673:8,14 15740:18 life-threatening 15590:12,19 light 15577:4 15607:12 15632:5 15646:20 15696:4 15701:18 15739:2 15743:24 15750:23 15758:6,7 15763:22 lightly 15755:21 lights 15592:16 limbs 15779:18,22 limit 15671:24 limitations 15580:23 limited 15581:6 15593:5 15713:3 15754:8 15788:13 15792:13 line 15586:25 15587:9 15587:20,24 15591:14 15592:14 15594:18 15595:5,6 15595:20,23 15597:4 15599:7,10,14,14,24 15599:24 15600:9,24 15601:2,16,22 15602:3,4,6,9,11,16</p>	<p>15602:17 15604:3 15607:16 15608:22 15608:23 15611:6 15613:8,15,15 15616:25 15618:12 15618:16 15619:6 15625:17,19,20,22 15626:3,5 15627:14 15628:14 15629:5 15640:1 15641:1 15646:2 15665:8 15668:19,19,20,20 15672:14 15693:14 15697:8 15706:18 15725:23 15726:8 15727:3 15735:15 15746:23 15769:5 15774:15 15781:8 15790:24 lined 15595:4 15599:25 15606:1 15624:21 lines 15593:24 15594:13,15,23 15595:16 15596:13 15598:10 15599:1,19 15601:20,21 15613:7 15686:23 15749:12 15749:18 lining 15595:1 list 15732:21 listen 15595:13 15785:11 listening 15747:22 listens 15783:22 literally 15708:4 literature 15773:3 little 15612:15 15632:15 15649:22 15690:15 15705:22 15743:8 live 15601:10 15603:5 15614:17,19 15656:9 15676:15,20,23 15678:8,10 15679:13 lives 15580:7 15588:17 15589:18 15635:5,7,7 15635:16 15668:10 15668:18 15669:10 15672:9,19 15741:20 location 15636:20 15637:6 locations 15637:18 long 15589:13 15597:9 15597:22,25 15618:3 15622:16 15642:11 15664:17 15698:23 15699:7 15715:10 15717:25 15721:13 15743:17 15747:16 15755:12 15782:5,12 15787:6 15792:2 longer 15650:15 15666:5 15699:22 15748:8,19 15762:15 15780:8 Lonmin 15702:17,19</p>	<p>15703:1,3 15761:1,5 15761:16 15763:11 15763:15,18,19 15764:19 15765:3 15766:8,16 Lonmin's 15734:5 look 15583:23 15588:4 15589:12 15594:14 15613:19 15630:7 15638:8 15644:9 15648:22 15649:6 15652:23 15668:13 15673:20,22 15688:21 15712:3 15717:24 15722:25 15743:20 15758:22 15759:3,9 15765:21 15769:25 15771:5 looked 15728:11 15774:22 15784:13 looking 15583:16 15643:19 15649:7,9 15649:12 15650:21 15651:18 15669:7 15675:16 15680:4,16 15698:14 15699:19 15742:4 15774:21 15783:25 15786:4 looks 15583:18 15649:19 15710:9 15747:5 15751:15 15761:7 15763:4 15764:9 15765:15 15767:2 loop 15603:16,18 15756:21 lose 15624:6 15705:7 loser 15576:11 lost 15697:10 lot 15590:13 15595:14 15609:1 15613:17 15719:2 15745:7 15785:7 loved 15772:24 lower 15599:23 15779:18,22 lunch 15680:20 15681:7 15684:23 15705:1,6,19 15711:21 15713:14 15713:15 luxury 15793:23 lying 15709:22 15710:3 15710:8 15713:6 L138 15589:3,3 L139 15628:4 L174 15713:24 L190 15757:7 L72 15588:11 L90 15680:22,22 15684:16 15777:17 15777:21,22 L97 15701:5</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>madoda 15660:24</p>
---	--	--	---	--

<p>Magidiwana 15608:15 15608:19 15773:13</p> <p>Magidiwana's 15645:22 15646:4</p> <p>main 15654:9 15688:9 15721:1,3 15757:23</p> <p>maintain 15589:16 15600:19,20</p> <p>maintained 15701:10 15773:6</p> <p>major 15579:16 15580:11 15731:3 15748:13 15791:12</p> <p>majority 15613:20 15616:11 15747:17 15784:17</p> <p>Major-General 15720:20 15724:19 15729:24 15744:14 15746:21</p> <p>maker 15665:7 15761:1</p> <p>making 15600:11 15603:15 15607:24 15608:3 15625:1 15636:2 15696:8,9 15732:21 15736:24 15784:2</p> <p>Malema 15754:10</p> <p>malice 15685:12</p> <p>malicious 15793:4 15794:14</p> <p>man 15625:23 15667:7 15692:11 15707:1,8 15784:19</p> <p>managed 15577:18</p> <p>management 15583:10 15603:14,19 15659:23 15660:21 15660:21 15661:19 15662:8 15678:5 15687:25 15688:19 15689:4,10,12 15702:4,11</p> <p>mandated 15673:8</p> <p>manipulated 15793:11</p> <p>manner 15614:1 15790:1</p> <p>manufactured 15651:5</p> <p>map 15732:10 15734:1 15775:4</p> <p>march 15753:12 15754:10</p> <p>marching 15619:15</p> <p>Marikana 15598:22 15640:21 15718:5 15724:5</p> <p>marks 15751:12,14 15761:13</p> <p>marksman 15778:12</p> <p>marksmen 15778:10 15778:21</p> <p>Masuthe 15775:12</p> <p>material 15683:7 15684:6 15795:25</p> <p>materialise 15666:17</p>	<p>15672:24</p> <p>materialised 15667:7 15667:23</p> <p>Mathunjwa 15616:15 15616:23 15617:1 15660:19,24 15661:10,19,21 15662:6,7,12,19,24 15663:10,12 15665:17 15691:20 15691:21 15692:3,7 15692:13 15715:19 15715:22 15716:12 15716:15 15720:15 15720:16,18 15725:12 15726:1 15774:1 15790:11</p> <p>Mathunjwa's 15643:3 15695:11 15714:10 15716:14 15725:9 15726:13 15794:15</p> <p>Mathunjwa's 15662:25 15663:6 15664:9 15665:1</p> <p>matter 15574:9,16 15576:21 15577:7,16 15579:6,24 15580:5 15581:21 15585:1 15589:13 15606:7,24 15618:20 15622:13 15646:14,22 15647:6 15650:14 15656:10 15657:9 15665:20,24 15666:23 15667:9 15670:12,20 15673:5 15673:7,13 15677:20 15682:10,16 15695:20 15697:23 15706:21 15712:21 15725:9 15737:22 15738:2 15739:14,16 15741:6 15743:19,24 15746:5 15748:24 15759:22 15771:5 15779:12 15780:2 15786:10 15789:23 15792:4,20 15794:18 15794:25 15795:2,8</p> <p>matters 15575:6 15576:14 15615:12 15621:23 15664:3 15682:20 15719:4 15755:7 15791:6</p> <p>mayhem 15698:24</p> <p>ma'am 15625:18 15630:2 15744:9</p> <p>Mbombo 15682:10 15694:10,17 15703:2 15715:18 15716:4,11 15717:5,17 15718:15 15719:10 15720:13 15721:8 15744:7</p> <p>Mbombo's 15682:15</p> <p>McIntosh 15661:14 15755:15,18 15757:10,22,23</p>	<p>15758:3 15770:4,12 15772:2</p> <p>mean 15575:19 15582:20 15601:22 15606:18,18 15632:1 15632:1,2 15651:6 15656:6,7 15678:10 15681:1,12 15687:1 15690:2 15695:14 15702:22 15711:7 15712:24 15716:10 15719:18,18 15725:12 15733:14 15735:13 15740:22 15740:23 15754:1 15756:13 15772:14 15772:21 15793:3</p> <p>meaning 15630:25</p> <p>means 15576:1 15592:18 15599:14 15601:24 15610:15 15610:25 15631:9 15633:1 15658:6,7 15666:9 15719:19 15729:6 15764:24</p> <p>meant 15584:9 15630:19,20 15632:22 15651:21 15701:11 15774:25 15792:14,14 15794:2</p> <p>measure 15738:21 15745:4</p> <p>measured 15583:16</p> <p>measurements 15583:25 15637:15</p> <p>measures 15672:13 15763:19</p> <p>measuring 15586:22</p> <p>media 15574:13 15596:24 15620:17 15620:20,22,23,25 15621:4 15668:23 15671:2,20,21,24,25 15672:4,7,9 15683:20 15684:8 15735:23 15746:11 15750:10 15750:11</p> <p>meet 15660:22 15671:22 15795:11</p> <p>meeting 15575:4 15615:6 15660:20 15691:7,11 15693:20 15703:20,21 15715:18,19 15716:4 15717:16 15718:14 15719:6,22 15720:5 15720:10,11,13 15722:23 15725:13 15725:14,15 15728:8 15729:18 15731:2 15732:5,15 15743:2 15743:21 15747:6,8 15748:1,4,14 15795:16,22 15796:1</p> <p>meetings 15577:25 15717:18,24</p>	<p>15720:14 15746:4 15770:1</p> <p>meets 15696:13 15752:2</p> <p>member 15668:21 15673:10</p> <p>members 15588:13,15 15588:17 15589:4 15591:21 15594:20 15599:10,25 15601:16 15606:4 15610:20 15611:11 15612:12 15641:4 15658:10 15672:8 15673:24,25 15674:1 15685:1 15701:4,5,25 15706:17,19 15708:18,19,21,22,25 15709:6 15710:22 15713:12 15734:20 15734:23 15736:1,11 15738:21,22 15741:17,23 15749:5 15749:24 15754:9 15790:23</p> <p>memory 15693:25 15734:5 15771:17</p> <p>men 15769:10,10</p> <p>mention 15576:4 15693:16 15773:23 15773:24 15776:13</p> <p>mentioned 15580:22 15599:18,22 15601:19 15603:21 15618:2 15660:9 15687:10 15690:15 15693:7 15694:6,14 15695:2,4 15697:6 15728:21 15745:6,8 15769:17 15773:22 15790:9</p> <p>mentioning 15710:12 15710:19</p> <p>Merafe 15735:25 15736:10 15776:4</p> <p>Mercury 15692:24,25</p> <p>merely 15651:15 15772:25</p> <p>merged 15634:18</p> <p>met 15716:12,15</p> <p>metaphor 15652:1</p> <p>method 15611:11</p> <p>meticulous 15749:13</p> <p>metre 15587:4</p> <p>metres 15583:13,19 15584:1 15586:10,10 15586:23,23 15588:1 15588:15,20 15589:5 15595:4,5,11 15601:3 15601:25 15602:17 15602:17 15652:9 15778:24 15779:11</p> <p>microphone 15647:14 15649:5,8 15722:10</p> <p>midday 15660:19,23</p> <p>middle 15590:4</p>	<p>militant 15587:1 15596:19,20 15610:2 15610:5 15614:1 15616:9 15623:8,12 15623:14,15,20,24 15624:4,8 15625:15 15625:16 15626:16 15627:5,14 15645:12 15654:18 15756:6 15791:1</p> <p>military 15603:2 15642:6 15745:24</p> <p>mind 15632:3 15679:4 15679:23 15692:10 15710:24,24 15728:15 15729:14 15735:8,10 15736:21 15740:6,11,12,17,17 15740:19</p> <p>minded 15612:24</p> <p>minds 15614:10</p> <p>mindset 15662:18</p> <p>mine 15627:4 15659:23 15661:18 15701:6</p> <p>miners 15574:17 15672:4 15735:21</p> <p>minimise 15589:21</p> <p>minimum 15781:2</p> <p>minus 15623:7</p> <p>minute 15720:24 15749:3</p> <p>minutes 15616:23 15624:24 15680:8 15691:12,13,14 15719:24,24 15720:5 15720:9 15721:4,20 15722:15,16,19 15731:13 15733:7 15734:9 15742:11 15747:10,12,12 15748:4,7,11,14 15767:17,19</p> <p>mischief 15633:3,4,7</p> <p>misleading 15696:11</p> <p>misled 15709:14</p> <p>misquoted 15750:18,20</p> <p>missing 15707:23 15708:3</p> <p>mission 15603:22,23,24</p> <p>mistaken 15648:16 15754:2</p> <p>misunderstanding 15656:7</p> <p>misunderstood 15718:8,15</p> <p>Mm 15671:15 15788:5</p> <p>mobilise 15631:1 15790:12</p> <p>mobilises 15790:16</p> <p>mobilising 15651:22</p> <p>moment 15588:5 15591:5 15604:5 15614:23 15615:18 15619:13 15649:12 15660:16 15673:18 15676:1 15720:5</p>
---	--	---	--	--

<p>15721:2 15745:16 15764:22 Monday 15577:21 15599:9 15600:15 15601:15 15614:7 15627:17,25 15655:6 15655:7,9,9,17,20 15656:1 15657:19,22 15658:1,20 15659:13 15695:3 15697:6 15708:20 15735:7 15737:17 15739:10 15741:9 month 15577:21 15690:1 months 15607:21 15792:6,7,9 15794:7 15794:9,20 morale 15754:9 morning 15579:3,4 15611:16 15628:19 15699:25 15715:20 15715:22 15716:10 15716:13 15720:16 15721:9 15738:7,8,13 15739:6 15746:9 15769:6,13,17 15770:10 15774:18 15774:24 15795:19 15795:20 15796:3 motivated 15734:20 motive 15736:22 15737:3 15741:2 motor 15726:2 mountain 15663:21 mourners 15751:21 move 15582:18 15595:8 15600:22 15603:11 15608:1 15609:6,8,18 15610:1 15610:5,14,21 15612:4,7,19 15613:2 15613:9,12,12,14,16 15613:22,24 15616:11 15617:18 15622:11 15624:6 15626:5,23 15633:12 15633:24 15638:10 15638:14,15 15639:3 15641:14,20 15653:14,24 15666:11 15674:4 15680:18 15691:8 15704:22 15710:23 15714:9 15716:1 15780:18 15781:8 15790:12,16,19,19,20 moved 15613:7 15626:3 15627:24 15652:9 15686:22 15708:12 movement 15613:16 15671:25 15710:15 moves 15639:3 15790:15 moving 15582:23</p>	<p>15583:5 15584:2 15587:5 15590:1 15594:16,23 15596:19 15609:11 15609:14 15611:7,8 15611:12,19 15619:11 15624:11 15624:13 15632:25 15638:10 15641:12 15642:19 15650:3,17 15653:2,3,20,22,23 15663:5 15683:21 15710:23 15732:13 15742:9 15779:7 15790:18 mowed 15608:21 mown 15606:13 Mpembe 15695:3 15697:7 15702:23 15736:2 15744:19 15746:8 15776:6 Mpofu's 15607:19 15669:22 15685:4 15726:7 MTS43 15776:19 Muapa 15762:13 muffled 15786:23 municipality 15577:25 munitions 15673:23,24 15674:7,10,14,23 15675:14,16,18 murder 15698:24 mustn't 15682:23 M'Lord 15617:20 M43 15776:19</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>n 15707:1,8 Naga 15762:14 name 15687:10 15690:21 15694:6 narrative 15649:24 15650:8 15663:3 15677:12 15693:2 15756:14 narratives 15648:18 narrowed 15683:5 15738:4 National 15687:22 15689:10 15717:16 15718:18 15723:11 15724:1 15743:21 15750:5,16 15751:20 15753:7,17 15760:2 15776:8 nationals 15632:13 nature 15702:22 naïve 15741:1 near 15605:25 necessarily 15580:4 15624:2,8 15631:12 15657:2 15678:10 15706:20 necessary 15596:3 15633:22 15638:16 15639:6 15668:24</p>	<p>15669:3 15670:5 15699:22 15751:15 15756:8 15766:10 15784:3,8 15787:18 need 15577:3 15584:19 15600:4,7,8 15603:13 15604:23 15615:10 15616:16 15624:1 15641:20 15654:22 15657:10 15658:19 15675:6 15684:16,23 15688:20 15707:10 15729:13 15732:17 15732:17 15754:11 15770:19 15780:8,25 15784:8 15791:7 15793:2 needed 15581:2 15585:14 15626:17 15628:11,12 15654:25 15655:18 15661:2,11 15672:12 15673:9 15701:25 15725:2 15728:11 15731:11 15744:2 15747:23 15780:18 needing 15679:16 needs 15595:20 15665:6 15677:7 15710:20 15725:6 15781:7 negatively 15651:6 negotiable 15751:13 negotiating 15658:16 negotiation 15663:10 15769:20 15790:14 negotiations 15589:1 15654:6,6 15659:19 15661:13,14 15664:22 15665:12 15691:18,19 15702:18 15739:12 15741:15 15743:23 15771:1 negotiator 15757:23 negotiators 15702:8 neither 15659:3 15753:3 neutral 15592:8 15636:20 15637:7,11 15637:12,20,23 15638:3,4,4,11,20,23 15639:3,4 15640:8,14 15641:4,9,9,9,16,21 15641:22 15642:9,11 15645:6 15670:18 15671:2 15672:20 15673:3,5,6,15 15769:7 15785:15 neutrals 15642:7 never 15603:10 15604:12 15612:3 15654:14 15655:4 15687:16 15696:16 15713:11 15735:8,9 15735:10 15736:20</p>	<p>15736:21 15740:6,6,7 15740:10,19,22,23,23 15750:17 15752:5,18 15756:19 15768:5 15792:14 new 15634:14 15653:25 15653:25 15687:22 15734:2 News 15692:25 newspaper 15752:7 Ngalwana 15608:16,20 nicely 15749:22 nie 15783:2 nine 15720:16 15762:24 15777:19 15795:15,20 15796:4 NIU 15593:18 15594:17,23 15635:4 15668:9,21 15669:10 15669:19,24 15670:9 15670:17,22 15672:18 15673:4,15 15673:24 15674:5,9 15674:17,23 15675:15,17 NIU/STF 15595:6 15668:20 Nkaneng 15611:7,19 15612:20 15613:6,8 15617:4,13,18 15618:12 15619:5 15620:3 15622:21 15623:7 15625:17,21 15627:8,12,18 15628:22 15631:5 15632:2,8,12 15645:12,18,23 15646:2,12 15661:2 15773:14 nodal 15667:7 Noki 15583:19 15586:18 15653:17 15755:11,14,18,25 15757:9 15768:24 15769:1,19 15770:1,3 15771:24 15772:9 15773:25 15790:13 Noki's 15768:15 15773:14 non 15625:2,15 15655:15 non's 15664:11 non-keeping 15598:9 non-lethal 15609:12,17 15625:3 15655:14 15656:19 15659:5 15678:19 15790:17 non-militant 15622:22 15622:25 15623:6 15626:24 Non-mischievous 15633:6 noon 15680:4 normal 15619:21 15638:25 normally 15577:21</p>	<p>15592:13 15605:22 15626:2 15705:2 north 15582:25 15594:23,25 15595:12 15625:21 15652:25 15653:22 15670:21 northern 15587:16 15628:6 15629:16 northwards 15653:3 note 15576:4 notes 15680:15 15705:8 15759:6 notice 15780:22 noticed 15637:8 15709:22 noticing 15709:10 15771:8 November 15574:1 15690:1 15721:8,14 15721:17 no-one 15644:15 15727:12 Ntsebeza 15703:19 NTSONKOTA 15795:21 NUM 15660:21 15699:4 15701:6,25 number 15576:14 15578:5 15625:9 15644:2,23 15652:1 15709:22 15719:4 15724:7,12 15777:2 15777:14 numbered 15731:1 numerous 15694:22 15790:5 Nyala 15587:14 15611:16,25 15628:6 15629:16 15640:1 15645:24,24 15652:7 15653:16 15732:13 15769:20,21 15770:3 15771:22 15790:14 Nyalas 15600:6 15660:7 15661:1 Nzuza 15660:8 Nzuza's 15660:12</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>oath 15574:3 15578:25 15578:25 15636:14 15680:12 15713:19 15759:16 15761:5 15764:14 OB 15694:7 object 15742:5 15764:12 objection 15619:8 15793:2 objective 15603:24 15686:14 15701:12 15792:12 15794:3 observe 15603:16 observed 15603:17 15685:11</p>
---	--	---	---	--

<p>observing 15745:13 obtained 15575:20 15720:8 obtaining 15719:3 obviously 15576:7 15580:1 15587:21 15589:20 15607:23 15613:16,25 15614:2 15614:10 15615:3 15617:22 15619:7 15655:18 15658:15 15660:23 15670:10 15671:17 15672:5 15685:11 15693:19 15694:13 15702:15 15703:8 15710:20 15712:10 15715:6 15716:13 15717:8 15722:18 15725:5 15736:1 15743:19 15747:16 15753:25 15754:11 15757:25 15758:18 15769:12 15770:15 15773:9 15792:17 occasion 15599:23 15701:9 15725:19 occasionally 15691:24 occasions 15694:22 15718:3 15769:22,23 15771:23 occupied 15642:1 15699:24 occupies 15638:12 occupying 15638:17 occur 15734:18 occurrence 15693:25 15785:15 odd 15712:24 offensive 15677:5 offer 15705:9,13 offered 15778:4 office 15690:15,17 15699:4 15762:13 officer 15671:18 15728:21 15739:15 15751:22 officers 15735:6 15736:6 15737:2 15739:14 15762:9,14 offices 15734:6 official 15657:7,8 15668:22 15673:8 15686:22 15745:6 officials 15602:12 15615:11 15693:21 15702:16 15703:1 15718:4,5 off-track 15603:24 oh 15578:18 15651:11 15664:17 15699:14 15699:21 15714:20 15720:2,8 15730:18 15767:23 okay 15579:18 15581:17 15583:11</p>	<p>15585:19 15586:24 15588:4,10 15589:12 15590:8 15591:3 15596:10 15597:17 15597:21,21 15599:5 15600:18 15604:8 15615:7 15629:8 15633:15 15636:8 15640:4 15656:12,17 15664:7,17,18 15668:8,13 15669:6 15671:11 15676:24 15677:9,10,14,20 15682:1 15693:6 15698:2 15699:22 15700:25 15705:11 15707:16 15708:11 15715:9,9 15729:16 15730:6 15731:15 15732:17 15734:17 15735:9,19 15738:17 15742:21 15748:12 15752:3 15753:9,14 15764:12 15765:5 15773:19 15775:23 15776:3 15777:8 15780:4 15781:2 15782:6,19,22 15787:7,15 15788:15 15791:23 15794:19 older 15650:13 omission 15765:20 omitted 15681:8,15 15688:24 15766:6 15783:1 once 15582:17,23 15594:15,15 15595:21 15603:5,19 15613:7 15633:18 15657:23 15661:17 15664:22 15665:12 15684:14 15745:25 15747:3 15764:24 15780:5 15785:19 ones 15618:4 15622:19 15622:20,21,25 15623:6,6,8,9,12,14 15623:15 15624:13 15624:16 15626:16 15626:17,23,24 15633:14 15656:23 15764:9 onwards 15637:9 Ooda 15603:16 opdrag 15708:1 open 15594:20 15613:22 15624:12 15657:9 15667:16 15713:10 15750:10 15773:23 15788:16 15792:18 opening 15734:2 15749:16 15751:22 openly 15773:8 operating 15745:9,14 15746:5</p>	<p>operation 15580:14,21 15591:21 15592:14 15593:22,25 15594:11 15595:16 15595:21 15596:16 15599:2 15601:11 15605:6 15654:14 15662:22 15663:11 15672:22,25 15708:19 15718:5 15729:24 15731:6 15734:18 15743:22 15748:13 15749:13 15757:24 15774:17 15775:2,11 operational 15583:1 15585:15,21 15586:6 15591:24,24,25 15595:2 15605:11 15630:24 15633:21 15662:1 15669:25 15670:13,19,23 15672:21 15674:11 15675:13 15720:21 15745:12 15760:2 15761:13,17 15762:6 operationally 15591:20 15592:18 15593:21 operations 15579:10 operators 15680:21 opinion 15754:1 15790:25 opponent 15603:12 15746:1 opponents 15638:13 15745:13 opportunity 15594:20 15596:2 15601:5 15610:13 15624:25 15663:15 15680:15 15702:24 15729:9 15766:25 15767:14 15787:17 15788:7,22 oppose 15576:8 opposed 15575:18 opposite 15613:11 15626:25 15638:14 15641:11,19 15790:19 optimistic 15575:16 optimum 15678:6 option 15655:14,15,16 15655:18 15658:9,13 15658:15,18,19,20,23 15661:5 15672:2 15700:3 15710:24 15735:17 15736:19 15742:16 options 15624:9 optree 15708:2 orange 15645:5,6 ordained 15692:4 order 15580:16,17,18 15580:19,20,24 15587:8,13 15588:3 15594:19 15595:8,10</p>	<p>15601:2 15609:12 15612:11 15623:22 15638:9 15641:19 15658:6,7 15660:1 15668:16 15677:5,24 15678:1,5,5 15679:10 15687:7,10,17,18,22 15687:23,24 15688:1 15688:17 15689:7 15706:4,17 15708:23 15709:11 15710:1,16 15713:12 15728:17 15760:19 15761:15 15763:20 15781:19 15790:17,23 orders 15591:5 org 15632:23 organisation 15619:19 15619:23 15741:3 organise 15710:18 organised 15641:7,13 15644:1,22 15645:1 15710:15 organising 15586:18 orientate 15603:16 original 15583:13 15586:11 originally 15605:13 ORS's 15762:13 ought 15699:24 outcome 15664:9,13 15795:22 outset 15701:11 outside 15582:16,19 15586:25 15596:5 15612:13 overnight 15700:8 oversight 15593:11 overstating 15728:7 over-egg 15629:6 over-egging 15628:24 over-listened 15787:2 o'clock 15746:10 15795:15,20 15796:4 o'clock 15660:18 15716:16 15720:17</p>	<p>paragraph 15581:14 15601:8 15660:14,17 15677:11,20 15701:2 15707:3,4,5,8 15708:7 15709:25 15720:11,22 15742:24 15743:20 15769:5,14 paragraphs 15764:7 15765:16 15768:9 paraphrasing 15608:20 Pardon 15704:15 Park 15762:8,10 part 15580:2,2 15582:8 15584:15 15585:6 15593:25 15600:15 15601:21 15605:11 15606:7,8 15613:12 15619:10 15624:2,20 15625:1 15629:25 15634:24,25 15650:8 15660:8 15661:10,12 15661:15,21 15662:13,17 15663:17 15670:16 15681:20 15683:23 15684:4 15685:7,17 15685:17 15686:14 15702:10 15707:9,12 15710:17 15718:5,10 15718:20 15723:8,25 15724:25 15735:10 15748:10 15749:21 15752:20 15757:4 15759:12 15767:11 15783:3,7,8 15784:18 15784:18 15785:8 15792:1 particular 15577:2 15591:7 15605:6,7 15639:4,4 15640:16 15657:19 15672:22 15685:16 15693:7 15695:25 15703:18 15719:21 15736:19 15740:23,24 15742:7 particularly 15607:22 15724:20 15764:10 15791:5 parties 15701:16 15758:17,18 15792:4 15792:5 15796:3 parts 15685:10 15784:22 party 15581:10 15660:8 15712:11 pass 15621:11 passage 15642:10 15678:17 15698:11 15698:14 15699:19 15738:6,6,12 15742:11,23 passages 15764:7 15767:16 passed 15787:23 pasting 15734:3</p>
--	--	--	--	--

P

<p>path 15642:20,24 15643:4 15644:3,17 15647:3,4 15652:20 15652:24 15653:1,16 15653:17,22,22</p> <p>paying 15732:22</p> <p>payment 15575:8</p> <p>payments 15575:24</p> <p>peaceful 15581:12 15660:1 15661:22 15683:15,16,17,19,22 15684:11</p> <p>peacefully 15618:6</p> <p>people's 15771:9</p> <p>perceive 15735:23 15739:13</p> <p>perceived 15612:2 15641:15 15668:10 15695:18 15741:11 15741:12 15780:6,16</p> <p>perceiving 15780:11,25 15781:1</p> <p>percentage 15754:21 15754:24</p> <p>perception 15645:3 15654:8 15735:16 15738:19 15739:3 15741:13</p> <p>perfect 15605:1</p> <p>perfectly 15578:6 15795:24</p> <p>period 15668:3 15687:14 15689:20 15693:16 15738:15 15746:15 15747:14 15748:16,17 15749:4 15754:13</p> <p>permanent 15577:9</p> <p>permanently 15574:20 15574:21,24</p> <p>permissible 15596:25 15597:20</p> <p>permit 15767:12</p> <p>permitted 15613:10,13 15613:24</p> <p>persisted 15728:3</p> <p>person 15589:22 15618:14 15640:6 15647:2 15657:1 15668:23,23 15676:16 15679:3,5,6 15684:24 15739:16 15743:15 15744:13 15762:20 15763:24 15764:25 15765:1 15780:12,13,19 15781:3,6,12</p> <p>personal 15626:2 15668:2</p> <p>personally 15714:7 15792:18</p> <p>personnel 15596:23 15672:7</p> <p>persons 15621:17 15625:16 15701:6 15762:19</p>	<p>person's 15781:8</p> <p>perspective 15589:8 15613:5</p> <p>pertinently 15677:24 15712:22</p> <p>phase 15582:10,11,16 15585:1,1 15588:24 15589:1,9,10,11 15596:5 15625:19 15635:23,23,24 15654:4 15664:12 15670:17,25 15671:25 15674:9 15718:10 15728:16 15734:19 15743:22 15744:2,3,8 15746:25 15749:18,18 15773:20 15774:13 15775:8,11,24</p> <p>philosophical 15654:2 15664:21 15666:14 15667:18 15703:9</p> <p>philosophy 15664:1</p> <p>Phiyega 15717:16 15751:13</p> <p>phone 15716:14</p> <p>photo 15708:13 15709:20 15734:2</p> <p>photograph 15613:20 15651:18 15732:11 15751:20,20 15757:15 15769:19</p> <p>photographs 15643:19 15643:22 15650:11 15664:5 15667:12 15692:18 15718:2</p> <p>phrase 15630:19 15632:21 15674:7 15683:1 15738:10 15777:16</p> <p>physical 15583:4</p> <p>pick 15700:9</p> <p>picked 15686:17 15785:12 15793:19</p> <p>picketing 15581:12</p> <p>picture 15652:23 15732:19 15744:22</p> <p>piece 15638:18 15641:25 15767:6</p> <p>Pillay 15760:5,8,15 15761:9 15765:10 15777:4,6,11 15796:1</p> <p>pinpoint 15650:25</p> <p>place 15586:15 15587:4 15587:9 15591:9,13 15596:16 15598:22 15603:12 15605:20 15612:10 15615:7 15616:24 15629:12 15631:14 15638:3 15642:25 15645:10 15645:12,25 15652:18,19 15655:19 15689:12 15697:13,13,16 15698:25 15699:10</p>	<p>15699:15 15705:20 15705:20 15710:18 15713:3,7 15717:25 15725:1 15726:10 15728:21 15746:3 15752:22 15754:21 15763:20 15770:8 15775:3 15786:25 15795:17,23</p> <p>placed 15595:5 15601:1 15611:16 15635:22 15662:12 15701:19,20 15727:16 15739:9 15754:23 15794:17</p> <p>placement 15640:1</p> <p>placing 15648:19 15716:8 15722:18 15779:9</p> <p>planned 15583:7 15588:10,19,23 15597:1 15606:11 15631:20 15655:15 15672:23 15674:8</p> <p>planner 15654:9 15667:8</p> <p>planning 15583:7 15584:6 15585:6 15596:3 15600:15 15612:18 15618:24 15619:3 15635:8 15665:12 15688:24 15749:13 15787:9,20 15788:3</p> <p>plans 15603:5,10,13 15677:1 15737:17 15774:20</p> <p>Platinum 15601:11 15763:15</p> <p>play 15580:6,11 15661:24 15681:6 15773:19 15774:13 15777:8 15778:7 15781:20 15782:25</p> <p>played 15621:15 15622:7 15658:1 15783:16 15785:11 15793:10</p> <p>player 15580:1,5</p> <p>players 15581:10</p> <p>playing 15773:23</p> <p>plead 15730:25</p> <p>pleading 15597:3</p> <p>please 15581:19 15595:13 15597:2 15598:4 15602:21 15649:16 15653:25 15665:10 15669:5 15684:12 15712:3 15718:15 15777:8 15781:24 15782:9,19 15783:5</p> <p>plural 15761:12</p> <p>plus 15595:11</p> <p>pointed 15652:7 15661:1 15791:19</p>	<p>pointing 15644:25 15706:7</p> <p>pointless 15700:16</p> <p>points 15634:1 15638:14 15642:2 15666:2 15683:1 15688:22,23 15705:22,24 15726:18 15788:23 15792:24 15793:1</p> <p>policeman 15685:6,18 15686:6 15695:13</p> <p>policemen 15599:16,19 15668:17 15695:25 15708:14,14</p> <p>policemen's 15580:7</p> <p>police's 15590:3 15596:18 15697:25 15749:16</p> <p>policies 15760:3 15761:14,18 15762:6</p> <p>policing 15587:9,13 15588:3 15594:20 15595:8 15601:2 15609:12 15638:9 15668:16 15677:5,25 15678:2 15679:10 15706:17 15710:16 15713:12 15790:17 15790:23</p> <p>Policy 15687:24</p> <p>poor 15783:22 15784:21</p> <p>POP 15579:23,24,25 15580:11,21 15588:6 15588:13,21,21 15589:5 15594:15 15600:24 15602:3,16 15610:21,21 15618:12 15627:14 15673:25 15675:18 15677:16 15678:16 15710:18</p> <p>POPs 15583:5 15588:17 15590:1 15599:10 15601:15 15611:11 15624:5 15625:3 15627:16 15645:8 15658:9</p> <p>popular 15642:25 15643:1,4 15645:17</p> <p>port 15610:19</p> <p>portal 15610:19,19,20</p> <p>portion 15778:5 15782:10</p> <p>portions 15793:11</p> <p>portraying 15714:14 15714:17</p> <p>pose 15641:18</p> <p>posed 15574:18</p> <p>posing 15779:7</p> <p>position 15577:20 15583:21 15587:24 15588:19 15590:2 15674:12 15675:23 15686:22 15723:21</p>	<p>15766:1,2,4,6 15779:22</p> <p>positioned 15583:18 15670:17 15673:6 15771:23</p> <p>positions 15749:9</p> <p>positive 15665:19,22</p> <p>possibility 15631:18 15658:12 15735:8 15750:19</p> <p>possible 15580:21 15611:20 15628:8,10 15628:25 15629:11 15630:19 15631:6 15632:22,22 15637:22 15641:11 15641:18 15642:2 15645:6 15650:11 15659:8 15672:13 15688:13 15715:11 15721:1 15722:20 15724:4 15738:14 15743:10,12 15745:15 15772:7,7 15772:11,15 15779:3 15780:3 15792:15</p> <p>possibly 15579:13 15586:14 15599:9 15601:15 15616:10 15618:15 15623:13 15625:6 15651:17 15655:1 15669:16 15671:22 15672:9 15693:14 15719:24 15723:4,24 15728:15 15765:24 15767:19 15771:12 15779:8 15788:22</p> <p>postulates 15672:21</p> <p>post-apartheid 15579:10</p> <p>Potchefstroom 15762:18,23 15763:2</p> <p>potentially 15668:18</p> <p>PowerPoint 15734:3</p> <p>powers 15673:7</p> <p>practically 15783:19 15783:19</p> <p>practice 15781:17</p> <p>precise 15636:20</p> <p>precisely 15630:19 15637:23 15681:13 15730:21</p> <p>predecessor 15687:23 15688:2</p> <p>predicament 15608:14</p> <p>predictable 15576:11</p> <p>prefer 15576:15 15767:17</p> <p>preferred 15671:21</p> <p>prejudice 15578:4</p> <p>preliminary 15648:5</p> <p>preoccupied 15728:15</p> <p>prepared 15598:1 15617:1 15634:8 15647:8 15716:17</p>
--	---	---	--	---

<p>15720:17 15762:15 prepositioning 15634:19,24,25 prescribes 15581:8 prescripts 15580:14 15704:2 present 15575:4 15678:17 15694:17 15717:17,19,21 15718:19 15747:19 15747:24 15757:18 15762:25 15788:2 15792:13 presentation 15649:2 15651:13,14 15686:19 15701:11 15701:21 15717:21 15718:23 15723:9,25 15732:19 15733:3 15734:3 15747:13 15748:1,14,15,16 15773:11 15774:24 15774:25 15784:1,4 15784:15,18 15786:2 15789:3 15790:7 15792:14,20,22 15794:1,19 15795:1 presentations 15650:13 15718:1 presented 15690:9 15717:15 15718:4,9 15718:14 15721:14 15721:17 15722:22 15724:1,13 15747:19 15785:4 15789:3 15794:1,1,8,19 president 15692:3 presidents 15660:4 pressure 15702:11 15779:10 15780:2 pressurised 15779:12 presumably 15612:24 15623:1 15670:10 15674:6 15698:21 15721:21 15764:24 presume 15688:8 15742:5 15767:8 Pretoria 15647:23 15648:2 15703:23 15762:8 Pretorius 15691:4 15731:4 15732:25 pretty 15639:25 15736:10 15740:21 15788:17,18 prevail 15738:15 prevent 15616:4,6 15631:4,20 previous 15625:25 15688:5 15691:15 15757:21 previously 15683:13 15684:5 15733:3 15749:22 15757:20 15766:13 pre-conditions</p>	<p>15664:11 pre-planned 15581:8 pre-warn 15672:2 priest 15692:4 primary 15611:6 15634:22,22 15635:25 principle 15658:11 principles 15581:14 printed 15733:7 15775:1 printing 15733:23 15734:1 printout 15733:15 printouts 15733:23 prior 15725:2 15744:12 private 15668:22 15670:6,10,12 15676:6,8,13,17 15679:18 15760:11 15760:14 probably 15613:1 15625:20 15626:3 15637:16 15639:10 15639:20 15650:20 15650:24 15653:1 15686:13 15708:23 15710:1 15746:15 15747:9 15748:24 15749:3 15785:12 15787:2 15788:12 15792:7 problem 15621:12 15633:7 15656:16 15679:2 15716:21 15725:11,17,21 15726:12,17 15730:8 15766:21 15779:14 15781:7 problematic 15645:9 problems 15719:5 procedure 15593:6 15746:5 15793:25 procedures 15641:20 15745:9,14,18 proceed 15579:1 15581:19 15614:24 15617:12 15720:20 15724:19 15727:1 15767:22 15770:10 proceedings 15574:1 15583:3 process 15603:15 15604:2 15625:1 15661:22 15718:12 15734:7,8 15735:21 15748:21 procured 15766:15 produced 15751:18 production 15763:23 professional 15734:24 15738:24 15741:4 profitably 15664:2,8 progress 15595:14 15762:14 prohibit 15632:14</p>	<p>15741:13 promised 15575:8 promoting 15692:7 proof 15701:12 properly 15604:15 15783:3 property 15698:21 proportion 15590:18 proportionately 15590:18 propose 15657:11 15683:8 15766:7,13 proposed 15658:13 15729:18 proposing 15578:4 15741:14 proposition 15623:2 15626:12,25 15629:5 15727:16 15772:6 propositions 15626:18 15794:6 protect 15588:21 15589:18 15590:5 15628:23 15631:3 15635:6 15641:10,22 15668:12 15672:19 15708:23 15763:20 15766:10,11 protected 15628:11,13 protecting 15628:7 15632:21,22 15668:18 15763:16 protection 15601:10 15626:17,19 15629:12,15 15701:25 protective 15745:4 protest 15614:5,6 15651:22 15683:15 15683:16,18,19,22 15684:11 protester 15651:20 protesters 15588:17 15609:25 15611:7,8 15611:10,19 15641:5 15642:19 15644:1,2 15644:22,24 15694:23 15697:2,13 15697:16 15701:23 15716:17 15720:17 15741:18 15744:22 15768:18 15794:16 protesting 15641:23 15642:1 protocol 15618:20 protocols 15593:19 provide 15716:18 15720:18 provided 15578:19 15793:21 Provincial 15717:17 15718:19 15720:12 15720:19 15722:23 15723:11 15724:2,18 15742:25 15743:1 15746:8 15774:15</p>	<p>provisionally 15764:5 15766:14 provoke 15614:11 proxy 15792:1 public 15587:8,13 15588:3 15594:19 15595:7,10 15601:2 15609:12 15612:11 15638:9 15641:5,19 15658:7 15668:16 15677:5,24 15678:1,5 15679:10 15687:24 15706:16 15709:11 15710:16 15713:11 15735:22 15751:12 15790:17,23 published 15574:13 15692:23 15772:23 pudding 15628:25 15629:6 pull 15598:2 pulling 15734:4 purpose 15610:3 15611:6 15634:22,22 15641:8 15646:1 15670:8 15720:11 15780:21 15791:20 purposes 15638:22 15670:5 15679:19 15763:15 15764:3 15768:23 15784:14 pursue 15703:7 pushing 15755:6 puts 15617:13 15790:2 putting 15612:16 15626:13 15653:5 15656:6 15726:5 15728:16 15756:15 15774:24 15779:23 15780:14 15789:1,11 puzzles 15719:1</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qua 15664:11 qualification 15597:13 qualifications 15582:5 qualities 15642:15 quality 15783:22 quarrel 15590:7 quarter 15617:23 15619:2 15705:5 15713:16 questioned 15710:20 15766:24 15767:11 questioning 15664:3 15665:8 questions 15574:6,8 15605:23 15663:25 15678:21 15689:21 15699:18 15700:24 15711:3,17 15712:5 15730:11 15767:9,22 15772:18 15791:18 quick 15722:25 15765:21 quickly 15618:17</p>	<p>15624:6 quiet 15668:4 quietly 15767:20 quite 15610:8 15622:4 15624:5 15627:11 15631:25 15632:12 15634:23 15637:21 15638:14 15642:24 15657:24 15661:24 15663:3 15690:16 15692:25 15693:24 15708:3 15718:12 15719:2,3 15729:13 15730:19 15734:7 15746:17 15747:21 15750:17 15752:20 15756:15 15763:3 15766:5 15773:8 15780:1 15783:25 quotation 15751:11,14 15761:13 quote 15691:24 15755:15 15788:4 quoted 15738:6 15750:10 15783:4</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>rabbits 15788:1 radio 15665:21 15706:17,19,22 15712:22,24 railway 15697:7 raise 15577:17 15596:17 15730:8 raised 15578:13 15607:8,25 15696:13 15728:10 15729:3 15792:24 15793:1 raises 15683:7 15727:20 raising 15576:9 ran 15591:7 15709:20 range 15779:3 15780:1 rank 15690:24 15691:1 15691:2 ranking 15702:16 ranks 15613:10 rate 15754:21 rationale 15651:1 razor 15582:16,17,23 15582:25 15587:15 15594:25 15611:5,18 15613:15 15616:23 15624:20 15628:16 15628:19 15631:2 15633:18 15634:2 15652:9,14 15660:5 15671:6 15672:14 15744:24 15745:3 15769:19 15771:19 15771:24 15790:13 reached 15623:5 15659:11 15794:25 reacting 15614:18 reaction 15590:13,18 15670:18,22 15673:4</p>
---	--	--	---	--

<p>read 15599:15 15600:18,19 15660:17 15672:17 15678:7 15691:12 15698:11 15724:21 15741:22,23 15765:12,16,23 15767:3,5,14,17,19 15767:20,21,23,25 15768:8</p> <p>reader 15767:3</p> <p>reading 15578:10 15589:15 15599:7 15608:6 15687:11 15716:7 15759:22 15765:25 15767:23 15769:5</p> <p>reads 15707:25 15720:11</p> <p>ready 15591:20 15592:18 15593:21 15777:9</p> <p>realised 15708:22</p> <p>reality 15603:2 15779:3,5</p> <p>really 15584:10 15587:9 15588:10 15615:14 15617:6 15618:23 15642:16 15645:21 15650:14 15664:10 15672:17 15673:20 15679:20 15686:4 15714:24 15726:6 15734:23 15735:25 15743:14 15755:7 15756:23 15772:5 15775:7</p> <p>realm 15614:22</p> <p>rear 15588:15</p> <p>rearrange 15732:9</p> <p>reason 15574:24 15575:7,10 15577:23 15583:11 15590:11 15592:22 15610:4 15616:4 15620:7 15632:6 15646:12 15668:21 15670:16 15675:2 15734:20 15735:20 15743:18 15752:3 15774:3 15780:13 15781:10 15794:24</p> <p>reasonable 15631:18 15763:19 15795:25</p> <p>reasoning 15611:24 15627:19 15735:20</p> <p>reasons 15611:20 15621:22 15714:5 15751:16 15795:18</p> <p>recall 15685:25 15686:13 15693:1 15723:11 15728:14 15743:4,15 15747:22 15748:19 15750:24 15751:2,5 15758:9 15770:14 15771:18</p>	<p>recalled 15743:5</p> <p>recapture 15630:13</p> <p>received 15650:9,18 15701:13</p> <p>recite 15787:24</p> <p>recollect 15690:11 15728:17</p> <p>recollecting 15722:14</p> <p>recollection 15717:22 15718:3 15725:25,25 15751:16</p> <p>recommence 15795:15</p> <p>recommendation 15728:23</p> <p>record 15637:3 15645:20 15674:13 15689:22 15721:7 15726:11 15735:14 15763:14 15766:1 15783:21 15785:22 15787:4</p> <p>recorded 15694:2,4,5</p> <p>recording 15695:11 15751:18</p> <p>rectified 15765:21</p> <p>red 15644:21,24,25 15645:5,8</p> <p>reduced 15590:18</p> <p>reduction 15583:12 15586:9 15590:17</p> <p>refer 15586:17 15616:15 15648:23 15678:17 15707:4</p> <p>reference 15695:9 15700:11 15742:19 15767:13</p> <p>references 15695:2 15697:10,10</p> <p>referencing 15742:17</p> <p>referred 15638:23 15648:11 15684:12 15717:19 15777:17</p> <p>referring 15607:15 15647:17 15660:23 15681:14,21 15682:13 15683:25 15684:11 15685:5 15692:2,3 15703:22 15730:3,24 15739:17 15753:8 15771:13</p> <p>refers 15737:11,16 15758:20 15770:1,9</p> <p>refined 15718:22</p> <p>reflect 15630:3 15732:11</p> <p>reflected 15638:11 15702:1 15710:13 15716:2</p> <p>reflecting 15612:7 15615:1</p> <p>reflection 15679:8 15734:12</p> <p>reformulate 15656:15 15730:5</p> <p>reformulation 15727:3</p> <p>refrain 15621:3</p>	<p>refreshed 15759:11</p> <p>refuse 15654:18</p> <p>refusing 15666:16</p> <p>regard 15580:24 15659:18 15756:16 15771:9,11 15791:25</p> <p>regarded 15661:10</p> <p>regarding 15626:12 15703:19,25 15749:19</p> <p>regards 15577:16</p> <p>regroup 15625:7</p> <p>regrouped 15708:13</p> <p>regrouping 15624:12</p> <p>regulates 15580:21</p> <p>regulation 15580:14 15581:7 15687:15</p> <p>rejected 15705:13</p> <p>relates 15640:15 15678:5,18 15704:12 15738:13 15762:5,16</p> <p>relating 15762:21 15777:23</p> <p>relation 15600:12 15601:1 15602:17 15636:19 15640:7 15719:6 15737:16 15766:4 15788:19 15793:14</p> <p>relations 15659:25</p> <p>relationship 15661:18</p> <p>relative 15668:3 15766:17,18</p> <p>relatively 15623:19</p> <p>relay 15781:19</p> <p>relaying 15710:21</p> <p>released 15763:18</p> <p>relevance 15598:10 15703:18,18</p> <p>relevant 15579:23 15619:24 15639:17 15639:20 15648:9 15655:21 15675:16 15704:23 15764:7</p> <p>relied 15745:11</p> <p>rely 15745:14</p> <p>relying 15738:12</p> <p>remain 15589:5 15616:13 15618:5 15644:1,23 15667:4</p> <p>remained 15623:15 15642:11 15660:3 15666:21</p> <p>remaining 15595:9 15624:4</p> <p>remains 15638:25</p> <p>remember 15586:8 15684:17,18 15685:24 15691:10 15692:22 15695:16 15700:5 15701:7 15712:22,25 15727:2 15727:7,9 15729:22 15729:23 15731:6,7 15732:15 15742:2 15747:4,12 15749:20</p>	<p>15750:1 15771:12</p> <p>reminded 15770:23</p> <p>remorse 15751:23</p> <p>renewed 15751:14</p> <p>reorganised 15585:14</p> <p>repeat 15761:15 15786:15</p> <p>repeated 15660:25 15661:6 15708:24 15709:7,10 15710:2 15711:6 15712:20 15713:1 15781:16</p> <p>repeatedly 15677:1 15694:23 15697:2 15712:8</p> <p>repel 15609:16</p> <p>rephrase 15696:5,12 15752:2</p> <p>rephrasing 15725:23 15726:8</p> <p>report 15692:23 15704:1,5,8,18 15726:14,16 15731:5 15750:4 15751:9,10 15762:9 15788:3</p> <p>reported 15693:12 15725:12,20</p> <p>reporter 15751:11</p> <p>reporting 15752:21</p> <p>reports 15613:18 15714:10 15724:18 15724:23</p> <p>represent 15605:18</p> <p>representatives 15756:10,11</p> <p>request 15660:25 15661:6 15764:22 15795:25</p> <p>requested 15603:7 15660:10 15704:7</p> <p>requesting 15616:14</p> <p>require 15670:6 15725:22</p> <p>required 15577:24 15578:8 15603:6 15604:13 15626:20 15670:13 15719:21</p> <p>requires 15726:8 15727:3</p> <p>requiring 15727:6</p> <p>resembles 15780:3</p> <p>reservation 15765:2</p> <p>reserve 15726:17</p> <p>reserves 15764:23</p> <p>residence 15700:9</p> <p>residences 15700:8</p> <p>resolution 15660:1 15661:22</p> <p>resolve 15661:4 15715:22 15720:15</p> <p>resolved 15654:23</p> <p>resolving 15662:19</p> <p>resort 15654:13 15662:14,15</p> <p>resorted 15662:15</p> <p>respect 15574:16</p>	<p>15577:7 15592:2 15597:13 15646:18 15667:3 15678:23 15695:12 15704:8 15718:11 15719:3 15729:8 15734:21 15739:20 15755:7 15775:21 15788:17 15789:15,20 15790:24</p> <p>respects 15791:13</p> <p>respond 15588:16 15608:13,13 15635:5 15665:16 15668:22 15669:10,25 15670:20 15672:18 15673:9,12 15787:14 15787:17</p> <p>responding 15591:8</p> <p>response 15588:14 15608:19 15659:12 15706:2 15760:3 15761:14,18 15762:6</p> <p>responsibility 15651:3</p> <p>responsible 15578:17 15716:24 15719:18 15742:8</p> <p>rest 15595:8 15612:12 15783:24</p> <p>restore 15658:6</p> <p>restricted 15776:9</p> <p>restriction 15625:10</p> <p>result 15587:3 15604:15</p> <p>resulted 15787:11</p> <p>resume 15680:5 15705:2 15713:16 15795:19</p> <p>resumed 15705:1,6</p> <p>resumes 15574:2 15636:12,13 15680:10,11 15713:17,18 15759:14</p> <p>retaliate 15615:6</p> <p>retaliation 15655:17 15658:10 15735:23 15736:9 15737:19 15739:10</p> <p>retaliatory 15738:21</p> <p>retried 15625:6</p> <p>return 15577:9</p> <p>returned 15574:19,20 15574:24 15757:24</p> <p>revealed 15764:23 15765:1</p> <p>revenge 15734:21</p> <p>reverse 15630:8 15782:21</p> <p>review 15703:20,21</p> <p>revised 15749:19</p> <p>re-examination 15700:22 15701:1 15788:12,22</p> <p>re-examine 15795:14</p> <p>riddled 15791:13</p>
--	---	--	--	---

<p>rifle 15778:15 15780:20 rifles 15778:18 right 15581:14 15586:7 15589:21 15597:24 15602:4 15604:18 15610:20 15611:3 15622:4 15623:10,11 15623:24 15627:11 15631:24 15634:7,9 15635:4,23 15638:20 15639:24 15640:2,13 15649:2 15652:15 15657:4,20 15659:8 15675:1,25 15678:21 15686:13 15699:11 15699:12 15700:15 15713:15 15726:17 15730:13 15733:4,24 15734:11 15744:24 15745:21 15749:17 15749:20 15756:14 15761:2,14 15764:23 15766:5 15772:16 15776:3 15782:1,10 15790:17 rightfully 15740:13 rightly 15635:18 15739:17 rights 15764:17 rigidly 15605:12 risers 15778:13 rituals 15684:19 15685:11 15686:12 15687:3 15794:2,3 road 15642:20 rob 15615:10 robbed 15658:11 role 15577:16,19,20 15580:1,5,6,10,11 15581:10 15601:11 15635:23 15658:1 15716:9 15773:19 15774:13 roll 15664:11 rolled 15616:24 15654:5 15661:12 15664:22 15667:19 15667:23 15769:20 15771:25 rollout 15773:20 15774:13 15775:24 room 15693:19 roots 15614:7 15650:9 15650:18 15687:6,11 15687:12 15689:13 15689:16,19,19 15694:14,18 15716:4 15717:5 15718:14,20 15718:24 15719:25 15722:22 15723:10 15723:15,25 15724:13 15756:3 15757:25 15775:8 roughly 15584:1 15748:17 15767:5</p>	<p>round 15592:18 15634:13 15690:13 15742:14 15782:25 route 15587:17 15645:17,23 15766:12 routes 15613:6 15653:6 15653:9 Roux 15788:8,14 rubber 15677:7 15678:6 15679:11 rudimentary 15729:17 rule 15575:12,13 Rules 15575:12 run 15587:21 15591:9 15591:13 15599:19 15600:1,9 15673:13 15773:15 running 15587:24 15590:1 15599:17 15710:3 15734:5 15779:21 runs 15645:3 rushing 15587:24 Rustenburg 15677:16 15689:25 15690:16 R5 15780:19</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>safe 15582:24 15590:3 15590:4 15592:19 15596:18 15671:23 15672:3 15697:14,17 15697:18,21 15698:4 15698:7,18 15699:7 15700:4 safety 15620:24 15671:23 15751:12 15758:14 15763:17 15763:21 sake 15697:25 15761:14 SAPS 15637:17,21 15639:8 15676:16 15795:10 satisfactory 15702:22 satisfied 15763:19 Saturday 15699:5 save 15637:25 15672:9 15673:8 15733:22,24 saved 15723:5 15724:6 saving 15673:14 15734:2,5 15785:16 saw 15587:14,18 15591:14 15617:23 15625:21 15633:24 15652:13 15684:9 15708:25 15722:15 15743:15 15753:4 15771:24 says 15584:10 15588:13 15589:3 15616:18 15621:4 15627:3 15628:25 15630:22 15637:12 15643:25 15644:22</p>	<p>15649:2 15660:22 15669:9 15676:25 15677:15 15683:21 15685:1,18 15686:6 15699:23 15707:8 15708:4,4 15709:13 15709:14 15711:1,6 15716:12 15724:17 15731:2,3 15735:15 15738:5 15755:1,2,3 15768:21 15769:1 15770:4 15774:1 15775:22 15783:2,4 15786:22 SC 15597:5 15607:14 15608:8 15657:12 15674:13,19 15678:4 15681:11 15682:20 15683:17 15700:13 15704:13,16,19 15721:5,7 15723:3 15726:10 15727:15 15730:2,23 15736:25 15737:6,10,15 15750:21,24 15752:14,17 15758:9 15761:21 15762:1 15765:24 15766:7 15770:22 15772:12 15785:19 15789:14 15789:20 15795:7 SCA 15576:7,12,16,21 scenario 15581:9,16 15627:15 15676:18 15779:8,11 scenarios 15603:8 15780:16 15781:6 scene 15582:4,4 15584:6,7,10,10,11 15584:13,13,20,20,25 15585:5,11,20 15587:6 15589:22 15594:5,9 15597:9,9 15597:10,14 15604:4 15606:8 15607:3 15625:6 15662:10 15673:23 15674:5,18 15674:19,22 15675:15,15 15706:1 15709:21,22 15717:20 15726:3,15 15758:5 scenes 15602:22 scope 15656:7 scratch 15792:11 screen 15635:11 15673:15 15724:5 15742:11,24 scribe 15717:1 scripture 15691:24 scrutinise 15794:20 scrutiny 15792:18 se 15660:7 15688:24 15708:1 search 15618:19 15774:17 15775:2</p>	<p>second 15606:7 15658:25 15662:13 15662:24 15663:6,6 15665:21 15669:16 15672:17 15695:10 15716:3 15718:10 15720:7 15721:3,20 15725:18,19 15742:3 15751:10 15757:8 15763:5 15770:3 secondly 15613:3 15678:1 15784:17 seconds 15686:5 15782:13,21 15783:1 15783:20 15784:9,25 15785:4,5,14,18 15786:7,8 secretary 15734:6 section 15676:17 15677:6 15685:17 15707:10 15709:3 15757:5 15774:18 sections 15766:24 sector 15596:24 security 15701:6 15763:17,21 see 15583:17 15587:18 15587:22,23 15601:11 15604:1 15609:15,19,20 15618:18 15624:13 15624:19 15626:4,8 15628:18 15631:6 15633:22 15636:22 15643:21 15648:9,17 15650:13 15651:21 15651:23 15652:23 15653:1 15655:11,23 15662:25,25 15663:1 15663:19,23 15664:13 15666:6 15669:21 15674:2 15686:25 15688:25 15693:3 15701:18 15702:19 15708:9 15711:8 15712:21 15713:1 15717:2,24 15719:1 15720:8,10 15722:9 15723:13 15724:14 15743:12 15745:21 15748:25 15751:4,11 15757:11 15759:21 15761:11 15764:6,6 15767:2 15769:7 15770:5 15779:14 15784:1 15786:7 15791:5 15793:2 seeing 15576:11 15624:19 15647:3 15686:19 15739:17 15750:1 15790:13 seek 15607:19 seeking 15724:21 15734:25 seen 15588:11 15591:6</p>	<p>15591:12 15607:16 15608:19 15632:5 15637:8 15641:25 15653:15 15662:17 15679:8 15685:5 15687:16,19 15692:20 15693:4 15708:16,16 15718:24,24 15732:12 15735:25 15736:10 15737:19 15758:20 15765:22 15767:11 15776:21 15790:7 sees 15769:19 segment 15759:20,21 15786:1 self 15676:6,8,16,20 15679:16 self-defence 15670:5,11 15676:4 15677:22 15678:24 Semenya 15597:5 15599:6 15600:24 15601:4 15607:12,14 15608:8 15637:24 15657:11,12,17 15674:13,19 15676:1 15678:4 15681:11 15682:20 15683:7,17 15699:23 15700:13 15700:15,21 15704:13,16,19 15721:2,5,6,7 15726:10 15727:15 15727:20 15730:2,16 15730:23 15735:15 15736:25 15737:5,6 15737:10,12,15,23 15738:3 15742:4 15750:21,22,23,24 15752:14,17 15758:7 15758:9,20 15761:18 15761:21,23 15762:1 15770:22 15772:12 15774:9 15785:19,25 15789:14,20 15795:14 Semenya's 15608:14 semi-permanently 15574:21 send 15672:8 15796:2 senior 15689:11 15691:2 15695:12 15718:4 sense 15584:25 15586:11 15605:1 15634:18 15642:8 15665:16 15681:1 sent 15633:25 sentence 15707:18,22 15709:17 15716:3,20 15717:4 15720:6,25 15721:3,19 15731:2 15742:24 15745:6 sentences 15707:14,19</p>
---	--	--	--	--

<p>15745:8 Seoka 15691:22 15692:4,13 separate 15574:9 separation 15634:17 September 15651:7,14 15723:6,21 15724:6 15762:17,17,22,24 15763:1,1 15773:20 15775:3 sequence 15649:3 15694:2 sequencing 15718:1 sequentially 15610:13 15728:25 serious 15710:25 served 15575:2 service 15677:16 15751:21 15761:14 15761:18 15762:6 Services 15760:3 session 15647:23 15648:2 15703:23,24 15703:25 15704:1,8 15760:2 15761:12,13 15761:17 15762:5,9 15762:11 15795:19 set 15591:2 15594:7 15596:15 15605:21 15606:11 15693:1 15719:25 15731:23 15766:8 15776:18 settlement 15610:1,6 15610:14 15611:1,19 15612:20 15613:2 15616:3,7 15619:16 15622:19 15626:14 15628:8,10,16 15629:11 15631:5 15632:15 seven 15763:2 shacks 15611:23 shaft 15627:25 shaken 15784:22 shambolic 15787:11,20 sharp 15713:10 15790:23 she'd 15743:17,20 shields 15679:10 shocked 15728:6 shoot 15606:2,21 15676:3 15706:5 15779:13,21 15780:2 15790:22 shooting 15586:15,20 15612:10 15625:22 15656:2 15706:1 15779:2,9 15780:1,7 15781:8 shop 15577:16,19 short 15574:17 15661:24 15680:3 15728:22 15754:13 15776:16 15787:22 shorter 15785:5,7 shortly 15663:6</p>	<p>15684:24 15692:21 short-circuit 15626:11 shot 15701:4,6 15778:25 15779:25 shotgun 15679:10 shots 15596:3 15601:6 15679:11 shouldn't 15598:16 15714:20 15719:23 15766:23 shouting 15780:15,20 15780:21,24 15781:4 15781:12,18 shouts 15781:15 show 15658:17,25 15674:14 15685:10 15685:12,19,21,24 15686:1,3,6,11,14 15687:3 15688:22 15692:18 15713:3 15718:21 15724:12 15732:7,8 15778:6 15783:4 15784:23 showed 15602:16 15683:14 15686:16 15732:2,3 showing 15673:14 15685:2 15686:24 15783:10,24 15784:10 15794:15 shown 15646:17,20 15647:23 15648:4 15654:24 15684:4,8 15684:15 15687:3 15701:15,23 15715:6 15723:14,24 15732:13 15733:11 15781:23 15782:18 15783:6 15793:14 15794:13,14 shows 15614:8 15679:9 15684:17,25 SHOZI 15765:4 side 15577:4,4 15580:21 15582:21 15582:23 15587:17 15608:24 15610:22 15612:9,14 15613:12 15638:14 15641:11 15641:12,19 15663:5 15698:24 15708:13 sidearms 15679:11,12 sided 15652:25 sides 15602:24 15703:10,11 15735:16 15736:20 15742:17 sign 15756:1 15757:10 15770:5 15789:5,7,15 15790:18 signed 15756:7,10 15760:1 15768:5 significance 15592:8 significant 15612:2 significantly 15650:23 15785:6</p>	<p>similar 15587:2,3 15620:17,19 15621:11 15627:17 15635:23 15739:7 15750:5 similarly 15723:15 simple 15617:16 15651:15 15657:17 simplify 15581:24 simply 15577:8 15592:21 15595:5 15602:9 15652:18 15710:17 15745:17 15755:10 15772:5 15779:16 simultaneous 15610:16 simultaneously 15610:11 sine 15664:11 single 15603:11 singular 15719:18 Sir 15644:14 sit 15577:21,22,22 15578:1,4 15690:16 15732:5 15767:20 15793:20 sitting 15578:9 15647:2 15667:5 15728:14 15795:17 situated 15656:1 situation 15588:22 15590:13,20 15627:17 15639:2 15655:4,21 15656:22 15658:14 15662:19 15665:22 15669:1 15671:4 15676:12 15688:18 15702:12 15703:11 15715:22 15720:15 15724:18 15725:2 15738:10 15745:25 15746:1 15769:3 15781:19 situations 15635:5 15636:3 15672:18 sixth 15762:20 size 15734:4 sleeve 15788:1 slide 15589:3 15629:5 15630:7,9 15635:3,3 15637:11 15647:12 15648:3 15649:2,7,9 15649:17,19 15651:5 15662:25 15663:3,17 15668:14 15669:6,7 15669:16,23 15673:20,22 15674:8 15675:14,17 15677:12 15682:13 15685:7,16 15686:12 15686:15 15695:7,8 15700:12,25 15701:5 15701:23 15713:3,7 15714:3,8,12,13,17 15714:23 15716:7,24 15716:24 15718:20</p>	<p>15718:21,25 15719:21 15720:2,24 15722:24 15723:8 15724:2 15727:23 15757:9,12,17,17 15770:1,1,2 15777:24 15794:2 slides 15602:15 15636:24 15637:9,20 15640:7 15643:24 15650:7 15663:24 15664:5 15667:12 15670:16 15674:4 15681:19 15705:8 15722:15 15773:9 slightly 15628:7 15629:16 15685:1 slow 15594:19 15595:9 slower 15594:19 small 15589:4 15623:19 15628:5 15705:17,22 15745:20 15774:24 smaller 15623:13 15705:24 snap 15781:19 sniper 15676:11,14 soft 15596:22 15611:8 solely 15790:1 solid 15771:16 somebody 15690:15 15691:12 15713:9 15735:2 15740:9 15765:19 15772:22 15774:6 15775:24 15779:7 15780:11,24 15781:7 15783:1 15786:22 somebody's 15675:6 15779:20 somewhat 15714:9 soon 15732:24 SOPs 15638:9 sorry 15580:18 15606:17 15607:6,21 15610:23 15611:14 15617:6 15623:16 15627:10,11 15640:5 15647:11 15657:16 15665:9 15668:14 15671:9,12,12 15674:10 15675:11 15676:1,19 15677:12 15677:17 15678:15 15689:15 15691:17 15697:9,15 15700:10 15701:5 15706:14 15707:1,3 15708:5 15709:14 15711:18 15714:15,21 15715:21 15718:6 15719:17,19 15720:9 15722:2 15723:3 15725:13,14 15738:2 15747:2 15750:6 15751:4,13 15753:8</p>	<p>15755:19,19 15765:10 15766:6 15767:7 15768:13 15771:6 15778:11 15782:20 15789:12 15795:21 sort 15645:3 15695:22 15729:12 15732:15 15775:4 sorted 15700:21 15772:2 sorts 15732:21 sought 15576:6,7 15714:12 15715:11 15727:23 15737:18 sound 15783:22 sounded 15783:23 sounds 15699:12 source 15578:4 15717:3 15750:11 sourced 15757:15 south 15574:15,25 15575:17 15579:11 15637:10 15670:21 15677:15 15739:4 so-called 15626:16 15645:12 15671:2 15710:8 15714:11 15724:23 15755:14 space 15595:25 15601:3 15613:20 speak 15579:24 15587:9 15589:22 15593:6 15603:7 15618:16,17 15622:2 15622:2 15650:19 15660:3 15718:2 15731:21 15741:21 15744:25 15758:3,4 15769:10 15770:12 speaking 15576:15 15589:8 15677:6,23 15700:7 15706:17 15709:11 15722:16 15739:15 15769:18 15771:22 15782:20 15790:8 speaks 15744:22 15745:2 15770:4 15771:7 15774:1 15786:23 special 15593:17 15675:2 15722:15 15778:14 15779:5 specific 15580:6 15613:23 15636:7 15639:12 15657:25 15675:3 15706:2 15745:20 specifically 15580:9 15581:12 15596:19 15612:3 15650:25 15689:7 15724:3 15727:7 15728:14 specificity 15657:13 specified 15683:6</p>
--	---	--	---	---

<p>spectrum 15579:14 speculate 15621:24 15748:3 speculating 15691:3 speculation 15614:13 15614:23 15615:2 15617:6 15621:24 15746:16 speed 15746:18 spend 15664:8 15746:15 15789:24 15794:19 spent 15578:12 15664:2 15749:5 spill 15632:11 spoke 15620:20 15665:18 15693:20 15723:20 15744:21 spoken 15671:20 15750:9 15787:1 spontaneous 15580:24 15581:15 Sporadically 15694:19 spring 15674:5,15 springing 15675:17 squatters 15651:21 15709:20 SS 15676:24 SS3 15676:25 15677:2 15677:9,15 staged 15582:19 stages 15591:22,22 15636:5 staging 15612:13 stance 15766:23 stand 15599:13 15604:13 15657:8 15735:5 15742:12 15756:7 15788:9 15792:1 15793:1 standard 15745:9,14 15746:5 15778:20 standing 15580:16,17 15580:18,19,20,23 15599:20 15600:3 15614:3 15631:1 15678:5 15687:7,10 15687:17,18,22,23 15688:1 15779:25 15780:14 standpoints 15705:25 stands 15657:8 15766:17,18 15788:18,20 Star 15692:24 start 15583:5,20 15584:2,2 15588:2 15594:16 15603:4,5 15634:1,14 15705:18 15710:23 15729:25 15782:4 15792:10 started 15637:5 15648:19 15652:8,15 15656:1 15663:12 15690:3,6 15692:17 15692:17 15732:18</p>	<p>15732:20,21 15733:3 15737:21 15743:6,8,9 15774:19 15792:10 starts 15583:19 15594:16 15616:24 15638:10 15651:22 15706:25 15781:18 state 15613:24 15639:11 15642:22 15665:5 15715:12 stated 15585:7 15601:2 15657:23 15687:21 15792:4 statement 15599:15,18 15599:22 15600:11 15603:21,22 15607:15,24 15608:3 15608:4 15628:9 15660:9,13 15685:6 15695:5 15706:24,25 15711:4,15 15712:22 15716:13,14 15721:8 15721:11 15722:13 15749:17 15760:22 15760:23,24,25 15761:1,1,4,16 15763:13 15766:9,15 15766:17,18 15767:2 15767:4,18 15770:9 15788:20 15791:15 statements 15609:10 15613:17 15616:15 15616:19,20 15712:10 15741:22 15741:23 15742:7 15771:9 15773:24 15790:11 states 15711:5 static 15595:9 15638:3 15638:5,25 15779:9 15779:20 stating 15613:18 15616:19,22 15617:2 15628:13 15635:18 15657:20 15661:6 15668:15 15671:16 stations 15625:11 15749:8 stature 15667:7 stay 15616:10 15623:8 15762:15 stayed 15757:25 staying 15666:17 steal 15722:8 stealing 15669:22 steward 15577:16,19 STF 15594:18 15635:4 15668:9,21 15669:9 15669:19,24 15670:9 15670:17,22 15672:18 15673:3,10 15673:12,15,24 15674:5,9,14,19,23 15675:19 15676:11 stick 15584:19 15603:6 15734:5</p>	<p>sticks 15605:12 stimulus 15624:18 stone 15704:12 stood 15732:23 stop 15587:25 15597:14,20 15617:15 15633:9 15634:2 15696:8,9 15780:7 15781:7,24 15782:19,21 stoppage 15780:17 stopped 15769:9 15780:18 stopping 15611:6,7 15632:24 15633:2,2,3 15643:10 stops 15782:24 15784:19 store 15662:12 story 15736:2 15774:6 straight 15617:12 15795:11 strange 15611:10 strategic 15603:23 strategies 15746:2 strategy 15728:19,19 15744:19 strength 15721:11 strengthens 15652:12 strike 15698:20 strikers 15582:15 15583:9 15585:17 15587:1,19,25 15588:2,5 15601:7 15605:20,24 15606:20 15609:17 15610:14,25 15612:19 15614:11 15616:2,24 15638:13 15638:15 15639:16 15659:22 15660:2,6,9 15699:25 15700:4 15702:4,12 15709:4 15736:3 15756:6,12 15790:8,10 striking 15672:4 strong 15766:22 15788:4 struggled 15793:19 struggles 15771:12 studied 15608:17 study 15583:21 stun 15596:2 15601:6 15614:17,18 15655:10 15656:2,8,9 15656:18 15659:7 15682:3 subject 15576:22 15639:7 15702:21 15758:16 subjects 15623:9 submissiveness 15789:6,8,16 submit 15637:16,17 submitted 15686:15 subsequent 15674:4</p>	<p>subside 15739:14 substantially 15649:11 sub-editors 15751:7 succeeded 15665:2 15680:22 15703:15 success 15665:13 15725:19 15754:21 successful 15575:15 15576:1 15754:19 15765:1 successor 15688:2,3 suddenly 15616:21 sufficient 15580:12 15589:17 sufficiently 15771:1 suggest 15609:5 15680:2 suggested 15685:15 15741:18 15755:25 15789:3 suggesting 15612:25 15667:5 15696:10 suggestion 15599:1 15606:9,14 15681:7,9 15681:14 15686:8 15715:17 15755:20 15756:8,9 suggestions 15607:7 suggests 15755:25 15756:5 15768:17 suit 15657:8 suitable 15634:5 summaries 15622:17 summarise 15751:7 summarised 15768:19 summarises 15751:9 summarising 15608:6 15769:4 summary 15706:3 15714:12 15728:12 15756:18 15769:3 summation 15582:4 summoned 15762:9 supplement 15692:23 support 15623:15 15624:6 supporters 15624:4 suppose 15617:17 15679:19 supposed 15591:23 15592:12 15593:20 15593:20 15613:7 15684:6 15716:16 15720:16 15780:23 15787:14 Supreme 15576:6 sure 15579:25 15586:13 15587:22 15589:21 15591:3 15595:24 15598:16 15600:16 15604:10 15604:12 15608:17 15612:14 15614:12 15616:20 15617:15 15618:19,20 15631:14,25</p>	<p>15632:13 15637:21 15637:24 15641:24 15653:21 15655:11 15655:23 15661:17 15665:20 15666:8,25 15674:21 15679:15 15684:4 15685:24 15688:23 15690:10 15690:20 15691:5 15694:5 15695:5 15696:11 15704:23 15708:3 15709:11 15710:21 15718:20 15724:7 15730:19 15734:17 15744:19 15746:17 15750:9,11 15756:15,22 15763:3 15771:21 15775:5 15787:13 15796:1 surely 15673:11 surprised 15728:7 surrender 15701:24 15708:17 susceptible 15678:18 15678:20 suspect 15788:2 suspected 15599:9 15601:14 15632:21 suspended 15575:21,22 15575:23 system 15706:18,19 s.u.o 15574:4 15636:15 15680:13 15713:21 15759:17 S25 15637:13</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>tackle 15758:16 tactical 15601:10 15655:14,15,16,17 15658:9,12,18,19,19 15661:5 15672:1 15710:24 15734:19 15735:17 15736:18 15737:7,19 15739:6 15742:16 tactically 15600:5 take 15590:1 15596:16 15603:17 15605:7 15607:18 15610:23 15633:22 15634:6 15636:9,10 15641:17 15647:10 15651:3,11 15659:4 15679:23 15680:3,7 15698:15 15702:20 15707:23 15711:20 15713:14 15713:15 15714:5,24 15715:3 15717:9 15721:13 15733:10 15733:14 15737:23 15746:6 15747:13 15748:7 15749:9 15751:15 15752:21 15753:23 15754:15 15759:3,3,7 15766:3</p>
---	---	---	--	--

<p>15766:6,9 15771:3 15772:13 15774:4 15775:3,22 15779:24 15780:22 15789:1 15793:20 15795:13 15795:17 taken 15595:7 15616:21,22 15648:2 15657:24 15676:13 15688:10 15691:8,15 15698:25 15699:10 15705:25 15709:5,8 15710:1,10 15715:13 15715:15 15721:4 15725:2,5,6 15729:19 15733:7 15734:9 15736:11 15737:2 15748:1 15769:19 15790:12 15792:6 15795:23 takes 15595:23 15790:15 talk 15584:20,21 15588:10 15593:16 15618:24 15654:2 15678:15 15684:10 15696:19 15744:20 talked 15695:6 15745:11 talking 15586:16,17,19 15586:20 15588:5 15594:10 15595:3 15600:25 15602:21 15613:20 15618:24 15625:10 15636:3 15665:11,11 15674:18 15678:7 15685:4 15686:10 15689:7 15717:22 15725:7 15749:15,17 15749:17 15773:10 15785:8 talks 15720:25 15757:6 tape 15695:11 target 15631:2 15779:6 15779:9,20 task 15593:17 15734:4 15761:20 15778:14 15779:5 tasked 15587:13,15 tea 15634:6,14 15636:10 15759:3,5,7 15759:11 team 15739:3 15795:10 teams 15735:1,5 tear 15679:11 teargas 15614:18 15655:10 15656:2,10 15656:18 15659:7 15678:25 technical 15642:8 tell 15578:25 15592:23 15597:24 15600:7 15601:5,12 15602:21 15603:1 15619:8 15637:2 15648:25</p>	<p>15659:17 15665:21 15665:25 15669:8 15679:5,20 15688:9 15721:21 15757:1 15765:22 15774:4,6 15776:5 15777:5 15787:5 telling 15616:25 15620:22 15658:23 15710:19 15740:1 tells 15733:10 ten 15680:8 15705:2 15748:4,7 15749:2,3 15782:21 tender 15705:10 terminology 15584:20 terms 15575:12 15642:6 15684:7 15695:24 15788:4 test 15608:10 15752:2 testified 15587:11 15595:24 15608:15 15711:12 testify 15588:9 15591:4 15595:24 15657:13 15680:24 15711:5 15754:11 testimony 15646:5 15692:17 thanks 15602:20 15622:12 15626:10 15636:9 15688:15 15713:13 15715:9 15734:15 15753:14 15770:17 15781:15 15781:21 therefrom 15607:23 thereof 15583:4 15664:10 15764:2 there's 15579:14 15590:12 15592:12 15592:13 15613:17 15614:8,25 15615:10 15638:16,18 15644:24 15666:20 15672:10 15676:15 15677:15 15680:21 15681:7,14 15682:23 15687:21 15695:7,11 15705:17 15715:17 15725:4,6,11 15726:2 15728:5 15740:9 15741:4 15744:1,23 15749:21 15751:20 15752:13 15755:11 15756:22,23 15763:3 15766:21 15767:15 15768:20,24 15770:11 15772:22 15772:25 15780:8 15781:22 15783:1 15789:2 15792:24 15795:8,13 they'd 15585:16 15587:2 15599:17 15613:25 15627:24</p>	<p>15756:1 they'll 15586:21 they're 15578:19,19,20 15583:22 15600:2 15625:25 15641:10 15670:18 15725:7 15779:25 they'd 15654:24 thing 15590:10 15597:9 15662:14 15664:2 15695:14 15720:6 15728:7 15743:9 15745:25 15782:15 15793:20 things 15580:6 15581:13 15582:1 15586:12 15603:5,20 15609:2 15628:9 15641:4 15672:10 15683:25 15684:17 15687:5 15696:22 15705:17 15711:15 15727:24 15736:21 15745:5,10,20 15747:21 15752:15 15793:2 thinking 15729:12 15735:2 15738:7,14 15741:6 15770:11 thinks 15597:11 thinned 15650:22 thinner 15652:1 thinning 15651:20,22 15651:23 third 15577:23 15659:4 15659:8,11,12 15715:25 15716:2 15720:11 15725:22 15726:7 15727:2 15748:1 15768:25 thought 15579:5 15591:9 15611:20 15614:16,18 15622:7 15624:9,10 15627:25 15656:8 15670:4 15699:21 15729:14 15736:18 15739:5,5 15783:23 15792:19 15794:25 thoughts 15759:6 threat 15612:3 15614:2 15614:5 15632:10 15633:19 15635:16 15641:11,15,18 15670:19 15672:12 15672:15 15695:8 15771:25 15779:7 15780:6,11,16,24,25 15781:1,4,9 threaten 15588:17 threatened 15635:6,7 15672:19 threatening 15588:22 15635:7 15636:3 threats 15612:23 15619:10 15672:24</p>	<p>15695:12,24 15696:17,25 15697:4 15736:2 15771:21 15790:9,14 three 15577:24 15598:13 15609:10 15624:9 15637:12 15686:5 15697:10 15707:16 15732:23 15749:3,4 15762:25 15768:16 15769:23 15772:1 threes 15624:14 throw 15758:7 thrown 15714:4 15744:24 throws 15758:6 thrust 15584:15 15722:5 15772:20 15775:6 thunder 15669:22 15722:8 Thursday 15614:10 15649:9 15660:5 15719:6 15739:8,16 15741:3 15774:23 15785:23 15795:9,15 15795:19,23 15796:3 tidy 15700:13 15701:1 tidying 15705:22,23 tie 15705:17 tier 15639:21 tight 15749:12,19 timeframe 15740:24 times 15582:3,3 15692:18 15701:14 15731:10 15744:1 15745:23 15750:18 15771:12,14 15781:16 title 15772:23 today 15574:13 15632:12 15682:11 15682:16,18 15752:21 15757:11 15768:22 15769:2,11 15770:6,8 15772:24 15773:1,2 15774:2,5 15786:20,21 Tokota 15675:16 15786:11,14,20 told 15577:5 15601:12 15620:3,6 15621:10 15624:22 15636:18 15647:18 15648:21 15651:2 15653:15 15659:21 15676:14 15690:19 15691:6,7 15694:23 15716:4 15717:5 15732:1 15733:2 15734:8 15743:20 15749:13 15755:14 15757:2 15764:20 15770:19 15770:20 15771:18 15773:25 15776:4</p>	<p>15785:20 15789:15 15789:16 15793:5 tomorrow 15578:1,3,5 15578:8,9,11 15795:18 top 15649:23 topic 15634:14 15637:8 15643:10 15653:25 15678:22 15680:19 15700:11,11,25 15705:18 torches 15592:16 total 15634:16 15725:23 totally 15715:8 15750:9 15794:14 towing 15661:1 township 15632:15 track 15603:25 traditional 15625:24 trailer 15610:11 trained 15601:10 15687:25 15688:6 15745:17 15778:9,15 15778:17 training 15593:17 15745:14 15746:3 tranche 15718:13 15722:21 15723:9 tranches 15718:9 transcript 15578:10 15599:6 15600:20 15608:17 15703:1 transcripts 15790:8 translate 15708:12 15709:16 translated 15710:5 translation 15758:11 15758:14 trap 15606:11 tried 15617:15 15618:16,17,21 15656:3 15658:6,9 15665:7 15717:23 15784:22 troops 15731:19 trouble 15722:14 TRT 15586:25 15587:7 15587:21,24 15588:6 15588:15 15589:4,16 15590:1 15593:14,18 15594:17,23 15595:5 15596:1 15599:10 15600:24,25 15601:15 15602:4,17 15610:20,21 15618:12 15635:22 15668:11,19,20,25 15669:11 15670:4,20 15672:8 15673:7,12 15674:1 15675:18 15706:18 15778:9,17 15790:24 TRT's 15668:10 true 15628:3 15652:22 15716:18,19 15793:2</p>
---	--	--	--	--

<p>truly 15741:12 trust 15618:10 15665:10 15681:5 15686:3 15704:10 truth 15715:6 truthful 15739:21 15792:12 truthfully 15727:13 try 15603:25 15611:22 15615:24 15624:11 15658:17 15661:4 15664:7 15680:19 15691:19 15710:15 15718:1 15754:8 15779:4 15786:25 trying 15581:24 15583:6 15588:10 15590:5 15596:17 15599:20 15602:10 15604:2,3 15609:16 15613:23 15614:3 15617:10 15620:23 15620:24 15626:5 15630:2 15641:10,16 15649:4 15656:14 15657:21 15661:3,4 15673:13 15685:11 15686:11 15687:2 15692:17 15696:7 15705:17 15710:18 15713:8 Tuesday 15600:17 15668:6 15671:19 15686:21 15687:2 15703:3 15735:22 15738:20 15739:6 15740:14 15741:3,10 15762:10 15785:22 15785:25 turn 15578:15,22 15600:1 15713:24 15743:24 turned 15583:8 Twala 15668:6 two 15600:21 15602:24 15608:22 15619:22 15626:18 15628:5,9 15637:11 15658:16 15679:20 15683:1 15686:5 15687:5 15692:9,22,25 15699:5 15703:10,10 15703:11 15705:2,5,6 15706:21 15707:16 15710:9 15713:16 15718:3,9 15732:23 15744:1 15745:6,8 15752:13,25 15754:2 15756:22 15759:25 15768:21,23 15769:10,21,24 15770:1,9 15771:23 15773:24 15778:13 15778:13 15780:16 15781:6 15792:9 15794:5</p>	<p>twos 15624:14 type 15581:9,15 15745:24 15772:18 15774:24</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>uit 15708:1 unanticipated 15583:8 unarmed 15613:11,12 15618:18 uncertainties 15605:6 unclear 15730:24 uncoiled 15610:10 15652:14 15663:2 uncoiling 15610:16 15662:23 15663:4 15725:20 15726:12 underpinned 15654:3 underpinning 15654:17 understand 15574:5 15578:5 15581:23,24 15584:13 15585:23 15598:4,5 15601:16 15603:23 15604:20 15604:25 15608:14 15617:8 15618:23 15626:8 15629:9 15638:25 15640:20 15654:1 15659:10 15663:25 15665:14 15666:24 15670:3 15671:7 15681:9 15696:7,20 15702:14 15702:25 15704:6 15706:16 15712:17 15713:20 15717:2 15721:12 15726:19 15728:5 15733:16 15745:7 15754:20 15759:4 15766:20 15771:15 15783:25 15784:7,8 15789:22 understandable 15578:7 understanding 15626:9 15638:22 15657:18 15672:11 15678:4 15748:20 15755:13 15766:14 15779:3 understands 15737:24 understood 15604:14 15606:10 15610:11 15610:17,18 15612:17 15657:22 15702:9 15771:4 undertaking 15684:7 underway 15595:22 undisclosed 15683:23 15684:6 15749:22 unfairly 15615:10 Unfortunately 15608:12 union 15660:4 unit 15600:25 15757:24 units 15579:22 15580:8</p>	<p>15601:10 unnecessarily 15738:3 unordained 15691:25 unprotected 15698:20 unquote 15755:15 unrelated 15687:5 unrevealed 15683:14 unturned 15704:12 unwanted 15697:24 urinate 15784:19 urinates 15684:24 urinating 15684:18 use 15584:20 15601:6 15605:25 15611:11 15629:24 15652:1 15656:19,23 15659:4 15674:7 15677:21 15678:6,19,24 15679:12 15683:9 15721:9 15725:14 15748:21 15750:14 15778:15,18 useful 15785:21 usual 15796:1 utilised 15677:4,8 utilising 15642:20 utterance 15784:10,13 utterances 15682:16 uttered 15695:12,25 15752:6</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>vague 15681:13 15683:2 15689:5 15755:20 valid 15632:6,7 value 15667:1 15681:3 15703:4 15711:3 various 15636:24 15644:21 15657:5 15719:9 15791:16,16 vehicle 15662:25 15673:10,11 15692:18 15694:1,5 15733:1 15749:2 15780:14 vehicles 15587:13,16 15587:23 15588:3,14 15588:19 15612:4,8 15612:11,11 15710:23 vengeance 15734:25 15736:22 15737:3 15740:9,10,11,15 15741:2,11,12,13 venue 15762:18 verbal 15583:4 15601:5 15624:21 15661:18 15676:15 verbatim 15757:22 verify 15723:14 15726:4 Vermaak 15599:18 15709:5 15710:2,12 15710:19 15711:5,15 15712:20 15713:1</p>	<p>Vermaak's 15706:24 vernacular 15758:5 version 15657:8 15722:21 15756:2,14 15757:21 15768:20 15768:25 15769:1,1 15773:13,13 15782:24 15784:24 versions 15768:16 15772:6 vicinity 15583:9 15627:15 15693:20 video 15583:17,18 15587:18,23 15591:12 15621:14 15622:6 15642:18 15661:24 15662:17 15664:5 15667:15 15680:21 15681:15 15682:17 15684:15 15684:23 15685:5,16 15686:4 15705:8 15726:2 15750:2 15753:22 15754:2 15776:15 15777:13 15777:20,21,22,23 15778:3,7 15781:21 15781:23,25 15782:18,20,23 15783:6,17,25 15784:14,17,21 15785:15,17 15786:1 15786:2 15791:6 15792:5 15793:6,9,14 15794:15 videos 15591:6 15620:21,21 15685:9 15686:18 15694:22 15695:21 15697:1 15701:13 15776:20 15781:12 15784:20 15790:8 15793:10 view 15587:7 15605:17 15608:10,10 15628:14 15647:2,5 15652:25 15658:4,5 15665:12 15698:18 15703:7,8 15706:12 15708:20 15709:6 15712:9,11 15740:14 15781:3,5 viewed 15738:20 viewing 15615:3 views 15576:19 15646:22,22 violence 15611:20 15614:9 15630:25 15632:10,11,25 15667:20,23 15703:12 15741:10 violent 15596:1 15632:10 15634:23 15699:9 visit 15662:24 15663:6 15663:7 Visser 15648:16</p>	<p>15650:7 15651:16 15716:23 15717:8,22 15719:19,19,20 15721:21 15722:17 15757:18 15773:11 15792:2 Visser's 15716:9 15757:4,12,14 visual 15619:18 15624:18 voice 15790:14 volume 15782:3 volumes 15744:23 15745:2 voluntarily 15654:13 15666:13</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>waarop 15708:2 wait 15662:9,11 15767:21 waited 15606:19 15608:20 15666:5 15728:22 15729:11 15794:10 walk 15594:19 15614:1 15618:7 15625:20 15749:8 15773:14 15790:24 walked 15618:11 15619:4 15626:3 15790:2 15791:6 walking 15644:13 15645:6,11 15647:4 15652:24 15653:1 15779:21 15789:5 walks 15784:19 wall 15634:16 wandering 15743:9 wanted 15574:12 15579:23 15610:12 15612:21 15613:18 15615:25 15616:4,6 15624:7 15632:14 15633:9 15639:5 15658:15 15665:1 15677:13 15684:21 15685:10 15702:4 15709:1 15714:6,8 15732:7 15741:13 15771:6 15778:8,24 15782:23 wanting 15610:4 15616:12 15617:3 15650:2,16 15685:12 wants 15629:22 15648:23 15669:14 15700:22 15721:2 15727:12 15730:4,16 15730:21 15731:6 15737:5 15758:7,16 15767:9 warfare 15745:24 warn 15596:2 warning 15596:2 15601:6,6 15613:9</p>
---	---	--	---	---

<p>15616:11 15620:2,8 15620:10,16,17,19 15622:8 15623:4,5 15624:17,21 15625:19 15645:8 15781:22 warnings 15583:4 15622:10 Warrant 15751:22 warranted 15713:3 wasn't 15596:16 15600:15 15601:21 15619:17,21 15620:10 15621:13 15621:23 15631:7 15633:6 15634:21 15642:4 15644:9 15670:8 15681:24 15692:15,16 15693:16 15694:11 15694:12,14,15 15695:17 15698:25 15716:8 15729:6,11 15732:21 15733:9 15734:22 15739:15 15744:4 15753:6,13 15754:5 15770:25 15772:14 15774:25 15775:25 15784:3 15794:16 wasn't 15652:7 15657:13 15711:19 15712:19,23 15758:5 waste 15712:6 15785:16 wasted 15578:11 watch 15749:1 watched 15753:21 watching 15599:18 water 15616:5 15617:14,14 15659:5 15659:13 15678:24 way 15582:8 15586:2 15587:21 15593:19 15594:23 15611:1 15615:8 15617:4 15622:14 15627:12 15647:10 15650:12 15656:6,15 15657:20 15658:13,22 15661:4 15664:8 15666:8 15677:21 15696:12 15696:23 15715:10 15735:1,3 15736:3,9 15738:23,24 15739:1 15739:11 15741:6 15747:24 15748:20 15752:2 15753:10 15769:4 15775:5 15784:5 15785:13 15791:6 wayward 15603:20 weapon 15780:17,18 weapons 15592:1 15613:11 15618:11 15618:21 15619:5,8</p>	<p>15619:14 15620:4,5,6 15621:10 15623:7 15625:24 15699:9 15701:24 15716:17 15720:18 wear 15578:20 Wednesday 15577:23 15577:23 15578:2 15659:22 15671:19 15741:3 15746:22 15774:20 week 15578:2 15610:8 15610:16 15646:18 15684:8 weekend 15599:16 weer 15707:20,23,25 went 15583:9 15584:15 15605:25 15606:19 15619:22 15639:19 15646:1 15665:8 15666:6 15689:19 15693:18,20 15718:22 15725:18 15733:1 15753:24,24 weren't 15620:3 15640:18 15642:8 15674:9 15688:13 15693:21 15736:10 15747:16 weren't 15619:13 15620:6 15698:20 west 15582:25 15594:25 15611:13 15611:17 15625:7,7 15628:7 15629:16 15633:24 western 15582:23 15612:9,14 we'd 15686:18 we'll 15581:17 15588:6 15593:7 15595:14 15600:22 15615:12 15634:15 15636:10 15680:7 15681:6 15704:10 15726:11 15766:18 15767:21 15768:23 15770:5 15771:3 15775:20 15776:17 15788:12 we're 15575:16 15587:5,22 15589:8 15596:25 15614:15 15614:22 15616:19 15617:22 15618:23 15638:17 15649:12 15716:10 15764:20 15769:18 15773:1 we've 15579:16 15581:8 15591:6,12 15645:19 15683:25 15684:15,25 15701:13 15726:23 15759:21 15763:2 15787:23 we'll 15653:14 15662:11 15713:15</p>	<p>we've 15660:2 15663:24 whatsoever 15696:18 what's 15606:14 15624:16 15626:17 15633:23 15728:9 15745:7,10,18 15746:19 15752:21 15769:12 15781:25 15789:24 15795:9,22 Whichever 15789:19 white 15644:4,6,22 15645:5,6,11 15646:2 whiteboard 15732:20 White's 15788:3,7,19 whoa 15764:18,18,18 who's 15586:2 15638:7 15763:3 15780:12,14 15780:14 15781:4 wide 15579:14 15791:15 wider 15749:17 wire 15582:17,17,21,23 15582:25 15587:15 15594:25 15610:10 15610:22 15611:5,18 15613:15 15616:23 15624:20 15628:16 15628:19 15630:23 15631:2 15632:5,9 15633:18,20 15634:2 15642:4 15652:9,14 15660:5 15661:1 15662:23 15663:2,4 15671:6 15672:14 15725:20 15726:13 15744:24 15745:3 15769:20 15771:24 15790:13 wires 15769:8 15771:19 wise 15664:4 15772:18 wiser 15767:18 wish 15577:14 15578:20 15592:7 15617:12 wished 15610:15 15779:17 wit 15707:1,8 withdraw 15600:5,6,6 witness 15607:15,25 15608:3,23 15609:3,5 15621:13,20 15643:5 15656:14 15657:12 15657:18 15663:25 15678:17,21 15680:24 15696:17 15700:14 15702:13 15702:18 15703:5,18 15707:15 15711:3,8 15711:12,16 15712:8 15726:23 15727:22 15737:16,23 15738:11 15755:7 15756:16,24 15764:3 15765:12 15766:9,11</p>	<p>15766:11,15,25 15767:14 15772:12 15772:13 15775:16 15775:18,21 15785:21 15786:13 15786:18 15789:22 15791:17 witnesses 15579:9 15608:11 15609:11 15643:10 15647:8 15766:23 witnessing 15585:17 15741:8 wonder 15724:4 15765:25 won't 15651:3 15729:22 15747:4 15767:20 15772:7 word 15602:10 15610:20 15611:10 15623:10,23 15627:4 15629:25 15631:6 15632:17 15651:12 15660:22 15682:17 15712:25 15740:6 15750:14 15752:4 15756:14 15786:23 wording 15723:4 words 15585:14 15599:15,25 15604:4 15613:11 15616:16 15622:19 15630:24 15632:21 15648:5 15650:1 15651:20 15660:7 15662:11 15686:5 15706:8 15708:3 15709:3 15710:13,14,16 15736:14 15750:5,9 15750:13 15751:1,12 15751:18,19,22 15752:6,7,12,25 15753:6,15 15757:9 15758:14 15768:16 15772:8 15773:14 15786:18,25 15787:1 work 15592:16 15600:4 15640:22 15647:23 15648:2 15703:22,24 15703:25 15704:1,8 15732:6 15745:23 15754:9 15757:4,13 15757:14 15760:2 15761:12,13,17 15762:5,9,11 15794:21 worked 15659:4 15792:9 working 15617:25 15676:16 15693:25 15717:25 15732:18 15735:1 15743:6 15792:2 world 15757:11 15770:5 worried 15781:25</p>	<p>worry 15704:22 15750:12 worst 15624:11 15627:15 worth 15714:4 15785:16 wouldn't 15580:3 15605:22 15617:15 15628:4 15633:20 15634:11 15675:2 15686:24 15705:7 15717:20 15719:5 15729:5 15753:23 15785:12 would've 15633:25 wounded 15699:5 write 15760:10,18 written 15638:9 15677:25 15678:1 15701:18 15714:4 wrong 15604:12 15623:23 15651:3 15670:4 15715:8 15725:25 15734:12 15742:2 15749:25 15750:6 15753:16 15762:8 15765:17 15773:15 15791:14 15791:14 wrote 15692:21</p> <hr/> <p style="text-align: center;">X</p> <p>Xolumgabi 15662:9 X's 15599:15</p> <hr/> <p style="text-align: center;">Y</p> <p>year 15607:16 15685:9 15753:11,12 years 15603:8 yellow 15644:21 yesterday 15574:13 15575:2 15577:22 15637:8 15718:7 15737:20 yield 15708:17 you'd 15580:13 15591:5 15678:24 15682:6 15684:12 15733:16 15749:11 you'll 15669:5 15670:4 15681:5 15705:19 15739:24 15757:3 you're 15574:3 15588:7 15591:25 15592:10 15593:20 15594:5 15596:14 15603:19 15605:19 15618:18,20 15619:4 15622:4 15627:11 15628:18,24 15634:23 15636:14 15638:21 15643:12 15647:17 15649:7 15666:22 15673:14 15674:20,21 15675:25 15676:16</p>
---	--	--	---	---

<p>15680:4,12 15681:14 15681:21 15682:13 15683:9,25 15684:11 15686:10,13,20,25 15688:8,25 15692:2,3 15696:7,10 15703:22 15713:19 15727:6 15734:17,25 15736:24 15738:12 15739:23,25 15740:8 15759:15 15766:5 15767:23 15773:18 15779:6,25 15780:22 15780:23,24 15781:1 15781:11 you've 15577:5 15585:8 15590:11 15591:4 15603:17 15604:16,17 15605:10 15607:12 15612:18 15615:11 15622:8 15623:21 15634:8 15649:1 15666:12 15683:5 15686:23 15733:2 15755:3 15765:16,22 15767:11,24 15768:8 15773:22 15779:22 15780:11 15783:12 15783:15 15785:24 15788:6 15793:14</p> <hr/> <p style="text-align: center;">Z</p> <p>zero 15777:19 zone 15603:20 Zuma 15773:24</p> <hr/> <p style="text-align: center;">0</p> <p>000 15623:18 02:30 15749:1 09:09 15574:2 09:29 15588:23 09:30 15746:12,13 09:49 15605:15</p> <hr/> <p style="text-align: center;">1</p> <p>1 15582:4,10 15584:11 15584:20,21 15587:6 15588:24 15589:22 15591:2 15594:5,9 15604:4 15635:23,23 15652:7 15662:10 15673:23 15674:22 15675:15 15706:1 15726:15 15732:18 15749:18 15752:25 15780:16 1st 15651:6,14 15723:6 15723:21 1:13 15782:19,22 1:30 15725:13 10 15583:13 15586:10 15586:14,14,22 15587:4 15652:9 15700:3 15748:10 15778:24</p>	<p>10th 15678:2 15762:23 15763:1 10% 15754:19 10-metre 15587:4 10-15 15748:14 10:09 15621:20 10:42PM 15724:6 100 15586:10 15588:15 15588:20 15589:5 15601:3,25 15602:17 100% 15756:19 100-metre 15582:1 15583:12 15586:11 15589:16,17 15590:12,17 15600:13,16 11:03 15636:13 11:23 15651:19 11:42 15665:15 110% 15753:19,19,24 15756:18 114 15701:23 118 15647:15 12 15677:1 12-36/0945 15701:3 12:02 15679:7 12:16 15680:11 12:36 15694:15 12:56 15708:11 13 15629:5 15677:1,18 13th 15596:12 15598:10,11,12,13,14 15598:19,22 15599:10 15614:16 15615:4,14,25 15656:22 15677:14 15678:3 15687:14 15708:20 15734:21 15736:15 15738:8,13 15742:18,20 15758:6 15776:4 13(7) 15774:18 13:30 15719:6,22 15720:10 15725:13 15725:14 15726:1,4 15728:8 15743:2,21 15744:11 15747:8 13:40 15694:1 15757:10 15770:3,20 13:51 15713:18 130 15636:25 13358 15735:14 135 15630:7 15637:9 136 15637:9,9 13693 15600:24 13694 15599:6 137 15637:9,11 13708 15698:3,10 15699:23 14 15677:1 14th 15668:3,7 15736:15 15738:8,14 15740:7 15776:20 14:00 15731:3 15732:4 15743:2 14:10 15733:12</p>	<p>14:11 15727:21 14:30 15693:15 15733:6 15742:23 14:50 15757:19 140 15635:3 15669:16 15669:22,23 15672:18 141 15669:23 15 15586:23 15624:24 15677:1 15735:15 15748:10 15th 15668:3 15689:12 15689:13,15 15691:8 15691:11 15740:7 15:00 15693:15 15:15 15731:5 15:17 15759:15 15:30 15729:25 15731:6,23 15:35 15683:20 15:36 15767:24 15:40 15695:8 15770:8 15:43 15649:10,13,14 15:55 15708:15 15:56 15781:22 15:58 15709:21 1516 15708:13 1517 15709:20 155 15682:13 16 15677:1,10 16th 15598:12,17 15648:17,20 15649:9 15660:17 15687:15 15692:22 15693:2 15723:5 15737:8 15738:11 15740:7 15762:24 15763:1 1613 15731:2 1678 15677:10 17 15660:17 17th 15754:2 170 15623:17 174 15713:25 18 15599:8 15677:10 18th 15754:3,4,6,7 180 15613:21 19th 15721:8,13 191 15643:24 15649:19 192 15695:7,9,10 15757:9 15770:1,1 193 15643:24,25 15662:25</p> <hr/> <p style="text-align: center;">2</p> <p>2 15582:4,11 15584:6,7 15584:10,13,20,21,24 15584:25 15585:1,3,5 15585:11,20 15587:14 15589:9,10 15589:11 15595:11 15596:5 15597:9,14 15604:7 15630:3,4,12 15630:16,22 15633:18 15634:17 15634:17,19 15635:9 15635:11,14 15636:4</p>	<p>15669:16 15670:17 15670:17 15672:11 15672:11,23 15674:5 15674:18,19 15675:15 15707:8 15716:10 15717:20 15718:10 15731:11 15780:17 2's 15634:21 15671:6 2:30 15733:4 20 15595:4,5 15624:24 15652:9 15733:7 15734:9 15746:10 15778:24 15779:11 200 15613:21 2012 15649:10 15660:17 15762:7,10 15762:12 15776:20 2012-08-03 15724:5 2013 15574:1 202 15768:10 203 15760:9 2055 15647:13,25 15649:1 211 15673:23 15674:8 15675:14 25 15637:10 15705:6 257 15675:17 262 15580:15,19,24 15581:2,4,6,8,12 15678:5 15687:7,10 15687:15,18,23,23 15688:1,10,12,23 15689:2 28th 15762:7,10 29th 15762:12</p> <hr/> <p style="text-align: center;">3</p> <p>3 15582:16 15584:10,13 15584:21,24 15585:1 15585:3,5 15586:3 15596:5 15597:9 15623:18,22 15628:6 15634:17,18,19 15635:8,15,24,24 15654:4,5 15661:11 15663:11 15664:12 15664:21 15667:19 15667:24 15670:24 15670:25 15671:3,25 15672:23 15683:21 15691:8 15714:9 15715:12 15720:21 15720:23 15727:17 15727:18 15728:16 15743:22 15744:2,3,8 15746:25 15749:16 15749:17,19 3rd 15762:17,21 30 15595:4,5 15747:12 31st 15762:12 34 15754:16 36 15649:17</p> <hr/> <p style="text-align: center;">4</p> <p>4 15583:17,18 15587:14</p>	<p>15587:18 15645:24 15645:24 15653:16 15760:17 15768:1 4th 15721:16 40 15637:13 15747:10 15747:12 400 15623:22 43 15601:8 44 15767:5 15769:9 45 15764:7,10 15765:16 15765:22 15768:9 15769:5,6 46 15764:8,10 15768:9 47 15769:7 48 15765:16,22 49 15764:9 15769:15 49(11) 15575:12 49(2) 15676:17</p> <hr/> <p style="text-align: center;">5</p> <p>5 15574:1 15660:16 5th 15721:17 15724:6 50 15583:18 15584:1 15588:1 15591:8 15767:6 51 15767:6</p> <hr/> <p style="text-align: center;">6</p> <p>6 15611:16 15732:13 15749:18 15771:22 15773:20 15774:13 15775:8,11,24</p> <hr/> <p style="text-align: center;">7</p> <p>7 15677:11,20 15707:5 15707:10 7th 15762:17</p> <hr/> <p style="text-align: center;">8</p> <p>8 15679:8 8PM 15762:11</p> <hr/> <p style="text-align: center;">9</p> <p>9 15660:18 15716:16 9th 15687:14 9-0 15777:18 90 15681:24 15685:7,16 15777:24 97 15700:12,25 15701:2 15701:5</p>
--	---	---	--	--