

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 285

4 SEPTEMBER 2014

PAGES 36869 TO 37026



© REALTIME TRANSCRIPTIONS

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



Page 36869

1 [PROCEEDINGS ON 4SEPTEMBER 2014]
 2 [09:10] CHAIRPERSON: The Commission resumes.
 3 Before I remind Mr Hendrickx that he's still bound by his
 4 affirmation I want to know from you, Mr Semenya, whether
 5 it's necessary to do so. Do you have further questions for
 6 him?
 7 MR SEMENYA SC: Two or three questions,
 8 Chair.
 9 CHAIRPERSON: Mr Budlender, I know there
 10 are time constraints that are pressing. Shall I allow him
 11 to ask the two or three questions now, or shall we stand it
 12 over until you're finished –
 13 MR BUDLENDER SC: Chair, if you're asking
 14 me my personal –
 15 CHAIRPERSON: I'm asking you your
 16 personal –
 17 MR BUDLENDER SC: My personal preference
 18 would be that I could start now with Mr De Rover.
 19 CHAIRPERSON: Okay, you're happy –
 20 MR BUDLENDER SC: It's quarter past 9
 21 already.
 22 CHAIRPERSON: You're happy with that, Mr
 23 Semenya?
 24 MR SEMENYA SC: Perhaps I could also
 25 announce that leading of Mr De Rover won't be 15 minutes,

Page 36870

1 it would be like five minutes as well.
 2 CHAIRPERSON: That's something to bear in
 3 mind when it happens. Thank you. Yes, so you may stand
 4 down for the moment, Mr Hendrickx.
 5 MR BUDLENDER SC: Chair, if it's really
 6 only two or three questions, let's get it over with and –
 7 CHAIRPERSON: Alright. Mr Hendrickx,
 8 you're still bound by your affirmation.
 9 EDDIE MARTINUS ROSALIA HENDRICKX:
 10 [affirms further]
 11 CHAIRPERSON: Thank you. Yes, Mr
 12 Semenya.
 13 CROSS-EXAMINATION BY MR SEMENYA SC (CONTD.):
 14 Mr Hendrickx, good morning.
 15 MR HENDRICKX: Good morning, Sir.
 16 MR SEMENYA SC: I tried to obtain
 17 information in relation to the use of the water cannon.
 18 I'm told the functions it has, it's a short pulse with 10
 19 litre per shot, a long pulse with 20 litre per shot, and a
 20 continuous spray. There is no recognition of what you call
 21 jet spray.
 22 MR HENDRICKX: I'm not referring to the
 23 third, to the spray. I'm referring to the two ways of, the
 24 two manners of providing the water to the, to protesters or
 25 whatever, or to the people. That's what I'm referring to.

Page 36871

1 I call that a jet, a jet stream.
 2 MR SEMENYA SC: The 10 litre per shot or
 3 the 20 litre per shot, is that what you call jet spray?
 4 MR HENDRICKX: Ja. That's what I call a
 5 jet stream, what you said providing for a few seconds, a
 6 few litres of water intended to reach or hit a person.
 7 MR SEMENYA SC: Can I ask that we, Chair,
 8 have a statement of Tshepiso Isaac Segaoale, it's a new
 9 exhibit.
 10 CHAIRPERSON: Has the witness seen it?
 11 MR SEMENYA SC: The witness has not seen
 12 it, but it's a very short statement. It's one paragraph
 13 I'm interested in really, Chair.
 14 CHAIRPERSON: I take it there's no
 15 objection, Mr Bizos.
 16 MR BIZOS SC: No.
 17 CHAIRPERSON: TTTT4, statement, how do
 18 you spell the deponent's name?
 19 MR SEMENYA SC: Segaoale would be S-E-G-A-
 20 O-L-E.
 21 CHAIRPERSON: Surname?
 22 MR SEMENYA SC: That's Segaoale. The name
 23 is Tshepiso, T-S-H-E-P-I-S-O, Isaac.
 24 CHAIRPERSON: Alright, his statement will
 25 be TTTT4.

Page 36872

1 MR SEMENYA SC: Yes. Thank you, Chair.
 2 The operator has it; maybe they will just flight it on the
 3 screen, but this is an individual who was an operator of
 4 the North West cannon, Mr Hendrickx. What he does say, and
 5 maybe this is what you are referring to, in paragraph 3, "I
 6 operated from my operator's control panel and Warrant
 7 Officer Maloetse operated from the driver's control panel.
 8 Warrant Officer Maloetse and I, that is Constable Segaoale,
 9 attended a water cannon course at Benoni SAPS College. We
 10 never received any training on how to use the recorder that
 11 is installed in the water cannon. It is the recorder that
 12 was a problem, not the operation of the water cannon." Do
 13 you have any information different?
 14 MR HENDRICKX: Well, not for the moment.
 15 But you can see from this statement as well that people in
 16 the water cannon were not trained to use the video camera,
 17 the recorder. Is that what you say?
 18 MR SEMENYA SC: That's right.
 19 MR HENDRICKX: Well, I think that's a
 20 lack of training then.
 21 MR SEMENYA SC: Those are the questions –
 22 CHAIRPERSON: That's obvious, but the
 23 question is whether it has a bearing on the use of the
 24 cannon for firing water at people is concerned, whether he
 25 was adequately trained for that and we don't know that.

Page 36873

1 But anyway –

2 MR SEMENYA SC: Those are all the

3 questions I have.

4 CHAIRPERSON: All your questions, thank

5 you.

6 MR HENDRICKX: Can I comment on that,

7 Sir, or not?

8 CHAIRPERSON: Yes, you can comment, of

9 course.

10 MR HENDRICKX: The best way to go then

11 ahead if I make, if I may make a recommendation to the

12 Commission, is to see what a water cannon can do when it's

13 used properly.

14 CHAIRPERSON: Yes, perhaps arrangements

15 can be made for a water cannon to be taken to Marikana on

16 Monday and while we're at the inspection we can see – I

17 don't know whether that's practical, but if it's practical

18 it will take a few minutes and we can fire water at a

19 koppie and see what happens. We can get somebody to stand

20 in the way of a cannon and see, like Mr Mpofu, see whether

21 it pushes him back 20 metres.

22 MR BUDLENDER SC: Can we nominate?

23 MR SEMENYA SC: We nominate Mr Mpofu.

24 CHAIRPERSON: I think what can happen is

25 the legal representatives can draw lots, as was done in the

Page 36874

1 Bible when the 12th apostle was chosen and we see on whom

2 the lot falls.

3 MR HENDRICKX: And perhaps with a trained

4 team in the water cannon then?

5 CHAIRPERSON: Yes, of course. Alright,

6 that's your recommendation. That's your evidence. Thank

7 you very much. You're excused from further attendance on

8 the usual basis that if you have to come back we don't have

9 to serve a subpoena. I don't think that will be likely,

10 but if you're prepared to give that undertaking you'll be

11 excused.

12 MR HENDRICKX: Yes, Sir.

13 CHAIRPERSON: Thank you very much.

14 MR HENDRICKX: Thank you.

15 CHAIRPERSON: Thank you for coming and

16 thank you for –

17 MR HENDRICKX: Thank you.

18 [NO FURTHER QUESTIONS – WITNESS EXCUSED]

19 MR CHASKALSON SC: Chairperson, if I can

20 just add, there is in fact a statement from Warrant Officer

21 Fourie who identifies what training was given, not to Mr

22 Segaole who was in the North West water cannon, but to the

23 operators of the Johannesburg water cannon that specifies

24 exactly what training was given.

25 CHAIRPERSON: Well, we can look at that

Page 36875

1 after Mr Budlender has had a chance to cross-examine Mr De

2 Rover. Mr Semenya?

3 MR SEMENYA SC: I beg leave to call Mr De

4 Rover.

5 CHAIRPERSON: Yes, Mr Semenya, when the

6 witness seat is vacated, your witness will sit in it. You

7 call Mr De Rover.

8 MR SEMENYA SC: I do, Chair.

9 CHAIRPERSON: Mr De Rover, would you

10 please stand? Are you prepared to take the oath or do you

11 wish to affirm?

12 MR DE ROVER: The oath.

13 CHAIRPERSON: The oath. Do you swear

14 that the evidence you will give before this Commission will

15 be the truth, the whole truth, and nothing but the truth?

16 Would you please raise your right hand and say, "I swear,

17 so help me God."

18 CEES DE ROVER: I swear, so help me God.

19 CHAIRPERSON: Please be seated.

20 MR DE ROVER: Thank you.

21 CHAIRPERSON: Yes, Mr Semenya.

22 EXAMINATION BY MR SEMENYA SC: Thank you,

23 Chair. Mr De Rover, you have been engaged in the

24 proceedings around the Marikana Inquiry by the South

25 African Police Service. Is that right?

Page 36876

1 MR DE ROVER: That is correct, Mr

2 Semenya.

3 MR SEMENYA SC: And might I just show you

4 two documents, the first is already an exhibit before the

5 Commission and it is exhibit FFF11 and on page 22 of that

6 document you will see a signature there. Please tell us if

7 you recognise it.

8 MR DE ROVER: Yes, that is my signature.

9 MR SEMENYA SC: And it is a statement

10 dated 8th day of March of 2013.

11 MR DE ROVER: That is correct.

12 MR SEMENYA SC: So too you will find a

13 document, exhibit FFF11A, mine isn't signed but I would

14 invite you to look at the document and if it is your

15 statement to confirm that it is so, exhibit FFF11A, written

16 supplementary statement of Mr Cees de Rover on page 1.

17 That's the one. Let's do page 1 first so that Mr De Rover

18 can see what is in the tramlines there.

19 MR DE ROVER: That is my statement.

20 MR SEMENYA SC: That is your statement.

21 MR DE ROVER: Yes, Sir.

22 MR SEMENYA SC: You confirm its contents?

23 MR DE ROVER: I do confirm it.

24 MR SEMENYA SC: So too the contents of

25 exhibit FFF11?

<p style="text-align: right;">Page 36877</p> <p>1 MR DE ROVER: Yes, I do.</p> <p>2 MR SEMENYA SC: Might I invite you, Mr De</p> <p>3 Rover, to tell us your background, professional background</p> <p>4 that is?</p> <p>5 MR DE ROVER: Chairperson, I will not</p> <p>6 repeat that what is already included in my first statement,</p> <p>7 to save time, maybe just to add a few elements to it. My</p> <p>8 career now spans 35 years, 14 of which in the Dutch police</p> <p>9 and a slight overlap of two years where there's an</p> <p>10 international career that now runs in excess of 20 years.</p> <p>11 I have a Masters Degree of Business Administration in</p> <p>12 addition to my formal policing qualifications, with a</p> <p>13 specialisation in Organisational Change. I have a Masters</p> <p>14 Degree of Public International Law with focus on human</p> <p>15 rights and humanitarian law.</p> <p>16 The last 22 years have seen me in close to 70</p> <p>17 different countries around the world on all continents,</p> <p>18 including South Africa, where I have worked closely with</p> <p>19 police security forces and armed forces, surely at</p> <p>20 instances in matters relating to use of force and firearms</p> <p>21 in public order management which seem to be of particular</p> <p>22 interest to this Commission, but more generally on issues</p> <p>23 of task organisation and task implementation.</p> <p>24 I've worked extensively with the United Nations.</p> <p>25 I've been a staff member of the United Nations in 1995 when</p>	<p style="text-align: right;">Page 36879</p> <p>1 policing, as well as restructure and retrain Indonesia's</p> <p>2 mobile brigades, which are their riot policing variant.</p> <p>3 The Indonesian police is in personnel strength close to</p> <p>4 600 000, so it's about three times as large as SAPS, and</p> <p>5 its riot policing component counts 42 000 personnel.</p> <p>6 CHAIRPERSON: What is the population of</p> <p>7 Indonesia? How does it compare with ours?</p> <p>8 MR DE ROVER: I think it's about four</p> <p>9 times as large.</p> <p>10 CHAIRPERSON: I see.</p> <p>11 MR DE ROVER: In excess of 200 million</p> <p>12 people. I have worked extensively for the International</p> <p>13 Committee of the Red Cross. I was brought in there</p> <p>14 initially to produce the book "To Serve and to Protect</p> <p>15 Human Rights and Humanitarian Law for Police and Security</p> <p>16 Forces." This book, first published in 1998, now knows a</p> <p>17 second edition that was published in March this year. The</p> <p>18 original book has been translated into 36 languages and</p> <p>19 forms for many police forces an important reference work.</p> <p>20 It's actually to date still one of the best-selling books</p> <p>21 the organisation has at its disposal.</p> <p>22 Once that book was complete I was placed in the</p> <p>23 position of being ICRC's first coordinator for police and</p> <p>24 security forces because the organisation realised the need</p> <p>25 to not just engage the armed bearers that are part of the</p>
<p style="text-align: right;">Page 36878</p> <p>1 the Department of Peacekeeping Operations placed me in</p> <p>2 Burundi as a special advisor to the special representative</p> <p>3 of the secretary-general. I've worked extensively with the</p> <p>4 Office of the High Commissioner for Human Rights, and in</p> <p>5 fact where professional training series number 5 is</p> <p>6 concerned the manual that covers human rights and policing,</p> <p>7 I'm one of the two authors responsible for that</p> <p>8 publication.</p> <p>9 I've been part of many expert working groups of</p> <p>10 the Office of the High Commissioner for Human Rights and I</p> <p>11 routinely assist mandate holders, special rapporteurs on</p> <p>12 thematic issues. I particularly like to mention Professor</p> <p>13 Philip Alston who held the mandate that is currently being</p> <p>14 held by Professor Heyns. In that capacity of working for</p> <p>15 the UN I've worked for several of the UN specialised</p> <p>16 agencies, including the United Nations Development</p> <p>17 Programme for whom I did the needs assessment, validation</p> <p>18 and programming of the needs of Rwanda to re-establish a</p> <p>19 national policing capability following the genocide in</p> <p>20 1994.</p> <p>21 I've worked extensively with the High</p> <p>22 Commissioner for Refugees, most notably on a project in</p> <p>23 Indonesia that ran from 2001 till the middle of 2003 and</p> <p>24 that was aimed at bringing human rights training to the</p> <p>25 Indonesian national police and introduce community</p>	<p style="text-align: right;">Page 36880</p> <p>1 armed forces, but that it would also be in interest to</p> <p>2 engage with the armed bearers that are part of police and</p> <p>3 security forces. So I established the strategy, the</p> <p>4 methodology. I recruited the people and I established the</p> <p>5 practices. Today in that branch of ICRC's activities 36</p> <p>6 people have a full-time job and it forms a core part of</p> <p>7 that organisation's activities.</p> <p>8 In 1999 I was recruited by the Australian Defence</p> <p>9 Force and at a request of the Chief of the Army in</p> <p>10 Australia I deployed with Australian troops to Delhi in</p> <p>11 East Timor where the Australian-led intervention forces</p> <p>12 established the first steps on the path to self rule for</p> <p>13 the East Timorese. I worked as an advisor for General</p> <p>14 Cosgrove and was particularly tasked to look at issues of</p> <p>15 public order and to look at issues of treatment of</p> <p>16 prisoners and condition of detention and conducted the</p> <p>17 necessary negotiations with the International Committee of</p> <p>18 the Red Cross who routinely visit prisoners in such</p> <p>19 circumstances.</p> <p>20 As a consequence of the public order</p> <p>21 recommendations I conducted extensive training both in</p> <p>22 Delhi and in Australia at various barracks locations for</p> <p>23 troops that were scheduled to rotate into East Timor and</p> <p>24 gave them what essentially are basic law enforcement skills</p> <p>25 and abilities to counter possible situations on the ground,</p>

<p style="text-align: right;">Page 36881</p> <p>1 and I was drawn into the security arrangements for the 2 Sydney Olympics, so everything that had to do with the 3 military's role in securing the Sydney Olympics, I was one 4 of the architects of what actually then happened on the 5 ground, including creating and establishing and giving the 6 army the capability of having two extraction and recovery 7 teams, which essentially are surveillance teams of eight 8 that work generally in plainclothes and can mix with the 9 crowd and can signal and identify early signs of 10 troublemakers and actually physically take troublemakers 11 out.</p> <p>12 Around the Olympics, and this has never seen the 13 light of day, but those teams actually arrested three 14 individuals, managed to identify, follow, isolate and 15 arrest people that carried on them items that would have 16 permitted an Atlanta-type bombing to occur in Sydney, but 17 because of those interventions that never eventuated.</p> <p>18 At a later stage I have established in 1998 the 19 organisation Equity International. My, at that time I was 20 working more than six years in policing and human rights 21 and frankly, I experienced a disappointment because many 22 times I was asked to go to a country and stand up in front 23 of police officials and cite International Law as it 24 relates to law enforcement practice, and I would always 25 have to stop myself at pointing out what their</p>	<p style="text-align: right;">Page 36883</p> <p>1 your testimony. You'll have an opportunity to expand on 2 these other points later –</p> <p>3 MR DE ROVER: Okay.</p> <p>4 CHAIRPERSON: - but we have a particular 5 concern that Adv Budlender should be able to cross-examine 6 you in the time available.</p> <p>7 MR DE ROVER: Okay, fair enough.</p> <p>8 MR SEMENYA SC: Did you have access to 9 the terrain?</p> <p>10 MR DE ROVER: Let me set out how I 11 approached the work that I have done. I've used as a 12 normative framework International Law, applicable Treaty 13 Law, like treaties that South Africa is a state party to 14 and that could give guidance. I've used Soft Law. I've 15 used all those instruments that talk about what law 16 enforcement responsibility is. I've used Humanitarian Law.</p> <p>17 CHAIRPERSON: Yes, I think it's clear 18 from the report, if I may say this, all the things that you 19 took into account and the authorities and so forth to which 20 you referred. I don't think that's what Mr Semanya wants. 21 He really wants to know I think as far as the evidence is 22 concerned have you read the transcripts, have you read 23 statements? Have you looked at video clips? If you can 24 just explain that in a sentence it will be helpful.</p> <p>25 MR DE ROVER: I will get to that, Chair,</p>
<p style="text-align: right;">Page 36882</p> <p>1 responsibilities are, and at times people would raise their 2 hand and say okay, I understand that I can't torture to 3 solicit information, but, and you say I need to use ethical 4 interviewing techniques; can you teach me ethical 5 interviewing techniques, and I would have to say yes, I 6 could, but I'm not allowed to.</p> <p>7 [09:30] So my personal experience was that training 8 courses of that nature only add to frustration because you 9 do not add into the mix the ability to, for people to 10 translate the standard into operational practice. There is 11 no point in pointing out what a police responsibility is if 12 you can't say how it should be operationalised and that –</p> <p>13 MR SEMENYA SC: Alright, we'll have an 14 opportunity to amplify. I just want make sure that we 15 cover this aspect before the cross-examination starts.</p> <p>16 Before compiling the statements you have, what did you do, 17 coming into the country after receiving your mandate?</p> <p>18 MR DE ROVER: Chairperson, it's probably 19 good to point out that I was outside South Africa when 20 Marikana happened and of course I saw the news, or at least 21 I saw the news broadcasting that little bit that sells news 22 and that makes news interesting, and I was horrified. I'd 23 never –</p> <p>24 CHAIRPERSON: The question was asked what 25 did you read and look at in order to prepare yourself for</p>	<p style="text-align: right;">Page 36884</p> <p>1 with your permission, to explain that I can say I did that, 2 but if I don't add to that the context –</p> <p>3 CHAIRPERSON: We'll take your word for it 4 for the time being and when you're being cross-examined 5 you'll get an opportunity.</p> <p>6 MR DE ROVER: Okay.</p> <p>7 CHAIRPERSON: We're rather concerned 8 about time for reasons I think have been explained to you.</p> <p>9 MR DE ROVER: Okay.</p> <p>10 CHAIRPERSON: Mr Semanya?</p> <p>11 MR DE ROVER: I had access to all the 12 documents that pertain to the Commission. That includes 13 transcripts, that includes statements, that includes 14 physical evidence, and I had access to SAPS members that 15 were present on the day and I spoke I think to most of 16 those.</p> <p>17 CHAIRPERSON: I take it you went to 18 Marikana –</p> <p>19 MR DE ROVER: I went to Marikana –</p> <p>20 CHAIRPERSON: - and saw the scene where –</p> <p>21 MR DE ROVER: - on several occasions.</p> <p>22 CHAIRPERSON: - these events happened, 23 yes.</p> <p>24 MR DE ROVER: Ja, I went to Marikana on 25 several occasions.</p>

<p style="text-align: right;">Page 36885</p> <p>1 MR SEMENYA SC: And were there any 2 attempts you're involved in, in some reconstruction of how 3 the events would have unfolded on various days with 4 members? 5 MR DE ROVER: Particularly with regards 6 to scene 2, yes. 7 MR SEMENYA SC: Those are the questions 8 we have for the witness. 9 CHAIRPERSON: Thank you, Mr Semenya. Mr 10 Budlender. 11 CROSS-EXAMINATION BY MR BUDLENDER SC: 12 Thank you, Chair. Good morning, Mr De Rover. 13 MR DE ROVER: Good morning, Mr Budlender. 14 MR BUDLENDER SC: You've just – well, let 15 me take step back. In exhibit FFF11, your first statement, 16 you say that you commenced your work on behalf of the SAPS 17 on the 28th of February last year. Is that correct? 18 MR DE ROVER: That is correct. 19 MR BUDLENDER SC: Before the 28th of 20 February, other than seeing television news, did you have 21 any opportunity to review any of the evidence relevant to 22 Marikana? 23 MR DE ROVER: No. 24 MR BUDLENDER SC: Then your statement is 25 dated the 8th of March, your first statement, the 8th of</p>	<p style="text-align: right;">Page 36887</p> <p>1 read all of that in those eight days? 2 MR DE ROVER: I read all of that in that 3 eight days. 4 MR BUDLENDER SC: And the transcript of 5 the evidence given up to that time, did you read all of 6 that also in those eight days? 7 MR DE ROVER: No. 8 MR BUDLENDER SC: You didn't have a 9 chance to look at the exhibits, I take it, during those 10 eight days? 11 MR DE ROVER: Not in the detail that you 12 are looking at here. 13 MR BUDLENDER SC: No, I appreciate that. 14 So would it be fair to say that the main source for the 15 first statement was statements of SAPS members and meetings 16 with SAPS members, and I don't know whether you also went 17 out and had a look at the scene over that period? 18 MR DE ROVER: Ja. 19 MR BUDLENDER SC: So there was a site 20 inspection, the statements of SAPS members and interviews 21 with SAPS members. Would those be your sources at that 22 time? 23 MR DE ROVER: Well, with of course in 24 the, and I can't pinpoint exactly which parts now of 25 Commission proceedings, but of course more than that to</p>
<p style="text-align: right;">Page 36886</p> <p>1 March 2013. So you had eight days between the time when 2 you commenced work and you delivered your first statement. 3 MR DE ROVER: That's correct. 4 MR BUDLENDER SC: And you've explained 5 that in your statement that there was a limitation at that 6 time, you had a time limitation. At that time the 7 information you had available to you, as I understand it, 8 is – well, perhaps you can tell us. Let me not put words 9 in your mouth. At the time that you made your first 10 statement what information did you have available to you? 11 MR DE ROVER: At that time I had 12 obviously what was available to the Commission at that time 13 and I had the statements of the SAPS members involved, plus 14 the meetings that I had with individuals SAPS members, but 15 in addition I had my own faculties to look at the Marikana 16 incident and to basically conduct my own research and try 17 and give an investigation structure to what happened at 18 Marikana prior to, during and after. 19 MR BUDLENDER SC: I don't want to 20 interrupt you, Mr De Rover, so if I do please stop me, but 21 I just want to understand what, I understand you applied 22 your knowledge and your experience to the information you 23 received. What I'm interested in is what information had 24 you received at that stage. You say you had meetings with 25 SAPS members. You had statements of SAPS members. Did you</p>	<p style="text-align: right;">Page 36888</p> <p>1 contextualise what happened at Marikana. 2 MR BUDLENDER SC: Well, could you give 3 the Commission some indication of what material from the 4 Commission's proceedings you had access to before you made 5 your first statement? 6 MR DE ROVER: Transcripts that, I think I 7 had a selection of transcripts of people that had appeared 8 at that time from, if I recall correctly from NUM and from 9 AMCU and I of course had access to any media report that 10 was published in that period. 11 MR BUDLENDER SC: And then you went on 12 and you prepared your subsequent statement in May 2013, or 13 you finalised it on the 1st of May 2013. You had again 14 access to SAPS members. You had their statements. You had 15 access to the transcripts. You had the benefit of visits 16 to the site. Are there any other sources of information 17 which you relied on at that stage? 18 MR DE ROVER: Again I used, in addition 19 to what you have said I used, and that's what I was trying 20 to explain before that I used sources of International Law 21 and Domestic Law. I looked at national legislation as it 22 relates to public protest in South Africa. So – 23 MR BUDLENDER SC: Sorry to interrupt you. 24 I'm not talking – I understand you made normative judgments 25 based on that expertise.</p>

<p style="text-align: right;">Page 36889</p> <p>1 MR DE ROVER: Ja.</p> <p>2 MR BUDLENDER SC: At this stage I'm</p> <p>3 interested only in the factual information which you</p> <p>4 obtained.</p> <p>5 MR DE ROVER: Ja.</p> <p>6 MR BUDLENDER SC: Factual information of</p> <p>7 the sources which – the sources of factual information as I</p> <p>8 understand it –</p> <p>9 MR DE ROVER: Ja.</p> <p>10 MR BUDLENDER SC: - are those I've</p> <p>11 listed; SAPS statements, interviews of members of SAPS,</p> <p>12 transcript of the evidence, or parts of the transcript of</p> <p>13 the evidence, and visits to see for yourself.</p> <p>14 MR DE ROVER: Plus of course the exhibits</p> <p>15 of the Commission that existed then to date –</p> <p>16 MR BUDLENDER SC: Yes, indeed.</p> <p>17 MR DE ROVER: - plus the statements of</p> <p>18 the other experts, plus the questioning that had happened</p> <p>19 at that stage of people from SAPS that had appeared before</p> <p>20 the Commission.</p> <p>21 MR BUDLENDER SC: No, I appreciate that.</p> <p>22 Now I'm sure you'll agree that an expert's opinion is only</p> <p>23 as good as the information on which he bases it. If the</p> <p>24 information is unreliable or incorrect then the opinion may</p> <p>25 be unreliable.</p>	<p style="text-align: right;">Page 36891</p> <p>1 unbiased.</p> <p>2 MR DE ROVER: Yes.</p> <p>3 MR BUDLENDER SC: Yes. Now I want to</p> <p>4 look at - you told us the sources from which you obtained</p> <p>5 the information on which you rely. Did it occur to you</p> <p>6 that there might be some other useful sources from which</p> <p>7 you could have obtained, as you put it, contradictory</p> <p>8 information?</p> <p>9 MR DE ROVER: Please clarify.</p> <p>10 MR BUDLENDER SC: Well, for example let's</p> <p>11 go to FFF11A, paragraph 24. That's your supplementary</p> <p>12 statement. Paragraph 24. You have it? It's on page 13.</p> <p>13 You say, "It is on this basis that I'm uneasy about claims</p> <p>14 of the involved unions that the actions of their members</p> <p>15 were completely beyond their control. The unions support</p> <p>16 their members and facilitate the protest for wage increases</p> <p>17 of their members. They take their payments in the form of</p> <p>18 union dues. They take part in negotiations on behalf of</p> <p>19 their members. They regularly address their members. They</p> <p>20 cannot simply walk away from any responsibility for what</p> <p>21 took place on the 16th of August 2012 when negotiations</p> <p>22 broke down, stating that there is nothing more that they</p> <p>23 can do." Now did you seek to interview anybody from AMCU</p> <p>24 or NUM to put this proposition to them?</p> <p>25 MR DE ROVER: No.</p>
<p style="text-align: right;">Page 36890</p> <p>1 MR DE ROVER: I think if you want a</p> <p>2 precise opinion on a precise incident or occurrence</p> <p>3 particular to you then of course you are right. But if you</p> <p>4 look, and I've, you know like frankly if I see yesterday</p> <p>5 that Marikana can be made to hinge on the movement of one</p> <p>6 Nyala, then I worry because I don't think that that will</p> <p>7 ever provide you the answers that you are looking for. So</p> <p>8 I know that there is concern possibly, or disagreement -</p> <p>9 and I accept that – with findings that I made, but I've</p> <p>10 tried to actually offer to the Commission, and of course</p> <p>11 not being able to be led in chief undermines that a little</p> <p>12 bit, but what I was seeking to also do is to perhaps offer</p> <p>13 what is referred to as contradiction, or to challenge you</p> <p>14 to look in other ways than just in that micro detail.</p> <p>15 MR BUDLENDER SC: I understand that. My</p> <p>16 question is that if an expert's opinion is based on</p> <p>17 unreliable or incorrect information then the opinion itself</p> <p>18 may be unreliable. Do you accept that?</p> <p>19 MR DE ROVER: Of course.</p> <p>20 MR BUDLENDER SC: Yes, have you</p> <p>21 previously given evidence as an expert witness in a trial</p> <p>22 or in a commission like this?</p> <p>23 MR DE ROVER: No.</p> <p>24 MR BUDLENDER SC: I take it you agree,</p> <p>25 I'm sure you agree that an expert should be objective and</p>	<p style="text-align: right;">Page 36892</p> <p>1 MR BUDLENDER SC: Are you aware that Mr</p> <p>2 Mathunjwa on two occasions on the 16th of August went to the</p> <p>3 koppie and pleaded with the strikers to lay down their arms</p> <p>4 and leave the koppie?</p> <p>5 MR DE ROVER: Yes.</p> <p>6 MR BUDLENDER SC: What more do you think</p> <p>7 AMCU should have done?</p> <p>8 MR DE ROVER: I think still you know</p> <p>9 that, and it's, if you pinpoint it on that day maybe, maybe</p> <p>10 there is nothing more to do, but I am quite aware that what</p> <p>11 produced at Marikana is in part a consequence of a rivalry</p> <p>12 between unions and unions vying for majority membership.</p> <p>13 Now I think that responsibility for action should be</p> <p>14 exercised when it can make a difference and that you can</p> <p>15 point and say well on that day there was nothing more he</p> <p>16 could do, I may well agree with it, but I would actually</p> <p>17 say that that responsibility should be acted upon before</p> <p>18 the issue becomes one of no options left.</p> <p>19 MR BUDLENDER SC: Mr De Rover, you're</p> <p>20 criticising the conduct of AMCU and you're holding them in</p> <p>21 part responsible for the deaths. Now I'm asking you what</p> <p>22 you say they should have done that they didn't do.</p> <p>23 MR DE ROVER: I've heard various –</p> <p>24 MR SEMENYA SC: Chair, I object. I don't</p> <p>25 see anywhere where Mr De Rover is saying AMCU is</p>

<p style="text-align: right;">Page 36893</p> <p>1 responsible for the deaths.</p> <p>2 MR BUDLENDER SC: No Chair, I think the</p> <p>3 context is clear, but the witness can answer for himself.</p> <p>4 He's a very experienced man.</p> <p>5 CHAIRPERSON: [Microphone off, inaudible]</p> <p>6 ask him the question. Mr De Rover, do you say that partly</p> <p>7 responsibility for the deaths rests with AMCU? Is that</p> <p>8 your evidence? Is that what you are saying in the</p> <p>9 paragraph to which Mr Budlender has referred you, paragraph</p> <p>10 24 of your supplementary statement?</p> <p>11 MR DE ROVER: I think what I need to say</p> <p>12 at this stage is that Marikana represents an unravelling</p> <p>13 system and I've seen in this Commission evidence being</p> <p>14 presented and arguments being built, for example that a</p> <p>15 refusal of Lonmin to talk to strikers makes them</p> <p>16 responsible for the deaths, or as you put it now in this</p> <p>17 question, and what I see is this drive to look for operator</p> <p>18 failure.</p> <p>19 CHAIRPERSON: Yes, I understand that, but</p> <p>20 you haven't answered the question. The question is a</p> <p>21 simple one. Do you say that part of the responsibility for</p> <p>22 the deaths rests with AMCU?</p> <p>23 MR DE ROVER: Yes.</p> <p>24 CHAIRPERSON: Thank you.</p> <p>25 MR DE ROVER: If you want to link the two</p>	<p style="text-align: right;">Page 36895</p> <p>1 MR DE ROVER: I think that AMCU as an</p> <p>2 organisation should have exercised better control over its</p> <p>3 members. There were deaths at Marikana before the police</p> <p>4 was involved. There was wanton destruction of property. I</p> <p>5 have a list of case dockets that between February and the</p> <p>6 1st of August of 2012 runs in excess of 100 cases opened of</p> <p>7 destruction of property, grievous bodily harm, murder and</p> <p>8 attempted murder, and all of those are linked to mine</p> <p>9 strikes and union rivalry. I just think that if you run an</p> <p>10 organisation that has a public character, you have a</p> <p>11 responsibility towards your members, but also towards the</p> <p>12 general public.</p> <p>13 MR BUDLENDER SC: Right, that's your</p> <p>14 answer. Do you also blame the NUM in part for the deaths</p> <p>15 on the 16th of August?</p> <p>16 MR DE ROVER: Yes.</p> <p>17 MR BUDLENDER SC: And what should they</p> <p>18 have done that they didn't do, or what didn't they do that</p> <p>19 they should have done that led to the deaths of 34 people</p> <p>20 on the 16th of August?</p> <p>21 MR DE ROVER: As a majority union they</p> <p>22 obviously did not represent or share or wish to represent</p> <p>23 or share the concerns of those that were demonstrating at</p> <p>24 the koppie. Now if your system of collective bargaining is</p> <p>25 such that you only do business with the one that holds the</p>
<p style="text-align: right;">Page 36894</p> <p>1 together and you want to look at the process in that way</p> <p>2 that a failure to engage at an earlier stage, or make</p> <p>3 yourself available at a stage that it could be making a</p> <p>4 difference, or a failure to conduct the business of the</p> <p>5 union in such a way that it doesn't propagate violence, or</p> <p>6 tolerate that, and that it doesn't breed animosity, I think</p> <p>7 that there were ample opportunities before because the</p> <p>8 strikes in the Platinum Belt did not start in August of</p> <p>9 that year.</p> <p>10 MR BUDLENDER SC: Mr De Rover, you say</p> <p>11 that AMCU are partly responsible for the deaths. I'm</p> <p>12 asking you specifically what do you say they should have</p> <p>13 done that they didn't do, or what did they do that they</p> <p>14 shouldn't have done which contributed, which was a causal</p> <p>15 factor in the deaths?</p> <p>16 MR DE ROVER: I've just –</p> <p>17 MR BUDLENDER SC: In the shootings by</p> <p>18 members of the South African Police Service.</p> <p>19 MR DE ROVER: I don't know if that</p> <p>20 additional qualification is required, but –</p> <p>21 MR BUDLENDER SC: Well, that's my</p> <p>22 question. What do you say that AMCU did which they</p> <p>23 shouldn't have done, or didn't do that they should have</p> <p>24 done, which was a causal factor in the killings of 34</p> <p>25 people by the police on the 16th of August?</p>	<p style="text-align: right;">Page 36896</p> <p>1 majority you force people into militancy because numbers</p> <p>2 become important, and if on top of that NUM, who had at</p> <p>3 that time the majority, do not represent that group, you</p> <p>4 breed militancy because people will not feel themselves</p> <p>5 represented, not heard and not listened to, and what</p> <p>6 alternative but to take a stance and to stand up do you</p> <p>7 leave open to them?</p> <p>8 MR BUDLENDER SC: No, I understand that.</p> <p>9 That's with respect not an answer to my question. We know</p> <p>10 that the strikers had lost confidence in the NUM, that the</p> <p>11 NUM president tried to speak to them and they weren't</p> <p>12 interested in listening to him. Now what do you say they</p> <p>13 did that they shouldn't have done, or should have done that</p> <p>14 they didn't do, that led to the deaths of 34 people on the</p> <p>15 16th of August?</p> <p>16 MR DE ROVER: If I, and you will correct</p> <p>17 me I'm sure if I'm wrong, but my understanding of what has</p> <p>18 been presented before the Commission is that on the 10th of</p> <p>19 August the strikers marched to the NUM offices and I take</p> <p>20 that march, and I've seen the footage of it, as an attempt</p> <p>21 to draw attention to their plight and to engage NUM. There</p> <p>22 wasn't anything hostile in that. There wasn't anything</p> <p>23 aggressive. I think it was a genuine question for</p> <p>24 attention and that attention wasn't given. On the 11th when</p> <p>25 they went back there is that allegation that shots were</p>

<p style="text-align: right;">Page 36897</p> <p>1 fired from the NUM offices into the group that approached 2 and that has triggered subsequent responses, and that is 3 when matters went violent. 4 [09:50] MR BUDLENDER SC: And that led to the 5 police shooting 34 people on the 16th of August? 6 MR DE ROVER: Look, I'm sure we will get 7 to that, but you know the problem that I have with those 8 reasonings is that you're hinting at what I call that 9 unravelling system and I will get an opportunity to clarify 10 that. There are relationships at work that when put in 11 sequence under the conditions as they happened at Marikana 12 produced that unimaginable result. Now it's far more 13 interesting to look at the system that permitted to produce 14 that in first instance before you come to the point where 15 you judge the responses as they happened at scene 1 and 16 scene 2, and I'm happy to engage with you on those as well, 17 but before doing that I would like to also be able to point 18 out that there are bigger forces at work here because my 19 concern is even if you would accept that Marikana was 20 without precedent - and I know that already some people 21 struggle to accept that - if, the least you need to 22 recognise that it is a precedent and that if you do not 23 alter reality that led to Marikana, it will happen again. 24 That's just a matter of time. 25 MR BUDLENDER SC: Mr De Rover, do you</p>	<p style="text-align: right;">Page 36899</p> <p>1 MR BUDLENDER SC: What criticism did the 2 National Commissioner make of the conduct of the South 3 African Police Service at Marikana? 4 MR DE ROVER: I think - 5 MR BUDLENDER SC: Not what you think, 6 what she told you. 7 MR DE ROVER: She asked me to assist SAPS 8 with establishing what went wrong and why and to seek the 9 remedies to avoid this from happening again. 10 MR BUDLENDER SC: I'm sure she did, but 11 I'm asking you what criticism did the National Commissioner 12 make to you of the conduct of the SAPS at Marikana? 13 MR DE ROVER: I don't think that she 14 voiced any particular one that I can give you as a quote 15 and that you can cross-reference with her, but - 16 MR BUDLENDER SC: Well, you told the 17 Commission that she was critical of the - 18 MR DE ROVER: Ja. 19 MR BUDLENDER SC: - from the National 20 Commissioner down she was critical of the conduct of the 21 SAPS. I'm asking you to say how, in what manner was she 22 critical. 23 MR DE ROVER: In the conversations I have 24 had with her I think she has a great concern for the 25 outcome and wants to understand how it can be prevented, or</p>
<p style="text-align: right;">Page 36898</p> <p>1 consider that the conduct of the South African Police 2 Service is partly to blame for the shootings, for the 3 killings at scene 1? 4 MR DE ROVER: Yes. 5 MR BUDLENDER SC: Alright. Now did you 6 interview South African Police Service members who were 7 critical of the conduct of the SAPS? 8 MR DE ROVER: Yes. 9 MR BUDLENDER SC: Who were they and in 10 what respects were they critical? 11 MR DE ROVER: Do you really want me to 12 give you the names of the people that were critical? 13 MR BUDLENDER SC: Yes. 14 MR DE ROVER: Okay. They go from the 15 National Commissioner right down to the operational 16 commander. 17 MR BUDLENDER SC: Well, let's start with 18 the National Commissioner. In what respects was the 19 National Commissioner critical of the conduct of the SAPS? 20 MR DE ROVER: I think that on the outcome 21 of the operation, the way the operation evolved on the 22 ground and could not be controlled, she had serious 23 concerns and those concerns have led to her presentation 24 yesterday before the Portfolio Committee to seek and 25 redress.</p>	<p style="text-align: right;">Page 36900</p> <p>1 how it can be explained. 2 MR BUDLENDER SC: I'm sure that's so. I 3 don't doubt that for a moment. 4 MR DE ROVER: Ja. 5 MR BUDLENDER SC: But that's not an 6 answer to the question. The question is in what manner was 7 the National Commissioner critical of the conduct of the 8 SAPS at Marikana? 9 MR DE ROVER: I cannot be more specific 10 than I have been. 11 MR BUDLENDER SC: Well, it's not a 12 matter, Mr De Rover, of not being specific. You actually 13 haven't answered the question. 14 MR DE ROVER: Ja. 15 MR BUDLENDER SC: Can you tell us, was 16 the Provincial Commissioner critical of the conduct of the 17 SAPS at Marikana? 18 MR DE ROVER: Yes. 19 MR BUDLENDER SC: In what manner, what 20 respects was she critical of the conduct of the SAPS at 21 Marikana? 22 MR DE ROVER: In terms of organisation 23 and communication. 24 MR BUDLENDER SC: Can you explain that 25 further? What did she say the SAPS did wrong? Because</p>

<p style="text-align: right;">Page 36901</p> <p>1 that's what you were trying to find out –</p> <p>2 MR DE ROVER: Ja.</p> <p>3 MR BUDLENDER SC: - did the SAPS do</p> <p>4 something wrong. The Provincial Commissioner gave you an</p> <p>5 answer. What was her answer?</p> <p>6 MR DE ROVER: The answers of the</p> <p>7 Provincial Commissioner went to the running of the JOC and</p> <p>8 the communication between the different stakeholders. The</p> <p>9 concern that with the interactions that happened in the</p> <p>10 JOC, the different parties that were represented and</p> <p>11 present there, plus the lateral connections of people</p> <p>12 ringing on mobile phones created a reality that was very</p> <p>13 difficult to manage.</p> <p>14 MR BUDLENDER SC: That's what she told</p> <p>15 you?</p> <p>16 MR DE ROVER: Yes.</p> <p>17 MR BUDLENDER SC: She didn't tell the</p> <p>18 Commission that.</p> <p>19 MR DE ROVER: I can't help that.</p> <p>20 MR BUDLENDER SC: In what respect was</p> <p>21 Brigadier Calitz critical of the conduct of the SAPS at</p> <p>22 Marikana? Or was he not critical?</p> <p>23 MR DE ROVER: I think his frustration was</p> <p>24 with communication on the ground, the possibility to relay</p> <p>25 information and to get updated as to what was actually</p>	<p style="text-align: right;">Page 36903</p> <p>1 MR BUDLENDER SC: You mentioned the</p> <p>2 communication problems – let me come back to that in due</p> <p>3 course.</p> <p>4 CHAIRPERSON: Before you move on, did you</p> <p>5 speak to General Mpembe?</p> <p>6 MR DE ROVER: Yes, I did.</p> <p>7 CHAIRPERSON: Did he have critical</p> <p>8 comments?</p> <p>9 MR DE ROVER: I think General Mpembe's</p> <p>10 frustration is with particularly the events on the 13th of</p> <p>11 August.</p> <p>12 CHAIRPERSON: Yes, I understand that.</p> <p>13 MR DE ROVER: Ja.</p> <p>14 CHAIRPERSON: That's a valid reply.</p> <p>15 MR DE ROVER: Yes, Sir.</p> <p>16 CHAIRPERSON: But as far as the events of</p> <p>17 the 16th are concerned did he have any critical comments</p> <p>18 that he communicated to you –</p> <p>19 MR DE ROVER: No.</p> <p>20 CHAIRPERSON: - about what happened on</p> <p>21 the 16th?</p> <p>22 MR DE ROVER: No.</p> <p>23 CHAIRPERSON: I see. What were his</p> <p>24 concerns about the 13th?</p> <p>25 MR DE ROVER: I think, I've had several</p>
<p style="text-align: right;">Page 36902</p> <p>1 happening on the ground.</p> <p>2 MR BUDLENDER SC: In what respects was</p> <p>3 General, if any, was General Annandale critical of the</p> <p>4 conduct of the SAPS at Marikana?</p> <p>5 MR DE ROVER: It's the same thing, the,</p> <p>6 their inability to at all times be informed of what was</p> <p>7 transpiring on the ground.</p> <p>8 MR BUDLENDER SC: Well, let's come to</p> <p>9 that. Incidentally, just before I come to that, have you</p> <p>10 consulted at all with Lieutenant-Colonel Vermaak or</p> <p>11 Lieutenant-Colonel Merafe?</p> <p>12 MR DE ROVER: I have consulted with</p> <p>13 Lieutenant-Colonel Merafe. I have not consulted with</p> <p>14 Vermaak.</p> <p>15 MR BUDLENDER SC: Why not with Vermaak?</p> <p>16 MR DE ROVER: I have his statements and I</p> <p>17 have the transcripts of his evidence. I have never had the</p> <p>18 chance or made the decision to sit down with him.</p> <p>19 MR BUDLENDER SC: I'm sorry, you'd never</p> <p>20 had the?</p> <p>21 MR DE ROVER: I have never had the</p> <p>22 opportunity to sit down with him.</p> <p>23 MR BUDLENDER SC: Did you ask for an</p> <p>24 opportunity to sit down with him?</p> <p>25 MR DE ROVER: No, I did not.</p>	<p style="text-align: right;">Page 36904</p> <p>1 meetings with General Mpembe and it, I'm not an expert on</p> <p>2 trauma but I think he still carries a legacy of what</p> <p>3 happened on that day and I think he has a narrative for</p> <p>4 what happened, what occurred, and he's questioning whether</p> <p>5 if he had been somewhere else or positioned himself</p> <p>6 somewhere else rather than to be walked behind the group</p> <p>7 when they diverted from the railway line, if him being in</p> <p>8 another position than the one he opted for it would have</p> <p>9 been possible to avert what actually happened there.</p> <p>10 CHAIRPERSON: Yes, the point is to me</p> <p>11 whether he had critical comments. Are you suggesting he</p> <p>12 was only criticising himself because he was in the wrong</p> <p>13 position, or did he have more critical comments to make</p> <p>14 than that?</p> <p>15 MR DE ROVER: He cites the discussions</p> <p>16 that he had with Colonel Merafe and it's why I went to see</p> <p>17 Colonel Merafe to get his side of that story, because it</p> <p>18 appears from what both say that they did have an argument</p> <p>19 about what action was to be preferred at that stage and at</p> <p>20 that moment in time.</p> <p>21 MR BUDLENDER SC: Now you referred to the</p> <p>22 problem of communication and I want to take you to the</p> <p>23 evidence leaders' interrogatories which, Commissioners, is</p> <p>24 document 8 in your bundle, I think. No –</p> <p>25 CHAIRPERSON: [Inaudible] we have an</p>

<p style="text-align: right;">Page 36905</p> <p>1 index that says it's 1, but 1 –</p> <p>2 MR BUDLENDER SC: It's flag 1 in your</p> <p>3 bundle.</p> <p>4 CHAIRPERSON: What is flag 1 in my bundle</p> <p>5 is actually Colonel Scott's statement. I see, yes I've got</p> <p>6 it. Behind Colonel Scott's statement in my bundle is the</p> <p>7 interrogatories. Is it an exhibit yet?</p> <p>8 MR BUDLENDER SC: No, it's not an exhibit</p> <p>9 yet, Chair. The Human Rights Commission has prepared a</p> <p>10 list of exhibits, so could we use their number? Their</p> <p>11 numbers, it's UUUU2.4.</p> <p>12 CHAIRPERSON: UUUU –</p> <p>13 MR BUDLENDER SC: That will fall into a</p> <p>14 sequence which they're going to use.</p> <p>15 CHAIRPERSON: - 2.4, that's evidence</p> <p>16 leaders' interrogatories.</p> <p>17 MR BUDLENDER SC: Yes. Now Mr De Rover,</p> <p>18 could you go to page 6 of that document, paragraphs 10 and</p> <p>19 11. Paragraph 10 you were asked the following question,</p> <p>20 "When you prepared FFF11 and FFF11A were you informed that</p> <p>21 at 16:03 before scene 2 commenced Brigadier Pretorius in</p> <p>22 charge of the JOC sent an SMS message to Mr Molatedi at</p> <p>23 IPID stating 'Having operation at Wonderkop, bad, bodies.</p> <p>24 Please prepare your members as going to be bad,' or that</p> <p>25 there was any communication between Brigadier Pretorius and</p>	<p style="text-align: right;">Page 36907</p> <p>1 charge of the JOC knew well before scene 2 happened of the</p> <p>2 bad incident and the shootings that had happened at scene</p> <p>3 1. Is that correct?</p> <p>4 MR DE ROVER: If I take that –</p> <p>5 MR BUDLENDER SC: If you take that at</p> <p>6 face value.</p> <p>7 MR DE ROVER: Ja, at face value that that</p> <p>8 would appear, you know there would have been at least what,</p> <p>9 is it five minutes or six minutes –</p> <p>10 MR BUDLENDER SC: Yes, from 16:03.</p> <p>11 MR DE ROVER: Ja.</p> <p>12 MR BUDLENDER SC: At least, yes.</p> <p>13 MR DE ROVER: Before scene 2 started.</p> <p>14 MR BUDLENDER SC: Yes. Now if you had</p> <p>15 known that when you prepared your report, would that have</p> <p>16 influenced your opinion on the failure to call a halt to</p> <p>17 the operation before scene 2 happened?</p> <p>18 MR DE ROVER: No, because I think I said</p> <p>19 already in my first statement that I believe a halt should</p> <p>20 have been called and the fact that it didn't happen can be</p> <p>21 led back to part of unravelling systems and issues that in</p> <p>22 and of themselves might not be fatal, but when you sequence</p> <p>23 them produce a result.</p> <p>24 MR BUDLENDER SC: I understand that.</p> <p>25 MR DE ROVER: Yes.</p>
<p style="text-align: right;">Page 36906</p> <p>1 IPID at the time?" and you said no. You said this was the</p> <p>2 first you'd heard of this, and then the next question,</p> <p>3 paragraph 11 was, "When you prepared FFF11 and 11A were you</p> <p>4 informed that from 16:05 before scene 2 commenced Brigadier</p> <p>5 Pretorius had a series of telephone calls with Captain</p> <p>6 Loest who was at scene 1 and informed her what had happened</p> <p>7 there?" and you said no, this was the first time you were</p> <p>8 told about this.</p> <p>9 MR DE ROVER: Yes.</p> <p>10 MR BUDLENDER SC: Now we know that</p> <p>11 Brigadier Pretorius was in charge of the JOC. She was the</p> <p>12 manager of the JOC.</p> <p>13 MR DE ROVER: Yes.</p> <p>14 MR BUDLENDER SC: Could you just speak a</p> <p>15 bit louder?</p> <p>16 MR DE ROVER: Yes.</p> <p>17 MR BUDLENDER SC: So we know that the</p> <p>18 person in charge of the JOC knew shortly after 4 o'clock</p> <p>19 and well before scene 2 happened that there had been</p> <p>20 shootings and there was a bad situation at scene 1, but you</p> <p>21 weren't told that when you prepared your reports. I</p> <p>22 understand that. Is that correct?</p> <p>23 MR DE ROVER: That's correct.</p> <p>24 MR BUDLENDER SC: What it means is that</p> <p>25 however bad the communication system was, the person in</p>	<p style="text-align: right;">Page 36908</p> <p>1 MR BUDLENDER SC: You criticise, you say</p> <p>2 that there should have been a halt before scene 2.</p> <p>3 MR DE ROVER: Yes.</p> <p>4 MR BUDLENDER SC: But your understanding</p> <p>5 at that time was that the JOC didn't know about scene 1.</p> <p>6 MR DE ROVER: No, my understanding at</p> <p>7 that time was that the JOC could not access the commanders</p> <p>8 via the radio and I don't know if the fact that Brigadier</p> <p>9 Pretorius may have known at 16:03 – I don't even know what</p> <p>10 it exactly then is that she knew, but if at that stage</p> <p>11 there is a problem with the radios, the fact that the JOC</p> <p>12 would know but they are unable to reach people on the</p> <p>13 ground at that time, that still leaves that part of the</p> <p>14 problem –</p> <p>15 MR BUDLENDER SC: Are you aware – sorry,</p> <p>16 Mr De Rover. Are you aware of any evidence that the JOC</p> <p>17 attempted to call a halt to the operation after scene 1?</p> <p>18 MR DE ROVER: No, I'm not.</p> <p>19 MR BUDLENDER SC: Right, can we then in a</p> <p>20 related matter – did you ask them why they didn't try to</p> <p>21 call a halt to the operation?</p> <p>22 MR DE ROVER: Yes.</p> <p>23 MR BUDLENDER SC: And what did they say?</p> <p>24 MR DE ROVER: They said they were unable</p> <p>25 to contact people on the ground and –</p>

Page 36909

1 MR BUDLENDER SC: No, Mr De Rover, you
 2 just said you're not aware that they made any attempt to
 3 halt the operation, so they can't have – if you aren't
 4 aware that they made any attempt then how can you –
 5 MR DE ROVER: I think there's two
 6 different things. You asked me if they made an attempt.
 7 I –
 8 MR BUDLENDER SC: Sorry, my first
 9 question was, are you aware of any evidence that they made
 10 an attempt.
 11 MR DE ROVER: No.
 12 MR BUDLENDER SC: Then how can the
 13 communication problems be a cause of the failure to call a
 14 halt if they didn't try?
 15 MR DE ROVER: Well, let's - I would take
 16 the inference of the reference to the radio problem that
 17 they would have tried but found that the radios weren't
 18 working.
 19 MR BUDLENDER SC: Did anyone tell you
 20 that?
 21 MR DE ROVER: Yes.
 22 MR BUDLENDER SC: They told you that they
 23 wanted to try but the radios weren't working?
 24 MR DE ROVER: Yes.
 25 MR BUDLENDER SC: Who told you that?

Page 36910

1 MR DE ROVER: Annandale and Scott.
 2 MR BUDLENDER SC: So Annandale and Scott
 3 told you they were aware that scene 1 had happened and they
 4 tried to stop scene 2 –
 5 MR DE ROVER: No, no, no –
 6 MR BUDLENDER SC: - but the
 7 communications wouldn't happen, wouldn't work?
 8 MR DE ROVER: No, they did not did not
 9 say that they were aware of scene 1. They did –
 10 MR BUDLENDER SC: Did they say that –
 11 MR DE ROVER: They did say that they lost
 12 for a period of time contact with people on the ground –
 13 MR BUDLENDER SC: Did they say that –
 14 MR DE ROVER: - with the operational
 15 commander.
 16 MR BUDLENDER SC: Did they –
 17 CHAIRPERSON: Mr Budlender, sorry. You
 18 mustn't interrupt the witness.
 19 MR BUDLENDER SC: I apologise.
 20 CHAIRPERSON: When he's giving an answer
 21 you must let him finish.
 22 MR BUDLENDER SC: I apologise. Did they
 23 tell you that they wanted to call a halt but they were
 24 unable to do so?
 25 MR DE ROVER: No, that was never said.

Page 36911

1 MR BUDLENDER SC: Alright, okay. Also
 2 around that issue can you go to paragraph 8 of that
 3 interrogatory? That's on page 6. The question is asked,
 4 "When you prepared FFF11 and FFF11A were you informed that
 5 the firing of R5 rifles at scene 1 was audible through the
 6 police radio to members of the JOC and to other commanders
 7 on the ground?" and your answer is, "I'm not sure that this
 8 assertion represents a statement of fact. I understand
 9 that Mr Dirk Botes made a statement to this effect. What I
 10 understand is that as scene 1 happened radio traffic was
 11 between Brigadier Calitz, who was inside a Nyala at the
 12 time, and Lieutenant-Colonel Vermaak, who was in a chopper
 13 in the air. I'm therefore not sure as to the mechanics of
 14 how this is supposed to have happened as no other person
 15 made a similar statement to that effect." Now can I take
 16 you to – is this what you were informed by the SAPS that no
 17 other person made a similar statement to this effect?
 18 MR DE ROVER: Yes.
 19 MR BUDLENDER SC: Right, now can we go to
 20 exhibit HHH8, the statement Warrant Officer Masinya.
 21 CHAIRPERSON: Behind flag 3 in your
 22 bundle.
 23 MR BUDLENDER SC: Paragraph 12 –
 24 CHAIRPERSON: There are a couple of
 25 statements [microphone off, inaudible].

Page 36912

1 MR BUDLENDER SC: Yes, there's several,
 2 I'm afraid. It's the last one in the bundle of HHH8.
 3 Perhaps we should go to the previous page just so we can
 4 identify what was happening. On the previous page,
 5 paragraph 11, Warrant Officer Masinya was one of the video
 6 operators who left the scene. He says, "Captain Adriaio of
 7 Communication Services, are you guys from SAPS?" "Yes."
 8 Warrant Officer Masinya replied, "You've been identified to
 9 as police spies. You should withdraw from this place as
 10 the miners said they wanted to kill you." Then he goes on
 11 in paragraph 12, "We then went back to the JOC. The
 12 shooting started. We heard this because we were listening
 13 through the radio at the JOC." So he heard the shooting
 14 over the radio, correct?
 15 MR DE ROVER: That's what he says.
 16 MR BUDLENDER SC: That's what he says.
 17 MR DE ROVER: Yes, that's what he says.
 18 MR BUDLENDER SC: You were not informed
 19 of that?
 20 MR DE ROVER: No, I read this statement
 21 yesterday because it was part of the documents that you
 22 sent across.
 23 MR BUDLENDER SC: Yes, but you didn't see
 24 that previously?
 25 MR DE ROVER: No.

Page 36913

1 MR BUDLENDER SC: And you've also seen,
 2 because that's one of the documents I've sent across, was
 3 LLL9, the statement of Colonel Moolman at paragraph 35 –
 4 CHAIRPERSON: Paragraph 35 on page –
 5 these documents, we haven't got page numbers, we have to go
 6 by paragraph numbers.
 7 MR BUDLENDER SC: Ja, paragraph - do you
 8 have that?
 9 MR DE ROVER: Sorry, which paragraph?
 10 [10:10] MR BUDLENDER SC: Paragraph 35. It's
 11 about three pages from the end, and this is what
 12 Lieutenant-Colonel Moolman says. She says, "I remained at
 13 the JOC during the afternoon. I heard over the radio that
 14 there was a shooting. To me it sounded like chaos on the
 15 radio, but I think I heard Brigadier Calitz's voice. I
 16 heard shots being fired and I think I heard Brigadier
 17 Calitz's voice saying 'Cease fire.' I recalled Brigadier
 18 Pretorius starting to despatch emergency services." You
 19 didn't see that before you prepared your report either, did
 20 you?
 21 MR DE ROVER: No.
 22 MR BUDLENDER SC: Or before you prepared
 23 your interrogatory answers?
 24 MR DE ROVER: No.
 25 MR BUDLENDER SC: But if what she says is

Page 36914

1 correct then she too says that it was audible over the
 2 radio.
 3 MR DE ROVER: Yes.
 4 MR BUDLENDER SC: And then can I take you
 5 to the evidence of Captain Kidd. Could we have the
 6 transcript of day 232, page 29003, line 14. This is line
 7 14, Ms Baloyi is questioning Captain Kidd. She says, "You
 8 say you'd reached, before you'd reached your intended
 9 position you heard about the attack on the radio that the
 10 police were under attack. You hear that. What then
 11 happens? What do you do, if anything, after you hear this
 12 message?" He answers, "Okay, when that happens I start
 13 calling on the radio. I start calling on the radio,
 14 Brigadier Calitz, the JOC, Lieutenant-Colonel Vermaak. I
 15 was calling, calling just to get some response but I
 16 received nothing." Ms Baloyi says, "And what" and then
 17 Commissioner Hemraj says, "Sorry, what did you hear on the
 18 radio? Exactly what did you hear as regards the attack?"
 19 Captain Kidd says, "Mr Chairman, I heard commotion, the
 20 firing of ammunition, people screaming." Commissioner
 21 Hemraj asks, "And could you identify any person's voice
 22 making the report that the police were under attack?"
 23 Captain Kidd, "No, I couldn't identify any members."
 24 Chairperson, "You hear on the radio that a volley was being
 25 fired, ammunition was being fired, and presumably you can

Page 36915

1 tell the difference between rubber balls being fired from a
 2 shotgun and sharp ammunition being fired from an R5 rifle,
 3 can you? It's a different sound, isn't it?" Answer,
 4 "That's correct, Mr Chairman." Chairperson, "That's what
 5 you heard?" Captain Kidd, "That's correct." Chairperson,
 6 "R5 rifles? So anyone listening to the radio would have
 7 heard that?" Captain Kidd, "That's correct, Mr Chairman."
 8 Now if Captain Kidd's evidence is the truth then everyone
 9 who was listening to the radio would have heard the
 10 shooting at scene 1. You accept that? That's what he
 11 says.
 12 MR DE ROVER: If radios work and people
 13 are listening to them, yes.
 14 MR BUDLENDER SC: Yes, okay. Anyone who
 15 was listening, he says – yes, alright. Now did you know
 16 that when you answered the interrogatories?
 17 MR DE ROVER: When I spoke to Captain
 18 Kidd, and that's different from what he said here, when I
 19 spoke to him he said he could hear the shooting just
 20 because of the physical distance. He never, when he, when
 21 I talked to him he never said that he heard it on his
 22 radio. That qualification is new to me. What I understood
 23 was that he could hear the gunfire from where he was
 24 approaching from the settlement that is on the south-
 25 western side where he was originally.

Page 36916

1 MR BUDLENDER SC: But you now know that
 2 his evidence is that you could hear it over the radio?
 3 MR DE ROVER: That's what I see, yes.
 4 MR BUDLENDER SC: So the information
 5 which you had that no person other than Mr Botes said it
 6 was audible over the radio seems not to be correct?
 7 MR DE ROVER: That's correct.
 8 MR BUDLENDER SC: Right. Does that
 9 affect your opinions in any way?
 10 MR DE ROVER: Well of course it does. Of
 11 course it does.
 12 MR BUDLENDER SC: Yes, alright. Let's
 13 move on. Can we go to page 3 of the interrogatory?
 14 CHAIRPERSON: We haven't got page numbers
 15 on ours. Just give us the paragraph number.
 16 MR BUDLENDER SC: It's paragraph 1.12.
 17 CHAIRPERSON: Thank you.
 18 MR BUDLENDER SC: Before I go there, Mr
 19 De Rover, let me just make clear what I'm asking because I
 20 don't want to be unfair to you. I appreciate you were
 21 dependent on the information which was given to you. You
 22 weren't an eyewitness and so you have no personal knowledge
 23 of what happened. You can only rely on what you were told,
 24 and so it's not fair to ask you – and I'm not going to ask
 25 you – do you agree that X happened or do you agree that Y

<p style="text-align: right;">Page 36917</p> <p>1 happened, because you don't know. You rely on other 2 people's accounts. So what I'm really asking you is if 3 what so-and-so says is correct that would affect your 4 conclusions, I'm not asking you to say that what he says is 5 correct.</p> <p>6 MR DE ROVER: Okay.</p> <p>7 MR BUDLENDER SC: Or not correct. You're 8 with me, right. Now paragraph 1.12 on page 3 you were 9 asked, "When you prepared FFF11 and FFF11A were you 10 informed that there was no POP input into the formulation 11 of the stage 3 disperse, disarm and arrest plan?" and your 12 answer was, "To my knowledge this assertion is not 13 supported by the evidence led before the Commission, 14 notably Brigadier Calitz, Brigadier Tsiloane, Colonel 15 Makhubela, Lieutenant-Colonel Merafe, Lieutenant-Colonel 16 Pitsi and Lieutenant-Colonel Mere all had inputs into the 17 plan and all have extensive POP experience." Now when do 18 you, from what you've been told, when do you understand 19 that the stage 3 disperse, disarm and arrest plan was 20 formulated?</p> <p>21 MR DE ROVER: My understanding was that 22 on the 14th and the 15th the plan for Marikana in its 23 possible outlines that, or in situations that could 24 eventuate was prepared.</p> <p>25 MR BUDLENDER SC: When do you understand</p>	<p style="text-align: right;">Page 36919</p> <p>1 could occur. So I would be surprised if a plan indeed into 2 completed to phases 3, 4, 5 and 6 was only thought of at 3 half past 1 on the 16th. That would be a serious worry.</p> <p>4 MR BUDLENDER SC: Well, the Commission 5 will make its own findings as to what was planned when, and 6 I don't want to debate that with you.</p> <p>7 MR DE ROVER: Sure.</p> <p>8 MR BUDLENDER SC: That's not fair to you 9 or appropriate.</p> <p>10 MR DE ROVER: Okay.</p> <p>11 MR BUDLENDER SC: Then when you –</p> <p>12 CHAIRPERSON: Have you read all of 13 Colonel Scott's evidence?</p> <p>14 MR DE ROVER: Yes.</p> <p>15 CHAIRPERSON: I see. So you know what he 16 said about what happened on the Thursday morning and what 17 happened at the 1:30 meeting.</p> <p>18 MR BUDLENDER SC: Now related to that, at 19 paragraph 1.11 of the evidence leaders' interrogatories you 20 were asked, "When you prepared FFF11 and FFF11A were you 21 informed that when just before 1:30 on 16 August the 22 Provincial Commissioner made the decision referred to in 23 1.9," that's to put it into operation, "there was no 24 written plan for the stage 3 disperse, disarm and arrest 25 operation?" and your answer is, "Yes. I also understand</p>
<p style="text-align: right;">Page 36918</p> <p>1 that the plan for what would actually be done on the 16th 2 was prepared?</p> <p>3 MR DE ROVER: Before the 16th.</p> <p>4 MR BUDLENDER SC: Before the 16th. Now if 5 you assume for the moment that the Commission finds that 6 there was no stage 3 plan before the 13:30 JOCCOM on the 7 16th, assume the Commission finds that, then that would mean 8 that there had been no POP input into the plan. Do you 9 accept that?</p> <p>10 MR DE ROVER: Well look, ja, if you put 11 that time constraint you're presenting a physical 12 impossibility to consult, so –</p> <p>13 MR BUDLENDER SC: Yes, and that would 14 affect your opinion as to the planning of the operation?</p> <p>15 MR DE ROVER: Ja, but logically, yes.</p> <p>16 MR BUDLENDER SC: Yes, I accept that. 17 That's fair enough. It's for the Commission to decide 18 whether that is or isn't in fact the case.</p> <p>19 MR DE ROVER: No, but what I want to, 20 maybe to give a little bit more context, and if that's not 21 pleasing please stop me doing so, but on an operation of 22 this kind I would expect a police force to do the Alpha and 23 the Omega, like you don't plan half of it and hope that 24 half of it will suffice and if you need more that you are 25 going to go back and envisage what other eventualities</p>	<p style="text-align: right;">Page 36920</p> <p>1 the disperse, disarm and arrest was standard operational 2 procedures that do not require a written plan. My 3 appreciation is that the plan that existed at Marikana does 4 provide the breakdown of the different stages. Disperse, 5 disarm and arrest are common POP terms referring to common 6 tactical options available to POP, known and understood and 7 regularly practised and applied by POP members. There is 8 no need for those terms to be further clarified or detailed 9 in writing beyond their indication as forming part of stage 10 3 of the plan." Now let me, so as I understand your 11 response the disperse, disarm and arrest plan was so 12 familiar to POP members as part of their routine that as a 13 practical matter there was no need for a written plan?</p> <p>14 MR DE ROVER: If – ja, I take that, if I 15 think I just take the number of public order incidents that 16 happen in this country on an annual basis then I would 17 expect them on, just on the basis and force of that number 18 to be very familiar, given that in their approach there is 19 a limited number of tactical options available to them.</p> <p>20 MR BUDLENDER SC: Can we go to the 21 statement of Lieutenant-Colonel Scott? It's GGG39, 22 paragraph 6. It's a long paragraph, but I do need to read 23 it. He says, "Finally I want to add that in my 20 years at 24 the South African Police Services, 19 of which in the 25 Special Task Force, I'm not aware that the SAPS has never"</p>

<p style="text-align: right;">Page 36921</p> <p>1 – I think he means has ever – “been confronted with a 2 situation of the kind with which members were confronted on 3 the ground on 16 August 2012. The plan or strategy that I 4 prepared and proposed for adoption by the JOCCOM was the 5 first of its kind. Neither the crowd management strategies 6 for which Standing Order 262 provides, nor the hostage 7 management strategies were appropriate in isolation. I 8 thus had to devise what I considered at the time to be an 9 appropriate plan for an unprecedented situation, being one 10 which had to encompass the principles of Standing Order 11 262, but moving beyond the restrictions of the standing 12 order to effectively plan for the disarming of the 13 protesters while considering protection of the police 14 officials and the community in the area when dealing with 15 the belligerent armed group numbering up to 3 000 persons 16 who were choosing to contest the request to disperse and/or 17 disarm, demonstrating a clear defiance towards the law and 18 the enforcers of the law with aggressive action should they 19 be approached, as determined on Monday 13th August 2012.” 20 Now Colonel Scott doesn't seem to have regarded 21 this as a normal operation which required no special 22 planning. You note that? 23 MR DE ROVER: I think that his statement 24 is probably a reflection of his particular brand of 25 knowledge. It doesn't take away of the reality that</p>	<p style="text-align: right;">Page 36923</p> <p>1 for a written plan. The thing is I think that you can't 2 plan for the unimaginable. You are trying to find 3 somewhere now in the process a development, a situation or 4 a decision that can be held as the key point on if you 5 hadn't done that this wouldn't have happened, and I think 6 that the plan as it stood, the base idea is obviously born 7 from experience, from doctrine and from the availability of 8 resources on a point, and I see in the sequencing of what 9 happened it's not hard to identify the moments where you 10 can say if you hadn't done this, that wouldn't have 11 happened. But my problem is much more with whether you 12 could actually foresee that development. 13 MR BUDLENDER SC: Mr De Rover, my 14 question was this; for an operation of this kind involving 15 multiple forces and according to Colonel Scott an 16 unprecedented operation, was there a need for a written 17 plan? 18 MR DE ROVER: Of course. 19 MR BUDLENDER SC: Right, and the plan 20 must cater for a variety of contingencies. You plan for 21 the best case and the worst case scenarios. 22 MR DE ROVER: Yes. 23 MR BUDLENDER SC: Yes, and that's what 24 the plan needed to provide for, correct? 25 MR DE ROVER: I needs to provide for</p>
<p style="text-align: right;">Page 36922</p> <p>1 disperse, disarm and arrest are known concepts to POP that 2 when you consider POP do not require that detailed 3 explanation. They might have needed it for Colonel Scott, 4 but definitely not for POP. 5 MR BUDLENDER SC: This was an operation 6 involving multiple forces that was according to Colonel 7 Scott an unprecedented operation as far as his experience 8 went. 9 MR DE ROVER: Yes. 10 MR BUDLENDER SC: Surely that required a 11 plan, a proper plan in advance. You couldn't just say just 12 go and disperse, disarm and arrest, because it was a 13 multiple plan involving multiple parties in an 14 unprecedented situation. Surely that required a proper 15 written plan. 16 MR DE ROVER: The responsibilities of the 17 different units are contained in the plan and I'm only 18 saying that where you ask me the question on where, on 19 stage 3, disperse, disarm and arrest, whether you need to 20 spell that out for the units that are supposed to initially 21 do that, my answer is no, you don't have to do that. 22 MR BUDLENDER SC: Do you think for an 23 operation of this kind there was a need for a written plan 24 communicated to all of the different units? 25 MR DE ROVER: Of course there is a need</p>	<p style="text-align: right;">Page 36924</p> <p>1 these contingencies of best and worst case and that needs 2 to be accompanied with a probability estimate. 3 MR BUDLENDER SC: Yes, indeed. Alright, 4 have you seen such a plan? 5 MR DE ROVER: I have seen the plan that 6 SAPS had available and the contingencies that they planned 7 for. 8 MR BUDLENDER SC: And in your opinion did 9 it meet the requirements of a plan which informs the 10 different units of what they're going to do and which deals 11 with the best case scenarios and the worst case scenarios 12 and for contingencies? 13 MR DE ROVER: I've seen better plans and 14 I've seen worse plans. 15 MR BUDLENDER SC: No, that's not the 16 question, Mr De Rover. 17 MR DE ROVER: Ja. 18 MR BUDLENDER SC: The question is was it 19 a plan, was it an adequate plan? 20 MR DE ROVER: For me it was an adequate 21 plan. 22 MR BUDLENDER SC: Alright, well I'm going 23 to have to leave shortly, but can you make available to the 24 Commission the plan which you say met those requirements 25 adequately?</p>

Page 36925

1 MR DE ROVER: Sorry?

2 MR BUDLENDER SC: Can you during the

3 course of the day identify which is the plan which you saw

4 which you say met the requirements adequately?

5 MR DE ROVER: Okay.

6 MR BUDLENDER SC: And make it available,

7 identify it for the benefit of the Commission. Right, now

8 let me move on to a different subject –

9 CHAIRPERSON: He can do that overnight if

10 he likes. He may be busy or-

11 MR BUDLENDER SC: Yes, he can do that

12 overnight because I think we are going to be here –

13 CHAIRPERSON: He'll be here until

14 lunchtime tomorrow, so he can do it overnight and give it

15 to us tomorrow morning.

16 MR BUDLENDER SC: Thank you, Chair.

17 CHAIRPERSON: Together, I don't know

18 whether the lessons that we were going to get –

19 MR BUDLENDER SC: I'm coming to that,

20 Chair. Two other matters I'd like to address with you, Mr

21 De Rover. Firstly can you go to paragraph 1.3 of the

22 evidence leaders' interrogatories. The question was asked,

23 "When you prepared FFF11 and FFF11A were you informed that

24 the decision was endorsed by an extraordinary session on

25 the evening of 15 August 2012 of most of the members of the

Page 36926

1 National Management Forum?" and your answer is, "Yes, I was

2 aware of the recording and the minutes of the extraordinary

3 session held on 15 August 2012, that the session endorsed

4 the decision that the strikers be disarmed if they do not

5 do so voluntarily." Now did you know of that when you

6 produced FFF11? That was on the 8th of March 2013.

7 MR DE ROVER: Yes.

8 MR BUDLENDER SC: Had you seen the

9 minutes by that time?

10 MR DE ROVER: No.

11 MR BUDLENDER SC: When did you see the

12 minutes?

13 MR DE ROVER: I have not seen the

14 minutes.

15 MR BUDLENDER SC: Who told you about the

16 extraordinary session of the NMF before the 8th of March

17 2013?

18 MR DE ROVER: You'll have to accept that

19 I honestly cannot remember. I know that somebody from SAPS

20 told me, but I cannot recall who.

21 MR BUDLENDER SC: No, of course I accept

22 that. But somebody in SAPS who was briefing you thought

23 that the matter was sufficiently important to tell you of

24 the meeting.

25 MR DE ROVER: It wasn't even like that.

Page 36927

1 I remember being at a place for a meeting and meeting a

2 third person just for the first time there and who in

3 conversation over a coffee divulged that information and it

4 was new to me.

5 CHAIRPERSON: Who was the third person?

6 MR DE ROVER: I, that's what I said I

7 can't remember, but I remember that somebody told me that

8 story and I took that back to General Annandale and General

9 Mbombo and just to ascertain what had actually happened.

10 MR BUDLENDER SC: And they told you what

11 had happened?

12 MR DE ROVER: Ja.

13 MR BUDLENDER SC: Would it surprise you

14 if I told you that the Commission, you were told that

15 before the Commission was told that?

16 MR DE ROVER: Sorry?

17 MR BUDLENDER SC: Would it surprise you

18 if I told you that you were told, or given this information

19 before the Commission was given the information?

20 MR DE ROVER: I'm not aware of that. If

21 that's true then I agree, I share your surprise, but I

22 don't know.

23 MR BUDLENDER SC: Thank you. Finally, Mr

24 De Rover, when General Annandale was giving evidence he was

25 asked about what was wrong, what had gone wrong at Marikana

Page 36928

1 from an SAPS perspective. I think you'll remember that. I

2 think quite a few of us asked him about that, including Mr

3 Burger, and he said that the SAPS would produce a statement

4 setting out the lessons learned from Marikana, and then on

5 the 23rd of January – or let's go there. Could we have day

6 173? So that first reference was on 15 May 2013. Then if

7 we go to day 173, page 20442, could we go to line 11?

8 There the Chairperson says the following, "Before he

9 answers I must say Mr Semenya undertook some time ago in

10 response to a question we asked him to provide us with a

11 document setting out what lessons the police considered

12 they had learned and what steps they are taking, because I

13 said it wasn't any good to wait till our report comes out

14 because incidents may happen before the report comes out."

15 Mr Mpofo says, "That's the issue." Chairperson says, "He

16 said they were aware of that and they were preparing a

17 document, so perhaps before the Brigadier answers we can

18 ask Mr Semenya what progress he can report in that regard

19 to that document."

20 [10:29] Mr Semenya says, "Chair, I've also made enquiries

21 yesterday with client and I'm told Mr De Rover is working

22 on it." And then at the next page, Chairperson, "Thank

23 you. So do you know when we're likely to get it?" and Mr

24 Semenya says, "My instructions yesterday," so that would

25 have been on the 22nd of January 2014, "were that they made

Page 36929

1 contact with Mr De Rover to establish the timelines for
 2 that report to be here." Now is it correct that you were
 3 requested to prepare such a report?
 4 MR DE ROVER: I was never requested to
 5 prepare a report. I, from when I came I think one of the
 6 first things that I did was talk to the National
 7 Commissioner and point out to her that if we just take it
 8 as a sequential occurrence of circumstances that produced
 9 this result, the least SAPS should try to do is alter
 10 enough in its methods of operations to stop a similar
 11 occurrence from simply happening again, because while we
 12 are trying to establish what went wrong, how it went wrong
 13 and why, it's important to recognise that if outside world
 14 stays exactly as it is, such things can simply produce
 15 again, and that is a big concern. So I've pushed them on
 16 that. My personal –
 17 MR BUDLENDER SC: No –
 18 MR DE ROVER: Let me maybe complete the
 19 answer.
 20 MR BUDLENDER SC: Please.
 21 MR DE ROVER: I was never asked to
 22 prepare the report on lessons learned. I approached
 23 lessons learned. I get, and that is my reading of the
 24 responses I got in meetings where I tried to push this
 25 point. They equate lessons learned with mistakes made,

Page 36930

1 rather than saying I have an experience and I learn from
 2 that experience, and whether that was a good experience or
 3 a bad experience I seek to further the learning
 4 organisation model and I seek to improve my professional
 5 practices, and I think there has been a genuine reticence
 6 on that perception of lesson learned equals mistake made,
 7 for them to be as forthcoming as you would have wanted them
 8 to be.
 9 MR BUDLENDER SC: Could we just go back
 10 to the previous page? 20442, down to line 21. Let's just
 11 read again, or line 20. Let's just read again, line 19 the
 12 Chairperson says, "He said they were aware of that and they
 13 were preparing a document. Perhaps before the Brigadier
 14 answers we can ask Mr Semenya what progress he can report
 15 in regard to that document," and Mr Semenya says, "Chair, I
 16 have also made enquiries yesterday with client and I am
 17 told Mr De Rover is working on it." What your evidence
 18 means is that what Mr Semenya was told was not correct
 19 because you were not working on the report because you'd
 20 never been asked to produce such a report.
 21 MR DE ROVER: What I'm saying to you is I
 22 was never asked to write the physical report. I engaged at
 23 several moments in time, including before and following
 24 this intervention, because I remember it, with the SAPS
 25 members concerned, but you will appreciate that the only

Page 36931

1 ones that can produce such a document are the people that
 2 were involved in that operation, and they are the ones that
 3 should be doing it.
 4 MR BUDLENDER SC: Well, indeed. I'd
 5 respectfully agree. It doesn't help for you to tell them
 6 the lessons they learned –
 7 MR DE ROVER: No.
 8 MR BUDLENDER SC: They must decide what
 9 lessons they learned.
 10 MR DE ROVER: Ja.
 11 MR BUDLENDER SC: That would have been my
 12 question.
 13 MR DE ROVER: Yes.
 14 MR BUDLENDER SC: But my point is that Mr
 15 Semenya was told, I'm sure he was told that you were
 16 preparing a report in that regard and that they'd been in
 17 contact with you; what he was told was not correct.
 18 MR DE ROVER: I think what he was told
 19 was incomplete.
 20 MR BUDLENDER SC: Not just incomplete,
 21 it's not correct. You weren't preparing a report on
 22 lessons learned.
 23 MR DE ROVER: No, okay, if you want to
 24 read it in the strict sense that I was apparently the one
 25 who was writing the report, that is wrong. That is not

Page 36932

1 correct, yes.
 2 COMMISSIONER HEMRAJ: Mr De Rover, did
 3 you suggest that such a report be compiled?
 4 MR DE ROVER: I, from the very early
 5 days, and that's why I'm saying to you in many of the
 6 meetings where I sat, and I've never voiced it back to them
 7 to check whether what I sensed was true, but I felt there
 8 was that equation of a lesson learned is a mistake made and
 9 not a more positive approach that when you conduct any
 10 operation of any kind, whether successful or not, you try
 11 and draw from that operation the positive and negative
 12 points that facilitate the learning organisation experience
 13 so that you retain that what was good and that you seek to
 14 remedy that what went wrong.
 15 COMMISSIONER HEMRAJ: If you've already
 16 suggested or pointed out some of the lessons you think that
 17 might have been learned, it's still open for such a
 18 document to be drawn up without too much trouble, isn't it?
 19 MR DE ROVER: I'm aware that a draft
 20 document exists and is in circulation for commentary. So I
 21 don't know at what stage that will be put forward to you.
 22 MR BUDLENDER SC: If I may say, if ever.
 23 CHAIRPERSON: Were you contacted in
 24 January of this year to establish the timelines for the
 25 report in relation to the lessons learned? Were you

Page 36933

1 contacted – or let me ask the question with more precision.
 2 Were you contacted in January this year by people from the
 3 SAPS to establish the timelines for the report in relation
 4 to the lessons learned?
 5 MR DE ROVER: I was contacted - I would
 6 have to check whether that was in January - and I've pushed
 7 the organisation into this introspection exercise that they
 8 needed to conduct, and I know that sessions have been held
 9 in Potchefstroom, that different actors have been brought
 10 together and that in, on the basis of these meetings a
 11 document has been produced.
 12 CHAIRPERSON: You see, my question was
 13 whether you were contacted in order to establish the
 14 timelines for such a report.
 15 MR DE ROVER: No, because I think SAPS
 16 has throughout also in its dealings with me very much
 17 stayed master of its own time and calendar.
 18 COMMISSIONER HEMRAJ: Is it envisaged
 19 that when that draft document is, that that draft document
 20 will at some stage be discussed with you?
 21 MR DE ROVER: I've seen the draft
 22 document and I would hope that they would want to discuss
 23 it because I've got questions, plenty. So, and I'd hope
 24 that this document would be also made available to the
 25 Commission because I think it would help and at, it would

Page 36934

1 help the recommendations of this Commission.
 2 COMMISSIONER HEMRAJ: And do you think
 3 the draft document is almost complete and in a form that
 4 can be received by us?
 5 MR DE ROVER: Yes, but like I said, I
 6 would still have questions that the range of topics, my
 7 main question at this stage that I haven't had a chance to
 8 give back is to terms of reference and methodology.
 9 MR BUDLENDER SC: I said I'm moving off
 10 this point, Chair, unless there's something –
 11 CHAIRPERSON: I must confess my amazement
 12 at this stage – perhaps that's the wrong word. We've been
 13 asking for these lessons for a long time. It was reported
 14 to us, I can't remember whether it was reported to us in
 15 the chamber or outside the chamber, that an undertaking had
 16 been given by the police, the legal representatives, that
 17 we were going to get, the lessons document was on the point
 18 of production. I seem to remember being told it was going
 19 to be finalised last night because I expected to see it
 20 this morning. Is my impression incorrect? Was such an
 21 undertaking given to us?
 22 MR BUDLENDER SC: Chair, my colleagues
 23 and I have had various discussions. It's been promised
 24 imminently on a number of occasions, but we haven't seen it
 25 yet.

Page 36935

1 CHAIRPERSON: [Microphone off, inaudible]
 2 talk of last night it's being finalised, is that – that was
 3 something I remember having been told. I don't know who
 4 told me.
 5 MR BUDLENDER SC: Not I, Chair.
 6 CHAIRPERSON: Mr Semenya, can you throw
 7 any light on this point?
 8 MR SEMENYA SC: As the witness indicates,
 9 Chair, we have seen a document that's a draft and in
 10 looking at the document as a legal team our impression was
 11 that it is not addressing the issues the Commission is
 12 looking for and the National Commissioner in the meeting
 13 that I was part of very recently instructed that that
 14 document be produced by the Friday of last week. I have
 15 seen what has come out of that and I still think there are
 16 elements of it which require amplification, otherwise it
 17 will be a document for document sake.
 18 CHAIRPERSON: Thank you. Am I correct in
 19 thinking there was mention, I think outside the chamber now
 20 that you've put it the way you have, that mention was made
 21 of last night, some finalisation of the document last
 22 night? That's what I was told by somebody.
 23 MR SEMENYA SC: I'm hearing it from you,
 24 Chair, for the first time. No, I'm not aware.
 25 CHAIRPERSON: Alright. Anyway, I don't

Page 36936

1 propose making myself a witness in this matter, otherwise
 2 Mr Mpofu may wish to cross-examine me and others may wish
 3 to as well. Anyway, let's not go there now. What you're
 4 telling us, you saw a draft, you weren't entirely happy
 5 with it. It wasn't adequate. Is that right?
 6 MR DE ROVER: The document isn't dated.
 7 It doesn't identify authors. It doesn't set terms of
 8 reference and it doesn't clarify the methodology. So I can
 9 go on, but it covers some of the issues that interest this
 10 Commission, and if I just take my interest as a
 11 professional in this field, it doesn't cover many of the
 12 issues that would interest me as a policing professional.
 13 CHAIRPERSON: What I have said in the
 14 past, this was a matter of concern when we asked previously
 15 what have you learned, what changes have you made, we were
 16 told we're waiting for the Commission. Well that was
 17 perhaps, I'm not sure it was entirely so but it was perhaps
 18 an acceptable stance when this Commission was supposed to
 19 finish its work after four months, but the complexity of
 20 the issues that arose were such that it is clear we had to
 21 get a number of extensions and so again I raised the matter
 22 and said you can't wait until our report comes out because
 23 a lot of things may happen before then.
 24 MR DE ROVER: Ja.
 25 CHAIRPERSON: And yes, it was agreed

<p style="text-align: right;">Page 36937</p> <p>1 we're working on it, but do I now understand that they 2 still haven't produced the document of lessons, or agreed 3 on it, you know, working on it? So if there's a problem of 4 the Marikana kind somewhere else tomorrow they still won't 5 be ready to implement such lessons as they've learned from 6 what happened at Marikana. That seems to be implicit in 7 what's been said. Am I right?</p> <p>8 MR DE ROVER: Ja, I would agree that 9 however outlandish some of the facts that appear related in 10 what transpired and produced at Marikana, they managed to 11 get into a sequence and produce that result. Now if you as 12 an organisation don't recognise that you can't suffice with 13 setting out the responsibilities of others, you also have 14 to look at your own organisation, so SAPS as an 15 organisation needs to recognise where it fell short of 16 expectations that South African society can hold, and you 17 need to act on those, and whether that is because people 18 that are in charge are not subject matter specialist or 19 expert enough to recognise that, I don't know. It's, but 20 the reality remains that some of these discussions that I 21 have had on a personal level, they are difficult. They 22 frustrate because it's, I almost feel there is a 23 miscommunication, a misunderstanding of the purpose that 24 such a document would serve, and that produces a hurdle 25 that I haven't been able to get across.</p>	<p style="text-align: right;">Page 36939</p> <p>1 you want.</p> <p>2 MR BUDLENDER SC: No, I understand. I 3 don't want you – I'm not going to scene 2. I just want to 4 understand whether you've attempted to undertake a similar 5 analysis in respect of scene 1.</p> <p>6 MR DE ROVER: Yes, but I've not, like 7 with some of the other aspects, I'm fully aware that you 8 looking at me, you look at an expert for the SAPS. I want 9 to stress that although SAPS have engaged me, I don't work 10 for SAPS. I'm not a fall guy or somebody who can be plied 11 to organisational need or requirement and it commences with 12 reiterating, I wasn't at Marikana when Marikana happened. 13 I have a reputation and experience that are based on 14 professionalism and integrity. I can't lower my standards 15 to suit anybody's narrative, and that includes SAPS 16 narrative.</p> <p>17 MR BUDLENDER SC: Let me cut to the 18 chase, Mr De Rover. I just want to ask you a question 19 about scene 1. One of the people who were killed at scene 20 1 was a Mr Thembinkosi Gwelani. Have you ever heard of 21 him?</p> <p>22 MR DE ROVER: Is he the man who can be 23 seen moving and trying to get up in the –</p> <p>24 MR BUDLENDER SC: No. No, he's not seen 25 in any of the videos –</p>
<p style="text-align: right;">Page 36938</p> <p>1 CHAIRPERSON: Thank you. I'm sorry, Mr 2 Budlender, for taking up so much of your time.</p> <p>3 MR BUDLENDER SC: There is one brief last 4 matter which I omitted. Mr De Rover, you've done a fairly 5 detailed analysis of the shootings at scene 2 where the 6 different bodies were found and trying to explain how this 7 happened. That's in your report.</p> <p>8 MR DE ROVER: Yes.</p> <p>9 MR BUDLENDER SC: Have you done a similar 10 exercise in relation to scene 1?</p> <p>11 MR DE ROVER: I think scene 1 throws up, 12 I think you have plenty sources that allow you to analyse 13 what happened there and I can throw in my five cents worth 14 but I, on the facts of what transpired there I can give you 15 the opinions that I hold, but with scene 2 that is 16 different. You have very little auditable and independent 17 evidence. Now I'm not purporting that what I have set out 18 is then factually correct because the thing is that I 19 wasn't there, and people have rightfully pointed that out 20 and that's correct. SAHRC have pointed that out, LRC have 21 pointed that out. What I've tried to do is on the basis of 22 having spoken to the people that were there, and if you 23 will then looking through their eyes, give you a sequential 24 blow-by-blow account of what happened there, and I've tried 25 to do it dispassionately, not to give a value judgment, if</p>	<p style="text-align: right;">Page 36940</p> <p>1 MR DE ROVER: Then I don't know.</p> <p>2 MR BUDLENDER SC: Okay. Well, exhibit B 3 which you have shows where he was when he was shot and 4 killed. Could you just, you've got exhibit B. Could you 5 go to the last –</p> <p>6 MR DE ROVER: Sorry, it's –</p> <p>7 MR BUDLENDER SC: Exhibit B. You've got 8 pages 16 to 18, I hope, in your bundle, and could we go to 9 the last page, page 18, which is an aerial photograph. 10 Right, do you have that? Now you'll see that scene 1 is 11 marked and then there's a marking of P. Do you see that?</p> <p>12 MR DE ROVER: Yes.</p> <p>13 MR BUDLENDER SC: That's Mr Gwelani and 14 the evidence is that he was killed by a gunshot wound to 15 the head.</p> <p>16 MR DE ROVER: Ja.</p> <p>17 MR BUDLENDER SC: And you can take it 18 from me, P, that place where P is, is approximately 250 19 metres –</p> <p>20 MR DE ROVER: From scene 1?</p> <p>21 MR BUDLENDER SC: From scene 1. Now can 22 you think of any basis on which it might be found that the 23 shooting and killing of Mr Gwelani was justified?</p> <p>24 MR DE ROVER: No, I – you know, I would 25 hold to you - and I've expressed myself on the use of R5</p>

Page 36941

1 rifles in crowd control – that that rifle has a horizontal
 2 carriage that probably exceeds 600 metres easily. So you
 3 fire that round, you aim it at someone who might be five
 4 metres away from you, you miss and it's on a horizontal
 5 plain. You have to in your judgment account for another at
 6 least 595 metres of running distance.
 7 MR BUDLENDER SC: So he's an innocent
 8 victim?
 9 MR DE ROVER: And you end up hitting an
 10 innocent victim, yes.
 11 MR BUDLENDER SC: Yes.
 12 CHAIRPERSON: Mr Budlender, am I correct
 13 in thinking if one looks at page 16 of your bundle, that's
 14 the sketch plan, exhibit B, there is, on the more or less
 15 extreme right of the plan there's a circle with, is that a
 16 P –
 17 MR BUDLENDER SC: That is, that should be
 18 a P –
 19 CHAIRPERSON: It doesn't look like a P,
 20 but it is a P?
 21 MR BUDLENDER SC: It looks more like a B,
 22 but it's actually P.
 23 CHAIRPERSON: Yes, and there's an arrow
 24 going down and then there's a measurement 280 metres.
 25 That's where Mr Gwelani was.

Page 36942

1 MR BUDLENDER SC: That's where Mr Gwelani
 2 was found dead with a gunshot wound to the head.
 3 CHAIRPERSON: And does the PM report
 4 indicate that he died instantaneously?
 5 MR BUDLENDER SC: Yes, Chair.
 6 CHAIRPERSON: I see.
 7 MR SEMENYA SC: But Chair, I think also
 8 the witness for fairness must also be told we have evidence
 9 of injured people that were carried.
 10 MR CHASKALSON SC: Chair, we have
 11 photographic evidence of Mr Gwelani's body in that position
 12 2 minutes and 33 seconds after the shooting at scene 1. I
 13 don't think it can seriously be contended that someone shot
 14 in the vicinity of scene 1 would have been carried to that
 15 position within 2 minutes and 33 seconds of the first shots
 16 at scene 1. That evidence I can refer to it. It is
 17 Colonel Botha's KKK16.5108, you'll see Mr Gwelani's body in
 18 the position where it was ultimately found.
 19 CHAIRPERSON: The witness now I think has
 20 all the facts that he needs and I think you've expressed
 21 your views on the matter, he's an innocent victim.
 22 MR DE ROVER: I think that –
 23 CHAIRPERSON: I say you've expressed your
 24 views.
 25 MR DE ROVER: My view is I concur that

Page 36943

1 it, to me it looks that a bullet travelled that distance
 2 and hit an innocent victim. I can entertain other
 3 possibilities, but generally the one that appears the most
 4 logical is likely to be true. The problem remains that
 5 you'd have to go back to the actual person who fired that
 6 shot and establish whether or not they were justified in
 7 firing that shot because you factor in that your shot may
 8 miss. But at that point where the shooter is, can he
 9 actually see that person and take sufficient note of the
 10 risk –
 11 [10:49] CHAIRPERSON: Yes, yes, I understand.
 12 MR DE ROVER: - that it poses if you pull
 13 the trigger.
 14 CHAIRPERSON: I understood you to imply –
 15 I don't know whether you said it directly. I understood
 16 you to imply, and I'd be interested in your views on the
 17 matter if I'm wrongly thinking this was the implication of
 18 what you said, that you do not regard the use of TR rifles
 19 with this problem that you've mentioned, or this quality
 20 that you've mentioned, as suitable for use in Public Order
 21 Policing. Would that be a fair inference of what you say?
 22 MR DE ROVER: That was I think one of the
 23 first, after being here, one of the first recommendations I
 24 made to the National Commissioner to withdraw R5 rifles
 25 from POP and to not permit them to be used in crowd

Page 36944

1 control, and there is ample literature available on the use
 2 of military weapons in law enforcement context, and
 3 particularly there are rules of International Law that talk
 4 about the use of assault rifles in a law enforcement
 5 context and generally stating that it should be
 6 discouraged, like you can't say prohibit it, but at least
 7 in understanding the risks these weapons pose, and I'll be
 8 more specific that a 556-round fired at close range is
 9 virtually and per definition a kill shot. It doesn't even
 10 matter where on the body you hit because if you strike, the
 11 problem is with the fact that the bullet on impact
 12 disintegrates because of the high kinetic energy it
 13 carries. It's designed actually for the battlefield where
 14 the confrontation per definition happens at a larger
 15 distance and you want to be able to engage targets from 300
 16 metres out to 600 metres, and then after 100 metres there
 17 is a slight deformation and after 200 that bullet stays
 18 with the shape it has and it produces a minimal wound
 19 cavity. But at close range that bullet shatters on impact
 20 and it produces horrific wounds. If you get hit on the arm
 21 you're likely losing that arm. If you get hit centre body
 22 mass you get a wound cavity from what I understand to be 20
 23 centimetres across. So your chances of surviving that are
 24 minimal.
 25 CHAIRPERSON: And the ballistic evidence

Page 36945

1 of course then doesn't help you to say who fired the shot
 2 because the bullet is not capable of being analysed and –
 3 MR DE ROVER: Well, it's very difficult –
 4 CHAIRPERSON: Isn't that right?
 5 MR DE ROVER: - because of the
 6 disintegration of the round to do any ballistic comparison
 7 to between bullet and rifle. So even if you have the
 8 cartridge it would still be hard to establish a match
 9 between that cartridge and a bullet that you have found in
 10 a particular location.
 11 CHAIRPERSON: Mr Budlender, do I sense
 12 that you want to leave? Adv Hemraj wants to ask a question
 13 and so do I, but if you can give us a couple of minutes
 14 before you go.
 15 COMMISSIONER HEMRAJ: Mr De Rover, I know
 16 you said that you've recommended that POPS no longer use
 17 the R5s, but at scene 1 the R5s were fired by the TRT.
 18 MR DE ROVER: Yes.
 19 COMMISSIONER HEMRAJ: Not the POPS.
 20 MR DE ROVER: Well, it's my, my claim on
 21 the use of the R5 goes to its use and employment in public
 22 order management, and to me that's secondary to the unit
 23 that you bring into public order management. I think that
 24 if you take your legal requirements to apply potentially
 25 lethal force, the least I would like to say is that on the

Page 36946

1 array of firearms that you would have available to inflict
 2 potential lethal force the R5 is guaranteed deadly. So if
 3 you can differentiate again in applying potentially lethal
 4 force, you should put the R5 at the end of the spectrum
 5 that you would like to employ and maybe start with a 9mil,
 6 and I'm not saying that a 9mil can't kill you, but I am
 7 saying that a 9mil shot with a solid metal jacket fired at
 8 centre body mass, I'd prefer my chances that I would
 9 survive that as compared to being hit with an R5 because I
 10 think that in 99 of 100 cases you are going to die before
 11 medical assistance can be given, and even if medical
 12 assistance is present the catastrophic damage to internal
 13 organs are making your chances of survival very slim
 14 indeed.
 15 COMMISSIONER HEMRAJ: Does that mean, Mr
 16 De Rover, that you criticise putting the TRT with R5s
 17 immediately behind the POPS in the operation?
 18 MR DE ROVER: Well, you see how – that's
 19 why I call it unravelling systems and I hope to get a
 20 moment to put that into context, not as an excuse but as an
 21 explanation that needs to lead to recommendations on your
 22 part. The TRT were never meant to engage in the way they
 23 did. That much is clear from SAPS' spoken intentions and
 24 whatever you think of their written intentions in the plan.
 25 What you get is that where they were they end up

Page 36947

1 confronting that group of people and all they have is that
 2 R5.
 3 CHAIRPERSON: Do I understand you can't
 4 criticise them for using the R5 because that's all they
 5 had?
 6 MR DE ROVER: That's all they had, and –
 7 CHAIRPERSON: There is evidence of course
 8 that the POP people, out of every eight POP people one
 9 apparently according to the evidence has also had an R5.
 10 So there you even have according to the evidence POP
 11 members, not all of them, one-eighth of them using R5s as
 12 well. I take it you'll also feel that should be stopped
 13 immediately?
 14 MR DE ROVER: It, I could interpret that
 15 at least as having it as a support weapon. I've worked
 16 SWAT – we would have one member of our group with a heavier
 17 calibre as a support weapon, not saying that that means
 18 you're going to use it, but it's a redundancy, if you want,
 19 that should things go really bad you can answer, but the
 20 problem with bringing TRT into that equation is that, the
 21 question for me that it turns on is was it reasonably
 22 foreseeable that they would be forced in that position and
 23 did they contemplate that that could occur, and if you have
 24 it occurring, the thing is that it then almost follows; you
 25 put them in that position, all they carry is that R5, so

Page 36948

1 then it ends up being used.
 2 CHAIRPERSON: Yes, I understand.
 3 COMMISSIONER HEMRAJ: But they do have
 4 side arms though. They do have 9millimetres as well.
 5 MR DE ROVER: Ja, but the - I think if,
 6 especially if they feel threatened, if I'm carrying my
 7 rifle in both hands, I might have a side arm but it would
 8 require me to either drop that on the sling and go for my
 9 9mil, but if you feel an imminent threat to life you bring
 10 that rifle to bear because that is what your two hands are
 11 on.
 12 CHAIRPERSON: Yes, thank you. Mr
 13 Budlender, I gather you have to leave at 11 o'clock. Is
 14 that correct?
 15 MR BUDLENDER SC: [Microphone off,
 16 inaudible]
 17 CHAIRPERSON: Alright, I think we'll take
 18 the tea adjournment at this stage.
 19 [COMMISSION ADJOURNS COMMISSION RESUMES]
 20 [11:20] CHAIRPERSON: The Commission resumes.
 21 You're still under oath Mr De Rover. Before the next
 22 cross-examination begins I'd like to ask you a question.
 23 Did you tell the National Commissioner that you thought R5s
 24 shouldn't be used in public order policing?
 25 MR DE ROVER: After the 28th February and

Page 36949

1 before the 8th of March 2013.

2 CHAIRPERSON: 2013 or '14?

3 MR DE ROVER: '13. So in the first week

4 of me being here.

5 CHAIRPERSON: Yes I see. Thank you. Mr

6 Semenya is not here, but Ms Baloyi would you, I don't

7 expect you to give me the answer now, but can you tell me,

8 at some stage, whether the police have withdrawn R5s for

9 public order policing not only, as the witness said, it's

10 not a question of which unit used it but the exercise that

11 it should not be used? Will you ascertain and inform the

12 Commission whether that advise that the witness gave the

13 National Commissioner has been accepted and implemented?

14 And if so the details of such implementation.

15 MS BALOYI: I will do so, Chairperson.

16 CHAIRPERSON: Thank you. Who's going to

17 cross-examine next, is it Ms Le Roux?

18 MS LE ROUX: The Human Rights Commission,

19 Chair, yes.

20 CHAIRPERSON: So you're going to cross-

21 examine on behalf of the Human Rights Commission.

22 MS LE ROUX: Correct, Chair. Chair, in

23 the interests of saving time, my attorney I believe has

24 handed to you an index of the new exhibits that we intend

25 to use in the cross-examination and we've taken the liberty

Page 36950

1 of pre-marking those in the UUUU series that Mr Budlender

2 referred to in his cross-examination.

3 CHAIRPERSON: Correct.

4 MS LE ROUX: But, Chair, there is further

5 housekeeping point that we do need to address at the start

6 of the examination which is as you know there are a series

7 of videos that have been prepared by video experts, engaged

8 by the South African Human Rights Commission as well as

9 with CALS in collaboration with SERI for the families.

10 Those videos I intend to use during my cross-examination.

11 I understand that has been referred to as the commentary

12 meaning the annotations that appear in those videos are

13 subject to objection and some dispute by the SAPS –

14 CHAIRPERSON: I take it you saw the

15 affidavit that we were presented with this morning –

16 MS LE ROUX: Yes, Chair.

17 CHAIRPERSON: - made by Johan Lubbe –

18 MS LE ROUX: Yes, Chair, we have seen

19 that.

20 CHAIRPERSON: - which was prepared

21 obviously on behalf of the police.

22 MS LE ROUX: Yes. Chair, we've seen

23 that. In the interests of time obviously I'm happy to

24 address you on the details of all of those, but in the

25 interests of time we would like to propose that we be

Page 36951

1 permitted to utilise the videos during the cross-

2 examination with the objection noted and obviously we will

3 then engage through the evidence leaders with the SAPS to

4 resolve any particular objections if they are to the

5 annotations on the videos. The five examples –

6 CHAIRPERSON: How do you do that? I was

7 originally under the impression that the narration was only

8 part of the sound track, so you could simply show the

9 videos without that part of the sound track, but I

10 understand that's not correct. There are actually sub-

11 titles or super titles, I don't know what the correct word

12 is, on the screen itself. Is that correct -

13 MS LE ROUX: Yes, Chair.

14 CHAIRPERSON: - to which objection has

15 been taken?

16 MS LE ROUX: We'll we're not sure exactly

17 which annotations are the subject of the objections, there

18 seem to be a handful of – there are five items identified

19 in the affidavit. The majority of those though are not

20 relevant because they address apparent inconsistencies with

21 the GW6 series as well as the Catherine Scott expert

22 evidence. Those are easily disposed of because, Chair,

23 those were prepared when we didn't have the Al Jazeera

24 footage, we didn't have all the SABC footage. So this

25 obviously supersedes that analysis, any revisions to those

Page 36952

1 documents will be made. But the point here, Chair –

2 CHAIRPERSON: Let me not interrupt you,

3 but can I just put this to you? I understand the objection

4 has been taken by the police, so let's hear what Mr Semenya

5 has to say. Are you suggesting, however, that I should

6 allow you to show the video with the commentary and the

7 narration and so forth even though it contains things to

8 which the police take objection, if that's what you're

9 suggesting then I think we should hear Mr Semenya. Mr

10 Semenya. Then you can obviously reply to him when he's

11 finished. Mr Semenya.

12 MR SEMENYA SC: Chair, perhaps if I

13 describe the nature of the objection we have, principally

14 we say commentary like ballistic opinions offered by a non-

15 expert is obviously objectionable. If what he says is

16 something that we all can see he doesn't have to say it.

17 If some of his expertise is to make those visuals better

18 readable then of course we welcome that area of his

19 expertise. But there is commentary there which is – which

20 facts are in contestation and that's the nature of the

21 objection we have to the material.

22 MR CHASKALSON SC: Chair, I wonder if I

23 can give the evidence leaders' position on this because –

24 CHAIRPERSON: Can we finish hearing what

25 Mr Semenya says first before you give us your position?

Page 36953

1 Yes, Mr Semenya, are you finished.
 2 MR SEMENYA SC: Chair, I'm finished.
 3 CHAIRPERSON: Oh you have. I'm sorry, Mr
 4 Chaskalson, please proceed.
 5 MR CHASKALSON SC: I understand that
 6 there is a dispute from SAPS as to some aspects of the
 7 annotations on the videos, our concern is what is best for
 8 the Commission and will this video evidence assist the
 9 Commission to answer the questions that it has to answer.
 10 That's the question that's posed. Then the answer is a
 11 resounding yes, we regard this exhibit as one of the most
 12 important pieces of real evidence that this Commission is
 13 likely to see. What it does is it strings together the
 14 video streams from various different sources so that one
 15 gets a composite picture of scene 1. There are annotations
 16 which point you to particular things. I would imagine that
 17 90% of those annotations are utterly uncontroversial, there
 18 may be 10% which are. The SAPS are always at liberty to
 19 identify that which they dispute and they can table their
 20 objections and I would suggest that for today's purposes Ms
 21 Le Roux doesn't refer to annotations in cross-examination
 22 that are potentially in dispute. If she wants to point
 23 something out on the video to a witness she can use a
 24 pointer and point to it. If it happens to coincide with
 25 what an annotation says well then one can assess what Ms Le

Page 36954

1 Roux says rather than the annotation. My concern is
 2 twofold, the first is that a very valuable piece of
 3 evidence the admissibility of which should really not be an
 4 issue, it should be a question of weight to be given to
 5 annotation.
 6 CHAIRPERSON: I don't understand Mr
 7 Semenya's objection to being against the video as such and
 8 I understand it's a useful compilation of various videos
 9 that we've seen putting things together on the same
 10 timeline and so on. I don't understand the objection being
 11 that, the objection is to commentary and in fact even parts
 12 of the commentary.
 13 MR CHASKALSON SC: But, Chair, can I
 14 finish because I do have a very serious concern to raise in
 15 relation to SAPS in this regard which is that the genesis
 16 of these videos as I understand it is they grow out of the
 17 annexures to Mr White's statement, the GW6 annexures. And
 18 they are a video graphic representation of what one sees in
 19 GW6. Now when GW6 was first exhibited SAPS complained that
 20 they did not accept it and that it was inappropriate for it
 21 to be exhibited through that means. We then started a
 22 process, we said right let's resolve this. Let's get you
 23 to identify the disputes that you have with GW6 and come
 24 back to us, we'll try and resolve them. If we can't then
 25 we will have narrowed those disputes and we know what is

Page 36955

1 agreed and what is not agreed. That process started on the
 2 4th of December last year. On the 6th of January this year
 3 we received a document from SAPS which was expressed
 4 labelled Die Voorlopige Verslag which identified a handful,
 5 maybe five or six problems with GW6A, nothing else in GW6.
 6 We've been addressing letters to SAPS on a regular basis
 7 since January this year saying please tell us what your
 8 disputes are so we can try to resolve them. And we've
 9 received nothing back from SAPS. Now it raises a real
 10 difficulty because what you have is a position and I can
 11 see it from Mr Lubbe's affidavit in relation to this video.
 12 You identify a very narrow range of disputes, most of which
 13 will probably be conceded by CALS and the SAHRC. And then
 14 on the basis of that you say well let's eliminate the whole
 15 thing. And in the process the Commission is really
 16 prejudiced of getting to the truth because what is thrown
 17 out and what is a whole lot of material which is of
 18 extremely valuable or high probate of value addressing
 19 crucial facts for this Commission and not placed in dispute
 20 by SAPS. And with respect, Mr Chairperson, if SAPS has a
 21 problem with this video it should be asked to identify the
 22 particular passages in the annotation with which it takes
 23 issue. When it's done so we can have the fight over that.
 24 For present purposes the video should be shown, Ms Le Roux
 25 can – the SAPS's right can be reserved in relation to that.

Page 36956

1 Nobody is prejudiced by showing the video, the Commission
 2 is ultimately going to prejudiced dramatically if the video
 3 is not shown.
 4 MR SEMENYA SC: Chair, as you correctly
 5 pointed out, there's no objection in us looking at the
 6 video. There is commentary in it, even if it is to one
 7 person that it is objectionable we're entitled to raise
 8 that objection.
 9 CHAIRPERSON: Have you identified all the
 10 parts of the commentaries to which you object? Because if
 11 you have you can signal that, I'm not quite sure whether
 12 it's possible for that commentary to be excised from what
 13 we see before we see it. But the first question is have
 14 you indicated what precisely the points in the commentary
 15 are to which you object? That statement of Mr Lubbe that I
 16 read talks about some points, I think he raised half a
 17 dozen or so, but this was only some, it didn't purport to
 18 be a comprehensive and complete list. Now have you got
 19 such a thing?
 20 MR SEMENYA SC: Chair, I may produce it
 21 in due course, but I can indicate even now if I understand
 22 what the narrative is to that documentary it now even says
 23 what we say was eight seconds of shooting in scene 1, is
 24 now 12 seconds. And I don't know whether I'm able to
 25 accept that narrative like that from some cinematographer

<p style="text-align: right;">Page 36957</p> <p>1 and that's one of the illustrations that we have 2 difficulties with.</p> <p>3 CHAIRPERSON: Is it not possible for you 4 to commence your cross-examination, I take it you've got a 5 lot of other cross-examination material, to have a session 6 with the police perhaps during the lunch hour or whatever 7 to identify the bits to which they have specific objection? 8 I don't think we should much time on it further at this 9 stage, rather spend non-sitting time on it outside the 10 chamber you people have. You know if an affidavit is put 11 up one knock out the whole affidavit simply because one 12 paragraph is not appropriate. That paragraph can be struck 13 out. But the way we're doing it at the moment, it's 14 obviously important we should see the actual videos 15 themselves, even possibly without commentary, the trouble 16 is I understand the commentary is not just part of 17 soundtrack, it's on the screen as well. So is there a 18 solution that you can suggest whereby we can deal with the 19 problem, but not waste any further time and you can cross- 20 examine the witness on other matters in the meanwhile? I 21 would imagine there must quite a number of other matter. 22 I'm not wishing to minimise the importance of the video, it 23 sounds a very important thing, but are there not other 24 matters you can deal with in the meanwhile? 25 MS LE ROUX: Unfortunately not, Chair.</p>	<p style="text-align: right;">Page 36959</p> <p>1 that we planned to. And then we will certainly engage in 2 that process to try to narrow the questions of dispute.</p> <p>3 So to go back to the five examples listed in Mr 4 Lubbe's affidavit two of those refer to inconsistencies 5 with earlier documents that didn't rely on the same 6 universe of information. Those are easily dealt with. One 7 refers to a conclusion reached on the video that seems to 8 be an absolute explanation to that part of the video, it 9 relates to the flight of rubber bullets and rubber balls. 10 We're told by Mr Lubbe that in fact that's the plastic wad, 11 the jacket on the ammunition. That may well be the 12 complete answer to that part of the video, we would then 13 obviously accept that explanation and that would be that 14 revision. The one refers to – the first example refers to 15 the description of the direction in which the strikers are 16 moving. That's an easy revision and the final one relates 17 to the animation that is being done that shows the Nyalas 18 and the movement of the lead group. It notes at one point, 19 at 15 seconds into the video that it claims the lead group 20 position is wrong but by 50 seconds into the video they 21 accept that it's now correct. These are the minor 22 revisions that would be required on what we now understand 23 to be the areas in dispute. I should also then just place 24 on the record that our own review of the videos have 25 highlighted two points of errata. We've engaged with our</p>
<p style="text-align: right;">Page 36958</p> <p>1 So the proposal I make is that we will certainly engage, 2 through the evidence leaders with the SAPS on the specific 3 annotations that they have objections to. The one Mr 4 Semenya just mentioned has never been raised with us before 5 this. The overwhelming majority of the annotations are 6 simply things like Nyala 4 reaches the kraal or this is the 7 single pylon, so I'm sure the overwhelming majority of the 8 annotations are there to assist the Commission. And Chair, 9 I must pause there because at great expense this exercise 10 has been undertaken because we've had repeated requests 11 from the Commission, Commissioner Hemraj in particular 12 suggesting a chronology that compiles all of the 13 available footage. Mr De Rover talks about the use of 14 independent, auditable, objective evidence. That is what 15 this does. For any handful of quibbles that we may have on 16 annotations we'll deal with those in due course and not 17 take up any more time in the Commission process today. So 18 my proposal remains, we note the objection, we'll undertake 19 a process that may result in concessions or revisions or 20 something that will provided to the Commission once that 21 process is completed and subject to those qualification the 22 videos can then be used in closing arguments and if the 23 Commission finds them helpful refer to in the report. But 24 for today's purposes we just note that these are subject to 25 a process, but that we are permitted to use them as a way</p>	<p style="text-align: right;">Page 36960</p> <p>1 colleagues from SERIs who've collaborated with us on this, 2 perhaps they also need to have an opportunity to address 3 you on this. There are two minor errata points we've 4 picked up already from that which is in exhibit V2 which is 5 a video which shows the movement of the strikers. 22 6 seconds into that video it refers to the strikers visible 7 walking off the koppie toward Nkaneng, that needs to be 8 revised to say towards the west. At three other 9 annotations 20:21, 21:45 and 22:11 it speaks about the 10 north-western edge of the kraal, that needs to be the 11 northern edge of the kraal. This is the extent of the 12 revisions that need to be made and therefore in light of 13 that and with the undertaking that we'll deal with any 14 specific annotations that cause the SAPS some concern if we 15 could be permitted to use the videos today as we had 16 planned in order to assist the Commission.</p> <p>17 CHAIRPERSON: Thank you. Mr Bizos your 18 light's on at the moment.</p> <p>19 MR BIZOS SC: Mr Chairman, we want to 20 make a submission in relation to the objection raised by 21 SAPS. They themselves went to a lot of trouble to comment 22 on the photographs. Could I use in support of the 23 conclusion that I'm going to make, have a look at page 194 24 of exhibit L? 25 CHAIRPERSON: Slide 194?</p>

Page 36961

1 MR BIZOS SC: It's one of the examples
 2 where the police chose to comment on the photograph and put
 3 colours in and things, but may I read the printing? "In
 4 the following slides three separate, organised attempts
 5 will be portrayed where protestors approached the police
 6 line." That's comment, I assume, Mr Chairman, that the
 7 witness will have been shown exhibit L before he was asked
 8 to comment in writing as to what the police case is
 9 exhibited in exhibit L. We didn't object to that, Mr
 10 Chairman. I don't know what influence this comment had on
 11 the conclusion that was arrived at by the witness in the
 12 witness box. But we didn't object, but now for them to say
 13 that any commentary is prejudicial to them should not be
 14 upheld. The SAPS can accept that the Commission will be
 15 able in coming to a conclusion what is evidence and what
 16 may be the expression of an opinion. But these opinions in
 17 exhibit L we have now doubt were made available to the
 18 witness before he made a conclusion exculpating the police.
 19 [11:40] It would be manifestly unfair to prevent those
 20 who do not accept the police version if any portion of the
 21 video was excluded.
 22 CHAIRPERSON: In regard to exhibit L who
 23 was responsible for the captions? The comments that you
 24 refer to were contained in captions, were they not? And
 25 they were contained also I suppose in things like coloured

Page 36962

1 arrows and so forth superimposed on the photographs. Who
 2 was responsible for those things?
 3 MR BIZOS SC: Well, exhibit L was put up
 4 by SAPS.
 5 CHAIRPERSON: No, the reason I ask you
 6 the question is that my understanding was it was
 7 Lieutenant-Colonel Scott and Colonel Visser – I think he
 8 was a colonel, I'm not sure what his rank was. Scott did
 9 give evidence. Visser didn't. Now I think I'm correct in
 10 saying that most of the captions were the work of Visser.
 11 Am I right?
 12 MR CHASKALSON SC: Certainly a
 13 substantial number. In the cross-examination of Colonel
 14 Scott, Chairperson, there were a substantial number of
 15 issues on which he was questioned in relation to exhibit L
 16 which he identified as not being his responsibility but
 17 Colonel Visser's responsible –
 18 CHAIRPERSON: Yes, so what you're
 19 effectively saying to me, Mr Bizos, is what's sauce for the
 20 goose is sauce for the gander. If the police can put up a
 21 presentation which contained captions which are opinion not
 22 backed up by a witness who's able to defend them, then the
 23 same should apply to the Human Rights Commission. Is that
 24 your submission?
 25 MR BIZOS SC: Mr Chairman, thank you.

Page 36963

1 This is, I wish that I had expressed it as well –
 2 CHAIRPERSON: Flattery will get you
 3 nowhere, Mr Bizos.
 4 MR BIZOS SC: But that is precisely, Mr
 5 Chairman, but we are going to argue that an important
 6 matter in relation to this witness's evidence will be was
 7 he told the whole truth –
 8 CHAIRPERSON: Yes, yes, I understand.
 9 MR BIZOS SC: - or was he influenced by
 10 the material in exhibit L and other matters, and –
 11 CHAIRPERSON: I understand. What you say
 12 is he didn't –
 13 MR BIZOS SC: We hope to persuade the
 14 witness and the Commission that he was not told the whole
 15 truth before he made that –
 16 CHAIRPERSON: What you say is though he's
 17 endeavouring to be an impartial witness, conscious of his
 18 duty to the Commission to be an impartial witness, your
 19 contention is that because he's only heard one side and he
 20 hasn't heard the other side, his evidence is defective for
 21 that reason and you're trying to remedy that. That's your
 22 point basically. Do I understand you correctly?
 23 MR BIZOS SC: Mr Chairman, I don't
 24 understand why my learned friend Mr Semenya and his team
 25 are so concerned that if it's pure comment, not supported

Page 36964

1 by the video, it will be ignored.
 2 CHAIRPERSON: It's like Mr Visser's stuff
 3 in exhibit L.
 4 MR BIZOS SC: Yes.
 5 CHAIRPERSON: Yes, alright. What do you
 6 say about that –
 7 MR BIZOS SC: So I urge, Mr Chairman,
 8 that these videos should be shown. They are very important
 9 for the final decision by the witness, Mr Chairman, by the
 10 witness as to whether he was fully briefed by truthful
 11 evidence at a time that he made his two statements
 12 exculpating the police.
 13 CHAIRPERSON: Yes, thank you. Yes, I
 14 think I have that point. Mr Semenya, how do you deal with
 15 this sauce for the goose, sauce for the gander point?
 16 MR SEMENYA SC: Can I make three points,
 17 Chair, very short three points. We are saying the video
 18 material must be shown so that that should put that expect
 19 to bed. What Mr Bizos is referring to here as exhibit L,
 20 we have heard evidence of that. Whether it is accepted
 21 later or not, it's a different matter. There is no
 22 intention of calling these witnesses to support that
 23 narrative which they are making. That's distinctly
 24 different.
 25 But may we propose a solution, Chair; let them

Page 36965

1 show it with all that narrative that it has if you give us
 2 the assurance, aspects of which, which are not supportable
 3 because one does not qualify as an expert to make it, we'll
 4 ignore them. Aspects to which are references to things
 5 that we also can be able to watch and not agree with we'd
 6 have an opportunity to discuss or argue their weight.
 7 CHAIRPERSON: Alright, we'll give you the
 8 undertaking that you've asked for. It will apply also of
 9 course to those parts of exhibit L which was the work of Mr
 10 Visser, which may also not be capable of being supported.
 11 So on the sauce for the goose, sauce for the gander
 12 principle it can go in, but subject to that very important
 13 caveat which you've expressed and the undertaking that
 14 we've given you. [Microphone off, inaudible] got to move
 15 from here, you're going to show the video because it will
 16 shown behind our backs and –
 17 MS LE ROUX: No, Chair, for two reasons;
 18 firstly because all the cabling in the room has now been
 19 replaced to be high definition, so even your screen, if
 20 you'd like to watch the big screen you can –
 21 CHAIRPERSON: No, the problem is we sit
 22 here and looking at our screen we've still got this
 23 powerful light in our eyes.
 24 MS LE ROUX: Yes. Chair, if we can –
 25 CHAIRPERSON: Now maybe you can handle

Page 36966

1 that sort of thing, but I'm afraid I can't. So –
 2 MS LE ROUX: But secondly, Chair, I'm not
 3 – the plan of my cross-examination, the videos, I don't
 4 start with the videos. They came in a bit later, so –
 5 CHAIRPERSON: Well, when you start with
 6 the videos let me know –
 7 MS LE ROUX: Yes.
 8 CHAIRPERSON: - so I can prevent myself
 9 being blinded by the powerful light of your projector.
 10 MS LE ROUX: Yes. And of course, Chair,
 11 there's a related issue which is the videos obviously deal
 12 with scene 1 and so, and you know, there is a lot of
 13 footage that may be upsetting, so a warning would also be
 14 required –
 15 CHAIRPERSON: When we get there I would –
 16 MS LE ROUX: - for all the videos.
 17 CHAIRPERSON: When we get there I'll
 18 delegate to you the task I normally perform of giving a
 19 warning to those who may be caused emotional stress and
 20 grieve by looking at the images that's going to be on the
 21 screen. Will you do that for me when we get there?
 22 MS LE ROUX: Yes, Chair.
 23 CHAIRPERSON: Thank you.
 24 CROSS-EXAMINATION BY MS LE ROUX: Good
 25 morning, Mr De Rover.

Page 36967

1 MR DE ROVER: Good morning.
 2 MS LE ROUX: Mr De Rover, I'd like to
 3 start with, in your statement FFF11, page 2, paragraph 6,
 4 you claim public international law of human rights and
 5 humanitarian law, particularly as it relates to armed
 6 forces, police and security forces, as one of your areas of
 7 expertise. You've also testified this morning about the
 8 academic qualifications you hold relating to international
 9 law. When during the engagement with you by CALS we have
 10 asked you a question – Chair, I'm going to try to move
 11 through the evidence without us having to go to the
 12 documents. I'll summarise them and give the references,
 13 but given the time constraints I'll try to do that as soon
 14 as we can –
 15 CHAIRPERSON: The witness has been given
 16 notice of the documents you're going to rely on –
 17 MS LE ROUX: He has indeed.
 18 CHAIRPERSON: - and has had an
 19 opportunity to look at them.
 20 MS LE ROUX: Yes.
 21 CHAIRPERSON: So you can summarise them.
 22 The witness won't be at a disadvantage and if he feels he
 23 is I'm sure he'll tell us.
 24 MS LE ROUX: Yes. Mr De Rover, of course
 25 if I'm referring to a document you're not familiar with,

Page 36968

1 let me know and we can place it before you. In the May
 2 2014 interrogatories posed to you by the Human Rights
 3 Commission you were asked whether you accept that an
 4 assessment of the lawfulness of police action that results
 5 in numerous deaths requires an assessment of the planning,
 6 briefing, deployment and command of the operation as much
 7 as a consideration of the actions of individual officers.
 8 We then noted that in this respect the South
 9 African Human Rights Commission trusts that Mr De Rover is
 10 familiar with the European Court of Human Rights case of
 11 McCann versus the United Kingdom and other similar
 12 authorities. Chair, that is page 2, paragraph 3(a) of the
 13 interrogatories.
 14 Your response to those in June of this year
 15 stated, "Jurisprudence of regional bodies such as the
 16 European Court of Human Rights may, in some limited
 17 circumstances, indirectly contribute to the emergence of
 18 new international legal norms, although they will never on
 19 their own generate such norms. To cite judgments of the
 20 court in a way that implies a direct legal relevance to
 21 South Africa is disingenuous. As CALS must be aware, those
 22 judgments impose no legal obligations on states that are
 23 outside the European Human Rights system. The findings of
 24 the McCann case may well be of academic interest to the
 25 issues at hand, but have absolutely no legal relevance to

Page 36969

1 the Commission and its work." You recall that response?
 2 MR DE ROVER: I do.
 3 MS LE ROUX: Now what I'd like to do is
 4 move away from the question of the relevance of the McCann
 5 judgment to South African law, because obviously we accept
 6 it's not a binding precedent. I'd like to ask you whether
 7 you are familiar with the principle in international law of
 8 prevention or precaution. Are you familiar with that
 9 principle?
 10 MR DE ROVER: In what context?
 11 MS LE ROUX: In the context of the use of
 12 force.
 13 MR DE ROVER: Yes.
 14 MS LE ROUX: And Chair, if go to what's
 15 been marked BBBB8, because it was referred to by the SAPS
 16 in their cross-examination of Mr White, page 93 of your
 17 bundle, that is the UN special rapporteurs report which
 18 notes that its intention is to discuss the protection of
 19 the right to life during law enforcement, making a case for
 20 the need for a concerted effort to bring domestic laws on
 21 the use of especially lethal force by the police in line
 22 with international standards.
 23 CHAIRPERSON: [Microphone off, inaudible]
 24 MS LE ROUX: That's the cover page, the
 25 summary of –

Page 36970

1 CHAIRPERSON: The cover page is 93. What
 2 page is the actual report you want us to look at?
 3 MS LE ROUX: Chair, if we can then go to
 4 page 10 of that report, there it lists the requirements for
 5 the use of force and, Chair, in particular it's (a), (b)
 6 and (c) there, sufficient legal basis, legitimate
 7 objectives and necessity. If I could then ask you, Mr De
 8 Rover, to direct your attention over the page 11 to
 9 paragraph 63. This is the precise paragraph that Mr
 10 Semanya put to Mr White where the special rapporteur sets
 11 out that "There is the often overlooked requirement of
 12 prevention or precaution. It's explained that once the
 13 situation arises where the use of force is considered, it
 14 is often too late to rescue the situation. Instead, in
 15 order to save life, all possible measures should be taken
 16 upstream to avoid a situation where the decision on whether
 17 to pull the trigger arises or to ensure that all the
 18 possible steps have been taken to ensure that if that
 19 happens the damage is contained as much as is possible."
 20 The following paragraph sets out that "The
 21 failure to take proper precaution in such a context
 22 constitutes a violation of the right to life. In the
 23 McCann case the European Court of Human Rights held that
 24 the use of lethal force by soldiers who erroneously but in
 25 good faith believed that a group of terrorists were about

Page 36971

1 to trigger an explosion did not violate the right to life,
 2 but the lack of control and organisation of the operation
 3 as a whole did violate that right."
 4 Now you'll agree with of course that what the UN
 5 special rapporteur is doing here is setting out principles
 6 of international application. They're not parochial or
 7 regional. It's an international principle identified.
 8 Sorry, a nod of the head can't be captured for the
 9 transcript.
 10 CHAIRPERSON: Although the proceedings
 11 are being televised, or the television cameras are here,
 12 those will not be preserved for us. When we go over the
 13 evidence we'll read the transcript and the transcript won't
 14 have your body language that you nodded your head. So if
 15 you want to say yes you must say yes and you must do what I
 16 sometimes fail to do and turn your microphone on to make
 17 sure that the word "yes" is recorded.
 18 MR DE ROVER: On that point I'm already
 19 leaving it on constantly so I don't forget. Yeah, I have
 20 no objection to you framing the subject as you've just
 21 done.
 22 MS LE ROUX: Thank you, and then Mr De
 23 Rover, in that context as an international principle and
 24 irrespective of the status of the McCann decision in South
 25 African Law, would you agree with me that the principle of

Page 36972

1 prevention or precaution is an established principle of
 2 international law applicable to the use of force?
 3 MR DE ROVER: You know, the, Chair,
 4 there's a problem with these principles in international
 5 law exactly with the fact that they are principles and I
 6 always have to pull the rabbit out of a hat when I teach
 7 police, and depending on where I am I even have to refer to
 8 regional instruments and try and tie them into the right to
 9 life and the obligation for the State to protect that
 10 right, to, and not just by enacting law but by actually
 11 being more proactive than that, and maybe in that
 12 connection because I understand your reference to McCann,
 13 and if it's with the caveat that you gave I have no problem
 14 that it exists as a reference, and I would actually like to
 15 add to that Osman versus the UK because that is a case that
 16 may then in its findings have a relevance that you actually
 17 seek in that it addresses this issue of duty of care where
 18 if you have a particular set of circumstances where it is
 19 foreseeable that somebody is going to become a victim of
 20 crime, you as a state responsible have a duty of care. So
 21 you must then take steps to protect these people.
 22 If you want me to link that to Marikana, then for
 23 example you can hold that as the incident develops – and
 24 I'm talking 10, 11, 12 – and deaths occur and people are
 25 put at risk and it is actually quite clear that people of a

<p style="text-align: right;">Page 36973</p> <p>1 particular organisation become a target and that it's 2 foreseeable that more of them will become a victim, then 3 there is a duty on the police to take measures that seek to 4 protect. So if you see the increased VISPOL measures that 5 SAPS implemented around Marikana, they are an utterance of 6 that. I have to stress that the European Court gave quite 7 strict criteria for when that duty of care occurs and you'd 8 obviously have to measure them to what exists under your 9 own national laws in that respect, but it is an addition 10 and it's an operationalisation, if you want.</p> <p>11 CHAIRPERSON: That was a point I wanted 12 to put to you and that is it seems to me that you – I'm not 13 being critical – you may be venturing a little bit into a 14 field in which you do not belong, if I may say that. We 15 are concerned obviously to state as far as we can what we 16 think the domestic law of South Africa is in relation to 17 these issues. The decisions of international tribunals are 18 obviously not binding on us, but they might be used in 19 appropriate cases as a source of persuasive material.</p> <p>20 MR DE ROVER: Ja.</p> <p>21 CHAIRPERSON: And judges in South Africa 22 do that –</p> <p>23 MR DE ROVER: Ja.</p> <p>24 CHAIRPERSON: - use comparative material. 25 There are also provisions of the Constitution of course</p>	<p style="text-align: right;">Page 36975</p> <p>1 circumstances where it was foreseeable that if this person 2 were given bail he was likely to go out and commit further 3 crimes. She was the victim of one of those further crimes. 4 That's already the law of South Africa. That was laid down 5 by the Constitutional Court and so that principle we 6 already have as part of our domestic law.</p> <p>7 But in the search for persuasive authority in 8 matters not covered directly by our domestic law we 9 certainly look, and that's one of the – if I may put it 10 this way – one of the glories of the South African legal 11 system is we have tried consistently for many, many years, 12 to approach the matter in that way, look for persuasive 13 authority elsewhere if we haven't got adequate position, or 14 case law on the matter in our own law, and so that I think 15 is important for me to tell you that because that is 16 effectively what underlies this whole debate about whether 17 McCann applies and so on.</p> <p>18 Again even if the principles are accepted to some 19 extent or in entirety, we may disagree on the facts, 20 whether there was – you will remember there was dissent in 21 the McCann case – we would be able if we consider it 22 appropriate to pick the dissent rather than the majority if 23 we found the dissent to have more persuasive force. But 24 the inquiry is not limited to domestic materials. We 25 certainly look at international materials and we are</p>
<p style="text-align: right;">Page 36974</p> <p>1 which deal with how you use international legal material, 2 as it were, and comparative material of other 3 jurisdictions, and there are problems about what is jus 4 cogens and what is not, but we won't go there now. But 5 just confining ourselves to the domestic situation, South 6 African courts would look, if it was appropriate, to 7 decisions of a tribunal such as the European Court of Human 8 Rights in search of, not binding obviously, but persuasive 9 material which would guide us to apply the right principle 10 if our law hasn't got clear authority on the point.</p> <p>11 MR DE ROVER: Ja.</p> <p>12 CHAIRPERSON: That's the first point. So 13 you mustn't tell us that McCann's case isn't legally 14 binding in South Africa. We know that, but you also can't 15 tell us – and I don't think you are trying to tell us – 16 that we can't look there for, look to it for persuasive 17 material on how to decide some of the issues that arise 18 here.</p> <p>19 But the second point is we already have domestic 20 authority for the proposition that you've just referred to. 21 We had a case some years ago where, which eventually went 22 up to the Constitutional Court and then came back to the 23 Supreme Court of Appeal - I was in that case – where a 24 woman brought a claim against the State because she was 25 raped by someone who'd been released on bail in</p>	<p style="text-align: right;">Page 36976</p> <p>1 obviously also encouraged by our Constitution to do our 2 best to ensure, without getting into jus cogens problems, 3 to make sure that our law is consistent with the 4 international position as well.</p> <p>5 [12:00] MR DE ROVER: Chair, let me then 6 apologise if the way I phrased myself led you to believe I 7 was disagreeing with you because the opposite is true. I 8 was agreeing with that proposition. The next thing, I 9 think that acknowledging this part there is actually 10 existence of – if you take the basic principles on the use 11 of force and firearms they clearly set out those 12 requirements and they are most commonly voiced in terms 13 that you must attempt non-violent means first and if they 14 seem unworkable and your lawful objective is that important 15 that you still want to pursue it you must try less extreme 16 ends first. So I'm totally acknowledging and in agreement 17 with what you say.</p> <p>18 MS LE ROUX: Thank you, Mr De Rover, then 19 turning to precisely that context –</p> <p>20 CHAIRPERSON: Sorry can I just put one 21 other point? You know you spoke about the duty of the law 22 to protect innocent people. The law actually goes further 23 than that. It says even a criminal, even an assailant is 24 entitled to his right to life unless it's, to use the 25 expression used by the Bridge players on the Constitutional</p>

Page 36977

1 Court, I think it's trumped, trumped by something else.
 2 And that is even if a criminal who is attacking somebody
 3 else has a right to life which could only be infringed if
 4 the circumstances are such that there's no other
 5 alternative. And that's something which is, as you may
 6 know, it was always the law, but it's become more relevant
 7 since we have a constitution with an entrenched right to
 8 life. And of course our entrenched right to life is pari
 9 materia with the right to life in international instruments
 10 such as the European convention.
 11 MR DE ROVER: Chair, I've spent 22 years
 12 of my life now in the field police and human rights and I
 13 can only echo that sentiment. There are too many realities
 14 where it's thought that criminals shouldn't have human
 15 rights or that to bind police to observing those that is
 16 un-levelling the playing field because the other side is
 17 not playing by those rules and I totally disagree with
 18 that. The norms and the standards and expectations are
 19 clear and as officials of the state you are bound by them
 20 and you are supposed to uphold them.
 21 MS LE ROUX: Mr, De Rover –
 22 CHAIRPERSON: Sorry, Ms Le Roux, I had a
 23 conversation with the witness, but I hope it was of
 24 assistance to us all.
 25 MS LE ROUX: I'm sure it will be, Chair.

Page 36978

1 Mr De Rover, in the book that you were the author of the
 2 first edition To Serve And Protect, you referred to it this
 3 morning as a very important reference work, I'm assuming
 4 you approve of the second edition, the update that was made
 5 to your initial text. You don't disagree with anything
 6 that was revised in the second edition.
 7 MR DE ROVER: If you did a text
 8 comparison there's, I think, close to 90% overlap with the
 9 first edition. So it's updated to meet current existing
 10 requirements in terms of case law, applicable treaties, new
 11 treaties that have come into force. But on the fundamentals
 12 of the topics as they relate to police task organisation
 13 and responsibilities, powers and duties I think it's the
 14 same book.
 15 MS LE ROUX: Right. Chair, for the
 16 record this is UUUU3 which is an excerpt from To Serve And
 17 Protect. In particular it's chapter 7, The Use Of Force
 18 And Firearms. Now, Mr De Rover, one edition that we have
 19 been able to identify from your first edition appears at
 20 page 259 of the typed page in that chapter which has been
 21 provided to you. It's page 86 of the bundle.
 22 CHAIRPERSON: This is the book that has
 23 gone into second edition?
 24 MS LE ROUX: Yes, Chair, this is the
 25 second edition.

Page 36979

1 CHAIRPERSON: This is from the second.
 2 MS LE ROUX: This is from the second
 3 edition.
 4 MR DE ROVER: Can you bear with me for a
 5 second while I get it on my screen because I have the PDF,
 6 but I can't find it on my folder.
 7 MS LE ROUX: Chair, it's also on display
 8 on the screen next to you.
 9 CHAIRPERSON: I think he'll find it
 10 easier to have it on his screen.
 11 MR DE ROVER: Thank you.
 12 MS LE ROUX: So on page 259 of that
 13 document, no page 259 printed page.
 14 CHAIRPERSON: Page 86 of our bundle, 259
 15 of the document and the document is now an exhibit, UUUU3.
 16 MS LE ROUX: Yes and if we could go down
 17 below that block that's shaded, Integration And Practise,
 18 there we see the text, this is in the context of
 19 integrating, inter-training and the like this principle it
 20 says, the authors write there "Depending on the complexity
 21 of the situation responsibility does not merely lie with
 22 the individual law enforcement official at the location.
 23 The higher command level has overall responsibility for
 24 taking all precautionary measures in line with the
 25 provisions of the basic principles for the use of firearms

Page 36980

1 in order to respect and protect life." In the box below
 2 that we see again the McCann case cited as that principle.
 3 So taking the general principle into this context of use of
 4 force and firearms in policing operations would you agree
 5 that there is a generally applicable principle in
 6 international law requiring those in command of a policing
 7 operation in which higher levels of force are anticipated
 8 as a possibility to plan and command those operations in
 9 such a way as to minimise the risk that lethal force will
 10 be used?
 11 MR DE ROVER: It goes to the heart of
 12 accountability and I actually would contend that that does
 13 not limit itself to organised police operations. In fact
 14 it's about every police contact with the public. There is
 15 a possibility to invoke command's responsibility because if
 16 a single police officer in a single contact with a citizen
 17 does something that is unbecoming or unlawful and if there
 18 is reason to believe that a superior officer was aware of
 19 that and could have done something about it that
 20 responsibility exists. And of course then by consequence
 21 your proposition is true and I agree with that.
 22 CHAIRPERSON: Ms Le Roux, when you reach
 23 a suitable stage I'd like to take the second adjournment,
 24 the tea adjournment. But obviously you must tell me when
 25 it's appropriate because I don't want to break into your

<p style="text-align: right;">Page 36981</p> <p>1 cross-examination unnecessarily.</p> <p>2 MS LE ROUX: Chair, we may as well take</p> <p>3 the adjournment now.</p> <p>4 CHAIRPERSON: 15 minutes.</p> <p>5 [COMMISSION ADJOURNS COMMISSION RESUMES]</p> <p>6 [12:24] can speak to what they did, why they did that and</p> <p>7 what result it produced and for you then to through</p> <p>8 questioning establish whether that was premeditated or</p> <p>9 accidental. If you leave that part out and you only want</p> <p>10 to rely on what you can independently audit you get a skew</p> <p>11 picture, or if you overemphasise the significance of the</p> <p>12 auditable trail you might lose valuable insight.</p> <p>13 Now can I just then in that connection refer to</p> <p>14 the Stockwell investigations in the UK, especially the</p> <p>15 report Stockwell 1. It is included in the three binders</p> <p>16 that I left with the evidence leaders. I know it's a long</p> <p>17 time ago because my statements are now one and a half years</p> <p>18 old, but Stockwell 1 is in there and I put it in there for</p> <p>19 a reason, because it shows you an investigation conducted</p> <p>20 by the Independent Police Complaints Commission in the UK</p> <p>21 into the shooting death of a totally innocent Brazilian</p> <p>22 student on the subway who was mistaken to be a suicide</p> <p>23 bomber, and it seeks to establish how this could happen and</p> <p>24 it's important to stress that everything Mr White has said</p> <p>25 about gold/silver/bronze command, designated senior</p>	<p style="text-align: right;">Page 36983</p> <p>1 be explained by officers, or by documents that were</p> <p>2 available to it, and it treated police officers as</p> <p>3 witnesses of truth and that sits well with their public</p> <p>4 role as agents of the State, the oath they swear. So</p> <p>5 unless you can manifestly prove that someone's lying or</p> <p>6 trying to pervert the cause of justice, or they committed a</p> <p>7 criminal act and you need to change their status from</p> <p>8 witness to suspect you treat them as a witness because they</p> <p>9 are obliged and bound by their oath to tell you the truth.</p> <p>10 Now Stockwell in the end culminated in a reality</p> <p>11 where someone ended up being shot dead and it has never</p> <p>12 been clear whether the gold commander actually gave the</p> <p>13 order, shoot to kill. It's a convoluted of</p> <p>14 misunderstandings, misinterpretations that led to an</p> <p>15 innocent person's death. What you see as a consequence is</p> <p>16 that it's not just about the operations that you run, it's</p> <p>17 about the way you organise and I contend that whilst I</p> <p>18 agree that you can look at the level of the operation and</p> <p>19 say for future operations we want better safeguards, but</p> <p>20 again I'll talk about unravelling systems, but if you only</p> <p>21 focus yourself on that level I don't think that you are</p> <p>22 going to build structures that stop another Marikana from</p> <p>23 happening.</p> <p>24 That's just my problem, that if you don't bring</p> <p>25 it up to the level of how the police organises as an</p>
<p style="text-align: right;">Page 36982</p> <p>1 officers, it seemed that all requirements were in place and</p> <p>2 nevertheless a disastrous decision produced.</p> <p>3 Now I'm not so much interested in the</p> <p>4 consequences in the process, because the IPCC acknowledged</p> <p>5 that it wanted an auditable trail. Where that failed,</p> <p>6 where they could not bring up documents that supported</p> <p>7 police statements they lamented that and they came –</p> <p>8 CHAIRPERSON: [Microphone off, inaudible]</p> <p>9 I'm sorry, Mr De Rover. Someone has got some –</p> <p>10 SPEAKER: My apologies, Mr Chair.</p> <p>11 CHAIRPERSON: Is it a cell phone or a</p> <p>12 tape recorder or a computer, it's making a noise. Please</p> <p>13 turn it off, otherwise I'll ask the owner to leave the</p> <p>14 chamber.</p> <p>15 SPEAKER: I have indeed.</p> <p>16 CHAIRPERSON: Carry on, Mr De Rover.</p> <p>17 MR DE ROVER: They lamented the absence</p> <p>18 of records and it led to recommendations to strengthen</p> <p>19 future processes, and I think that the work, some of the</p> <p>20 work Mr White has been involved in with "Keeping the Peace"</p> <p>21 and its evolution in a subsequent document is testimony to</p> <p>22 the efforts that have been made to remedy auditable trail</p> <p>23 deficiencies, but they existed.</p> <p>24 The commission went to police officers to get the</p> <p>25 information they needed to fill the blanks that could not</p>	<p style="text-align: right;">Page 36984</p> <p>1 organisation, how it trains its personnel, what it teaches</p> <p>2 them, to what standards it holds them, how it is managed</p> <p>3 and who does the managing, if that's not part of the</p> <p>4 equation that problem can't be solved. If you don't go one</p> <p>5 level higher then and say that those that exercise</p> <p>6 authority over the police in government, there needs to be</p> <p>7 a structure to how police receive policy direction that</p> <p>8 goes beyond a phone call to a PC on a mobile, those are not</p> <p>9 I think the types of auditable trails you'd be looking for</p> <p>10 if afterwards you need to render account. So that is a</p> <p>11 long story, but –</p> <p>12 COMMISSIONER HEMRAJ: Mr De Rover, just</p> <p>13 as regards the question posed, on a practical level that</p> <p>14 would be very pertinent to the number of firearms and the</p> <p>15 kind of firearms being used in an operation. Isn't that</p> <p>16 so?</p> <p>17 MR DE ROVER: Look, the basic thing, if</p> <p>18 you can't, if you don't have it on site you can't use it.</p> <p>19 Now sometimes you take the attitude "better sorry with than</p> <p>20 sorry without," but there are certain types of weapons –</p> <p>21 and I consider military assault weapons have no place in</p> <p>22 law enforcement, full stop, and that I say aware of</p> <p>23 particular problems of violence South Africa faces, but to</p> <p>24 me the solution is not in the police arming up, the police</p> <p>25 needs to arm down and smarten up.</p>

Page 36985

1 COMMISSIONER HEMRAJ: Yes, thank you.
 2 CHAIRPERSON: While you're raising the
 3 question of auditable trails, a small point but it makes a
 4 big difference in this case. For some reason I don't
 5 understand the police didn't keep a tape recording of all
 6 the radio exchanges. There are gaps. There are disputes
 7 about what was said at certain times. Surely that's an
 8 elementary principle; there should be a tape recording made
 9 of all traffic on the radio. That must be elementary. Is
 10 that right?
 11 MR DE ROVER: Chair, in Stockwell 1 it
 12 was proven by the IPCC that decision logs were not being
 13 kept and in cases, for example of the overall commander
 14 Cressida Dick, she compiled her log many hours after the
 15 events occurred, and still that did not help to explain to
 16 the commission what now actually happened and facilitated
 17 this wrong identification and the disastrous action that
 18 followed where the ones executing it were absolutely and
 19 totally convinced that they were dealing with a suicide
 20 bomber about to detonate a device.
 21 Now I agree with you, I think the one solid
 22 recommendation for the future, and that technology exists,
 23 is that you record what transpires because the done reality
 24 is that for as long as events concur with what you foresaw
 25 them to be it is easy to keep records and to keep your

Page 36986

1 decision log or your occurrence book and to just put down
 2 everything is happening as your foresaw it. If you take
 3 the policing operations around the elections, they went
 4 down without a hitch, and I'm sure that SAPS will be able
 5 to show you model plans, model occurrence books and
 6 decision logs and all went as planned because everybody had
 7 an interest to see that this went down the way it was
 8 foreseen. But once incidents start to develop in a
 9 direction that you did not foresee or you consider to have
 10 a low probability of developing, there is a discrepancy
 11 between what you expect and what occurs, and if you have
 12 two people keeping track of what you are saying the
 13 possibility is that you can't keep up in registering what
 14 you are doing and the orders you are giving with the speed
 15 that you are issuing them, and subsequent there is an
 16 issue.
 17 Now Stockwell had that same problem. The IPCC
 18 acknowledged that police officials conferred to try and
 19 establish the chronology of what had transpired. Rather
 20 than calling that collusion they said look, it's inevitable
 21 if you do not have – because they did not have a recording
 22 in the UK on that incident. The incident room that was
 23 used did not provide for verbatim recording, video or
 24 audio. They said it's inevitable that police officials
 25 would compare records and try and help each other to piece

Page 36987

1 back together what now actually has happened and how did it
 2 happen, and you have to then take on advance that they do
 3 that with the best of intentions, not to pervert the course
 4 of justice or to give a version that that can't stand the
 5 light of day, but they do that with good intent and it is
 6 part of a professional responsibility. So there are - a
 7 simple base recommendation, videotape everything.
 8 There are countries where any questioning of a
 9 suspect in interrogation it's, everything gets videotaped.
 10 So if there ever is a dispute, a suspect in front of a
 11 judge claims that undue pressure was exerted, those tapes
 12 will be commanded and they will be viewed and a decision
 13 will be reached, and it's easy because you have your
 14 auditable trail.
 15 MS LE ROUX: Mr De Rover, let me bring
 16 you back to Marikana –
 17 CHAIRPERSON: Sorry, Ms Le Roux, just one
 18 final point. Apart from anything else it saves millions,
 19 in a case of a commission like this that sort of precaution
 20 would save a lot of money, probably millions of rands,
 21 because the commission could obviously do its work much
 22 more quickly because a lot of disputes of fact can't arise
 23 because there's the objective evidence which proves what
 24 was said over the radio and the video material as to what
 25 was happening. The videographers as you know for some

Page 36988

1 reason left the koppie and didn't go just behind the police
 2 lines, they went to the JOC. They didn't go to scene 2.
 3 So therefore there's room for an enormous amount of debate
 4 as to what happened, which takes time to unravel and of
 5 course costs a lot of money.
 6 MR DE ROVER: Chair, the, it's irony that
 7 actually the costs that would, that I would put under the
 8 heading of preventing this kind of thing are marginal when
 9 compared to the cost of trying to repair it now, because
 10 your process is only the first step. It hasn't actually
 11 led, and it won't, to repair. It will lead to
 12 recommendations and choices that need to be made.
 13 There are countries that routinely have their
 14 officers go out even on patrol wearing individual cameras
 15 and everything gets recorded. If in Australia you get
 16 stopped by traffic police that entire encounter is filmed
 17 from the car, but also from the officer that will approach
 18 you. So at any point, and you get advised of that fact.
 19 You get stopped; they tell you it's a traffic stop and the
 20 first thing after that the officer will advise you that the
 21 encounter is being videotaped and if need be, that
 22 videotape will be used against you in a court of law, and
 23 ja, of course it generates copious amounts of information
 24 and you don't use them as Big Brother to find fault with
 25 everything the police does, but the problem, what it does

Page 36989

1 give you is a solid tool that when things do go wrong at
 2 least you are able to piece back together the chronology
 3 and to understand how things occurred, in what frequency,
 4 and to identify the actors in it without discussion, where
 5 now a lot of your time has simply gone into establishing
 6 what is the chronology, what, who were the actors there,
 7 what were they doing, and you haven't even managed in many
 8 stages to answer the question how did that happen and why,
 9 and those are critical questions that the equipment you
 10 refer to would at least assist in answering, because you'd
 11 have the rationale behind the decision-making and the
 12 discussions that lead to it as they happen in real-time.
 13 MS LE ROUX: Mr De Rover, I need to ask
 14 for your cooperation and if you could shorten your answers
 15 that would be very much appreciated.
 16 MR DE ROVER: Ja, I –
 17 CHAIRPERSON: [Microphone off, inaudible]
 18 it's my fault to some extent. I asked him a question about
 19 something I was interested in, but he's taken the point and
 20 so have I.
 21 MS LE ROUX: Mr De Rover, bringing you
 22 back to the particular operation that we're considering in
 23 this Commission at Marikana, what has struck me in your two
 24 statements is that you don't conduct a review of briefing,
 25 planning, command and control, intelligence, deployment of

Page 36990

1 resources, etcetera, in any great level of detail and I'm
 2 interested to know why that is. Were you briefed to
 3 conduct a comprehensive review of the operation? Because
 4 what appears to us is that you appear to have been
 5 instructed to consider the allegations that the police
 6 deliberately set out to kill the strikers. That seems to
 7 be the question that you're answering in your statements.
 8 So first question, were you briefed to conduct a
 9 comprehensive review of the SAPS operation in all of those
 10 elements that I've mentioned?
 11 MR DE ROVER: My answer to you, my terms
 12 of reference are written down. I don't feel that it's my
 13 place to give them to you, or to the Commission, but you
 14 can request them from SAPS and I don't see a reason why you
 15 would not get those. Specific –
 16 MS LE ROUX: Thank you, we'll do that.
 17 Looking at –
 18 MR DE ROVER: Specifically the, nothing
 19 has been – how do you say? – instructed, guided, directed.
 20 I've said at the beginning, and I will reiterate that, my
 21 existence in an international field since 1992 and having
 22 visited and worked with police forces in more than 70
 23 countries, doesn't come from jeopardising my
 24 professionalism or my integrity. So I'm also not going to
 25 do that here and I've made that, when I was first

Page 36991

1 approached by SAPS in the week before the 28th of February
 2 I've made that abundantly clear, and my personal
 3 motivation, I, they are in a lot of difficulty with regards
 4 to Marikana, I understand that; some of it of their own
 5 making, and maybe you will find that they should have
 6 foreseen that that is open for discussion and it is
 7 constantly being discussed here.
 8 My attempt has been to not reduce the issue, as
 9 I've seen yesterday, I understand sometimes you can take
 10 people to a point of saying if that vehicle hadn't moved
 11 there then this wouldn't have transpired, but that is at a
 12 micro level. That's a tactic in an operation. So that
 13 won't answer your fundamental question. So what I've done,
 14 and please, my statements are one and a half years old – a
 15 lot of the statements I was confronted with this morning,
 16 like for example of Ms Moolman, is dated well after that
 17 submission. So it's problematic. I had limited access, a
 18 short period of time and a desire at least to try and give
 19 a perspective that would also allow to do what the
 20 Commission wants is to look at relevant international
 21 standards, relevant international practices.
 22 MS LE ROUX: Mr De Rover, in your
 23 statement you refer to the unfettered access that you had
 24 to any of the evidence and information relating to
 25 Marikana.

Page 36992

1 MR DE ROVER: Ja.
 2 MS LE ROUX: I understand there was a
 3 time constraint from when you were briefed in February to
 4 when your statement was filed on the 8th of March, but you
 5 haven't been – when you have sought information you haven't
 6 been refused that information by the SAPS, have you?
 7 MR DE ROVER: No.
 8 MS LE ROUX: And when you've been
 9 provided with information by the SAPS you've obviously used
 10 it when you were doing your statements, correct?
 11 MR DE ROVER: Correct.
 12 MS LE ROUX: But there may well be a
 13 universe of information and facts that you have not been
 14 briefed with and therefore you can't be blamed for not
 15 being able to have reference and consideration to that
 16 evidence when you were reaching your conclusions, correct?
 17 MR DE ROVER: That's correct.
 18 MS LE ROUX: To return to my question,
 19 were you asked in your terms of reference – which we will
 20 request from the SAPS – were you specifically asked to look
 21 at intelligence, planning, briefing, command and control,
 22 and accountability? Were you asked to look at those five
 23 themes?
 24 MR DE ROVER: No.
 25 MS LE ROUX: Was it within the scope of

<p style="text-align: right;">Page 36993</p> <p>1 your brief to look at those five themes? 2 MR DE ROVER: I could well have done it 3 and there is probably, and I need to clarify that here, 4 there's probably a misunderstanding at that time on my part 5 of what this Commission was supposed to do. It's only 6 become clear later to me that the parties that are here, 7 besides assisting the Commission, also have a personal – if 8 I, and I allow the wording – a personal case that they 9 represent, an argument. So I was aware of the fact that 10 there were two other international experts and I'd read 11 early statements of both that already went into that. Now 12 I could give you more of the same. I thought I'd try and 13 focus on something different that would actually then 14 assist the Commission, because you have two qualified 15 experts that have looked in detail at that and have made 16 their findings and presented their argument and there has 17 been cross-examination of those. So it wasn't on my part a 18 deliberate attempt to not look at it, other than 19 misunderstanding your role here. Had I better understood 20 that I may have well decided to say something about it 21 myself and to measure that, but the benchmarks that were 22 used by Mr White and Mr Hendrickx are by and large accepted 23 international benchmarks. I likely would have come with 24 similar findings. 25 MS LE ROUX: So I understand you haven't</p>	<p style="text-align: right;">Page 36995</p> <p>1 we could, given the time constraints – 2 CHAIRPERSON: No, I understand time 3 constraints, but he's entitled to use – 4 MS LE ROUX: - keep the focus on 5 Marikana. 6 CHAIRPERSON: Sorry, I'm sorry I'm 7 interrupting you. Forgive me. He's entitled to use 8 Stockwell to buttress his argument – not his argument, his 9 evidence in relation to Marikana. As long as he's 10 conscious of the fact, which I think he is, he's talking 11 about Marikana, he's entitled where he's dealing with the 12 applications of the world-best practice to Marikana to 13 refer to Stockwell, which is a famous incident which has 14 been exhaustively written about. So I think he can carry 15 on, but you'll bear in mind Ms Le Roux hasn't got unlimited 16 time and so she's very worried when – 17 MR DE ROVER: Chair, I appreciate. My – 18 CHAIRPERSON: - when you and I talk for 19 too long on these topics. 20 MR DE ROVER: And I apologise, but I do 21 think it's important to say that ideally you'd hold a 22 police force to 100% achievement on those points that Mr 23 White has made. Stockwell shows that it was impossible; 24 what it has done is lead to recommendations of improvement, 25 but it didn't lead to condemnation because none of the</p>
<p style="text-align: right;">Page 36994</p> <p>1 done the exercise, but would it be fair then to say that 2 subject to what was identified as disputed or disagreed 3 between the Human Rights Commission and the SAPS in the 4 expert process that took place, and of course we've had 5 very little response, if any, from the SAPS in that 6 process, and other than to the extent Mr White was cross- 7 examined, are you broadly in agreement with his analysis of 8 those five themes, planning, briefing, intelligence, 9 command and control, and the accountability question? 10 [12:44] MR DE ROVER: You know, the – and I think 11 it has come out in cross-examination that at a general 12 level I don't have an issue with those, because as I said 13 his analysis is based on internationally accepted 14 standards. The issue is always with can you make it 15 relevant in a local context and Stockwell, Stockwell is 16 from his parent country and police force, or to all intents 17 and purposes. The deficiencies, the apparent deficiencies 18 there, so if you put that 100% the general requirements, in 19 Stockwell if you analyse it for yourself and take issue 20 with my percentage, but they did not manage – 21 MS LE ROUX: Mr De Rover, could I ask you 22 to concentrate on Marikana? Obviously Stockwell will be 23 useful in submissions with – 24 CHAIRPERSON: No, no, Ms Le Roux – 25 MS LE ROUX: - to the Commission, but if</p>	<p style="text-align: right;">Page 36996</p> <p>1 officers involved have been held accountable for the death 2 of Mr De Menezes. There has been no finding of 3 illegitimate killing. 4 So what I'm saying here is whilst I acknowledge 5 the pertinence of Mr White's findings, I take issue with 6 the relevance in the local context, and particularly in 7 terms of SAPS' ability as an organisation and police force 8 to comply, because best practice is something that you can 9 afford economically. You can have the cost to bring it 10 into your organisation and you can train your people to the 11 level to produce that result and then you can sustain it. 12 So, and then it can be your best practice. 13 So if you impose a standard you have to I think 14 also ask these questions, and that I think is critical. I 15 think that SAPS' ability in absolute terms, and I'm not 16 talking ill will or bad design, or you know, I'm just 17 saying that I don't judge SAPS' ability to conform to the 18 requirements that those standards put on par with the UK 19 police. So their score would never be a perfect 100. Even 20 at the onset with the best of intentions and the best of 21 will they would not be able to score 100. 22 MS LE ROUX: Mr De Rover, I want to just 23 clarify something on the record because when I said earlier 24 that there had been this opportunity to set out points of 25 disagreement and agreement between the experts, the</p>

Page 36997

1 response that was received from the SAPS appeared to have
 2 no input from yourself and appeared to have been drafted by
 3 the SAPS legal team. Is that a correct reading of the
 4 documentation we received from the SAPS in that process?
 5 MR DE ROVER: Can you –
 6 MS LE ROUX: That you never engaged in an
 7 exercise of identifying points of agreement and
 8 disagreement between yourself, Mr White and Mr Hendrickx?
 9 Have you done that exercise for them?
 10 MR DE ROVER: I did.
 11 MS LE ROUX: You did that exercise for
 12 the SAPS. What document was produced that records those
 13 points of agreement and disagreement? Because we've never
 14 seen them.
 15 MR DE ROVER: I don't know better than a
 16 document was submitted to you last year by the SAPS legal
 17 team, but that part of the process is not my
 18 responsibility. I know that I was approached and asked to
 19 sit, and at the time it was with another counsel of the
 20 SAPS legal team and I spent several days going through an
 21 extensive document on points of agreement and disagreement.
 22 MS LE ROUX: So the document that was
 23 produced to us in June of 2014, you did have input into
 24 that document?
 25 MR DE ROVER: Can you direct me to one

Page 36998

1 that I can have a quick look?
 2 MS LE ROUX: It's JJJ178.10 and then
 3 JJJ178.11 was a request for clarification that we made to
 4 the SAPS on those points of disagreement, to which no
 5 response was received. It's page 178 in your bundle,
 6 Chair.
 7 MR DE ROVER: Can you again give me the
 8 date reference, please?
 9 MS LE ROUX: The date reference was the
 10 1st of June 2014. Mr De Rover, I won't waste time now.
 11 We'll give you the documents in the lunch adjournment. You
 12 can advise me if that's the document that you did have some
 13 input into.
 14 Taking you then to the operation at Marikana and
 15 your brief, and if I can take you in your first statement,
 16 FFF11, to page 12, paragraph 51 of that statement. There
 17 you recorded that "A full confrontation with a large armed
 18 group of around 300 individuals, although considered and
 19 catered for in contingency plans, was in fact never really
 20 anticipated until the afternoon of the 16th of August," and
 21 I'd like to unpack those elements of that. The first is
 22 what contingency plans are you referring to? Because we
 23 haven't seen any contingency plans that seem to match this
 24 description.
 25 MR DE ROVER: What I've written there,

Page 36999

1 Chair, refers to the, at that time conversations I had with
 2 General Annandale and Colonel Scott where they showed me
 3 the written versions of the plan and talked me through the
 4 intentions, and contingency then for example refers to the
 5 support role of the TRT in situations of dispersal, disarm
 6 and arrest where that may become a necessity.
 7 MS LE ROUX: And perhaps over the lunch
 8 break if I could ask you to identify the exhibit, if we
 9 have it as an exhibit, that is the written plan that you
 10 were shown by Officers Annandale and Scott, if you could –
 11 we'll do that in the lunch adjournment though. So other
 12 than whatever documents they showed you - it was a written
 13 document, correct? It wasn't just the Google Earth image
 14 that existed at the time?
 15 MR DE ROVER: If I recall correctly the,
 16 because that was in the first week when I was here, they
 17 used slides from exhibit L.
 18 MS LE ROUX: Okay, so you never saw a
 19 written –
 20 MR DE ROVER: No.
 21 MS LE ROUX: - document that was a plan?
 22 MR DE ROVER: Not at that stage.
 23 MS LE ROUX: Right. Were you told by
 24 either Officer Annandale or Scott that what you were being
 25 shown was in the plan on the 16th of August, was in

Page 37000

1 existence on the 16th of August?
 2 MR DE ROVER: My understanding of what I
 3 was being told was that that was part of the plan. I
 4 realise when I look at the level of detail that you attach
 5 to that maybe I should have been more critical in
 6 examining, but I understood I was given a briefing as to
 7 what had occurred and most, on the most part I listened and
 8 I had the occasional question or clarification, but they
 9 did a lot of the talking to talk me through the events.
 10 MS LE ROUX: So other than being shown
 11 portions of exhibit L and this oral briefing from the two
 12 commanders, you weren't given any written documentation
 13 that purported to be a contingency plan?
 14 MR DE ROVER: Not that I recall now. You
 15 know this, you're talking one and a half years ago.
 16 MS LE ROUX: Of course.
 17 MR DE ROVER: I'm not sure.
 18 MS LE ROUX: Then in the same paragraph
 19 of your statement you talk about, you state that "A full
 20 confrontation with a large armed group of around 300
 21 individuals was in fact never really anticipated until the
 22 afternoon of the 16th of August." Now there are five pieces
 23 of evidence that I'd like to ask whether you were aware of
 24 when you wrote this statement for submission to the
 25 Commission. So I'm going to give you the five pieces of

Page 37001

1 evidence and you can tell me if you were aware of those at
 2 the time that you drafted that.
 3 MR DE ROVER: If they are dated after the
 4 8th of March then obviously not.
 5 MS LE ROUX: No, these are facts, not
 6 documents.
 7 MR DE ROVER: Okay.
 8 MS LE ROUX: So the first is did you know
 9 at the time that you drafted the statement that the JOCCOM
 10 meeting at 6AM on the 16th of August began with a briefing
 11 that said that day was D-day? Were you told that the 16th
 12 of August was D-day?
 13 MR DE ROVER: Yes.
 14 MS LE ROUX: Were you told before you
 15 wrote your statement that shortly after the 6AM JOCCOM and
 16 in response to the discussion of a possible tactical option
 17 Brigadier Van Zyl requested four mortuary trucks to be
 18 placed on standby? Were you told that?
 19 MR DE ROVER: I've – no. I've only heard
 20 that discussion came out here in the Commission. I wasn't
 21 aware of that.
 22 MS LE ROUX: Okay. Did you know at the
 23 time that you wrote your statement that after the JOCCOM
 24 and before 9 o'clock Majors-General Mpembe and Annandale
 25 warned the Provincial Commissioner that a proposed tactical

Page 37002

1 option carried a risk of injury and death to strikers?
 2 MR SEMENYA SC: Sorry, may I invite my
 3 learned colleague to repeat that? It was a little too fast
 4 for me to comprehend.
 5 MS LE ROUX: Did you know at the time
 6 that you wrote your statement that was submitted on the 8th
 7 of March 2013 that after the 6AM JOCCOM, before 9AM on the
 8 16th of August, Majors-General Mpembe and Annandale warned
 9 the Provincial Commissioner that a proposed tactical option
 10 carried a risk of injury and death to the strikers?
 11 MR DE ROVER: Chair, I would hold that to
 12 be –
 13 MR SEMENYA SC: Chair, again it may –
 14 CHAIRPERSON: Yes, I'm sorry, I don't
 15 remember that evidence. I'm not saying it isn't the
 16 evidence, but can you give us the reference to it, please?
 17 MS LE ROUX: Chair, I'll get the
 18 references for you over lunch.
 19 CHAIRPERSON: I must confess I don't
 20 remember that. I don't that was the basis for Mr Semanya's
 21 objection as well, but if there is a reference – I'm not
 22 saying it doesn't exist, I just don't remember it.
 23 MS LE ROUX: Chair, we'll get you the
 24 references, but for now, Mr De Rover, if you could assume
 25 that between the 6AM JOCCOM and before 9 o'clock those two

Page 37003

1 commanders warned the Provincial Commissioner –
 2 CHAIRPERSON: Well, wouldn't it be –
 3 MS LE ROUX: - of the risk in the
 4 tactical option?
 5 CHAIRPERSON: I'm sorry to interrupt you.
 6 Wouldn't it be sensible for us to get the evidence on that
 7 before he's expected to answer the question?
 8 MS LE ROUX: Chair, I think it would be
 9 appropriate if he just assumes that for now.
 10 CHAIRPERSON: No, I don't think he should
 11 be asked to assume something that may be wrong.
 12 MS LE ROUX: Chair, the entire cross-
 13 examination of Mr White and Mr Hendrickx proceed on the
 14 basis of assume this evidence, assume that evidence. I'm
 15 merely doing goose and gander one more time.
 16 CHAIRPERSON: No, no, I know. Lunch is
 17 going to come up in a couple of minutes. It isn't as if
 18 there's much prejudice for that answer to stand over until
 19 we resume, and I think that's better. But can I ask a
 20 question before we take the lunch adjournment? Exhibit L,
 21 slide 78 gives what purports to be the operational plan for
 22 stage 3. It's on a page which has a calendar page for
 23 August, indicating this was on the Tuesday the 14th and the
 24 plan there set out is to disperse the strikers into smaller
 25 groups, encircle and disarm. That is essentially the plan

Page 37004

1 as it was announced or agreed to at 1:30 on the Thursday.
 2 Lieutenant-Colonel Scott conceded in his evidence
 3 that that was not the plan on Tuesday. When he was asked -
 4 and in fact it only became the plan on Thursday at about
 5 half past 1. When he was asked why this was included in
 6 exhibit L he gave the explanation that it wasn't malicious,
 7 it was simply done to make it easier for the Commission to
 8 understand the development of the plan. What I want to
 9 know from you is this; when you were shown exhibit L were
 10 you told that slide 78 which gives what purports to be the
 11 plan already on Tuesday, was in fact not the plan on
 12 Tuesday but that was merely inserted there without malice
 13 to enable the Commission and presumably you to understand
 14 the development of the plan better?
 15 MR DE ROVER: Chair, the, I can't recall
 16 seeing this particular slide. I can't recall a particular
 17 reference to when different stages would become
 18 operational. I, but you tell me if you don't want me to; I
 19 am, I have no problem with addressing the question that was
 20 just put to me as a matter, like as a matter of course,
 21 but –
 22 CHAIRPERSON: Yes. No, the question that
 23 was just put to you by – you mean by Ms Le Roux?
 24 MR DE ROVER: Ja.
 25 CHAIRPERSON: Well, my problem is I don't

Page 37005

1 remember that evidence. I don't say it wasn't given and
 2 we've had a lot of evidence, we've got well over 35 000
 3 pages, so I may be forgiven for not remember. But we're
 4 taking lunch in a minute.
 5 MR DE ROVER: Ja.
 6 CHAIRPERSON: So after lunch she'll give
 7 us the reference. If she's correct you can answer it. So
 8 Ms Le Roux, convenient for us to take the lunch adjournment
 9 now?
 10 MS LE ROUX: No, Chair, I'd like to
 11 finish the five pieces of evidence, if I could, then that
 12 point is rounded out.
 13 CHAIRPERSON: Alright, provided you don't
 14 put the bit that I can't remember as being correct.
 15 MS LE ROUX: Chair, I have the reference
 16 for you. It's day 181, pages 21719 to 21728 and 21661 to
 17 21662.
 18 CHAIRPERSON: I think put those pages on
 19 the screen when we resume after lunch.
 20 MS LE ROUX: Yes. So –
 21 CHAIRPERSON: We'll now adjourn for
 22 lunch.
 23 [COMMISSION ADJOURNS COMMISSION RESUMES]
 24 [13:47] CHAIRPERSON: The Commission resumes. Mr
 25 De Rover, you're still under oath.

Page 37006

1 CEES DE ROVER: [s.u.o.]
 2 CHAIRPERSON: During the adjournment we
 3 looked at the pages to which Ms Le Roux and Hardy referred
 4 us and at 2, I think it's 21724 to 5 there's a passage to
 5 the effect that General Annandale and General Mpembe spoke
 6 to General Mbombo and they told her that if the POP
 7 couldn't do what they were supposed to do as far as
 8 dispersal and disarmament was concerned and the TRT had to
 9 take over, there was a risk of injury or death, but that
 10 they gave her the assurance that they would use their best
 11 endeavours to see to it that that didn't happen. I think
 12 that's – would you agree, Ms Le Roux, that's an accurate
 13 summary of all the pages that you gave us to look at?
 14 CROSS-EXAMINATION BY MS LE ROUX (CONTD.):
 15 Yes, Chair. Mr De Rover, did you have an opportunity to
 16 review those transcript references over lunch?
 17 MR DE ROVER: [Microphone off, inaudible]
 18 MS LE ROUX: So were you aware that at
 19 the time that you wrote your statement submitted in March
 20 last year, were you aware that after the 6AM JOCCOM and
 21 before 9 o'clock Majors-General Mpembe and Annandale had
 22 warned the Provincial Commissioner that a proposed tactical
 23 option carried a risk of injury and death to strikers?
 24 MR SEMENYA SC: Yes, but qualified like
 25 the Chair has –

Page 37007

1 MS LE ROUX: Qualified that they would
 2 make efforts to mitigate that risk.
 3 MR DE ROVER: Yes, Chair, I was aware of
 4 that. I'd add that I would actually expect such an
 5 assessment to be there. Like yesterday Mr White pointed
 6 out that any decision you make that relates to using force
 7 you have to contemplate what effects that it will trigger.
 8 So it, you'd obviously also want to add probability or
 9 likelihood in your assessment, but I would have been more
 10 surprised if there had not been some level of advice to the
 11 PC what possible consequences there would be to going
 12 tactical, as it has been referred to here.
 13 MS LE ROUX: Have you seen such a risk
 14 assessment in the case of the stage 3 tactical plan for
 15 Marikana for the 16th of August?
 16 MR DE ROVER: Ja, again I hear you and I
 17 think you are asking for auditable trail evidence and I
 18 have not seen a written account of people actively
 19 assessing that risk, but if I take it that the conversation
 20 between Generals Annandale, Mpembe and General Mbombo did
 21 take place, then I would assume that that is the product of
 22 an assessment, that you don't just go there to make that as
 23 a statement that you haven't based on a deeper
 24 consideration before reaching that conclusion.
 25 MS LE ROUX: But that's the assumption

Page 37008

1 you're making that there was such a risk assessment, such
 2 an exercise that identified risks and engaged with
 3 probabilities.
 4 MR DE ROVER: Now what –
 5 MS LE ROUX: You don't know of any other
 6 - you haven't been told, I understand you don't have a
 7 paper trail. Have you been told that such a risk
 8 assessment exercise took place?
 9 MR DE ROVER: No. What I have been told
 10 is a reflection of what you now ask me as a question, that
 11 they considered the potential, the possible consequences of
 12 going tactical, one of them being that it would cause
 13 injury or death, but obviously not to the measure that it
 14 ended up producing but as a possibility that you are, you
 15 deploy a means and nothing occurs and nobody comes to harm,
 16 or you deploy a means, a tactical means of dispersal and
 17 even if we take the suggestion of Mr Hendrickx that you jet
 18 a person with the water cannon, and I heard him say you're
 19 being thrown away 10 metres, I would concede, or contend
 20 that it's distinctly possible that in such a tumble you
 21 sustain injury, so that you, before you decide to use it
 22 you countenance that possibility, and that mental exercise
 23 is a risk assessment in how far you can hold SAPS to a
 24 requirement that that such processes should then be put on
 25 paper so that afterwards you can come and say yes, I have

Page 37009

1 now objective and verifiable proof that that indeed
 2 occurred. It probably comes back to what we discussed
 3 earlier, that had you had mechanical recording devices in
 4 the JOC you might have stumbled upon that segment or not to
 5 validate or invalidate what you are saying.
 6 MS LE ROUX: Now Mr De Rover, of course
 7 our difficulty is that we don't even have witness evidence
 8 that such a risk assessment took place, so we rely on what
 9 you were told. With respect to what you were told, when
 10 did this risk assessment take place and who participated in
 11 it?
 12 MR DE ROVER: Again you're asking me now
 13 about meetings that are a long time ago. I'm from policing
 14 background, I'm also used to investigations where if after
 15 a certain time you have new insight you can bring a witness
 16 back and confront them with new questions or information.
 17 Here the process has been that you've tried from A through
 18 Z to deal with people as they became available to you and
 19 I'm sure that today you would probably conduct your
 20 examination of General Annandale and Mpmembe differently
 21 than you did at the time that you conducted them.
 22 MS LE ROUX: Unquestionably. Mr De
 23 Rover, did you take note of the conversations in which this
 24 risk assessment was discussed? Because of course we've had
 25 an exchange with you already in interrogatories relating to

Page 37010

1 your notes around the scene 2 reconstruction. We're told
 2 they're in Australia. We were hoping you might be able to
 3 get them to us even from Australia if someone could scan
 4 them and email them to us. Did you take notes of this
 5 conversation in which this risk assessment process was
 6 described to you? Because obviously it doesn't appear in
 7 your statements other than where you say and in response to
 8 an interrogatory there was a risk assessment.
 9 MR DE ROVER: Look, I –
 10 MS LE ROUX: Do you have notes of these
 11 interviews?
 12 MR DE ROVER: I'm in a habit when I
 13 conduct interviews with people to jot things down. I was
 14 never imagining that at some stage someone like you, or you
 15 would ask me to have I got these notes. So no, they're not
 16 here. I'd even have to check whether I kept them at all
 17 because I do not do this as my only job. I have many, and
 18 if I seek to preserve or archive also let's say my works of
 19 deliberation, if you want, or the process of gathering
 20 information and the notes corresponding, I'd have to rent a
 21 separate place. Like fortunately nowadays electronically
 22 it becomes a little bit easier, but hardcopy notes, at
 23 times once I'd compiled a document on which they are based
 24 I tend not to keep them. So I'd have to check.
 25 MS LE ROUX: We'll engage with the SAPS

Page 37011

1 legal team and ask you to undertake that exercise. But I
 2 just want to be absolutely clear that the five pieces of
 3 evidence I'm asking you about and you said, I just want to
 4 understand that my understanding was correct that these are
 5 based on when you met with Officers Annandale and Scott and
 6 they took you through exhibit L. Those were your sole
 7 sources of when I asked you did you know it was D-day, did
 8 you know about the four mortuary trucks, and now did you
 9 know about the warnings to the Provincial Commissioner
 10 about risk and the undertaking to mitigate it. So am I
 11 correct that the source of that information when you're
 12 answering the questions to me as to when it fed into your
 13 March 2013 statement, it's those sole sources, exhibit L –
 14 MR DE ROVER: Ja.
 15 MS LE ROUX: Major-General Annandale,
 16 Lieutenant-Colonel Scott?
 17 MR DE ROVER: In the lunch break, because
 18 I've been given a wealth of information and obviously I
 19 need to try and separate at which date did I get, so I
 20 tried to isolate, because I remembered that and I can track
 21 it to the day that I created a folder for it, which is
 22 Sunday the 3rd of March 2013 at 12:19PM, and the folder I
 23 labelled "Marikana Deep D Scott" and I was given by him a
 24 collection of electronic files related to Marikana and
 25 there is, ja there is quite a few in there that I, and

Page 37012

1 again it's one and a half years ago. I would have looked
 2 at those. So I don't see a problem with that information
 3 that is there. I guess some of it is now entered as
 4 evidence, but there is, you know cordon and search, daily
 5 operational concepts, daily plans, POP compilation, there's
 6 a file deceased summary, discharge – I don't even know what
 7 that stands for –
 8 MS LE ROUX: Mr De Rover, would you be
 9 comfortable with sharing that folder with the evidence
 10 leaders and parties in the Commission?
 11 MR DE ROVER: I – ja, personally like I,
 12 like I said it's information that I would assume, because I
 13 think it comes from the hard drive that the evidence
 14 leaders obtained from Colonel Scott, obviously with many
 15 more files on there because when they received that drive
 16 it was obviously many months after the 3rd of March.
 17 MS LE ROUX: Yes.
 18 MR DE ROVER: But ja, it would at least
 19 then allow you a comparison if that is –
 20 MS LE ROUX: Thank you, and –
 21 CHAIRPERSON: May I ask you a question
 22 before Ms Le Roux continues. Did Colonel Scott tell you
 23 that some of the plans which we have in – they're not in
 24 exhibit L, I think they're in a separate exhibit – were
 25 actually reconstructed, as it were, afterwards, that there

<p style="text-align: right;">Page 37013</p> <p>1 weren't actual written plans but that he sat down 2 afterwards to reverse engineer them in a sense to 3 reconstruct them in written form? Did he tell you that? 4 MR DE ROVER: Chair, he did and ja, being 5 – I'm a policeman by trade, so I can check properties. I 6 can check when documents were produced. You know it's a 7 handy feature to have, so in addition to him telling me I 8 was obviously also able to ascertain that. So before I 9 went into a meeting with him I already knew that and I gave 10 him a chance first before asking, and I didn't need to ask 11 because he explained the process that underpinned that. 12 MS LE ROUX: And this explanation and the 13 provision of those documents from Lieutenant-Colonel Scott 14 came to you in February and March of last year? 15 MR DE ROVER: No, I received them on the 16 3rd of March 2013. 17 MS LE ROUX: Yes, okay. In that folder 18 were there the minutes that record the 16th of August as D- 19 day, if you can recall? 20 MR DE ROVER: My guess is not because I'd 21 remember that. 22 MS LE ROUX: Okay. 23 CHAIRPERSON: Ms Le Roux, I think you'll 24 find that, just to remind you, I think you'll find that 25 those minutes are actually notes made by Captain, as she</p>	<p style="text-align: right;">Page 37015</p> <p>1 simultaneous rollout of the wire. 2 MS LE ROUX: So Lieutenant-Colonel Scott 3 told you that – 4 MR DE ROVER: Ja. 5 MS LE ROUX: - in his plan he wanted a 6 simultaneous rollout of wire? 7 MR DE ROVER: Ja. 8 MS LE ROUX: We'll get to the deployment 9 of the barbed wire later on. With respect to the 10 intelligence that was available to the police around the 11 16th of August were you told about the intelligence, limited 12 as it was, showing that there was likely to be a 13 confrontation with the strikers because there may be some 14 of them that would refuse or be reluctant to disarm and 15 that there may then be conflict if they were engaged by 16 police? Were you told that the intelligence showed a 17 likelihood of confrontation? 18 MR DE ROVER: Yes. 19 MS LE ROUX: And that again came from 20 Officers Annandale and Scott? 21 MR DE ROVER: Ja, but it, I'd also 22 contend that just taking into account the events as they 23 produced on the 10th, the 11th, the 12th, the 13th, that 24 likelihood, if you'd need separate intelligence sources to 25 confirm it then you're not analysing the events as they</p>
<p style="text-align: right;">Page 37014</p> <p>1 then was, Moolman at the meeting in manuscript form. 2 Subsequently the minutes for the meeting went through a 3 number of recensions at Roots and the final version we got, 4 which was put up as an exhibit, didn't contain those words 5 at all. In fact there were significant differences between 6 the final version and the contemporaneous notes made at the 7 time, and the contemporaneous notes do not exist in 8 electronic form, as far as I know. They were given to the 9 evidence leaders at some stage on the original pieces of 10 paper. So I doubt very much whether he would have got 11 them. They became available quite late. 12 MS LE ROUX: Mr De Rover, prior to the 13 time that you filed your first statement in March of last 14 year, you obviously were aware that Lieutenant-Colonel 15 Scott's plan contemplated using rollout of barbed wire as a 16 barrier to protect police resources and media, correct? 17 MR DE ROVER: I'm aware of that. 18 MS LE ROUX: So was the purpose of the 19 wire explained to you before you filed your statement in 20 March 2013? 21 MR DE ROVER: Yes, it was. 22 MS LE ROUX: And am I correct that it was 23 described to you to be the barrier to protect police 24 resources and media? 25 MR DE ROVER: Yes, and including a</p>	<p style="text-align: right;">Page 37016</p> <p>1 produce on the ground very well, because I think the 2 manifestations of violence that were apparent at Marikana 3 even before the police was there show that there was a 4 predilection at least amongst some to resort to violent 5 activity. 6 MS LE ROUX: Chair, the team has taken a 7 decision over lunch, given the cost of all the high- 8 definition projection equipment that we have available, 9 that rather than staggering the viewing of the videos 10 through my cross-examination we would like to just play 11 them all now before – 12 CHAIRPERSON: I didn't understand Mr 13 Semanya to object to that. 14 MS LE ROUX: Yes. 15 CHAIRPERSON: All he said was it could be 16 done provided there was an understanding in effect with the 17 Commission, which he spelt out – 18 MS LE ROUX: Yes, of course. 19 CHAIRPERSON: - that, and it would 20 effectively be treated as the captions in exhibit L were 21 which emanated from, I can't remember his rank, Colonel 22 Visser. 23 MS LE ROUX: Yes. 24 CHAIRPERSON: So on that basis you can 25 continue. On that basis –</p>

<p style="text-align: right;">Page 37017</p> <p>1 MS LE ROUX: So Chair, if I could –</p> <p>2 CHAIRPERSON: So you're now going to show</p> <p>3 the –</p> <p>4 MS LE ROUX: - if I could then ask Mr</p> <p>5 Bennett to come and assist us to activate the HD projector.</p> <p>6 CHAIRPERSON: Yes, so we'd better move</p> <p>7 from where we are because otherwise –</p> <p>8 MS LE ROUX: Yes, Chair.</p> <p>9 CHAIRPERSON: - we will have this bright</p> <p>10 light shining in our eyes, particularly my eyes, which</p> <p>11 wouldn't be a good idea.</p> <p>12 MS LE ROUX: Yes, Chair.</p> <p>13 CHAIRPERSON: So we'll come and sit next</p> <p>14 to Mr Van Der Bijl.</p> <p>15 MS LE ROUX: Similarly if we could then</p> <p>16 just have a blanket warning that probably for the next hour</p> <p>17 and 20 minutes we're going to be dealing with footage of</p> <p>18 the events.</p> <p>19 CHAIRPERSON: I asked you to give it on</p> <p>20 my behalf, but do you want me to do it or – you do it.</p> <p>21 Have a go at it. I've done it so often. You must have</p> <p>22 heard me saying it hundreds of times.</p> <p>23 MS LE ROUX: Well, then just to the</p> <p>24 family members and those watching in the overflow room, the</p> <p>25 five videos we're going to show – perhaps I should just</p>	<p style="text-align: right;">Page 37019</p> <p>1 it. We're going to see a video which shows amongst other</p> <p>2 things pictures we've seen before, images of deceased</p> <p>3 miners who were shot, indicating in some cases their</p> <p>4 injuries, but the pictures are of such a nature that we</p> <p>5 think that the relatives and loved ones of those people who</p> <p>6 are depicted in those images will experience extreme</p> <p>7 emotional pain and distress when they see them.</p> <p>8 We had occasions in the past where these pictures</p> <p>9 were shown and people were very upset and started crying</p> <p>10 and collapsed. So if you feel, if any of you here feel</p> <p>11 that seeing those images will cause you to react in that</p> <p>12 way, cause you emotional distress and pain and great</p> <p>13 sorrow, I'm going to ask that those pictures not be shown</p> <p>14 until a minute has elapsed from the time I've finished</p> <p>15 speaking to give those who wish to leave the chamber the</p> <p>16 opportunity to do so. The minute will start now.</p> <p>17 During this minute we will actually adjourn to</p> <p>18 give the technicians the opportunity to set the thing up,</p> <p>19 so we will leave the chamber with any other people who are</p> <p>20 minded to do so in a minute's time. We will come back when</p> <p>21 we are told that the chamber is ready for us to see the</p> <p>22 video. I don't see anybody moving, but please remember</p> <p>23 some of these pictures are quite horrific and particularly</p> <p>24 if it's people you knew and loved you're going to find it</p> <p>25 painful. It's bad enough for people like us who didn't</p>
<p style="text-align: right;">Page 37018</p> <p>1 briefly explain what's happened. All of the available</p> <p>2 footage before the Commission has been taken by a video</p> <p>3 expert using various technical terms, because we now know</p> <p>4 things like CCTV footage only captures one frame a second,</p> <p>5 other footage is 24 frames a second, etcetera. All of this</p> <p>6 footage has now been cross-referenced and synchronised so</p> <p>7 that it follows eTV time.</p> <p>8 The five videos we're going to watch, the first</p> <p>9 deals with the movement of strikers around, from the koppie</p> <p>10 to the kraal, using different video footage. The second</p> <p>11 video has the first video playing in the corner of the</p> <p>12 screen so that you can see what's happening at that point</p> <p>13 in time in the narrative, and then there's an animation</p> <p>14 showing the movement of the wire Nyalas and the group.</p> <p>15 I should note for the record that you'll see</p> <p>16 there's a red shape that is supposed to be the lead group.</p> <p>17 As Mr Dagan makes clear in his affidavit, that is a</p> <p>18 representative shape. The position of the group he is</p> <p>19 confident of, matched against landmarks, but the shape of</p> <p>20 the group shouldn't be taken as anything other than</p> <p>21 representative –</p> <p>22 CHAIRPERSON: Forgive me, Ms Le Roux,</p> <p>23 you're now giving a warning to those who're going to see</p> <p>24 the video. The idea was you should give a warning to those</p> <p>25 who don't want to see the video, so perhaps I'd better do</p>	<p style="text-align: right;">Page 37020</p> <p>1 know them to see them; it must be terrible for the</p> <p>2 relations and loved ones. Alright, I think the minute is</p> <p>3 now up. We'll now adjourn.</p> <p>4 [COMMISSION ADJOURNS COMMISSION RESUMES]</p> <p>5 [14:12] CHAIRPERSON: The Commission resumes.</p> <p>6 We're now going to see the video, but it's not necessary to</p> <p>7 remind the witness he's still under oath.</p> <p>8 MS LE ROUX: Alright, so Chair, for the</p> <p>9 record we're going to start with annexure V2, which has now</p> <p>10 been marked as UUUU10.4 and this is –</p> <p>11 CHAIRPERSON: [Microphone off, inaudible]</p> <p>12 MS LE ROUX: If we could dim the lights</p> <p>13 that would probably assist, and Chair, this video deals</p> <p>14 with the movement of the strikers from the koppie around</p> <p>15 the kraal.</p> <p>16 [VIDEO IS SHOWN]</p> <p>17 Chair, just so that we're oriented, the time</p> <p>18 clock running at the bottom is eTV time. The source of the</p> <p>19 footage that is being shown in either of the blocks is</p> <p>20 recorded in the corner and then where there's a zoom-in or</p> <p>21 a speeding up of the frame rate or something, that's noted</p> <p>22 as well.</p> <p>23 [14:32] [VIDEO IS SHOWN]</p> <p>24 Chair, if we could then play V2A, which is an</p> <p>25 animation of the movement of the wire Nyalas and the lead</p>

Page 37021

1 group, if we could, if Mr Bennett could assist, if we could
 2 play the first minute of the clip and pause one minute in.
 3 [VIDEO IS SHOWN]
 4 Chair, the blue line represents the deployment of
 5 the barbed wire.
 6 [VIDEO IS SHOWN]
 7 Then Mr Bennett, if we can then move to 5 minutes
 8 38 in the clip. Chair, in the interim period I just need
 9 to give some milestones. So Nyala 1 commenced its rollout
 10 at 15:42:30, completes its rollout of the wire at 15:43:30.
 11 Nyala 2 begins its rollout 15:46:30 and completes its
 12 rollout 15:47:45. The lead group begins to set off from
 13 the koppie 15:48:20 and that should be roughly where we
 14 are, yes, and if we could now play from here until 15:55
 15 and pause at that point.
 16 [VIDEO IS SHOWN]
 17 Chair, the yellow lines indicate fields of view
 18 of the cameras that are in use in the V2 annexure playing
 19 in the corner.
 20 [VIDEO IS SHOWN]
 21 Chair, perhaps just to round it out, the shape
 22 that's moving through the field of view is representative
 23 of the lead group. The single red dot is the single pylon.
 24 The V-shape red is the other pylon. The blue line at the
 25 top is the fence.

Page 37022

1 [VIDEO IS SHOWN]
 2 Chair, that's Nyala 3 beginning to deploy its
 3 wire.
 4 [VIDEO IS SHOWN]
 5 Chair, the yellow indicates the field of view of
 6 this photograph taken at this point in time.
 7 [VIDEO IS SHOWN]
 8 Chair, that's Nyala 4 stopping near the single
 9 pylon.
 10 [VIDEO IS SHOWN]
 11 Chair, you'll note Nyala 5 has started to set
 12 off, and then Nyala 4 is on the move again.
 13 [VIDEO IS SHOWN]
 14 Chair, that's Nyala 4 reaching the kraal.
 15 [VIDEO IS SHOWN]
 16 Chair, if Mr Bennett could now fast forward to
 17 17:47, then we'll skip the section of V2 that had the four
 18 sources displaying simultaneously and pick it up from there
 19 to the end where they're played one after each other. So
 20 to 17:47.
 21 [VIDEO IS SHOWN]
 22 [14:51] Chair, the splitting of the group is explained in
 23 the affidavit of Mr De Gaan. And, Chair, what he sets out
 24 there is that the smaller little group is what he counts to
 25 be 37 people coming around the kraal.

Page 37023

1 [VIDEO SHOWN]
 2 Chair, I am conscious that it is 3 o'clock. The
 3 next video, V3 which deals with water cannon usage, I think
 4 it is about 12, 13 minutes. I am not sure if you would
 5 like to take tea
 6 CHAIRPERSON: [Inaudible, microphone
 7 off].
 8 [COMMISSION ADJOURNS COMMISSION RESUMES]
 9 [15:15] CHAIRPERSON: The Commission resumes.
 10 [VIDEO SHOWN]
 11 MS LE ROUX: Chair, as will become
 12 obvious shortly when something goes in front of the camera
 13 this is a very dirty north-west water canon camera. At the
 14 moment it's stationary. Chair, the next clip, V4, looks at
 15 the use of teargas and the stun grenade. And Chair, again
 16 because we have had an adjournment before the last warning,
 17 both this video and the next probably should carry a
 18 warning if any members of the public or loved ones of those
 19 in the video would like to leave. Chair, for the CCTV
 20 footage obviously it only captures one frame a second
 21 versus 24 frames a second, so that explains the difference
 22 between those sources of footage.
 23 [15:35] [VIDEO SHOWN]
 24 MS LE ROUX: And then finally, Chair, V5
 25 which deals with shooting at scene 1. It has a number of

Page 37024

1 parts. If we could pause after part 1 and skip part 2
 2 because that is the subject Mr Lubbe's contention this
 3 morning that what's observed in that part is in fact the
 4 plastic wad of the cartridge. So we don't need to look at
 5 that part of this annexure, but if we can play part 1 and
 6 then I'll advise Mr Bennett when to skip forward. If we
 7 could then skip this part of the video, if we just fast
 8 forward to part 3. No we've gone past part 2. No, no it's
 9 back. Sorry I'll get the reference in the – if we go to
 10 3:20 in the video. There we go and if we can play from
 11 there to the end. Chair, this does contain detailed
 12 zooming in and the like on the shooting. So again if
 13 anyone would like to leave they probably should now.
 14 Chair, when the number appears it appears above the puff of
 15 dust that has been observed. Chair, here the numbers
 16 indicate the number of times we can see someone holding
 17 their hand in the air in an apparent cease fire call.
 18 Thank you, Chair, that concludes the video presentations.
 19 Yes, Chair, if I could.
 20 [15:54] CHAIRPERSON: The Commission resumes. Ms
 21 Le Roux, I must confess I was under the impression that we
 22 were going to stop at 4:00 today and I told one of the
 23 commissioners that that was so and he made arrangements on
 24 the strength of it. When you asked me if we could on –
 25 when you told you wanted to go on till quarter past four I

Page 37025

1 assumed that we could. But perhaps we can try to solve the
2 problem by being very prompt tomorrow starting on the dot
3 9:00, quarter of an hour breaks to ensure that you get the
4 full period tomorrow morning. We've got a couple of
5 minutes left, but –

6 MS LE ROUX: Chair, is it at all possible
7 to start before 9:00 or finish a little after 1:00, 1:30 –

8 CHAIRPERSON: Mr Semenya, what would you
9 say to us starting at quarter to nine tomorrow?

10 MR SEMENYA SC: Even if you started at
11 7:00 it's fine, but I have intimated –

12 CHAIRPERSON: Don't push the envelope too
13 far.

14 MR SEMENYA SC: I want to make a
15 different point that have intimated that Mr De Rover had to
16 leave by 1:00 and –

17 CHAIRPERSON: By?

18 MR SEMENYA SC: By 1 o'clock, so we can
19 leave the time before the time that that would not
20 inconvenience him.

21 CHAIRPERSON: Is half past eight possible
22 for everybody? All right let's make a vigorous effort,
23 daadwerklike poging to start at half past eight tomorrow
24 and we will also try to cut – well confine the breaks to
25 quarter of an hour, definitely quarter of an hour to give

Page 37026

1 you the maximum time. You heard we have to stop at 1:00.
2 But you have quite a lot of material to think about
3 overnight, so it's probably appropriate to stop at this
4 stage anyway. All right we'll adjourn now until half past
5 eight tomorrow morning. Please half past eight.

6 [COMMISSION ADJOURNED]

7 .
8 .
9 .
10 .
11 .
12 .
13 .
14 .
15 .
16 .
17 .
18 .
19 .
20 .
21 .
22 .
23 .
24 .
25 .

<p>A</p> <p>abilities 36880:25</p> <p>ability 36882:9 36996:7 36996:15,17</p> <p>able 36883:5 36890:11 36897:17 36937:25 36944:15 36956:24 36961:15 36962:22 36965:5 36975:21 36978:19 36986:4 36989:2 36992:15 36996:21 37010:2 37013:8</p> <p>absence 36982:17</p> <p>absolute 36959:8 36996:15</p> <p>absolutely 36968:25 36985:18 37011:2</p> <p>abundantly 36991:2</p> <p>academic 36967:8 36968:24</p> <p>accept 36890:9,18 36897:19,21 36915:10 36918:9,16 36926:18,21 36954:20 36956:25 36959:13,21 36961:14,20 36968:3 36969:5</p> <p>acceptable 36936:18</p> <p>accepted 36949:13 36964:20 36975:18 36993:22 36994:13</p> <p>access 36883:8 36884:11,14 36888:4 36888:9,14,15 36908:7 36991:17,23</p> <p>accidental 36981:9</p> <p>accompanied 36924:2</p> <p>account 36883:19 36938:24 36941:5 36984:10 37007:18 37015:22</p> <p>accountability 36980:12 36992:22 36994:9</p> <p>accountable 36996:1</p> <p>accounts 36917:2</p> <p>accurate 37006:12</p> <p>achievement 36995:22</p> <p>acknowledge 36996:4</p> <p>acknowledged 36982:4 36986:18</p> <p>acknowledging 36976:9,16</p> <p>act 36937:17 36983:7</p> <p>acted 36892:17</p> <p>action 36892:13 36904:19 36921:18 36968:4 36985:17</p> <p>actions 36891:14 36968:7</p> <p>activate 37017:5</p> <p>actively 37007:18</p> <p>activities 36880:5,7</p>	<p>activity 37016:5</p> <p>actors 36933:9 36989:4 36989:6</p> <p>actual 36943:5 36957:14 36970:2 37013:1</p> <p>add 36874:20 36877:7 36882:8,9 36884:2 36920:23 36972:15 37007:4,8</p> <p>addition 36877:12 36886:15 36888:18 36973:9 37013:7</p> <p>additional 36894:20</p> <p>address 36891:19 36925:20 36950:5,24 36951:20 36960:2</p> <p>addresses 36972:17</p> <p>addressing 36935:11 36955:6,18 37004:19</p> <p>adequate 36924:19,20 36936:5 36975:13</p> <p>adequately 36872:25 36924:25 36925:4</p> <p>adjourn 37005:21 37019:17 37020:3 37026:4</p> <p>ADJOURNED 37026:6</p> <p>adjournment 36948:18 36980:23,24 36981:3 36998:11 36999:11 37003:20 37005:8 37006:2 37023:16</p> <p>ADJOURNS 36948:19 36981:5 37005:23 37020:4 37023:8</p> <p>Administration 36877:11</p> <p>admissibility 36954:3</p> <p>adoption 36921:4</p> <p>Adriao 36912:6</p> <p>Adv 36883:5 36945:12</p> <p>advance 36922:11 36987:2</p> <p>advice 37007:10</p> <p>advise 36949:12 36988:20 36998:12 37024:6</p> <p>advised 36988:18</p> <p>advisor 36878:2 36880:13</p> <p>aerial 36940:9</p> <p>affect 36916:9 36917:3 36918:14</p> <p>affidavit 36950:15 36951:19 36955:11 36957:10,11 36959:4 37018:17 37022:23</p> <p>affirm 36875:11</p> <p>affirmation 36869:4 36870:8</p> <p>affirms 36870:10</p> <p>afford 36996:9</p> <p>afraid 36912:2 36966:1</p> <p>Africa 36877:18 36882:19 36883:13</p>	<p>36888:22 36968:21 36973:16,21 36974:14 36975:4 36984:23</p> <p>African 36875:25 36894:18 36898:1,6 36899:3 36920:24 36937:16 36950:8 36968:9 36969:5 36971:25 36974:6 36975:10</p> <p>afternoon 36913:13 36998:20 37000:22</p> <p>agencies 36878:16</p> <p>agents 36983:4</p> <p>aggressive 36896:23 36921:18</p> <p>ago 36928:9 36974:21 36981:17 37000:15 37009:13 37012:1</p> <p>agree 36889:22 36890:24,25 36892:16 36916:25 36916:25 36927:21 36931:5 36937:8 36965:5 36971:4,25 36980:4,21 36983:18 36985:21 37006:12</p> <p>agreed 36936:25 36937:2 36955:1,1 37004:1</p> <p>agreeing 36976:8</p> <p>agreement 36976:16 36994:7 36996:25 36997:7,13,21</p> <p>ahead 36873:11</p> <p>aim 36941:3</p> <p>aimed 36878:24</p> <p>air 36911:13 37024:17</p> <p>AI 36951:23</p> <p>allegation 36896:25</p> <p>allegations 36990:5</p> <p>allow 36869:10 36938:12 36952:6 36991:19 36993:8 37012:19</p> <p>allowed 36882:6</p> <p>Alpha 36918:22</p> <p>alright 36870:7 36871:24 36874:5 36882:13 36898:5 36911:1 36915:15 36916:12 36924:3,22 36935:25 36948:17 36964:5 36965:7 37005:13 37020:2,8</p> <p>Alston 36878:13</p> <p>alter 36897:23 36929:9</p> <p>alternative 36896:6 36977:5</p> <p>amazement 36934:11</p> <p>AMCU 36888:9 36891:23 36892:7,20 36892:25 36893:7,22 36894:11,22 36895:1</p> <p>ammunition 36914:20</p>	<p>36914:25 36915:2 36959:11</p> <p>amount 36988:3</p> <p>amounts 36988:23</p> <p>ample 36894:7 36944:1</p> <p>amplification 36935:16</p> <p>amplify 36882:14</p> <p>analyse 36938:12 36994:19</p> <p>analysed 36945:2</p> <p>analysing 37015:25</p> <p>analysis 36938:5 36939:5 36951:25 36994:7,13</p> <p>and/or 36921:16</p> <p>animation 36959:17 37018:13 37020:25</p> <p>animosity 36894:6</p> <p>Annandale 36902:3 36910:1,2 36927:8,24 36999:2,10,24 37001:24 37002:8 37006:5,21 37007:20 37009:20 37011:5,15 37015:20</p> <p>annexure 37020:9 37021:18 37024:5</p> <p>annexures 36954:17,17</p> <p>annotation 36953:25 36954:1,5 36955:22</p> <p>annotations 36950:12 36951:5,17 36953:7 36953:15,17,21 36958:3,5,8,16 36960:9,14</p> <p>announce 36869:25</p> <p>announced 37004:1</p> <p>annual 36920:16</p> <p>answer 36893:3 36895:14 36896:9 36900:6 36901:5,5 36910:20 36911:7 36915:3 36917:12 36919:25 36922:21 36926:1 36929:19 36947:19 36949:7 36953:9,9,10 36959:12 36989:8 36990:11 36991:13 37003:7,18 37005:7</p> <p>answered 36893:20 36900:13 36915:16</p> <p>answering 36989:10 36990:7 37011:12</p> <p>answers 36890:7 36901:6 36913:23 36914:12 36928:9,17 36930:14 36989:14</p> <p>anticipated 36980:7 36998:20 37000:21</p> <p>anybody 36891:23 37019:22</p> <p>anybody's 36939:15</p> <p>anyway 36873:1 36935:25 36936:3 37026:4</p>	<p>Apart 36987:18</p> <p>apologies 36982:10</p> <p>apologise 36910:19,22 36976:6 36995:20</p> <p>apostle 36874:1</p> <p>apparent 36951:20 36994:17 37016:2 37024:17</p> <p>apparently 36931:24 36947:9</p> <p>Appeal 36974:23</p> <p>appear 36907:8 36937:9 36950:12 36990:4 37010:6</p> <p>appeared 36888:7 36889:19 36997:1,2</p> <p>appears 36904:18 36943:3 36978:19 36990:4 37024:14,14</p> <p>applicable 36883:12 36972:2 36978:10 36980:5</p> <p>application 36971:6</p> <p>applications 36995:12</p> <p>applied 36886:21 36920:7</p> <p>applies 36975:17</p> <p>apply 36945:24 36962:23 36965:8 36974:9</p> <p>applying 36946:3</p> <p>appreciate 36887:13 36889:21 36916:20 36930:25 36995:17</p> <p>appreciated 36989:15</p> <p>appreciation 36920:3</p> <p>approach 36920:18 36932:9 36975:12 36988:17</p> <p>approached 36883:11 36897:1 36921:19 36929:22 36961:5 36991:1 36997:18</p> <p>approaching 36915:24</p> <p>appropriate 36919:9 36921:7,9 36957:12 36973:19 36974:6 36975:22 36980:25 37003:9 37026:3</p> <p>approve 36978:4</p> <p>approximately 36940:18</p> <p>architects 36881:4</p> <p>archive 37010:18</p> <p>area 36921:14 36952:18</p> <p>areas 36959:23 36967:6</p> <p>aren't 36909:3</p> <p>argue 36963:5 36965:6</p> <p>argument 36904:18 36993:9,16 36995:8,8</p> <p>arguments 36893:14 36958:22</p> <p>arises 36970:13,17</p> <p>arm 36944:20,21</p>
--	---	--	--	--

<p>36948:7 36984:25 armed 36877:19 36879:25 36880:1,2 36921:15 36967:5 36998:17 37000:20 arming 36984:24 arms 36892:3 36948:4 army 36880:9 36881:6 arose 36936:20 arrangements 36873:14 36881:1 37024:23 array 36946:1 arrest 36881:15 36917:11,19 36919:24 36920:1,5 36920:11 36922:1,12 36922:19 36999:6 arrested 36881:13 arrived 36961:11 arrow 36941:23 arrows 36962:1 ascertain 36927:9 36949:11 37013:8 asked 36881:22 36882:24 36899:7 36905:19 36909:6 36911:3 36917:9 36919:20 36925:22 36927:25 36928:2,10 36929:21 36930:20 36930:22 36936:14 36955:21 36961:7 36965:8 36967:10 36968:3 36989:18 36992:19,20,22 36997:18 37003:11 37004:3,5 37011:7 37017:19 37024:24 asking 36869:13,15 36892:21 36894:12 36899:11,21 36916:19 36917:2,4 36934:13 37007:17 37009:12 37011:3 37013:10 asks 36914:21 aspect 36882:15 aspects 36939:7 36953:6 36965:2,4 assailant 36976:23 assault 36944:4 36984:21 assertion 36911:8 36917:12 assess 36953:25 assessing 37007:19 assessment 36878:17 36968:4,5 37007:5,9 37007:14,22 37008:1 37008:8,23 37009:8 37009:10,24 37010:5 37010:8 assist 36878:11 36899:7 36953:8 36958:8 36960:16</p>	<p>36989:10 36993:14 37017:5 37020:13 37021:1 assistance 36946:11,12 36977:24 assisting 36993:7 assume 36918:5,7 36961:6 37002:24 37003:11,14,14 37007:21 37012:12 assumed 37025:1 assumes 37003:9 assuming 36978:3 assumption 37007:25 assurance 36965:2 37006:10 Atlanta-type 36881:16 attach 37000:4 attack 36914:9,10,18 36914:22 attacking 36977:2 attempt 36896:20 36909:2,4,6,10 36976:13 36991:8 36993:18 attempted 36895:8 36908:17 36939:4 attempts 36885:2 36961:4 attendance 36874:7 attended 36872:9 attention 36896:21,24 36896:24 36970:8 attitude 36984:19 attorney 36949:23 audible 36911:5 36914:1 36916:6 audio 36986:24 audit 36981:10 auditable 36938:16 36958:14 36981:12 36982:5,22 36984:9 36985:3 36987:14 37007:17 August 36891:21 36892:2 36894:8,25 36895:6,15,20 36896:15,19 36897:5 36903:11 36919:21 36921:3,19 36925:25 36926:3 36998:20 36999:25 37000:1,22 37001:10,12 37002:8 37003:23 37007:15 37013:18 37015:11 Australia 36880:10,22 36988:15 37010:2,3 Australian 36880:8,10 Australian-led 36880:11 author 36978:1 authorities 36883:19 36968:12 authority 36974:10,20 36975:7,13 36984:6 authors 36878:7</p>	<p>36936:7 36979:20 availability 36923:7 available 36883:6 36886:7,10,12 36894:3 36920:6,19 36924:6,23 36925:6 36933:24 36944:1 36946:1 36958:13 36961:17 36983:2 37009:18 37014:11 37015:10 37016:8 37018:1 avert 36904:9 avoid 36899:9 36970:16 aware 36892:1,10 36908:15,16 36909:2 36909:4,9 36910:3,9 36920:25 36926:2 36927:20 36928:16 36930:12 36932:19 36935:24 36939:7 36968:21 36980:18 36984:22 36993:9 37000:23 37001:1,21 37006:18,20 37007:3 37014:14,17</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>b 36940:2,4,7 36941:14 36941:21 36970:5 back 36873:21 36874:8 36885:15 36896:25 36903:2 36907:21 36912:11 36918:25 36927:8 36930:9 36932:6 36934:8 36943:5 36954:24 36955:9 36959:3 36974:22 36987:1,16 36989:2,22 37009:2 37009:16 37019:20 37024:9 backed 36962:22 background 36877:3,3 37009:14 backs 36965:16 bad 36905:23,24 36906:20,25 36907:2 36930:3 36947:19 36996:16 37019:25 bail 36974:25 36975:2 ballistic 36944:25 36945:6 36952:14 balls 36915:1 36959:9 Baloyi 36914:7,16 36949:6,15 barbed 37014:15 37015:9 37021:5 bargaining 36895:24 barracks 36880:22 barrier 37014:16,23 base 36923:6 36987:7 based 36888:25 36890:16 36939:13 36994:13 37007:23</p>	<p>37010:23 37011:5 bases 36889:23 basic 36880:24 36976:10 36979:25 36984:17 basically 36886:16 36963:22 basis 36874:8 36891:13 36920:16,17 36933:10 36938:21 36940:22 36955:6,14 36970:6 37002:20 37003:14 37016:24 37016:25 battlefield 36944:13 BBBBB 36969:15 bear 36870:2 36948:10 36979:4 36995:15 bearers 36879:25 36880:2 bearing 36872:23 bed 36964:19 beg 36875:3 began 37001:10 beginning 36990:20 37022:2 begins 36948:22 37021:11,12 behalf 36885:16 36891:18 36949:21 36950:21 37017:20 believe 36907:19 36949:23 36976:6 36980:18 believed 36970:25 belligerent 36921:15 belong 36973:14 Belt 36894:8 benchmarks 36993:21 36993:23 benefit 36888:15 36925:7 Bennett 37017:5 37021:1,7 37022:16 37024:6 Benoni 36872:9 best 36873:10 36923:21 36924:1,11 36953:7 36976:2 36987:3 36996:8,12,20,20 37006:10 best-selling 36879:20 better 36895:2 36924:13 36952:17 36983:19 36984:19 36993:19 36997:15 37003:19 37004:14 37017:6 37018:25 beyond 36891:15 36920:9 36921:11 36984:8 Bible 36874:1 big 36929:15 36965:20 36985:4 36988:24 bigger 36897:18 Bijl 37017:14</p>	<p>bind 36977:15 binders 36981:15 binding 36969:6 36973:18 36974:8,14 bit 36882:21 36890:12 36906:15 36918:20 36966:4 36973:13 37005:14 37010:22 bits 36957:7 Bizos 36871:15,16 36960:17,19 36961:1 36962:3,19,25 36963:3,4,9,13,23 36964:4,7,19 blame 36895:14 36898:2 blamed 36992:14 blanket 37017:16 blanks 36982:25 blinded 36966:9 block 36979:17 blocks 37020:19 blow-by-blow 36938:24 blue 37021:4,24 bodies 36905:23 36938:6 36968:15 bodily 36895:7 body 36942:11,17 36944:10,21 36946:8 36971:14 bomber 36981:23 36985:20 bombing 36881:16 book 36879:14,16,18 36879:22 36978:1,14 36978:22 36986:1 books 36879:20 36986:5 born 36923:6 Botes 36911:9 36916:5 Botha's 36942:17 bottom 37020:18 bound 36869:3 36870:8 36977:19 36983:9 box 36961:12 36980:1 branch 36880:5 brand 36921:24 Brazilian 36981:21 break 36980:25 36999:8 37011:17 breakdown 36920:4 breaks 37025:3,24 breed 36894:6 36896:4 Bridge 36976:25 brief 36938:3 36993:1 36998:15 briefed 36964:10 36990:2,8 36992:3,14 briefing 36926:22 36968:6 36989:24 36992:21 36994:8 37000:6,11 37001:10 briefly 37018:1 brigades 36879:2 Brigadier 36901:21</p>
---	--	---	---	--

36905:21,25 36906:4 36906:11 36908:8 36911:11 36913:15 36913:16,17 36914:14 36917:14 36917:14 36928:17 36930:13 37001:17 bright 37017:9 bring 36945:23 36948:9 36969:20 36982:6 36983:24 36987:15 36996:9 37009:15 bringing 36878:24 36947:20 36989:21 broadcasting 36882:21 broadly 36994:7 broke 36891:22 Brother 36988:24 brought 36879:13 36933:9 36974:24 build 36983:22 built 36893:14 bullet 36943:1 36944:11,17,19 36945:2,7,9 bullets 36959:9 bundle 36904:24 36905:3,4,6 36911:22 36912:2 36940:8 36941:13 36969:17 36978:21 36979:14 36998:5 Burger 36928:3 Burundi 36878:2 business 36877:11 36894:4 36895:25 busy 36925:10 butress 36995:8	37023:12,13 cameras 36971:11 36988:14 37021:18 cannon 36870:17 36872:4,9,11,12,16 36872:24 36873:12 36873:15,20 36874:4 36874:22,23 37008:18 37023:3 canon 37023:13 can't 36882:2,12 36887:24 36901:19 36909:3 36923:1 36927:7 36934:14 36936:22 36937:12 36939:14 36944:6 36946:6 36947:3 36954:24 36966:1 36971:8 36974:14,16 36979:6 36984:4,18 36984:18 36986:13 36987:4,22 36992:14 37004:15,16 37005:14 37016:21 capability 36878:19 36881:6 capable 36945:2 36965:10 capacity 36878:14 Captain 36906:5 36912:6 36914:5,7,19 36914:23 36915:5,7,8 36915:17 37013:25 captions 36961:23,24 36962:10,21 37016:20 captured 36971:8 captures 37018:4 37023:20 car 36988:17 care 36972:17,20 36973:7 career 36877:8,10 carriage 36941:2 carried 36881:15 36942:9,14 37002:1 37002:10 37006:23 carries 36904:2 36944:13 carry 36947:25 36982:16 36995:14 37023:17 carrying 36948:6 cartridge 36945:8,9 37024:4 case 36895:5 36918:18 36923:21,21 36924:1 36924:11,11 36961:8 36968:10,24 36969:19 36970:23 36972:15 36974:13 36974:21,23 36975:14,21 36978:10 36980:2 36985:4 36987:19 36993:8 37007:14	cases 36895:6 36946:10 36973:19 36985:13 37019:3 catastrophic 36946:12 cater 36923:20 catered 36998:19 Catherine 36951:21 causal 36894:14,24 cause 36909:13 36960:14 36983:6 37008:12 37019:11 37019:12 caused 36966:19 caveat 36965:13 36972:13 cavity 36944:19,22 CCTV 37018:4 37023:19 cease 36913:17 37024:17 Cees 36875:18 36876:16 37006:1 cell 36982:11 centimetres 36944:23 centre 36944:21 36946:8 cents 36938:13 certain 36984:20 36985:7 37009:15 certainly 36958:1 36959:1 36962:12 36975:9,25 Chairman 36914:19 36915:4,7 36960:19 36961:6,10 36962:25 36963:5,23 36964:7,9 challenge 36890:13 chamber 36934:15,15 36935:19 36957:10 36982:14 37019:15 37019:19,21 chance 36875:1 36887:9 36902:18 36934:7 37013:10 chances 36944:23 36946:8,13 change 36877:13 36983:7 changes 36936:15 chaos 36913:14 chapter 36978:17,20 character 36895:10 charge 36905:22 36906:11,18 36907:1 36937:18 chase 36939:18 Chaskalson 36874:19 36942:10 36952:22 36953:4,5 36954:13 36962:12 check 36932:7 36933:6 37010:16,24 37013:5 37013:6 chief 36880:9 36890:11 choices 36988:12 choosing 36921:16	chopper 36911:12 chose 36961:2 chosen 36874:1 chronology 36958:12 36986:19 36989:2,6 cinematographer 36956:25 circle 36941:15 circulation 36932:20 circumstances 36880:19 36929:8 36968:17 36972:18 36975:1 36977:4 cite 36881:23 36968:19 cited 36980:2 cites 36904:15 citizen 36980:16 claim 36945:20 36967:4 36974:24 claims 36891:13 36959:19 36987:11 clarification 36998:3 37000:8 clarified 36920:8 clarify 36891:9 36897:9 36936:8 36993:3 36996:23 clear 36883:17 36893:3 36916:19 36921:17 36936:20 36946:23 36972:25 36974:10 36977:19 36983:12 36991:2 36993:6 37011:2 37018:17 clearly 36976:11 client 36928:21 36930:16 clip 37021:2,8 37023:14 clips 36883:23 clock 37020:18 close 36877:16 36879:3 36944:8,19 36978:8 closely 36877:18 closing 36958:22 coffee 36927:3 cogens 36974:4 36976:2 coincide 36953:24 collaborated 36960:1 collaboration 36950:9 collapsed 37019:10 colleague 37002:3 colleagues 36934:22 36960:1 collection 37011:24 collective 36895:24 College 36872:9 collusion 36986:20 colonel 36904:16,17 36905:5,6 36913:3 36917:14 36919:13 36921:20 36922:3,6 36923:15 36942:17 36962:7,8,13,17 36999:2 37012:14,22	37016:21 coloured 36961:25 colours 36961:3 come 36874:8 36897:14 36902:8,9 36903:2 36935:15 36954:23 36978:11 36990:23 36993:23 36994:11 37003:17 37008:25 37017:5,13 37019:20 comes 36928:13,14 36936:22 37008:15 37009:2 37012:13 comfortable 37012:9 coming 36874:15 36882:17 36925:19 36961:15 37022:25 command 36968:6 36979:23 36980:6,8 36981:25 36989:25 36992:21 36994:9 commanded 36987:12 commander 36898:16 36910:15 36983:12 36985:13 commanders 36908:7 36911:6 37000:12 37003:1 command's 36980:15 commence 36957:4 commenced 36885:16 36886:2 36905:21 36906:4 37021:9 commences 36939:11 comment 36873:6,8 36960:21 36961:2,6,8 36961:10 36963:25 commentaries 36956:10 commentary 36932:20 36950:11 36952:6,14 36952:19 36954:11 36954:12 36956:6,12 36956:14 36957:15 36957:16 36961:13 comments 36903:8,17 36904:11,13 36961:23 Commissioner 36878:4 36878:10,22 36898:15,18,19 36899:2,11,20 36900:7,16 36901:4,7 36914:17,20 36919:22 36929:7 36932:2,15 36933:18 36934:2 36935:12 36943:24 36945:15 36945:19 36946:15 36948:3,23 36949:13 36958:11 36984:12 36985:1 37001:25 37002:9 37003:1 37006:22 37011:9 commissioners 36904:23 37024:23
C				
c 36970:6 cabling 36965:18 calendar 36933:17 37003:22 calibre 36947:17 Calitz 36901:21 36911:11 36914:14 36917:14 Calitz's 36913:15,17 call 36870:20 36871:1,3 36871:4 36875:3,7 36897:8 36907:16 36908:17,21 36909:13 36910:23 36946:19 36984:8 37024:17 called 36907:20 calling 36914:13,13,15 36914:15 36964:22 36986:20 calls 36906:5 CALS 36950:9 36955:13 36967:9 36968:21 camera 36872:16				

<p>Commission's 36888:4 commit 36975:2 committed 36983:6 Committee 36879:13 36880:17 36898:24 common 36920:5,5 commonly 36976:12 commotion 36914:19 communicated 36903:18 36922:24 communication 36900:23 36901:8,24 36903:2 36904:22 36905:25 36906:25 36909:13 36912:7 communications 36910:7 community 36878:25 36921:14 comparative 36973:24 36974:2 compare 36879:7 36986:25 compared 36946:9 36988:9 comparison 36945:6 36978:8 37012:19 compilates 36958:12 compilation 36954:8 37012:5 compiled 36932:3 36985:14 37010:23 compiling 36882:16 complained 36954:19 Complaints 36981:20 complete 36879:22 36929:18 36934:3 36956:18 36959:12 completed 36919:2 36958:21 completely 36891:15 completes 37021:10,11 complexity 36936:19 36979:20 comply 36996:8 component 36879:5 composite 36953:15 comprehend 37002:4 comprehensive 36956:18 36990:3,9 computer 36982:12 concede 37008:19 conceded 36955:13 37004:2 concentrate 36994:22 concepts 36922:1 37012:5 concern 36883:5 36890:8 36897:19 36899:24 36901:9 36929:15 36936:14 36953:7 36954:1,14 36960:14 concerned 36872:24 36878:6 36883:22 36884:7 36903:17</p>	<p>36930:25 36963:25 36973:15 37006:8 concerns 36895:23 36898:23,23 36903:24 concerted 36969:20 concessions 36958:19 concludes 37024:18 conclusion 36959:7 36960:23 36961:11 36961:15,18 37007:24 conclusions 36917:4 36992:16 concur 36942:25 36985:24 condemnation 36995:25 condition 36880:16 conditions 36897:11 conduct 36886:16 36892:20 36894:4 36898:1,7,19 36899:2 36899:12,20 36900:7 36900:16,20 36901:21 36902:4 36932:9 36933:8 36989:24 36990:3,8 37009:19 37010:13 conducted 36880:16,21 36981:19 37009:21 conferred 36986:18 confess 36934:11 37002:19 37024:21 confidence 36896:10 confident 37018:19 confine 37025:24 confining 36974:5 confirm 36876:15,22 36876:23 37015:25 conflict 37015:15 conform 36996:17 confront 37009:16 confrontation 36944:14 36998:17 37000:20 37015:13 37015:17 confronted 36921:1,2 36991:15 confronting 36947:1 connection 36972:12 36981:13 connections 36901:11 conscious 36963:17 36995:10 37023:2 consequence 36880:20 36892:11 36980:20 36983:15 consequences 36982:4 37007:11 37008:11 consider 36898:1 36922:2 36975:21 36984:21 36986:9 36990:5 consideration 36968:7 36992:15 37007:24</p>	<p>considered 36921:8 36928:11 36970:13 36998:18 37008:11 considering 36921:13 36989:22 consistent 36976:3 consistently 36975:11 Constable 36872:8 constantly 36971:19 36991:7 constitutes 36970:22 constitution 36973:25 36976:1 36977:7 Constitutional 36974:22 36975:5 36976:25 constraint 36918:11 36992:3 constraints 36869:10 36967:13 36995:1,3 consult 36918:12 consulted 36902:10,12 36902:13 contact 36908:25 36910:12 36929:1 36931:17 36980:14 36980:16 contacted 36932:23 36933:1,2,5,13 contain 37014:4 37024:11 contained 36922:17 36961:24,25 36962:21 36970:19 contains 36952:7 CONTD 36870:13 37006:14 contemplate 36947:23 37007:7 contemplated 37014:15 contemporaneous 37014:6,7 contend 36980:12 36983:17 37008:19 37015:22 contended 36942:13 contention 36963:19 37024:2 contents 36876:22,24 contest 36921:16 contestation 36952:20 context 36884:2 36893:3 36918:20 36944:2,5 36946:20 36969:10,11 36970:21 36971:23 36976:19 36979:18 36980:3 36994:15 36996:6 contextualise 36888:1 continents 36877:17 contingencies 36923:20 36924:1,6,12 contingency 36998:19 36998:22,23 36999:4 37000:13</p>	<p>continue 37016:25 continues 37012:22 continuous 36870:20 contradiction 36890:13 contradictory 36891:7 contribute 36968:17 contributed 36894:14 control 36872:6,7 36891:15 36895:2 36941:1 36944:1 36971:2 36989:25 36992:21 36994:9 controlled 36898:22 convenient 37005:8 convention 36977:10 conversation 36927:3 36977:23 37007:19 37010:5 conversations 36899:23 36999:1 37009:23 convinced 36985:19 convolution 36983:13 cooperation 36989:14 coordinator 36879:23 copious 36988:23 cordon 37012:4 core 36880:6 corner 37018:11 37020:20 37021:19 correct 36876:1,11 36885:17,18 36886:3 36896:16 36906:22 36906:23 36907:3 36912:14 36914:1 36915:4,5,7 36916:6 36916:7 36917:3,5,7 36923:24 36929:2 36930:18 36931:17 36931:21 36932:1 36935:18 36938:18 36938:20 36941:12 36948:14 36949:22 36950:3 36951:10,11 36951:12 36959:21 36962:9 36992:10,11 36992:16,17 36997:3 36999:13 37005:7,14 37011:4,11 37014:16 37014:22 correctly 36888:8 36956:4 36963:22 36999:15 corresponding 37010:20 Cosgrove 36880:14 cost 36988:9 36996:9 37016:7 costs 36988:5,7 couldn't 36914:23 36922:11 37006:7 counsel 36997:19 countenance 37008:22 counter 36880:25 countries 36877:17 36987:8 36988:13</p>	<p>36990:23 country 36881:22 36882:17 36920:16 36994:16 counts 36879:5 37022:24 couple 36911:24 36945:13 37003:17 37025:4 course 36872:9 36873:9 36874:5 36882:20 36887:23 36887:25 36888:9 36889:14 36890:3,10 36890:19 36903:3 36916:10,11 36922:25 36923:18 36925:3 36926:21 36945:1 36947:7 36952:18 36956:21 36958:16 36965:9 36966:10 36967:24 36971:4 36973:25 36977:8 36980:20 36987:3 36988:5,23 36994:4 37000:16 37004:20 37009:6,24 37016:18 courses 36882:8 court 36968:10,16,20 36970:23 36973:6 36974:7,22,23 36975:5 36977:1 36988:22 courts 36974:6 cover 36882:15 36936:11 36969:24 36970:1 covered 36975:8 covers 36878:6 36936:9 created 36901:12 37011:21 creating 36881:5 Cressida 36985:14 crime 36972:20 crimes 36975:3,3 criminal 36976:23 36977:2 36983:7 criminals 36977:14 criteria 36973:7 critical 36898:7,10,12 36898:19 36899:17 36899:20,22 36900:7 36900:16,20 36901:21,22 36902:3 36903:7,17 36904:11 36904:13 36973:13 36989:9 36996:14 37000:5 criticise 36908:1 36946:16 36947:4 criticising 36892:20 36904:12 criticism 36899:1,11 cross 36879:13 36880:18 36949:20</p>
--	--	---	--	---

<p>36951:1 36957:19 36994:6 37003:12 cross-examination 36870:13 36882:15 36885:11 36948:22 36949:25 36950:2,10 36953:21 36957:4,5 36962:13 36966:3,24 36969:16 36981:1 36993:17 36994:11 37006:14 37016:10 cross-examine 36875:1 36883:5 36936:2 36949:17 cross-examined 36884:4 cross-reference 36899:15 cross-referenced 37018:6 crowd 36881:9 36921:5 36941:1 36943:25 crucial 36955:19 crying 37019:9 culminated 36983:10 current 36978:9 currently 36878:13 cut 36939:17 37025:24</p> <hr/> <p style="text-align: center;">D</p> <p>D 37011:23 37013:18 daadwerklike 37025:23 Dagan 37018:17 daily 37012:4,5 damage 36946:12 36970:19 date 36879:20 36889:15 36998:8,9 37011:19 dated 36876:10 36885:25 36936:6 36991:16 37001:3 day 36876:10 36881:13 36884:15 36892:9,15 36904:3 36914:6 36925:3 36928:5,7 36987:5 37001:11 37005:16 37011:21 37013:19 days 36885:3 36886:1 36887:1,3,6,10 36932:5 36997:20 dead 36942:2 36983:11 deadly 36946:2 deal 36957:18,24 36958:16 36960:13 36964:14 36966:11 36974:1 37009:18 dealing 36921:14 36985:19 36995:11 37017:17 dealings 36933:16 deals 36924:10 37018:9 37020:13 37023:3,25 dealt 36959:6</p>	<p>death 36981:21 36983:15 36996:1 37002:1,10 37006:9 37006:23 37008:13 deaths 36892:21 36893:1,7,16,22 36894:11,15 36895:3 36895:14,19 36896:14 36968:5 36972:24 debate 36919:6 36975:16 36988:3 deceased 37012:6 37019:2 December 36955:2 decide 36918:17 36931:8 36974:17 37008:21 decided 36993:20 decision 36902:18 36919:22 36923:4 36925:24 36926:4 36964:9 36970:16 36971:24 36982:2 36985:12 36986:1,6 36987:12 37007:6 37016:7 decisions 36973:17 36974:7 decision-making 36989:11 Deep 37011:23 deeper 37007:23 defective 36963:20 Defence 36880:8 defend 36962:22 defiance 36921:17 deficiencies 36982:23 36994:17,17 definitely 36922:4 37025:25 definition 36944:9,14 36965:19 37016:8 deformation 36944:17 Degree 36877:11,14 delegate 36966:18 Delhi 36880:10,22 deliberate 36993:18 deliberately 36990:6 deliberation 37010:19 delivered 36886:2 36895:23 36921:17 demonstrating Department 36878:1 dependent 36916:21 depending 36972:7 36979:20 depicted 37019:6 deploy 37008:15,16 37022:2 deployed 36880:10 deployment 36968:6 36989:25 37015:8 37021:4 deponent's 36871:18 Der 37017:14</p>	<p>describe 36952:13 described 37010:6 37014:23 description 36959:15 36998:24 design 36996:16 designated 36981:25 designed 36944:13 desire 36991:18 despatch 36913:18 destruction 36895:4,7 detail 36887:11 36890:14 36990:1 36993:15 37000:4 detailed 36920:8 36922:2 36938:5 37024:11 details 36949:14 36950:24 detention 36880:16 determined 36921:19 detonate 36985:20 develop 36986:8 developing 36986:10 development 36878:16 36923:3,12 37004:8 37004:14 develops 36972:23 device 36985:20 devices 37009:3 devise 36921:8 Dick 36985:14 didn't 36887:8 36892:22 36894:13 36894:23 36895:18 36895:18 36896:14 36901:17 36907:20 36908:5,20 36909:14 36912:23 36913:19 36951:23,24 36956:17 36959:5 36961:9,12 36962:9 36963:12 36985:5 36988:1,2 36995:25 37006:11 37013:10 37014:4 37016:12 37019:25 die 36946:10 36955:4 died 36942:4 difference 36892:14 36894:4 36915:1 36985:4 37023:21 differences 37014:5 different 36872:13 36877:17 36901:8,10 36909:6 36915:3,18 36920:4 36922:17,24 36924:10 36925:8 36933:9 36938:6,16 36953:14 36964:21 36964:24 36993:13 37004:17 37018:10 37025:15 differentiate 36946:3 differently 37009:20 difficult 36901:13</p>	<p>36937:21 36945:3 difficulties 36957:2 difficulty 36955:10 36991:3 37009:7 dim 37020:12 direct 36968:20 36970:8 36997:25 directed 36990:19 direction 36959:15 36984:7 36986:9 directly 36943:15 36975:8 Dirk 36911:9 dirty 37023:13 disadvantage 36967:22 disagree 36975:19 36977:17 36978:5 disagreed 36994:2 disagreeing 36976:7 disagreement 36890:8 36996:25 36997:8,13 36997:21 36998:4 disappointment 36881:21 disarm 36917:11,19 36919:24 36920:1,5 36920:11 36921:17 36922:1,12,19 36999:5 37003:25 37015:14 disarmament 37006:8 disarmed 36926:4 disarming 36921:12 disastrous 36982:2 36985:17 discharge 37012:6 discouraged 36944:6 discrepancy 36986:10 discuss 36933:22 36965:6 36969:18 discussed 36933:20 36991:7 37009:2,24 discussion 36989:4 36991:6 37001:16,20 discussions 36904:15 36934:23 36937:20 36989:12 disingenuous 36968:21 disintegrates 36944:12 disintegration 36945:6 dispassionately 36938:25 dispersal 36999:5 37006:8 37008:16 disperse 36917:11,19 36919:24 36920:1,4 36920:11 36921:16 36922:1,12,19 37003:24 display 36979:7 displaying 37022:18 disposal 36879:21 disposed 36951:22 dispute 36950:13 36953:6,19,22 36955:19 36959:2,23</p>	<p>36987:10 disputed 36994:2 disputes 36954:23,25 36955:8,12 36985:6 36987:22 dissent 36975:20,22,23 distance 36915:20 36941:6 36943:1 36944:15 distinctly 36964:23 37008:20 distress 37019:7,12 diverted 36904:7 divulged 36927:3 dockets 36895:5 doctrine 36923:7 document 36876:6,13 36876:14 36904:24 36905:18 36928:11 36928:17,19 36930:13,15 36931:1 36932:18,20 36933:11,19,19,22,24 36934:3,17 36935:9 36935:10,14,17,17,21 36936:6 36937:2,24 36955:3 36967:25 36979:13,15,15 36982:21 36997:12 36997:16,21,22,24 36998:12 36999:13 36999:21 37010:23 documentary 36956:22 documentation 36997:4 37000:12 documents 36876:4 36884:12 36912:21 36913:2,5 36952:1 36959:5 36967:12,16 36982:6 36983:1 36998:11 36999:12 37001:6 37013:6,13 doesn't 36894:5,6 36921:20,25 36931:5 36936:7,7,8,11 36941:19 36944:9 36945:1 36952:16 36953:21 36990:23 37002:22 37010:6 doing 36897:17 36918:21 36931:3 36957:13 36971:5 36986:14 36989:7 36992:10 37003:15 domestic 36888:21 36969:20 36973:16 36974:5,19 36975:6,8 36975:24 dot 37021:23 37025:2 doubt 36900:3 36961:17 37014:10 dozen 36956:17 draft 36932:19 36933:19,19,21 36934:3 36935:9 36936:4</p>
---	--	---	--	---

<p>drafted 36997:2 37001:2,9</p> <p>dramatically 36956:2</p> <p>draw 36873:25 36896:21 36932:11</p> <p>drawn 36881:1 36932:18</p> <p>drive 36893:17 37012:13,15</p> <p>driver's 36872:7</p> <p>drop 36948:8</p> <p>due 36903:2 36956:21 36958:16</p> <p>dues 36891:18</p> <p>dust 37024:15</p> <p>Dutch 36877:8</p> <p>duties 36978:13</p> <p>duty 36963:18 36972:17,20 36973:3 36973:7 36976:21</p> <p>D-day 37001:11,12 37011:7</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>earlier 36894:2 36959:5 36996:23 37009:3</p> <p>early 36881:9 36932:4 36993:11</p> <p>Earth 36999:13</p> <p>easier 36979:10 37004:7 37010:22</p> <p>easily 36941:2 36951:22 36959:6</p> <p>East 36880:11,13,23</p> <p>easy 36959:16 36985:25 36987:13</p> <p>echo 36977:13</p> <p>economically 36996:9</p> <p>EDDIE 36870:9</p> <p>edge 36960:10,11</p> <p>edition 36879:17 36978:2,4,6,9,18,19 36978:23,25 36979:3</p> <p>effect 36911:9,15,17 37006:5 37016:16</p> <p>effectively 36921:12 36962:19 36975:16 37016:20</p> <p>effects 37007:7</p> <p>effort 36969:20 37025:22</p> <p>efforts 36982:22 37007:2</p> <p>eight 36881:7 36886:1 36887:1,3,6,10 36947:8 36956:23 37025:21,23 37026:5 37026:5</p> <p>either 36913:19 36948:8 36999:24 37020:19</p> <p>elapsed 37019:14</p> <p>elections 36986:3</p> <p>electronic 37011:24 37014:8</p>	<p>electronically 37010:21</p> <p>elementary 36985:8,9</p> <p>elements 36877:7 36935:16 36990:10 36998:21</p> <p>eliminate 36955:14</p> <p>email 37010:4</p> <p>emanated 37016:21</p> <p>emergence 36968:17</p> <p>emergency 36913:18</p> <p>emotional 36966:19 37019:7,12</p> <p>employ 36946:5</p> <p>employment 36945:21</p> <p>enable 37004:13</p> <p>enacting 36972:10</p> <p>encircle 37003:25</p> <p>encompass 36921:10</p> <p>encounter 36988:16,21</p> <p>encouraged 36976:1</p> <p>endeavouring 36963:17</p> <p>endeavours 37006:11</p> <p>ended 36983:11 37008:14</p> <p>endorsed 36925:24 36926:3</p> <p>ends 36948:1 36976:16</p> <p>energy 36944:12</p> <p>enforcement 36880:24 36881:24 36883:16 36944:2,4 36969:19 36979:22 36984:22</p> <p>enforcers 36921:18</p> <p>engage 36879:25 36880:2 36894:2 36896:21 36897:16 36944:15 36946:22 36951:3 36958:1 36959:1 37010:25</p> <p>engaged 36875:23 36930:22 36939:9 36950:7 36959:25 36997:6 37008:2 37015:15</p> <p>engagement 36967:9</p> <p>engineer 37013:2</p> <p>enormous 36988:3</p> <p>enquiries 36928:20 36930:16</p> <p>ensure 36970:17,18 36976:2 37025:3</p> <p>entered 37012:3</p> <p>entertain 36943:2</p> <p>entire 36988:16 37003:12</p> <p>entirely 36936:4,17</p> <p>entirety 36975:19</p> <p>entitled 36956:7 36976:24 36995:3,7 36995:11</p> <p>entrenched 36977:7,8</p> <p>envelope 37025:12</p> <p>envisage 36918:25</p> <p>envisaged 36933:18</p> <p>equals 36930:6</p>	<p>equate 36929:25</p> <p>equation 36932:8 36947:20 36984:4</p> <p>equipment 36989:9 37016:8</p> <p>Equity 36881:19</p> <p>errata 36959:25 36960:3</p> <p>erroneously 36970:24</p> <p>especially 36948:6 36969:21 36981:14</p> <p>essentially 36880:24 36881:7 37003:25</p> <p>establish 36929:1,12 36932:24 36933:3,13 36943:6 36945:8 36981:8,23 36986:19</p> <p>established 36880:3,4 36880:12 36881:18 36972:1</p> <p>establishing 36881:5 36899:8 36989:5</p> <p>estimate 36924:2</p> <p>etcetera 36990:1 37018:5</p> <p>ethical 36882:3,4</p> <p>eTV 37018:7 37020:18</p> <p>European 36968:10,16 36968:23 36970:23 36973:6 36974:7 36977:10</p> <p>evening 36925:25</p> <p>events 36884:22 36885:3 36903:10,16 36985:15,24 37000:9 37015:22,25 37017:18</p> <p>eventualities 36918:25</p> <p>eventually 36974:21</p> <p>eventuate 36917:24</p> <p>eventuated 36881:17</p> <p>everybody 36986:6 37025:22</p> <p>evidence 36874:6 36875:14 36883:21 36884:14 36885:21 36887:5 36889:12,13 36890:21 36893:8,13 36902:17 36904:23 36905:15 36908:16 36909:9 36914:5 36915:8 36916:2 36917:13 36919:13 36919:19 36925:22 36927:24 36930:17 36938:17 36940:14 36942:8,11,16 36944:25 36947:7,9 36947:10 36951:3,22 36952:23 36953:8,12 36954:3 36958:2,14 36961:15 36962:9 36963:6,20 36964:11 36964:20 36967:11 36971:13 36981:16 36987:23 36991:24</p>	<p>36992:16 36995:9 37000:23 37001:1 37002:15,16 37003:6 37003:14,14 37004:2 37005:1,2,11 37007:17 37009:7 37011:3 37012:4,9,13 37014:9</p> <p>evolution 36982:21</p> <p>evolved 36898:21</p> <p>exactly 36874:24 36887:24 36908:10 36914:18 36929:14 36951:16 36972:5</p> <p>examination 36875:22 36950:6 36951:2 37003:13 37009:20</p> <p>examine 36949:21 36957:20</p> <p>examined 36994:7</p> <p>examining 37000:6</p> <p>example 36891:10 36893:14 36959:14 36972:23 36985:13 36991:16 36999:4</p> <p>examples 36951:5 36959:3 36961:1</p> <p>exceeds 36941:2</p> <p>excerpt 36978:16</p> <p>excess 36877:10 36879:11 36895:6</p> <p>exchange 37009:25</p> <p>exchanges 36985:6</p> <p>excised 36956:12</p> <p>excluded 36961:21</p> <p>exculpating 36961:18 36964:12</p> <p>excuse 36946:20</p> <p>excused 36874:7,11,18</p> <p>executing 36985:18</p> <p>exercise 36933:7 36938:10 36949:10 36958:9 36984:5 36994:1 36997:7,9,11 37008:2,8,22 37011:1</p> <p>exercised 36892:14 36895:2</p> <p>exerted 36987:11</p> <p>exhaustively 36995:14</p> <p>exhibit 36871:9 36876:4,5,13,15,25 36885:15 36905:7,8 36911:20 36940:2,4,7 36941:14 36953:11 36960:4,24 36961:7,9 36961:17,22 36962:3 36962:15 36963:10 36964:3,19 36965:9 36979:15 36999:8,9 36999:17 37000:11 37003:20 37004:6,9 37011:6,13 37012:24 37012:24 37014:4 37016:20</p> <p>exhibited 36954:19,21 36961:9</p>	<p>exhibits 36887:9 36889:14 36905:10 36949:24</p> <p>exist 37002:22 37014:7</p> <p>existed 36889:15 36920:3 36982:23 36999:14</p> <p>existence 36976:10 36990:21 37000:1</p> <p>existing 36978:9</p> <p>exists 36932:20 36972:14 36973:8 36980:20 36985:22</p> <p>expand 36883:1</p> <p>expect 36918:22 36920:17 36949:7 36964:18 36986:11 37007:4</p> <p>expectations 36937:16 36977:18</p> <p>expected 36934:19 37003:7</p> <p>expense 36958:9</p> <p>experience 36882:7 36886:22 36917:17 36922:7 36923:7 36930:1,2,2,3 36932:12 36939:13 37019:6</p> <p>experienced 36881:21 36893:4</p> <p>expert 36878:9 36890:21,25 36904:1 36937:19 36939:8 36951:21 36952:15 36965:3 36994:4 37018:3</p> <p>expertise 36888:25 36952:17,19 36967:7</p> <p>experts 36889:18 36950:7 36993:10,15 36996:25</p> <p>expert's 36889:22 36890:16</p> <p>explain 36883:24 36884:1 36888:20 36900:24 36938:6 36985:15 37018:1</p> <p>explained 36884:8 36886:4 36900:1 36970:12 36983:1 37013:11 37014:19 37022:22</p> <p>explains 37023:21</p> <p>explanation 36922:3 36946:21 36959:8,13 37004:6 37013:12</p> <p>explosion 36971:1</p> <p>expressed 36940:25 36942:20,23 36955:3 36963:1 36965:13</p> <p>expression 36961:16 36976:25</p> <p>extensions 36936:21</p> <p>extensive 36880:21 36917:17 36997:21</p>
---	---	---	--	---

<p>extensively 36877:24 36878:3,21 36879:12 extent 36960:11 36975:19 36989:18 36994:6 extraction 36881:6 extraordinary 36925:24 36926:2,16 extreme 36941:15 36976:15 37019:6 extremely 36955:18 eyes 36938:23 36965:23 37017:10 37017:10 eyewitness 36916:22</p> <hr/> <p style="text-align: center;">F</p> <p>face 36907:6,7 faces 36984:23 facilitate 36891:16 36932:12 facilitated 36985:16 fact 36874:20 36878:5 36907:20 36908:8,11 36911:8 36918:18 36944:11 36954:11 36959:10 36972:5 36980:13 36987:22 36988:18 36993:9 36995:10 36998:19 37000:21 37004:4,11 37014:5 37024:3 factor 36894:15,24 36943:7 facts 36937:9 36938:14 36942:20 36952:20 36955:19 36975:19 36992:13 37001:5 factual 36889:3,6,7 factually 36938:18 faculties 36886:15 fail 36971:16 failed 36982:5 failure 36893:18 36894:2,4 36907:16 36909:13 36970:21 fair 36883:7 36887:14 36916:24 36918:17 36919:8 36943:21 36994:1 fairly 36938:4 fairness 36942:8 faith 36970:25 fall 36905:13 36939:10 falls 36874:2 familiar 36920:12,18 36967:25 36968:10 36969:7,8 families 36950:9 family 37017:24 famous 36995:13 far 36883:21 36897:12 36903:16 36922:7 36973:15 37006:7 37008:23 37014:8 37025:13</p>	<p>fast 37002:3 37022:16 37024:7 fatal 36907:22 fault 36988:24 36989:18 feature 37013:7 February 36885:17,20 36895:5 36948:25 36991:1 36992:3 37013:14 fed 37011:12 feel 36896:4 36937:22 36947:12 36948:6,9 36990:12 37019:10 37019:10 feels 36967:22 fell 36937:15 felt 36932:7 fence 37021:25 FFF11 36876:5,25 36885:15 36905:20 36906:3 36911:4 36917:9 36919:20 36925:23 36926:6 36967:3 36998:16 FFF11A 36876:13,15 36891:11 36905:20 36911:4 36917:9 36919:20 36925:23 field 36936:11 36973:14 36977:12 36977:16 36990:21 37021:22 37022:5 fields 37021:17 fight 36955:23 file 37012:6 filed 36992:4 37014:13 37014:19 files 37011:24 37012:15 fill 36982:25 filmed 36988:16 final 36959:16 36964:9 36987:18 37014:3,6 finalisation 36935:21 finalised 36888:13 36934:19 36935:2 finally 36920:23 36927:23 37023:24 find 36876:12 36901:1 36923:2 36979:6,9 36988:24 36991:5 37013:24,24 37019:24 finding 36996:2 findings 36890:9 36919:5 36968:23 36972:16 36993:16 36993:24 36996:5 finds 36918:5,7 36958:23 fine 37025:11 finish 36910:21 36936:19 36952:24 36954:14 37005:11 37025:7 finished 36869:12</p>	<p>36952:11 36953:1,2 37019:14 fire 36873:18 36913:17 36941:3 37024:17 firearms 36877:20 36946:1 36976:11 36978:18 36979:25 36980:4 36984:14,15 fired 36897:1 36913:16 36914:25,25 36915:1 36915:2 36943:5 36944:8 36945:1,17 36946:7 firing 36872:24 36911:5 36914:20 36943:7 first 36876:4,17 36877:6 36879:16,23 36880:12 36885:15 36885:25 36886:2,9 36887:15 36888:5 36897:14 36906:2,7 36907:19 36909:8 36921:5 36927:2 36928:6 36929:6 36935:24 36942:15 36943:23,23 36949:3 36952:25 36954:2,19 36956:13 36959:14 36974:12 36976:13 36976:16 36978:2,9 36978:19 36988:10 36988:20 36990:8,25 36998:15,21 36999:16 37001:8 37013:10 37014:13 37018:8,11 37021:2 firstly 36925:21 36965:18 five 36870:1 36907:9 36938:13 36941:3 36951:5,18 36955:5 36959:3 36992:22 36993:1 36994:8 37000:22,25 37005:11 37011:2 37017:25 37018:8 flag 36905:2,4 36911:21 Flattery 36963:2 flight 36872:2 36959:9 focus 36877:14 36983:21 36993:13 36995:4 folder 36979:6 37011:21,22 37012:9 37013:17 follow 36881:14 followed 36985:18 following 36878:19 36905:19 36928:8 36930:23 36961:4 36970:20 follows 36947:24 37018:7 footage 36896:20</p>	<p>36951:24,24 36958:13 36966:13 37017:17 37018:2,4,5 37018:6,10 37020:19 37023:20,22 force 36877:20 36880:9 36896:1 36918:22 36920:17,25 36945:25 36946:2,4 36969:12,21 36970:5 36970:13,24 36972:2 36975:23 36976:11 36978:11,17 36980:4 36980:7,9 36994:16 36995:22 36996:7 37007:6 forced 36947:22 forces 36877:19,19 36879:16,19,24 36880:1,3,11 36897:18 36922:6 36923:15 36967:6,6 36990:22 foresaw 36985:24 36986:2 foresee 36923:12 36986:9 foreseeable 36947:22 36972:19 36973:2 36975:1 foreseen 36986:8 36991:6 forget 36971:19 Forgive 36995:7 37018:22 forgiven 37005:3 form 36891:17 36934:3 37013:3 37014:1,8 formal 36877:12 forming 36920:9 forms 36879:19 36880:6 formulated 36917:20 formulation 36917:10 forth 36883:19 36952:7 36962:1 forthcoming 36930:7 fortunately 37010:21 Forum 36926:1 forward 36932:21 37022:16 37024:6,8 found 36909:17 36938:6 36940:22 36942:2,18 36945:9 36975:23 four 36879:8 36936:19 37001:17 37011:8 37022:17 37024:25 Fourie 36874:21 frame 37018:4 37020:21 37023:20 frames 37018:5 37023:21 framework 36883:12 framing 36971:20 frankly 36881:21</p>	<p>36890:4 frequency 36989:3 Friday 36935:14 friend 36963:24 front 36881:22 36987:10 37023:12 frustrate 36937:22 frustration 36882:8 36901:23 36903:10 full 36984:22 36998:17 37000:19 37025:4 fully 36939:7 36964:10 full-time 36880:6 functions 36870:18 fundamental 36991:13 fundaments 36978:11 further 36869:5 36870:10 36874:7,18 36900:25 36920:8 36930:3 36950:4 36957:8,19 36975:2,3 36976:22 future 36982:19 36983:19 36985:22</p> <hr/> <p style="text-align: center;">G</p> <p>Gaan 37022:23 gander 36962:20 36964:15 36965:11 37003:15 gaps 36985:6 gather 36948:13 gathering 37010:19 general 36880:13 36895:12 36902:3,3 36903:5,9 36904:1 36927:8,8,24 36980:3 36994:11,18 36999:2 37006:5,5,6 37007:20 37009:20 generally 36877:22 36881:8 36943:3 36944:5 36980:5 Generals 37007:20 generate 36968:19 generates 36988:23 genesis 36954:15 genocide 36878:19 genuine 36896:23 36930:5 getting 36955:16 36976:2 GGG39 36920:21 give 36874:10 36875:14 36883:14 36886:17 36888:2 36898:12 36899:14 36916:15 36918:20 36925:14 36934:8 36938:14,23 36938:25 36945:13 36949:7 36952:23,25 36962:9 36965:1,7 36967:12 36987:4 36989:1 36990:13 36991:18 36993:12 36998:7,11 37000:25</p>
---	--	--	--	---

37002:16 37005:6 37017:19 37018:24 37019:15,18 37021:9 37025:25 given 36874:21,24 36887:5 36890:21 36896:24 36916:21 36920:18 36927:18 36927:19 36934:16 36934:21 36946:11 36954:4 36965:14 36967:13,15 36975:2 36995:1 37000:6,12 37005:1 37011:18,23 37014:8 37016:7 gives 37003:21 37004:10 giving 36881:5 36910:20 36927:24 36966:18 36986:14 37018:23 glories 36975:10 go 36873:10 36881:22 36891:11 36898:14 36905:18 36911:2,19 36912:3 36913:5 36916:13,18 36918:25 36920:20 36922:12 36925:21 36928:5,7,7 36930:9 36936:3,9 36940:5,8 36943:5 36945:14 36947:19 36948:8 36959:3 36965:12 36967:11 36969:14 36970:3 36971:12 36974:4 36975:2 36979:16 36984:4 36988:1,2,14 36989:1 37007:22 37017:21 37024:9,10,25 God 36875:17,18 goes 36912:10 36945:21 36976:22 36980:11 36984:8 37023:12 going 36905:14,24 36916:24 36918:25 36924:10,22 36925:12,18 36934:17,18 36939:3 36941:24 36946:10 36947:18 36949:16 36949:20 36956:2 36960:23 36963:5 36965:15 36966:20 36967:10,16 36972:19 36983:22 36990:24 36997:20 37000:25 37003:17 37007:11 37008:12 37017:2,17,25 37018:8,23 37019:1 37019:13,24 37020:6 37020:9 37024:22 gold 36983:12	gold/silver/bronze 36981:25 good 36870:14,15 36882:19 36885:12 36885:13 36889:23 36928:13 36930:2 36932:13 36966:24 36967:1 36970:25 36987:5 37017:11 Google 36999:13 goose 36962:20 36964:15 36965:11 37003:15 government 36984:6 graphic 36954:18 great 36899:24 36958:9 36990:1 37019:12 grenade 37023:15 grieve 36966:20 grievous 36895:7 ground 36880:25 36881:5 36898:22 36901:24 36902:1,7 36908:13,25 36910:12 36911:7 36921:3 37016:1 group 36896:3 36897:1 36904:6 36921:15 36947:1,16 36959:18 36959:19 36970:25 36998:18 37000:20 37018:14,16,18,20 37021:1,12,23 37022:22,24 groups 36878:9 37003:25 grow 36954:16 guaranteed 36946:2 guess 37012:3 37013:20 guidance 36883:14 guide 36974:9 guided 36990:19 gunfire 36915:23 gunshot 36940:14 36942:2 guy 36939:10 guys 36912:7 Gwelani 36939:20 36940:13,23 36941:25 36942:1 Gwelani's 36942:11,17 GW6 36951:21 36954:17,19,19,23 36955:5 GW6A 36955:5	37026:4,5 halt 36907:16,19 36908:2,17,21 36909:3,14 36910:23 hand 36875:16 36882:2 36968:25 37024:17 handed 36949:24 handful 36951:18 36955:4 36958:15 handle 36965:25 hands 36948:7,10 handy 37013:7 happen 36873:24 36897:23 36907:20 36910:7 36920:16 36928:14 36936:23 36981:23 36987:2 36989:8,12 37006:11 happened 36881:4 36882:20 36884:22 36886:17 36888:1 36889:18 36897:11 36897:15 36901:9 36903:20 36904:3,4,9 36906:6,19 36907:1,2 36907:17 36910:3 36911:10,14 36916:23,25 36917:1 36919:16,17 36923:5 36923:9,11 36927:9 36927:11 36937:6 36938:7,13,24 36939:12 36985:16 36987:1 36988:4 37018:1 happening 36899:9 36902:1 36912:4 36929:11 36983:23 36986:2 36987:25 37018:12 happens 36870:3 36873:19 36914:11 36914:12 36944:14 36953:24 36970:19 happy 36869:19,22 36897:16 36936:4 36950:23 hard 36923:9 36945:8 37012:13 hardcopy 37010:22 Hardy 37006:3 harm 36895:7 37008:15 hasn't 36963:20 36974:10 36988:10 36995:15 hat 36972:6 haven't 36893:20 36900:13 36913:5 36916:14 36934:7,24 36937:2,25 36975:13 36989:7 36992:5,5 36993:25 36998:23 37007:23 37008:6 HD 37017:5 head 36940:15 36942:2	36971:8,14 heading 36988:8 hear 36914:10,11,17,18 36914:24 36915:19 36915:23 36916:2 36952:4,9 37007:16 heard 36892:23 36896:5 36906:2 36912:12,13 36913:13,15,16,16 36914:9,19 36915:5,7 36915:9,21 36939:20 36963:19,20 36964:20 37001:19 37008:18 37017:22 37026:1 hearing 36935:23 36952:24 heart 36980:11 heavier 36947:16 held 36878:13,14 36923:4 36926:3 36933:8 36970:23 36996:1 help 36875:17,18 36901:19 36931:5 36933:25 36934:1 36945:1 36985:15 36986:25 helpful 36883:24 36958:23 Hemraj 36914:17,21 36932:2,15 36933:18 36934:2 36945:12,15 36945:19 36946:15 36948:3 36958:11 36984:12 36985:1 Hendrickx 36869:3 36870:4,7,9,14,15,22 36871:4 36872:4,14 36872:19 36873:6,10 36874:3,12,14,17 36993:22 36997:8 37003:13 37008:17 Heyns 36878:14 he'll 36925:13 36967:23 36979:9 he's 36869:3 36893:4 36904:4 36910:20 36939:24 36941:7 36942:21 36952:10 36963:16,19 36989:19 36995:3,7,9 36995:10,11,11 37003:7 37020:7 HHH8 36911:20 36912:2 high 36878:4,10,21 36944:12 36955:18 36965:19 37016:7 higher 36979:23 36980:7 36984:5 highlighted 36959:25 hinge 36890:5 hinting 36897:8 hit 36871:6 36943:2	36944:10,20,21 36946:9 hitch 36986:4 hitting 36941:9 hold 36937:16 36938:15 36940:25 36967:8 36972:23 36995:21 37002:11 37008:23 holders 36878:11 holding 36892:20 37024:16 holds 36895:25 36984:2 honestly 36926:19 hope 36918:23 36933:22,23 36940:8 36946:19 36963:13 36977:23 hoping 37010:2 horizontal 36941:1,4 horrific 36944:20 37019:23 horrified 36882:22 hostage 36921:6 hostile 36896:22 hour 36957:6 37017:16 37025:3,25,25 hours 36985:14 housekeeping 36950:5 human 36877:14 36878:4,6,10,24 36879:15 36881:20 36905:9 36949:18,21 36950:8 36962:23 36967:4 36968:2,9,10 36968:16,23 36970:23 36974:7 36977:12,14 36994:3 humanitarian 36877:15 36879:15 36883:16 36967:5 hundreds 37017:22 hurdle 36937:24
	H		I	
	habit 37010:12 hadn't 36923:5,10 36991:10 half 36918:23,24 36919:3 36956:16 36981:17 36991:14 37000:15 37004:5 37012:1 37025:21,23		ICRC's 36879:23 36880:5 idea 36923:6 37017:11 37018:24 ideally 36995:21 identification 36985:17 identified 36912:8 36951:18 36955:4 36956:9 36962:16 36971:7 36994:2 37008:2 identifies 36874:21 identify 36881:9,14 36912:4 36914:21,23 36923:9 36925:3,7 36936:7 36953:19 36954:23 36955:12 36955:21 36957:7 36978:19 36989:4 36999:8	

<p>identifying 36997:7 ignore 36965:4 ignored 36964:1 ill 36996:16 illegitimate 36996:3 illustrations 36957:1 image 36999:13 images 36966:20 37019:2,6,11 imagine 36953:16 36957:21 imagining 37010:14 immediately 36946:17 36947:13 imminent 36948:9 imminently 36934:24 impact 36944:11,19 impartial 36963:17,18 implement 36937:5 implementation 36877:23 36949:14 implemented 36949:13 36973:5 implication 36943:17 implicit 36937:6 implies 36968:20 imply 36943:14,16 importance 36957:22 important 36879:19 36896:2 36926:23 36929:13 36953:12 36957:14,23 36963:5 36964:8 36965:12 36975:15 36976:14 36978:3 36981:24 36995:21 impose 36968:22 36996:13 impossibility 36918:12 impossible 36995:23 impression 36934:20 36935:10 36951:7 37024:21 improve 36930:4 improvement 36995:24 inability 36902:6 inappropriate 36954:20 inaudible 36893:5 36904:25 36911:25 36935:1 36948:16 36965:14 36969:23 36982:8 36989:17 37006:17 37020:11 37023:6 incident 36886:16 36890:2 36907:2 36972:23 36986:22 36986:22 36995:13 Incidentally 36902:9 incidents 36920:15 36928:14 36986:8 included 36877:6 36981:15 37004:5 includes 36884:12,13 36884:13 36939:15</p>	<p>including 36877:18 36878:16 36881:5 36928:2 36930:23 37014:25 incomplete 36931:19 36931:20 inconsistencies 36951:20 36959:4 inconvenience 37025:20 incorrect 36889:24 36890:17 36934:20 increased 36973:4 increases 36891:16 independent 36938:16 36958:14 36981:20 independently 36981:10 index 36905:1 36949:24 indicate 36942:4 36956:21 37021:17 37024:16 indicated 36956:14 indicates 36935:8 37022:5 indicating 37003:23 37019:3 indication 36888:3 36920:9 indirectly 36968:17 individual 36872:3 36968:7 36979:22 36988:14 individuals 36881:14 36886:14 36998:18 37000:21 Indonesia 36878:23 36879:7 Indonesian 36878:25 36879:3 Indonesia's 36879:1 inevitable 36986:20,24 inference 36909:16 36943:21 inflict 36946:1 influence 36961:10 influenced 36907:16 36963:9 inform 36949:11 information 36870:17 36872:13 36882:3 36886:7,10,22,23 36888:16 36889:3,6,7 36889:23,24 36890:17 36891:5,8 36901:25 36916:4,21 36927:3,18,19 36959:6 36982:25 36988:23 36991:24 36992:5,6,9,13 37009:16 37010:20 37011:11,18 37012:2 37012:12 informed 36902:6 36905:20 36906:4,6</p>	<p>36911:4,16 36912:18 36917:10 36919:21 36925:23 informs 36924:9 infringed 36977:3 initial 36978:5 initially 36879:14 36922:20 injured 36942:9 injuries 37019:4 injury 37002:1,10 37006:9,23 37008:13 37008:21 innocent 36941:7,10 36942:21 36943:2 36976:22 36981:21 36983:15 input 36917:10 36918:8 36997:2,23 36998:13 inputs 36917:16 inquiry 36875:24 36975:24 inserted 37004:12 inside 36911:11 insight 36981:12 37009:15 inspection 36873:16 36887:20 installed 36872:11 instance 36897:14 instances 36877:20 instantaneously 36942:4 instructed 36935:13 36990:5,19 instructions 36928:24 instruments 36883:15 36972:8 36977:9 integrating 36979:19 Integration 36979:17 integrity 36939:14 36990:24 intelligence 36989:25 36992:21 36994:8 37015:10,11,16,24 intend 36949:24 36950:10 intended 36871:6 36914:8 intent 36987:5 intention 36964:22 36969:18 intentions 36946:23,24 36987:3 36996:20 36999:4 intents 36994:16 interactions 36901:9 interest 36877:22 36880:1 36936:9,10 36936:12 36968:24 36986:7 interested 36871:13 36886:23 36889:3 36896:12 36943:16 36982:3 36989:19</p>	<p>36990:2 interesting 36882:22 36897:13 interests 36949:23 36950:23,25 interim 37021:8 internal 36946:12 international 36877:10 36877:14 36879:12 36880:17 36881:19 36881:23 36883:12 36888:20 36944:3 36967:4,8 36968:18 36969:7,22 36971:6,7 36971:23 36972:2,4 36973:17 36974:1 36975:25 36976:4 36977:9 36980:6 36990:21 36991:20 36991:21 36993:10 36993:23 internationally 36994:13 interpret 36947:14 interrogation 36987:9 interrogatories 36904:23 36905:7,16 36915:16 36919:19 36925:22 36968:2,13 37009:25 interrogatory 36911:3 36913:23 36916:13 37010:8 interrupt 36886:20 36888:23 36910:18 36952:2 37003:5 interrupting 36995:7 intervention 36880:11 36930:24 interventions 36881:17 interview 36891:23 36898:6 interviewing 36882:4,5 interviews 36887:20 36889:11 37010:11 37010:13 inter-training 36979:19 intimated 37025:11,15 introduce 36878:25 introspection 36933:7 invalidate 37009:5 investigation 36886:17 36981:19 investigations 36981:14 37009:14 invite 36876:14 36877:2 37002:2 invoke 36980:15 involved 36885:2 36886:13 36891:14 36895:4 36931:2 36982:20 36996:1 involving 36922:6,13 36923:14 IPCC 36982:4</p>	<p>36985:12 36986:17 IPID 36905:23 36906:1 irony 36988:6 irrespective 36971:24 Isaac 36871:8,23 isn't 36876:13 36915:3 36918:18 36932:18 36936:6 36945:4 36974:13 36984:15 37002:15 37003:17 isolate 36881:14 37011:20 isolation 36921:7 issue 36892:18 36911:2 36928:15 36954:4 36955:23 36966:11 36972:17 36986:16 36991:8 36994:12,14 36994:19 36996:5 issues 36877:22 36878:12 36880:14 36880:15 36907:21 36935:11 36936:9,12 36936:20 36962:15 36968:25 36973:17 36974:17 issuing 36986:15 items 36881:15 36951:18 I'd 36882:22 36925:20 36931:4 36933:23 36943:16 36946:8 36948:22 36967:2 36969:3,6 36980:23 36993:10,12 36998:21 37000:23 37005:10 37007:4 37010:16,20,23,24 37013:20 37015:21 37018:25 I'll 36944:7 36966:17 36967:12,13 36982:13 36983:20 37002:17 37024:6,9 I've 36877:24,25 36878:3,9,15,21 36883:11,14,14,16 36889:10 36890:4,9 36892:23 36893:13 36894:16 36896:20 36903:25 36905:5 36913:2 36924:13,14 36928:20 36929:15 36932:6 36933:6,21 36933:23 36938:21 36938:24 36939:6 36940:25 36947:15 36977:11 36990:10 36990:20,25 36991:2 36991:9,13 36998:25 37001:19,19 37011:18 37017:21 37019:14</p>
J				
ja 36871:4 36884:24				

<p>36887:18 36889:1,5,9 36899:18 36900:4,14 36901:2 36903:13 36907:7,11 36913:7 36918:10,15 36920:14 36924:17 36927:12 36931:10 36936:24 36937:8 36940:16 36948:5 36973:20,23 36974:11 36988:23 36989:16 36992:1 37004:24 37005:5 37007:16 37011:14 37011:25 37012:11 37012:18 37013:4 37015:4,7,21 jacket 36946:7 36959:11 January 36928:5,25 36932:24 36933:2,6 36955:2,7 Jazeera 36951:23 jeopardising 36990:23 jet 36870:21 36871:1,1 36871:3,5 37008:17 JJJ178.10 36998:2 JJJ178.11 36998:3 job 36880:6 37010:17 JOC 36901:7,10 36905:22 36906:11 36906:12,18 36907:1 36908:5,7,11,16 36911:6 36912:11,13 36913:13 36914:14 36988:2 37009:4 JOCCOM 36918:6 36921:4 37001:9,15 37001:23 37002:7,25 37006:20 Johan 36950:17 Johannesburg 36874:23 jot 37010:13 judge 36897:15 36987:11 36996:17 judges 36973:21 judgment 36938:25 36941:5 36969:5 judgments 36888:24 36968:19,22 June 36968:14 36997:23 36998:10 jurisdictions 36974:3 Jurisprudence 36968:15 jus 36974:3 36976:2 justice 36983:6 36987:4 justified 36940:23 36943:6</p> <hr/> <p style="text-align: center;">K</p> <p>keep 36985:5,25,25 36986:13 36995:4 37010:24</p>	<p>keeping 36982:20 36986:12 kept 36985:13 37010:16 key 36923:4 Kidd 36914:5,7,19,23 36915:5,7,18 Kidd's 36915:8 kill 36912:10 36944:9 36946:6 36983:13 36990:6 killed 36939:19 36940:4,14 killing 36940:23 36996:3 killings 36894:24 36898:3 kind 36918:22 36921:2 36921:5 36922:23 36923:14 36932:10 36937:4 36984:15 36988:8 kinetic 36944:12 Kingdom 36968:11 KKK16.5108 36942:17 knew 36906:18 36907:1 36908:10 37013:9 37019:24 knock 36957:11 know 36869:4,9 36872:25 36873:17 36883:21 36887:16 36890:4,8 36892:8 36894:19 36896:9 36897:7,20 36906:10 36906:17 36907:8 36908:5,8,9,12 36915:15 36916:1 36917:1 36919:15 36925:17 36926:5,19 36927:22 36928:23 36932:21 36933:8 36935:3 36937:3,19 36940:1,24 36943:15 36945:15 36950:6 36951:11 36954:25 36956:24 36957:10 36961:10 36966:6,12 36968:1 36972:3 36974:14 36976:21 36977:6 36981:16 36987:25 36990:2 36994:10 36996:16 36997:15,18 37000:15 37001:8,22 37002:5 37003:16 37004:9 37008:5 37011:7,8,9 37012:4 37012:6 37013:6 37014:8 37018:3 37020:1 knowledge 36886:22 36916:22 36917:12 36921:25 known 36907:15 36908:9 36920:6</p>	<p>36922:1 knows 36879:16 koppie 36873:19 36892:3,4 36895:24 36960:7 36988:1 37018:9 37020:14 37021:13 kraal 36958:6 36960:10,11 37018:10 37020:15 37022:14,25</p> <hr/> <p style="text-align: center;">L</p> <p>L 36960:24 36961:7,9 36961:17,22 36962:3 36962:15 36963:10 36964:3,19 36965:9 36999:17 37000:11 37003:20 37004:6,9 37011:6,13 37012:24 37016:20 labelled 36955:4 37011:23 lack 36872:20 36971:2 laid 36975:4 lamented 36982:7,17 landmarks 37018:19 language 36971:14 languages 36879:18 large 36879:4,9 36993:22 36998:17 37000:20 larger 36944:14 late 36970:14 37014:11 lateral 36901:11 law 36877:14,15 36879:15 36880:24 36881:23,24 36883:12,13,14,15,16 36888:20,21 36921:17,18 36944:2 36944:3,4 36967:4,5 36967:9 36969:5,7,19 36971:25 36972:2,5 36972:10 36973:16 36974:10 36975:4,6,8 36975:14,14 36976:3 36976:21,22 36977:6 36978:10 36979:22 36980:6 36984:22 36988:22 lawful 36976:14 lawfulness 36968:4 laws 36969:20 36973:9 lay 36892:3 lead 36946:21 36959:18,19 36988:11 36989:12 36995:24,25 37018:16 37020:25 37021:12,23 leaders 36904:23 36905:16 36919:19 36925:22 36951:3 36952:23 36958:2 36981:16 37012:10</p>	<p>37012:14 37014:9 leading 36869:25 learn 36930:1 learned 36928:4,12 36929:22,23,25 36930:6 36931:6,9,22 36932:8,17,25 36933:4 36936:15 36937:5 36963:24 37002:3 learning 36930:3 36932:12 leave 36875:3 36892:4 36896:7 36924:23 36945:12 36948:13 36981:9 36982:13 37019:15,19 37023:19 37024:13 37025:16,19 leaves 36908:13 leaving 36971:19 led 36890:11 36895:19 36896:14 36897:4,23 36898:23 36907:21 36917:13 36976:6 36982:18 36983:14 36988:11 left 36892:18 36912:6 36981:16 36988:1 37025:5 legacy 36904:2 legal 36873:25 36934:16 36935:10 36945:24 36968:18 36968:20,22,25 36970:6 36974:1 36975:10 36997:3,16 36997:20 37011:1 legally 36974:13 legislation 36888:21 legitimate 36970:6 lesson 36930:6 36932:8 lessons 36925:18 36928:4,11 36929:22 36929:23,25 36931:6 36931:9,22 36932:16 36932:25 36933:4 36934:13,17 36937:2 36937:5 lethal 36945:25 36946:2,3 36969:21 36970:24 36980:9 letters 36955:6 let's 36870:6 36876:17 36891:10 36898:17 36902:8 36909:15 36916:12 36928:5 36930:10,11 36936:3 36952:4 36954:22,22 36955:14 37010:18 37025:22 level 36937:21 36979:23 36983:18 36983:21,25 36984:5 36984:13 36990:1 36991:12 36994:12</p>	<p>36996:11 37000:4 37007:10 levels 36980:7 liberty 36949:25 36953:18 lie 36979:21 Lieutenant-Colonel 36902:10,11,13 36911:12 36913:12 36914:14 36917:15 36917:15,16 36920:21 36962:7 37004:2 37011:16 37013:13 37014:14 37015:2 life 36948:9 36969:19 36970:15,22 36971:1 36972:9 36976:24 36977:3,8,8,9,12 36980:1 light 36881:13 36935:7 36960:12 36965:23 36966:9 36987:5 37017:10 lights 37020:12 light's 36960:18 likelihood 37007:9 37015:17,24 likes 36925:10 limit 36980:13 limitation 36886:5,6 limited 36920:19 36968:16 36975:24 36991:17 37015:11 line 36904:7 36914:6,6 36928:7 36930:10,11 36930:11 36961:6 36969:21 36979:24 37021:4,24 lines 36988:2 37021:17 link 36893:25 36972:22 linked 36895:8 list 36895:5 36905:10 36956:18 listed 36889:11 36959:3 listened 36896:5 37000:7 listening 36896:12 36912:12 36915:6,9 36915:13,15 lists 36970:4 literature 36944:1 litre 36870:19,19 36871:2,3 litres 36871:6 little 36882:21 36890:11 36918:20 36938:16 36973:13 36994:5 37002:3 37010:22 37022:24 37025:7 LLL9 36913:3 local 36994:15 36996:6 location 36945:10 36979:22</p>
---	---	---	---	--

<p>locations 36880:22 Loest 36906:6 log 36985:14 36986:1 logical 36943:4 logically 36918:15 logs 36985:12 36986:6 long 36870:19 36920:22 36934:13 36981:16 36984:11 36985:24 36995:9,19 37009:13 longer 36945:16 Lonmin 36893:15 look 36874:25 36876:14 36880:14 36880:15 36882:25 36886:15 36887:9,17 36890:4,14 36891:4 36893:17 36894:1 36897:6,13 36918:10 36937:14 36939:8 36941:19 36960:23 36967:19 36970:2 36974:6,16,16 36975:9,12,25 36983:18 36984:17 36986:20 36991:20 36992:20,22 36993:1 36993:18 36998:1 37000:4 37006:13 37010:9 37024:4 looked 36883:23 36888:21 36993:15 37006:3 37012:1 looking 36887:12 36890:7 36935:10,12 36938:23 36939:8 36956:5 36965:22 36966:20 36984:9 36990:17 looks 36941:13,21 36943:1 37023:14 lose 36981:12 losing 36944:21 lost 36896:10 36910:11 lot 36874:2 36936:23 36955:17 36957:5 36960:21 36966:12 36987:20,22 36988:5 36989:5 36991:3,15 37000:9 37005:2 37026:2 lots 36873:25 louder 36906:15 loved 37019:5,24 37020:2 37023:18 low 36986:10 lower 36939:14 LRC 36938:20 Lubbe 36950:17 36956:15 36959:10 Lubbe's 36955:11 36959:4 37024:2 lunch 36957:6 36998:11 36999:7,11 37002:18 37003:16</p>	<p>37003:20 37005:4,6,8 37005:19,22 37006:16 37011:17 37016:7 lunchtime 36925:14 lying 36983:5</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>main 36887:14 36934:7 majority 36892:12 36895:21 36896:1,3 36951:19 36958:5,7 36975:22 Majors-General 37001:24 37002:8 37006:21 Major-General 37011:15 Makhubela 36917:15 making 36894:3 36914:22 36936:1 36946:13 36964:23 36969:19 36982:12 36991:5 37008:1 malice 37004:12 malicious 37004:6 Maloetse 36872:7,8 man 36893:4 36939:22 manage 36901:13 36994:20 managed 36881:14 36937:10 36984:2 36989:7 management 36877:21 36921:5,7 36926:1 36945:22,23 manager 36906:12 managing 36984:3 mandate 36878:11,13 36882:17 manifestations 37016:2 manifestly 36961:19 36983:5 manner 36899:21 36900:6,19 manners 36870:24 manual 36878:6 manuscript 37014:1 march 36876:10 36879:17 36885:25 36886:1 36896:20 36926:6,16 36949:1 36992:4 37001:4 37002:7 37006:19 37011:13,22 37012:16 37013:14 37013:16 37014:13 37014:20 marched 36896:19 marginal 36988:8 Marikana 36873:15 36875:24 36882:20 36884:18,19,24 36885:22 36886:15 36886:18 36888:1 36890:5 36892:11</p>	<p>36893:12 36895:3 36897:11,19,23 36899:3,12 36900:8 36900:17,21 36901:22 36902:4 36917:22 36920:3 36927:25 36928:4 36937:4,6,10 36939:12,12 36972:22 36973:5 36983:22 36987:16 36989:23 36991:4,25 36994:22 36995:5,9 36995:11,12 36998:14 37007:15 37011:23,24 37016:2 marked 36940:11 36969:15 37020:10 marking 36940:11 MARTINUS 36870:9 Masinya 36911:20 36912:5,8 mass 36944:22 36946:8 master 36933:17 Masters 36877:11,13 match 36945:8 36998:23 matched 37018:19 materia 36977:9 material 36888:3 36952:21 36955:17 36957:5 36963:10 36964:18 36973:19 36973:24 36974:1,2,9 36974:17 36987:24 37026:2 materials 36975:24,25 Mathunjwa 36892:2 matter 36897:24 36900:12 36908:20 36920:13 36926:23 36936:1,14,21 36937:18 36938:4 36942:21 36943:17 36944:10 36957:21 36963:6 36964:21 36975:12,14 37004:20,20 matters 36877:20 36897:3 36925:20 36957:20,24 36963:10 36975:8 maximum 37026:1 Mbombo 36927:9 37006:6 37007:20 McCann 36968:11,24 36969:4 36970:23 36971:24 36972:12 36975:17,21 36980:2 McCann's 36974:13 mean 36918:7 36946:15 37004:23 meaning 36950:12 means 36906:24 36921:1 36930:18 36947:17 36954:21</p>	<p>36976:13 37008:15 37008:16,16 meant 36946:22 measure 36973:8 36993:21 37008:13 measurement 36941:24 measures 36970:15 36973:3,4 36979:24 mechanical 37009:3 mechanics 36911:13 media 36888:9 37014:16,24 medical 36946:11,11 meet 36924:9 36978:9 meeting 36919:17 36926:24 36927:1,1 36935:12 37001:10 37013:9 37014:1,2 meetings 36886:14,24 36887:15 36904:1 36929:24 36932:6 36933:10 37009:13 member 36877:25 36947:16 members 36884:14 36885:4 36886:13,14 36886:25,25 36887:15,16,20,21 36888:14 36889:11 36891:14,16,17,19,19 36894:18 36895:3,11 36898:6 36905:24 36911:6 36914:23 36920:7,12 36921:2 36925:25 36930:25 36947:11 37017:24 37023:18 membership 36892:12 Menezes 36996:2 mental 37008:22 mention 36878:12 36935:19,20 mentioned 36903:1 36943:19,20 36958:4 36990:10 Merafe 36902:11,13 36904:16,17 36917:15 Mere 36917:16 merely 36979:21 37003:15 37004:12 message 36905:22 36914:12 met 36924:24 36925:4 37011:5 metal 36946:7 methodology 36880:4 36934:8 36936:8 methods 36929:10 metres 36873:21 36940:19 36941:2,4,6 36941:24 36944:16 36944:16,16 37008:19 micro 36890:14 36991:12</p>	<p>microphone 36893:5 36911:25 36935:1 36948:15 36965:14 36969:23 36971:16 36982:8 36989:17 37006:17 37020:11 37023:6 middle 36878:23 milestones 37021:9 militancy 36896:1,4 military 36944:2 36984:21 military's 36881:3 million 36879:11 millions 36987:18,20 mind 36870:3 36995:15 minded 37019:20 mine 36876:13 36895:8 miners 36912:10 37019:3 minimal 36944:18,24 minimise 36957:22 36980:9 minor 36959:21 36960:3 minute 37005:4 37019:14,16,17 37020:2 37021:2,2 minutes 36869:25 36870:1 36873:18 36907:9,9 36926:2,9 36926:12,14 36942:12,15 36945:13 36981:4 37003:17 37013:18 37013:25 37014:2 37017:17 37021:7 37023:4 37025:5 minute's 37019:20 miscommunication 36937:23 misinterpretations 36983:14 mistake 36930:6 36932:8 mistaken 36981:22 mistakes 36929:25 misunderstanding 36937:23 36993:4,19 misunderstandings 36983:14 mitigate 37007:2 37011:10 mix 36881:8 36882:9 mobile 36879:2 36901:12 36984:8 model 36930:4 36986:5 36986:5 Molatedi 36905:22 moment 36870:4 36872:14 36900:3 36904:20 36918:5 36946:20 36957:13 36960:18 37023:14 moments 36923:9 36930:23</p>
--	--	---	---	--

<p>Monday 36873:16 36921:19 money 36987:20 36988:5 months 36936:19 37012:16 Moolman 36913:3,12 36991:16 37014:1 morning 36870:14,15 36885:12,13 36919:16 36925:15 36934:20 36950:15 36966:25 36967:1,7 36978:3 36991:15 37024:3 37025:4 37026:5 mortuary 37001:17 37011:8 motivation 36991:3 mouth 36886:9 move 36903:4 36916:13 36925:8 36965:14 36967:10 36969:4 37017:6 37021:7 37022:12 moved 36991:10 movement 36890:5 36959:18 36960:5 37018:9,14 37020:14 37020:25 moving 36921:11 36934:9 36939:23 36959:16 37019:22 37021:22 Mpembe 36903:5 36904:1 37001:24 37002:8 37006:5,21 37007:20 37009:20 Mpembe's 36903:9 Mpofu 36873:20,23 36928:15 36936:2 multiple 36922:6,13,13 36923:15 murder 36895:7,8 mustn't 36910:18 36974:13</p> <hr/> <p style="text-align: center;">N</p> <p>name 36871:18,22 names 36898:12 narration 36951:7 36952:7 narrative 36904:3 36939:15,16 36956:22,25 36964:23 36965:1 37018:13 narrow 36955:12 36959:2 narrowed 36954:25 national 36878:19,25 36888:21 36898:15 36898:18,19 36899:2 36899:11,19 36900:7 36926:1 36929:6 36935:12 36943:24</p>	<p>36948:23 36949:13 36973:9 Nations 36877:24,25 36878:16 nature 36882:8 36952:13,20 37019:4 near 37022:8 necessary 36869:5 36880:17 37020:6 necessity 36970:7 36999:6 need 36879:24 36882:3 36893:11 36897:21 36918:24 36920:8,13 36920:22 36922:19 36922:23,25 36923:16 36937:17 36939:11 36950:5 36960:2,12 36969:20 36983:7 36984:10 36988:12,21 36989:13 36993:3 37011:19 37013:10 37015:24 37021:8 37024:4 needed 36922:3 36923:24 36933:8 36982:25 needs 36878:17,18 36923:25 36924:1 36937:15 36942:20 36946:21 36960:7,10 36984:6,25 negative 36932:11 negotiations 36880:17 36891:18,21 Neither 36921:5 never 36872:10 36881:12,17 36882:23 36902:17 36902:19,21 36910:25 36915:20 36915:21 36920:25 36929:4,21 36930:20 36930:22 36932:6 36946:22 36958:4 36968:18 36983:11 36996:19 36997:6,13 36998:19 36999:18 37000:21 37010:14 nevertheless 36982:2 new 36871:8 36915:22 36927:4 36949:24 36968:18 36978:10 37009:15,16 news 36882:20,21,21 36882:22 36885:20 night 36934:19 36935:2 36935:21,22 nine 37025:9 Nkaneng 36960:7 NMF 36926:16 nod 36971:8 nodded 36971:14 noise 36982:12 nominate 36873:22,23</p>	<p>non 36952:14 non-sitting 36957:9 non-violent 36976:13 normal 36921:21 normally 36966:18 normative 36883:12 36888:24 norms 36968:18,19 36977:18 North 36872:4 36874:22 northern 36960:11 north-west 37023:13 north-western 36960:10 notably 36878:22 36917:14 note 36921:22 36943:9 36958:18,24 37009:23 37018:15 37022:11 noted 36951:2 36968:8 37020:21 notes 36959:18 36969:18 37010:1,4 37010:10,15,20,22 37013:25 37014:6,7 notice 36967:16 nowadays 37010:21 NUM 36888:8 36891:24 36895:14 36896:2,10,11,19,21 36897:1 number 36878:5 36905:10 36916:15 36920:15,17,19 36934:24 36936:21 36957:21 36962:13 36962:14 36984:14 37014:3 37023:25 37024:14,16 numbering 36921:15 numbers 36896:1 36905:11 36913:5,6 36916:14 37024:15 numerous 36968:5 Nyala 36890:6 36911:11 36958:6 37021:9,11 37022:2,8 37022:11,12,14 Nyalas 36959:17 37018:14 37020:25</p> <hr/> <p style="text-align: center;">O</p> <p>oath 36875:10,12,13 36948:21 36983:4,9 37005:25 37020:7 object 36892:24 36956:10,15 36961:9 36961:12 37016:13 objection 36871:15 36950:13 36951:2,14 36952:3,8,13,21 36954:7,10,11 36956:5,8 36957:7 36958:18 36960:20</p>	<p>36971:20 37002:21 objectionable 36952:15 36956:7 objections 36951:4,17 36953:20 36958:3 objective 36890:25 36958:14 36976:14 36987:23 37009:1 objectives 36970:7 obligation 36972:9 obligations 36968:22 obliged 36983:9 observed 37024:3,15 observing 36977:15 obtain 36870:16 obtained 36889:4 36891:4,7 37012:14 obvious 36872:22 37023:12 obviously 36886:12 36895:22 36923:6 36950:21,23 36951:2 36951:25 36952:10 36952:15 36957:14 36959:13 36966:11 36969:5 36973:8,15 36973:18 36974:8 36976:1 36980:24 36987:21 36992:9 36994:22 37001:4 37007:8 37008:13 37010:6 37011:18 37012:14,16 37013:8 37014:14 37023:20 occasional 37000:8 occasions 36884:21,25 36892:2 36934:24 37019:8 occur 36881:16 36891:5 36919:1 36947:23 36972:24 occurred 36904:4 36985:15 36989:3 37000:7 37009:2 occurrence 36890:2 36929:8,11 36986:1,5 occurring 36947:24 occurs 36973:7 36986:11 37008:15 offer 36890:10,12 offered 36952:14 Office 36878:4,10 officer 36872:7,8 36874:20 36911:20 36912:5,8 36980:16 36980:18 36988:17 36988:20 36999:24 officers 36968:7 36982:1,24 36983:1,2 36988:14 36996:1 36999:10 37011:5 37015:20 offices 36896:19 36897:1 official 36979:22 officials 36881:23</p>	<p>36921:14 36977:19 36986:18,24 Oh 36953:3 okay 36869:19 36882:2 36883:3,7 36884:6,9 36898:14 36911:1 36914:12 36915:14 36917:6 36919:10 36925:5 36931:23 36940:2 36999:18 37001:7,22 37013:17 37013:22 old 36981:18 36991:14 Olympics 36881:2,3,12 Omega 36918:23 omitted 36938:4 once 36879:22 36958:20 36970:12 36986:8 37010:23 ones 36931:1,2 36985:18 37019:5 37020:2 37023:18 one-eighth 36947:11 onset 36996:20 open 36896:7 36932:17 36991:6 opened 36895:6 operated 36872:6,7 operation 36872:12 36898:21,21 36905:23 36907:17 36908:17,21 36909:3 36918:14,21 36919:23,25 36921:21 36922:5,7 36922:23 36923:14 36923:16 36931:2 36932:10,11 36946:17 36968:6 36971:2 36980:7 36983:18 36984:15 36989:22 36990:3,9 36991:12 36998:14 operational 36882:10 36898:15 36910:14 36920:1 37003:21 37004:18 37012:5 operationalisation 36973:10 operationalised 36882:12 operations 36878:1 36929:10 36980:4,8 36980:13 36983:16 36983:19 36986:3 operator 36872:2,3 36893:17 operators 36874:23 36912:6 operator's 36872:6 opinion 36889:22,24 36890:2,16,17 36907:16 36918:14 36924:8 36961:16 36962:21 opinions 36916:9</p>
--	---	--	---	--

<p>36938:15 36952:14 36961:16 opportunities 36894:7 opportunity 36882:14 36883:1 36884:5 36885:21 36897:9 36902:22,24 36960:2 36965:6 36967:19 36996:24 37006:15 37019:16,18 opposite 36976:7 opted 36904:8 option 37001:16 37002:1,9 37003:4 37006:23 options 36892:18 36920:6,19 oral 37000:11 order 36877:21 36880:15,20 36882:25 36920:15 36921:6,10,12 36933:13 36943:20 36945:22,23 36948:24 36949:9 36960:16 36970:15 36980:1 36983:13 orders 36986:14 organisation 36877:23 36879:21,24 36881:19 36895:2,10 36900:22 36930:4 36932:12 36933:7 36937:12,14,15 36971:2 36973:1 36978:12 36984:1 36996:7,10 organisational 36877:13 36939:11 organisation's 36880:7 organise 36983:17 organised 36961:4 36980:13 organises 36983:25 organs 36946:13 oriented 37020:17 original 36879:18 37014:9 originally 36915:25 36951:7 Osman 36972:15 outcome 36898:20 36899:25 outlandish 36937:9 outlines 36917:23 outside 36882:19 36929:13 36934:15 36935:19 36957:9 36968:23 overall 36979:23 36985:13 overemphasise 36981:11 overflow 37017:24 overlap 36877:9 36978:8</p>	<p>overlooked 36970:11 overnight 36925:9,12 36925:14 37026:3 overwhelming 36958:5 36958:7 owner 36982:13 o'clock 36906:18 36948:13 37001:24 37002:25 37006:21 37023:2 37025:18 O-L-E 36871:20</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>P 36940:11,18,18 36941:16,18,19,20,22 page 36876:5,16,17 36891:12 36905:18 36911:3 36912:3,4 36913:4,5 36914:6 36916:13,14 36917:8 36928:7,22 36930:10 36940:9,9 36941:13 36960:23 36967:3 36968:12 36969:16 36969:24 36970:1,2,4 36970:8 36978:20,20 36978:21 36979:12 36979:13,13,14 36998:5,16 37003:22 37003:22 pages 36913:11 36940:8 37005:3,16 37005:18 37006:3,13 pain 37019:7,12 painful 37019:25 panel 36872:6,7 paper 37008:7,25 37014:10 par 36996:18 paragraph 36871:12 36872:5 36891:11,12 36893:9,9 36905:19 36906:3 36911:2,23 36912:5,11 36913:3,4 36913:6,7,9,10 36916:15,16 36917:8 36919:19 36920:22 36920:22 36925:21 36957:12,12 36967:3 36968:12 36970:9,9 36970:20 36998:16 37000:18 paragraphs 36905:18 parent 36994:16 pari 36977:8 parochial 36971:6 part 36878:9 36879:25 36880:2,6 36891:18 36892:11,21 36893:21 36895:14 36907:21 36908:13 36912:21 36920:9,12 36935:13 36946:22 36951:8,9 36957:16 36959:8,12 36975:6 36976:9 36981:9</p>	<p>36984:3 36987:6 36993:4,17 36997:17 37000:3,7 37024:1,1 37024:3,5,5,7,8,8 participated 37009:10 particular 36877:21 36883:4 36890:3 36899:14 36921:24 36945:10 36951:4 36953:16 36955:22 36958:11 36970:5 36972:18 36973:1 36978:17 36984:23 36989:22 37004:16 37004:16 particularly 36878:12 36880:14 36885:5 36903:10 36944:3 36967:5 36996:6 37017:10 37019:23 parties 36901:10 36922:13 36993:6 37012:10 partly 36893:6 36894:11 36898:2 parts 36887:24 36889:12 36954:11 36956:10 36965:9 37024:1 party 36883:13 passage 37006:4 passages 36955:22 path 36880:12 patrol 36988:14 pause 36958:9 37021:2 37021:15 37024:1 payments 36891:17 PC 36984:8 37007:11 PDF 36979:5 Peace 36982:20 Peacekeeping 36878:1 people 36870:25 36872:15,24 36879:12 36880:4,6 36881:15 36882:1,9 36888:7 36889:19 36894:25 36895:19 36896:1,4,14 36897:5 36897:20 36898:12 36901:11 36908:12 36908:25 36910:12 36914:20 36915:12 36931:1 36933:2 36937:17 36938:19 36938:22 36939:19 36942:9 36947:1,8,8 36957:10 36972:21 36972:24,25 36976:22 36986:12 36991:10 36996:10 37007:18 37009:18 37010:13 37019:5,9 37019:19,24,25 37022:25 people's 36917:2 percentage 36994:20</p>	<p>perception 36930:6 perfect 36996:19 perform 36966:18 period 36887:17 36888:10 36910:12 36991:18 37021:8 37025:4 permission 36884:1 permit 36943:25 permitted 36881:16 36897:13 36951:1 36958:25 36960:15 person 36871:6 36906:18,25 36911:14,17 36916:5 36927:2,5 36943:5,9 36956:7 36975:1 37008:18 personal 36869:14,16 36869:17 36882:7 36916:22 36929:16 36937:21 36991:2 36993:7,8 personally 37012:11 personnel 36879:3,5 36984:1 persons 36921:15 person's 36914:21 36983:15 perspective 36928:1 36991:19 persuade 36963:13 persuasive 36973:19 36974:8,16 36975:7 36975:12,23 pertain 36884:12 pertinence 36996:5 pertinent 36984:14 pervert 36983:6 36987:3 phases 36919:2 Philip 36878:13 phone 36982:11 36984:8 phones 36901:12 photograph 36940:9 36961:2 37022:6 photographic 36942:11 photographs 36960:22 36962:1 phrased 36976:6 physical 36884:14 36915:20 36918:11 36930:22 physically 36881:10 pick 36975:22 37022:18 picked 36960:4 picture 36953:15 36981:11 pictures 37019:2,4,8,13 37019:23 piece 36954:2 36986:25 36989:2 pieces 36953:12 37000:22,25</p>	<p>37005:11 37011:2 37014:9 pinpoint 36887:24 36892:9 Pitsi 36917:16 place 36891:21 36912:9 36927:1 36940:18 36959:23 36968:1 36982:1 36984:21 36990:13 36994:4 37007:21 37008:8 37009:8,10 37010:21 placed 36878:1 36879:22 36955:19 37001:18 plain 36941:5 plainclothes 36881:8 plan 36917:11,17,19,22 36918:1,6,8,23 36919:1,24 36920:2,3 36920:10,11,13 36921:3,9,12 36922:11,11,13,15,17 36922:23 36923:1,2,6 36923:17,19,20,24 36924:4,5,9,19,19,21 36924:24 36925:3 36941:14,15 36946:24 36966:3 36980:8 36999:3,9,21 36999:25 37000:3,13 37003:21,24,25 37004:3,4,8,11,11,14 37007:14 37014:15 37015:5 planned 36919:5 36924:6 36959:1 36960:16 36986:6 planning 36918:14 36921:22 36968:5 36989:25 36992:21 36994:8 plans 36924:13,14 36986:5 36998:19,22 36998:23 37012:5,23 37013:1 plastic 36959:10 37024:4 Platinum 36894:8 play 37016:10 37020:24 37021:2,14 37024:5,10 played 37022:19 players 36976:25 playing 36977:16,17 37018:11 37021:18 pleaded 36892:3 please 36875:10,16,19 36876:6 36886:20 36891:9 36905:24 36918:21 36929:20 36953:4 36955:7 36982:12 36991:14 36998:8 37002:16 37019:22 37026:5 pleasing 36918:21</p>
--	---	---	--	---

<p>plenty 36933:23 36938:12</p> <p>plied 36939:10</p> <p>plight 36896:21</p> <p>plus 36886:13 36889:14,17,18 36901:11</p> <p>PM 36942:3</p> <p>poging 37025:23</p> <p>point 36882:11,19 36892:15 36897:14 36897:17 36904:10 36923:4,8 36929:7,25 36931:14 36934:10 36934:17 36935:7 36943:8 36950:5 36952:1 36953:16,22 36953:24 36959:18 36963:22 36964:14 36964:15 36971:18 36973:11 36974:10 36974:12,19 36976:21 36985:3 36987:18 36988:18 36989:19 36991:10 37005:12 37018:12 37021:15 37022:6 37025:15</p> <p>pointed 36932:16 36938:19,20,21 36956:5 37007:5</p> <p>pointer 36953:24</p> <p>pointing 36881:25 36882:11</p> <p>points 36883:2 36932:12 36956:14 36956:16 36959:25 36960:3 36964:16,17 36995:22 36996:24 36997:7,13,21 36998:4</p> <p>policeman 37013:5</p> <p>policing 36877:12 36878:6,19 36879:1,2 36879:5 36881:20 36936:12 36943:21 36948:24 36949:9 36980:4,6 36986:3 37009:13</p> <p>policy 36984:7</p> <p>POP 36917:10,17 36918:8 36920:5,6,7 36920:12 36922:1,2,4 36943:25 36947:8,8 36947:10 37006:6 37012:5</p> <p>POPS 36945:16,19 36946:17</p> <p>population 36879:6</p> <p>Portfolio 36898:24</p> <p>portion 36961:20</p> <p>portions 37000:11</p> <p>portrayed 36961:5</p> <p>pose 36944:7</p> <p>posed 36953:10 36968:2 36984:13</p>	<p>poses 36943:12</p> <p>position 36879:23 36904:8,13 36914:9 36942:11,15,18 36947:22,25 36952:23,25 36955:10 36959:20 36975:13 36976:4 37018:18</p> <p>positioned 36904:5</p> <p>positive 36932:9,11</p> <p>possibilities 36943:3</p> <p>possibility 36901:24 36980:8,15 36986:13 37008:14,22</p> <p>possible 36880:25 36904:9 36917:23 36956:12 36957:3 36970:15,18,19 37001:16 37007:11 37008:11,20 37025:6 37025:21</p> <p>possibly 36890:8 36957:15</p> <p>Potchefstroom 36933:9</p> <p>potential 36946:2 37008:11</p> <p>potentially 36945:24 36946:3 36953:22</p> <p>powerful 36965:23 36966:9</p> <p>powers 36978:13</p> <p>practical 36873:17,17 36920:13 36984:13</p> <p>practice 36881:24 36882:10 36995:12 36996:8,12</p> <p>practices 36880:5 36930:5 36991:21</p> <p>Practise 36979:17</p> <p>practised 36920:7</p> <p>precaution 36969:8 36970:12,21 36972:1 36987:19</p> <p>precautionary 36979:24</p> <p>precedent 36897:20,22 36969:6</p> <p>precise 36890:2,2 36970:9</p> <p>precisely 36956:14 36963:4 36976:19</p> <p>precision 36933:1</p> <p>predilection 37016:4</p> <p>prefer 36946:8</p> <p>preference 36869:17</p> <p>preferred 36904:19</p> <p>prejudice 37003:18</p> <p>prejudiced 36955:16 36956:1,2</p> <p>prejudicial 36961:13</p> <p>premeditated 36981:8</p> <p>prepare 36882:25 36905:24 36929:3,5 36929:22</p> <p>prepared 36874:10</p>	<p>36875:10 36888:12 36905:9,20 36906:3 36906:21 36907:15 36911:4 36913:19,22 36917:9,24 36918:2 36919:20 36921:4 36925:23 36950:7,20 36951:23</p> <p>preparing 36928:16 36930:13 36931:16 36931:21</p> <p>present 36884:15 36901:11 36946:12 36955:24</p> <p>presentation 36898:23 36962:21</p> <p>presentations 37024:18</p> <p>presented 36893:14 36896:18 36950:15 36993:16</p> <p>presenting 36918:11</p> <p>preserve 37010:18</p> <p>preserved 36971:12</p> <p>president 36896:11</p> <p>pressing 36869:10</p> <p>pressure 36987:11</p> <p>presumably 36914:25 37004:13</p> <p>Pretorius 36905:21,25 36906:5,11 36908:9 36913:18</p> <p>prevent 36961:19 36966:8</p> <p>prevented 36899:25</p> <p>preventing 36988:8</p> <p>prevention 36969:8 36970:12 36972:1</p> <p>previous 36912:3,4 36930:10</p> <p>previously 36890:21 36912:24 36936:14</p> <p>pre-marking 36950:1</p> <p>principally 36952:13</p> <p>principle 36965:12 36969:7,9 36971:7,23 36971:25 36972:1 36974:9 36975:5 36979:19 36980:2,3,5 36985:8</p> <p>principles 36921:10 36971:5 36972:4,5 36975:18 36976:10 36979:25</p> <p>printed 36979:13</p> <p>printing 36961:3</p> <p>prior 36886:18 37014:12</p> <p>prisoners 36880:16,18</p> <p>proactive 36972:11</p> <p>probabilities 37008:3</p> <p>probability 36924:2 36986:10 37007:8</p> <p>probably 36882:18 36921:24 36941:2 36955:13 36987:20 36993:3,4 37009:2,19</p>	<p>37017:16 37020:13 37023:17 37024:13 37026:3</p> <p>probate 36955:18</p> <p>problem 36872:12 36897:7 36904:22 36908:11,14 36909:16 36923:11 36937:3 36943:4,19 36944:11 36947:20 36955:21 36957:19 36965:21 36972:4,13 36983:24 36984:4 36986:17 36988:25 37004:19,25 37012:2 37025:2</p> <p>problematic 36991:17</p> <p>problems 36903:2 36909:13 36955:5 36974:3 36976:2 36984:23</p> <p>procedures 36920:2</p> <p>proceed 36953:4 37003:13</p> <p>proceedings 36869:1 36875:24 36887:25 36888:4 36971:10</p> <p>process 36894:1 36923:3 36954:22 36955:1,15 36958:17 36958:19,21,25 36959:2 36982:4 36988:10 36994:4,6 36997:4,17 37009:17 37010:5,19 37013:11</p> <p>processes 36982:19 37008:24</p> <p>produce 36879:14 36897:13 36907:23 36928:3 36929:14 36930:20 36931:1 36937:11 36956:20 36996:11 37016:1</p> <p>produced 36892:11 36897:12 36926:6 36929:8 36933:11 36935:14 36937:2,10 36981:7 36982:2 36997:12,23 37013:6 37015:23</p> <p>produces 36937:24 36944:18,20</p> <p>producing 37008:14</p> <p>product 37007:21</p> <p>production 36934:18</p> <p>professional 36877:3 36878:5 36930:4 36936:11,12 36987:6</p> <p>professionalism 36939:14 36990:24</p> <p>Professor 36878:12,14</p> <p>Programme 36878:17</p> <p>programming 36878:18</p> <p>progress 36928:18 36930:14</p>	<p>prohibit 36944:6</p> <p>project 36878:22</p> <p>projection 37016:8</p> <p>projector 36966:9 37017:5</p> <p>promised 36934:23</p> <p>prompt 37025:2</p> <p>proof 37009:1</p> <p>propagate 36894:5</p> <p>proper 36922:11,14 36970:21</p> <p>properly 36873:13</p> <p>properties 37013:5</p> <p>property 36895:4,7</p> <p>proposal 36958:1,18</p> <p>propose 36936:1 36950:25 36964:25</p> <p>proposed 36921:4 37001:25 37002:9 37006:22</p> <p>proposition 36891:24 36974:20 36976:8 36980:21</p> <p>protect 36879:14 36972:9,21 36973:4 36976:22 36978:2,17 36980:1 37014:16,23</p> <p>protection 36921:13 36969:18</p> <p>protest 36888:22 36891:16</p> <p>protesters 36870:24 36921:13</p> <p>protestors 36961:5</p> <p>prove 36983:5</p> <p>proven 36985:12</p> <p>proves 36987:23</p> <p>provide 36890:7 36920:4 36923:24,25 36928:10 36986:23</p> <p>provided 36958:20 36978:21 36992:9 37005:13 37016:16</p> <p>provides 36921:6</p> <p>providing 36870:24 36871:5</p> <p>Provincial 36900:16 36901:4,7 36919:22 37001:25 37002:9 37003:1 37006:22 37011:9</p> <p>provision 37013:13</p> <p>provisions 36973:25 36979:25</p> <p>public 36877:14,21 36880:15,20 36888:22 36895:10 36895:12 36920:15 36943:20 36945:21 36945:23 36948:24 36949:9 36967:4 36980:14 36983:3 37023:18</p> <p>publication 36878:8</p> <p>published 36879:16,17 36888:10</p>
--	---	--	--	--

<p>puff 37024:14 pull 36943:12 36970:17 36972:6 pulse 36870:18,19 pure 36963:25 purport 36956:17 purported 37000:13 purporting 36938:17 purports 37003:21 37004:10 purpose 36937:23 37014:18 purposes 36953:20 36955:24 36958:24 36994:17 pursue 36976:15 push 36929:24 37025:12 pushed 36929:15 36933:6 pushes 36873:21 put 36886:8 36891:7,24 36893:16 36897:10 36918:10 36919:23 36932:21 36935:20 36946:4,20 36947:25 36952:3 36957:10 36961:2 36962:3,20 36964:18 36970:10 36972:25 36973:12 36975:9 36976:20 36981:18 36986:1 36988:7 36994:18 36996:18 37004:20 37004:23 37005:14 37005:18 37008:24 37014:4 putting 36946:16 36954:9 pylon 36958:7 37021:23,24 37022:9</p>	<p>36945:12 36947:21 36948:22 36949:10 36953:10 36954:4 36956:13 36962:6 36967:10 36969:4 36984:13 36985:3 36989:8,18 36990:7,8 36991:13 36992:18 36994:9 37000:8 37003:7,20 37004:19 37004:22 37008:10 37012:21 questioned 36962:15 questioning 36889:18 36904:4 36914:7 36981:8 36987:8 questions 36869:5,7,11 36870:6 36872:21 36873:3,4 36874:18 36885:7 36933:23 36934:6 36953:9 36959:2 36989:9 36996:14 37009:16 37011:12 quibbles 36958:15 quick 36998:1 quickly 36987:22 quite 36892:10 36928:2 36956:11 36957:21 36972:25 36973:6 37011:25 37014:11 37019:23 37026:2 quote 36899:14</p>	<p>rationale 36989:11 reach 36871:6 36908:12 36980:22 reached 36914:8,8 36959:7 36987:13 reaches 36958:6 reaching 36992:16 37007:24 37022:14 react 37019:11 read 36882:25 36883:22,22 36887:1 36887:2,5 36912:20 36919:12 36920:22 36930:11,11 36931:24 36956:16 36961:3 36971:13 36993:10 readable 36952:18 reading 36929:23 36997:3 ready 36937:5 37019:21 real 36953:12 36955:9 realise 37000:4 realised 36879:24 realities 36977:13 reality 36897:23 36901:12 36921:25 36937:20 36983:10 36985:23 really 36870:5 36871:13 36883:21 36898:11 36917:2 36947:19 36954:3 36955:15 36998:19 37000:21 real-time 36989:12 reason 36962:5 36963:21 36980:18 36981:19 36985:4 36988:1 36990:14 reasonably 36947:21 reasonings 36897:8 reasons 36884:8 36965:17 recall 36888:8 36926:20 36969:1 36999:15 37000:14 37004:15,16 37013:19 recalled 36913:17 receive 36984:7 received 36872:10 36886:23,24 36914:16 36934:4 36955:3,9 36997:1,4 36998:5 37012:15 37013:15 receiving 36882:17 recensions 37014:3 recognise 36876:7 36897:22 36929:13 36937:12,15,19 recognition 36870:20 recommendation 36873:11 36874:6</p>	<p>36985:22 36987:7 recommendations 36880:21 36934:1 36943:23 36946:21 36982:18 36988:12 36995:24 recommended 36945:16 reconstruct 37013:3 reconstructed 37012:25 reconstruction 36885:2 37010:1 record 36959:24 36978:16 36985:23 36996:23 37013:18 37018:15 37020:9 recorded 36971:17 36988:15 36998:17 37020:20 recorder 36872:10,11 36872:17 36982:12 recording 36926:2 36985:5,8 36986:21 36986:23 37009:3 records 36982:18 36985:25 36986:25 36997:12 recovery 36881:6 recruited 36880:4,8 red 36879:13 36880:18 37018:16 37021:23 37021:24 redress 36898:25 reduce 36991:8 redundancy 36947:18 refer 36942:16 36953:21 36958:23 36959:4 36961:24 36972:7 36981:13 36989:10 36991:23 36995:13 reference 36879:19 36909:16 36928:6 36934:8 36936:8 36972:12,14 36978:3 36990:12 36992:15 36992:19 36998:8,9 37002:16,21 37004:17 37005:7,15 37024:9 references 36965:4 36967:12 37002:18 37002:24 37006:16 referred 36883:20 36890:13 36893:9 36904:21 36919:22 36950:2,11 36969:15 36974:20 36978:2 37006:3 37007:12 referring 36870:22,23 36870:25 36872:5 36920:5 36964:19 36967:25 36998:22 refers 36959:7,14,14 36960:6 36999:1,4</p>	<p>reflection 36921:24 37008:10 Refugees 36878:22 refusal 36893:15 refuse 37015:14 refused 36992:6 regard 36928:18 36930:15 36931:16 36943:18 36953:11 36954:15 36961:22 regarded 36921:20 regards 36885:5 36914:18 36984:13 36991:3 regional 36968:15 36971:7 36972:8 registering 36986:13 regular 36955:6 regularly 36891:19 36920:7 reiterate 36990:20 reiterating 36939:12 relate 36978:12 related 36908:20 36919:18 36937:9 36966:11 37011:24 relates 36881:24 36888:22 36959:9,16 36967:5 37007:6 relating 36877:20 36967:8 36991:24 37009:25 relation 36870:17 36932:25 36933:3 36938:10 36954:15 36955:11,25 36960:20 36962:15 36963:6 36973:16 36995:9 relations 37020:2 relationships 36897:10 relatives 37019:5 relay 36901:24 released 36974:25 relevance 36968:20,25 36969:4 36972:16 36996:6 relevant 36885:21 36951:20 36977:6 36991:20,21 36994:15 relied 36888:17 reluctant 37015:14 rely 36891:5 36916:23 36917:1 36959:5 36967:16 36981:10 37009:8 remained 36913:12 remains 36937:20 36943:4 36958:18 remedies 36899:9 remedy 36932:14 36963:21 36982:22 remember 36926:19 36927:1,7,7 36928:1 36930:24 36934:14</p>	
Q		R			
<p>qualification 36894:20 36915:22 36958:21 qualifications 36877:12 36967:8 qualified 36993:14 37006:24 37007:1 qualify 36965:3 quality 36943:19 quarter 36869:20 37024:25 37025:3,9 37025:25,25 question 36872:23 36882:24 36890:16 36893:6,17,20,20 36894:22 36896:9,23 36900:6,6,13 36905:19 36906:2 36909:9 36911:3 36922:18 36923:14 36924:16,18 36925:22 36928:10 36931:12 36933:1,12 36934:7 36939:18</p>	<p>rabbit 36972:6 radio 36908:8 36909:16 36911:6,10 36912:13,14 36913:13,15 36914:2 36914:9,13,13,18,24 36915:6,9,22 36916:2 36916:6 36985:6,9 36987:24 radios 36908:11 36909:17,23 36915:12 railway 36904:7 raise 36875:16 36882:1 36954:14 36956:7 raised 36936:21 36956:16 36958:4 36960:20 raises 36955:9 raising 36985:2 ran 36878:23 rands 36987:20 range 36934:6 36944:8 36944:19 36955:12 rank 36962:8 37016:21 raped 36974:25 rapporteur 36970:10 36971:5 rapporteurs 36878:11 36969:17 rate 37020:21</p>				

<p>36934:18 36935:3 36975:20 37002:15 37002:20,22 37005:1 37005:3,14 37013:21 37016:21 37019:22 remembered 37011:20 remind 36869:3 37013:24 37020:7 render 36984:10 rent 37010:20 repair 36988:9,11 repeat 36877:6 37002:3 repeated 36958:10 replaced 36965:19 replied 36912:8 reply 36903:14 36952:10 report 36883:18 36888:9 36907:15 36913:19 36914:22 36928:13,14,18 36929:2,3,5,22 36930:14,19,20,22 36931:16,21,25 36932:3,25 36933:3 36933:14 36936:22 36938:7 36942:3 36958:23 36969:17 36970:2,4 36981:15 reported 36934:13,14 reports 36906:21 represent 36895:22,22 36896:3 36993:9 representation 36954:18 representative 36878:2 37018:18,21 37021:22 representatives 36873:25 36934:16 represented 36896:5 36901:10 represents 36893:12 36911:8 37021:4 reputation 36939:13 request 36880:9 36921:16 36990:14 36992:20 36998:3 requested 36929:3,4 37001:17 requests 36958:10 require 36920:2 36922:2 36935:16 36948:8 required 36894:20 36921:21 36922:10 36922:14 36959:22 36966:14 requirement 36939:11 36970:11 37008:24 requirements 36924:9 36924:24 36925:4 36945:24 36970:4 36976:12 36978:10 36982:1 36994:18 36996:18</p>	<p>requires 36968:5 requiring 36980:6 rescue 36970:14 research 36886:16 reserved 36955:25 resolve 36951:4 36954:22,24 36955:8 resort 37016:4 resounding 36953:11 resources 36923:8 36990:1 37014:16,24 respect 36896:9 36901:20 36939:5 36955:20 36968:8 36973:9 36980:1 37009:9 37015:9 respectfully 36931:5 respects 36898:10,18 36900:20 36902:2 response 36914:15 36920:11 36928:10 36968:14 36969:1 36994:5 36997:1 36998:5 37001:16 37010:7 responses 36897:2,15 36929:24 responsibilities 36882:1 36922:16 36937:13 36978:13 responsibility 36882:11 36883:16 36891:20 36892:13,17 36893:7 36893:21 36895:11 36962:16 36979:21 36979:23 36980:15 36980:20 36987:6 36997:18 responsible 36878:7 36892:21 36893:1,16 36894:11 36961:23 36962:2,17 36972:20 restrictions 36921:11 restructure 36879:1 rests 36893:7,22 result 36897:12 36907:23 36929:9 36937:11 36958:19 36981:7 36996:11 results 36968:4 resume 37003:19 37005:19 resumes 36869:2 36948:19,20 36981:5 37005:23,24 37020:4 37020:5 37023:8,9 37024:20 retain 36932:13 reticence 36930:5 retrain 36879:1 return 36992:18 reverse 37013:2 review 36885:21 36959:24 36989:24 36990:3,9 37006:16 revised 36960:8</p>	<p>36978:6 revision 36959:14,16 revisions 36951:25 36958:19 36959:22 36960:12 re-establish 36878:18 rifle 36915:2 36941:1 36945:7 36948:7,10 rifles 36911:5 36915:6 36941:1 36943:18,24 36944:4 right 36872:18 36875:16,25 36890:3 36895:13 36898:15 36908:19 36911:19 36916:8 36917:8 36923:19 36925:7 36936:5 36937:7 36940:10 36941:15 36945:4 36954:22 36955:25 36962:11 36969:19 36970:22 36971:1,3 36972:8,10 36974:9 36976:24 36977:3,7,8,9 36978:15 36985:10 36999:23 37025:22 37026:4 rightfully 36938:19 rights 36877:15 36878:4,6,10,24 36879:15 36881:20 36905:9 36949:18,21 36950:8 36962:23 36967:4 36968:2,9,10 36968:16,23 36970:23 36974:8 36977:12,15 36994:3 ringing 36901:12 riot 36879:2,5 risk 36943:10 36972:25 36980:9 37002:1,10 37003:3 37006:9,23 37007:2,13,19 37008:1,7,23 37009:8 37009:10,24 37010:5 37010:8 37011:10 risks 36944:7 37008:2 rivalry 36892:11 36895:9 role 36881:3 36983:4 36993:19 36999:5 rollout 37014:15 37015:1,6 37021:9,10 37021:11,12 room 36965:18 36986:22 36988:3 37017:24 Roots 37014:3 ROSALIA 36870:9 rotate 36880:23 roughly 37021:13 round 36941:3 36945:6 37021:21 rounded 37005:12 routine 36920:12</p>	<p>routinely 36878:11 36880:18 36988:13 rubber 36915:1 36959:9,9 rule 36880:12 rules 36944:3 36977:17 run 36895:9 36983:16 running 36901:7 36941:6 37020:18 runs 36877:10 36895:6 Rwanda 36878:18 R5 36911:5 36915:2,6 36940:25 36943:24 36945:21 36946:2,4,9 36947:2,4,9,25 R5s 36945:17,17 36946:16 36947:11 36948:23 36949:8</p> <hr/> <p style="text-align: center;">S</p> <p>SABC 36951:24 safeguards 36983:19 SAHRC 36938:20 36955:13 sake 36935:17 SAPS's 36955:25 sat 36932:6 37013:1 sauce 36962:19,20 36964:15,15 36965:11,11 save 36877:7 36970:15 36987:20 saves 36987:18 saving 36949:23 saw 36882:20,21 36884:20 36925:3 36936:4 36950:14 36999:18 saying 36892:25 36893:8 36913:17 36922:18 36930:1,21 36932:5 36946:6,7 36947:17 36955:7 36962:10,19 36964:17 36986:12 36991:10 36996:4,17 37002:15,22 37009:5 37017:22 says 36905:1 36912:6 36912:15,16,17 36913:12,12,25 36914:1,7,16,17,19 36915:11,15 36917:3 36917:4 36920:23 36928:8,15,15,20,24 36930:12,15 36952:15,25 36953:25 36954:1 36956:22 36976:23 36979:20 scan 37010:3 scenarios 36923:21 36924:11,11 scene 36884:20 36885:6 36887:17 36897:15,16 36898:3</p>	<p>36905:21 36906:4,6 36906:19,20 36907:1 36907:2,13,17 36908:2,5,17 36910:3 36910:4,9 36911:5,10 36912:6 36915:10 36938:5,10,11,15 36939:3,5,19,19 36940:10,20,21 36942:12,14,16 36945:17 36953:15 36956:23 36966:12 36988:2 37010:1 37023:25 scheduled 36880:23 scope 36992:25 score 36996:19,21 Scott 36910:1,2 36920:21 36921:20 36922:3,7 36923:15 36951:21 36962:7,8 36962:14 36999:2,10 36999:24 37004:2 37011:5,16,23 37012:14,22 37013:13 37015:2,20 Scott's 36905:5,6 36919:13 37014:15 screaming 36914:20 screen 36872:3 36951:12 36957:17 36965:19,20,22 36966:21 36979:5,8 36979:10 37005:19 37018:12 search 36974:8 36975:7 37012:4 seat 36875:6 seated 36875:19 second 36879:17 36974:19 36978:4,6 36978:23,25 36979:1 36979:2,5 36980:23 37018:4,5,10 37023:20,21 secondary 36945:22 secondly 36966:2 seconds 36871:5 36942:12,15 36956:23,24 36959:19,20 36960:6 secretary-general 36878:3 section 37022:17 securing 36881:3 security 36877:19 36879:15,24 36880:3 36881:1 36967:6 see 36872:15 36873:12 36874:1 36876:6,18 36879:10 36889:13 36890:4 36892:25 36893:17 36903:23 36904:16 36905:5 36912:23 36913:19</p>
--	--	--	---	---

<p>36916:3 36919:15 36923:8 36926:11 36933:12 36934:19 36940:10,11 36942:6 36942:17 36943:9 36946:18 36949:5 36952:16 36953:13 36955:11 36956:13 36956:13 36957:14 36973:4 36979:18 36980:2 36983:15 36986:7 36990:14 37006:11 37012:2 37018:12,15,23,25 37019:1,7,21,22 37020:1,6 37024:16 seeing 36885:20 37004:16 37019:11 seek 36891:23 36898:24 36899:8 36930:3,4 36932:13 36972:17 36973:3 37010:18 seeking 36890:12 seeks 36981:23 seen 36871:10,11 36877:16 36881:12 36893:13 36896:20 36913:1 36924:4,5,13 36924:14 36926:8,13 36933:21 36934:24 36935:9,15 36939:23 36939:24 36950:18 36950:22 36954:9 36991:9 36997:14 36998:23 37007:13 37007:18 37019:2 sees 36954:18 Segaole 36871:8,19,22 36872:8 36874:22 segment 37009:4 selection 36888:7 self 36880:12 sells 36882:21 Semenya 36869:4,7,23 36869:24 36870:12 36870:13,16 36871:2 36871:7,11,19,22 36872:1,18,21 36873:2,23 36875:2,3 36875:5,8,21,22 36876:2,3,9,12,20,22 36876:24 36877:2 36882:13 36883:8,20 36884:10 36885:1,7,9 36892:24 36928:9,18 36928:20,24 36930:14,15,18 36931:15 36935:6,8 36935:23 36942:7 36949:6 36952:4,9,10 36952:11,12,25 36953:1,2 36956:4,20 36958:4 36963:24 36964:14,16 36970:10 37002:2,13</p>	<p>37006:24 37016:13 37025:8,10,14,18 Semenya's 36954:7 37002:20 senior 36981:25 sense 36931:24 36945:11 37013:2 sensed 36932:7 sensible 37003:6 sent 36905:22 36912:22 36913:2 sentence 36883:24 sentiment 36977:13 separate 36961:4 37010:21 37011:19 37012:24 37015:24 sequence 36897:11 36905:14 36907:22 36937:11 sequencing 36923:8 sequential 36929:8 36938:23 SERI 36950:9 series 36878:5 36906:5 36950:1,6 36951:21 serious 36898:22 36919:3 36954:14 seriously 36942:13 SERIs 36960:1 serve 36874:9 36879:14 36937:24 36978:2,16 Service 36875:25 36894:18 36898:2,6 36899:3 services 36912:7 36913:18 36920:24 session 36925:24 36926:3,3,16 36957:5 sessions 36933:8 set 36883:10 36936:7 36938:17 36972:18 36976:11 36990:6 36996:24 37003:24 37019:18 37021:12 37022:11 sets 36970:10,20 37022:23 setting 36928:4,11 36937:13 36971:5 settlement 36915:24 shaded 36979:17 shape 36944:18 37018:16,18,19 37021:21 share 36895:22,23 36927:21 sharing 37012:9 sharp 36915:2 shatters 36944:19 she'll 37005:6 she's 36995:16 37005:7 shining 37017:10 shoot 36983:13 shooter 36943:8 shooting 36897:5 36912:12,13</p>	<p>36913:14 36915:10 36915:19 36940:23 36942:12 36956:23 36981:21 37023:25 37024:12 shootings 36894:17 36898:2 36906:20 36907:2 36938:5 short 36870:18 36871:12 36937:15 36964:17 36991:18 shorten 36989:14 shortly 36906:18 36924:23 37001:15 37023:12 shot 36870:19,19 36871:2,3 36940:3 36942:13 36943:6,7,7 36944:9 36945:1 36946:7 36983:11 37019:3 shotgun 36915:2 shots 36896:25 36913:16 36942:15 shouldn't 36894:14,23 36896:13 36948:24 36977:14 37018:20 show 36876:3 36951:8 36952:6 36965:1,15 36986:5 37016:3 37017:2,25 showed 36999:2,12 37015:16 showing 36956:1 37015:12 37018:14 shown 36955:24 36956:3 36961:7 36964:8,18 36965:16 36999:10,25 37000:10 37004:9 37019:9,13 37020:16 37020:19,23 37021:3 37021:6,16,20 37022:1,4,7,10,13,15 37022:21 37023:1,10 37023:23 shows 36940:3 36959:17 36960:5 36981:19 36995:23 37019:1 side 36904:17 36915:25 36948:4,7 36963:19 36963:20 36977:16 signal 36881:9 36956:11 signature 36876:6,8 signed 36876:13 significance 36981:11 significant 37014:5 signs 36881:9 similar 36911:15,17 36929:10 36938:9 36939:4 36968:11 36993:24 Similarly 37017:15 simple 36893:21</p>	<p>36987:7 simply 36891:20 36929:11,14 36951:8 36957:11 36958:6 36989:5 37004:7 simultaneous 37015:1 37015:6 simultaneously 37022:18 single 36958:7 36980:16,16 37021:23,23 37022:8 Sir 36870:15 36873:7 36874:12 36876:21 36903:15 sit 36875:6 36902:18,22 36902:24 36965:21 36997:19 37017:13 site 36887:19 36888:16 36984:18 sits 36983:3 situation 36906:20 36921:2,9 36922:14 36923:3 36970:13,14 36970:16 36974:5 36979:21 situations 36880:25 36917:23 36999:5 six 36881:20 36907:9 36955:5 sketch 36941:14 skew 36981:10 skills 36880:24 skip 37022:17 37024:1 37024:6,7 slide 36960:25 37003:21 37004:10 37004:16 slides 36961:4 36999:17 slight 36877:9 36944:17 slim 36946:13 sling 36948:8 small 36985:3 smaller 37003:24 37022:24 smarten 36984:25 SMS 36905:22 society 36937:16 Soft 36883:14 soldiers 36970:24 sole 37011:6,13 solicit 36882:3 solid 36946:7 36985:21 36989:1 solution 36957:18 36964:25 36984:24 solve 37025:1 solved 36984:4 somebody 36873:19 36926:19,22 36927:7 36935:22 36939:10 36972:19 36977:2 someone's 36983:5 soon 36967:13</p>	<p>sorrow 37019:13 sorry 36888:23 36902:19 36908:15 36909:8 36910:17 36913:9 36914:17 36925:1 36927:16 36938:1 36940:6 36953:3 36971:8 36976:20 36977:22 36982:9 36984:19,20 36987:17 36995:6,6 37002:2,14 37003:5 37024:9 sort 36966:1 36987:19 sought 36992:5 sound 36915:3 36951:8 36951:9 sounded 36913:14 sounds 36957:23 soundtrack 36957:17 source 36887:14 36973:19 37011:11 37020:18 sources 36887:21 36888:16,20 36889:7 36889:7 36891:4,6 36938:12 36953:14 37011:7,13 37015:24 37022:18 37023:22 south 36875:24 36877:18 36882:19 36883:13 36888:22 36894:18 36898:1,6 36899:2 36915:24 36920:24 36937:16 36950:8 36968:8,21 36969:5 36971:24 36973:16,21 36974:5 36974:14 36975:4,10 36984:23 so-and-so 36917:3 spans 36877:8 speak 36896:11 36903:5 36906:14 36981:6 SPEAKER 36982:10 36982:15 speaking 37019:15 speaks 36960:9 special 36878:2,2,11 36920:25 36921:21 36969:17 36970:10 36971:5 specialisation 36877:13 specialised 36878:15 specialist 36937:18 specific 36900:9,12 36944:8 36957:7 36958:2 36960:14 36990:15 specifically 36894:12 36990:18 36992:20 specifies 36874:23 spectrum 36946:4 speed 36986:14 speeding 37020:21</p>
---	--	---	--	---

<p>spell 36871:18 36922:20 spelt 37016:17 spend 36957:9 spent 36977:11 36997:20 spies 36912:9 splitting 37022:22 spoke 36884:15 36915:17,19 36976:21 37006:5 spoken 36938:22 36946:23 spray 36870:20,21,23 36871:3 staff 36877:25 stage 36881:18 36886:24 36888:17 36889:2,19 36893:12 36894:2,3 36904:19 36908:10 36917:11 36917:19 36918:6 36919:24 36920:9 36922:19 36932:21 36933:20 36934:7,12 36948:18 36949:8 36957:9 36980:23 36999:22 37003:22 37007:14 37010:14 37014:9 37026:4 stages 36920:4 36989:8 37004:17 staggering 37016:9 stakeholders 36901:8 stance 36896:6 36936:18 stand 36869:11 36870:3 36873:19 36875:10 36881:22 36896:6 36987:4 37003:18 standard 36882:10 36920:1 36996:13 standards 36939:14 36969:22 36977:18 36984:2 36991:21 36994:14 36996:18 standby 37001:18 standing 36921:6,10,11 stands 37012:7 start 36869:18 36894:8 36898:17 36914:12 36914:13 36946:5 36950:5 36966:4,5 36967:3 36986:8 37019:16 37020:9 37025:7,23 started 36907:13 36912:12 36954:21 36955:1 37019:9 37022:11 37025:10 starting 36913:18 37025:2,9 starts 36882:15 state 36883:13 36972:9 36972:20 36973:15</p>	<p>36974:24 36977:19 36983:4 37000:19 stated 36968:15 statement 36871:8,12 36871:17,24 36872:15 36874:20 36876:9,15,16,19,20 36877:6 36885:15,24 36885:25 36886:2,5 36886:10 36887:15 36888:5,12 36891:12 36893:10 36905:5,6 36907:19 36911:8,9 36911:15,17,20 36912:20 36913:3 36920:21 36921:23 36928:3 36954:17 36956:15 36967:3 36991:23 36992:4 36998:15,16 37000:19,24 37001:9 37001:15,23 37002:6 37006:19 37007:23 37011:13 37014:13 37014:19 statements 36882:16 36883:23 36884:13 36886:13,25 36887:15,20 36888:14 36889:11 36889:17 36902:16 36911:25 36964:11 36981:17 36982:7 36989:24 36990:7 36991:14,15 36992:10 36993:11 37010:7 states 36968:22 stating 36891:22 36905:23 36944:5 stationary 37023:14 status 36971:24 36983:7 stayed 36933:17 stays 36929:14 36944:17 step 36885:15 36988:10 steps 36880:12 36928:12 36970:18 36972:21 Stockwell 36981:14,15 36981:18 36983:10 36985:11 36986:17 36994:15,15,19,22 36995:8,13,23 stood 36923:6 stop 36881:25 36886:20 36910:4 36918:21 36929:10 36983:22 36984:22 36988:19 37024:22 37026:1,3 stopped 36947:12 36988:16,19 stopping 37022:8 story 36904:17 36927:8</p>	<p>36984:11 strategies 36921:5,7 strategy 36880:3 36921:3 stream 36871:1,5 streams 36953:14 strength 36879:3 37024:24 strengthen 36982:18 stress 36939:9 36966:19 36973:6 36981:24 strict 36931:24 36973:7 strike 36944:10 strikers 36892:3 36893:15 36896:10 36896:19 36926:4 36959:15 36960:5,6 36990:6 37002:1,10 37003:24 37006:23 37015:13 37018:9 37020:14 strikes 36894:8 36895:9 strings 36953:13 struck 36957:12 36989:23 structure 36886:17 36984:7 structures 36983:22 struggle 36897:21 student 36981:22 stuff 36964:2 stumbled 37009:4 stun 37023:15 sub 36951:10 subject 36925:8 36937:18 36950:13 36951:17 36958:21 36958:24 36965:12 36971:20 36994:2 37024:2 submission 36960:20 36962:24 36991:17 37000:24 submissions 36994:23 submitted 36997:16 37002:6 37006:19 subpoena 36874:9 subsequent 36888:12 36897:2 36982:21 36986:15 Subsequently 37014:2 substantial 36962:13 36962:14 subway 36981:22 successful 36932:10 suffice 36918:24 36937:12 sufficient 36943:9 36970:6 sufficiently 36926:23 suggest 36932:3 36953:20 36957:18 suggested 36932:16 suggesting 36904:11</p>	<p>36952:5,9 36958:12 suggestion 37008:17 suicide 36981:22 36985:19 suit 36939:15 suitable 36943:20 36980:23 summarise 36967:12 36967:21 summary 36969:25 37006:13 37012:6 Sunday 37011:22 super 36951:11 superimposed 36962:1 superior 36980:18 supersedes 36951:25 supplementary 36876:16 36891:11 36893:10 support 36891:15 36947:15,17 36960:22 36964:22 36999:5 supportable 36965:2 supported 36917:13 36963:25 36965:10 36982:6 suppose 36961:25 supposed 36911:14 36922:20 36936:18 36977:20 36993:5 37006:7 37018:16 Supreme 36974:23 sure 36882:14 36889:22 36890:25 36896:17 36897:6 36899:10 36900:2 36911:7,13 36919:7 36931:15 36936:17 36951:16 36956:11 36958:7 36962:8 36967:23 36971:17 36976:3 36977:25 36986:4 37000:17 37009:19 37023:4 surely 36877:19 36922:10,14 36985:7 Surname 36871:21 surprise 36927:13,17 36927:21 surprised 36919:1 37007:10 surveillance 36881:7 survival 36946:13 survive 36946:9 surviving 36944:23 suspect 36983:8 36987:9,10 sustain 36996:11 37008:21 SWAT 36947:16 swear 36875:13,16,18 36983:4 Sydney 36881:2,3,16 synchronised 37018:6 system 36893:13</p>	<p>36895:24 36897:9,13 36906:25 36968:23 36975:11 systems 36907:21 36946:19 36983:20 S-E-G-A 36871:19 s.u.o 37006:1</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>table 36953:19 tactic 36991:12 tactical 36920:6,19 37001:16,25 37002:9 37003:4 37006:22 37007:12,14 37008:12,16 take 36871:14 36873:18 36875:10 36881:10 36884:3,17 36885:15 36887:9 36890:24 36891:17 36891:18 36896:6,19 36904:22 36907:4,5 36909:15 36911:15 36914:4 36920:14,15 36921:25 36929:7 36936:10 36940:17 36943:9 36945:24 36947:12 36948:17 36950:14 36952:8 36957:4 36958:17 36970:21 36972:21 36973:3 36976:10 36980:23 36981:2 36984:19 36986:2 36987:2 36991:9 36994:19 36996:5 36998:15 37003:20 37005:8 37006:9 37007:19,21 37008:17 37009:10 37009:23 37010:4 37023:5 taken 36873:15 36949:25 36951:15 36952:4 36970:15,18 36989:19 37016:6 37018:2,20 37022:6 takes 36955:22 36988:4 talk 36883:15 36893:15 36929:6 36935:2 36944:3 36983:20 36995:18 37000:9,19 talked 36915:21 36999:3 talking 36888:24 36972:24 36995:10 36996:16 37000:9,15 talks 36956:16 36958:13 tape 36982:12 36985:5 36985:8 tapes 36987:11 target 36973:1 targets 36944:15 task 36877:23,23</p>
--	---	--	--	--

<p>36920:25 36966:18 36978:12 tasked 36880:14 tea 36948:18 36980:24 37023:5 teach 36882:4 36972:6 teaches 36984:1 team 36874:4 36935:10 36963:24 36997:3,17 36997:20 37011:1 37016:6 teams 36881:7,7,13 teargas 37023:15 technical 37018:3 technicians 37019:18 techniques 36882:4,5 technology 36985:22 telephone 36906:5 televised 36971:11 television 36885:20 36971:11 tell 36876:6 36877:3 36886:8 36900:15 36901:17 36909:19 36910:23 36915:1 36926:23 36931:5 36948:23 36949:7 36955:7 36967:23 36974:13,15,15 36975:15 36980:24 36983:9 36988:19 37001:1 37004:18 37012:22 37013:3 telling 36936:4 37013:7 tend 37010:24 terms 36900:22 36920:5,8 36934:8 36936:7 36976:12 36978:10 36990:11 36992:19 36996:7,15 37018:3 terrain 36883:9 terrible 37020:1 terrorists 36970:25 testified 36967:7 testimony 36883:1 36982:21 text 36978:5,7 36979:18 thank 36870:3,11 36872:1 36873:4 36874:6,13,14,15,16 36874:17 36875:20 36875:22 36885:9,12 36893:24 36916:17 36925:16 36927:23 36928:22 36935:18 36938:1 36948:12 36949:5,16 36960:17 36962:25 36964:13 36966:23 36971:22 36976:18 36979:11 36985:1 36990:16 37012:20 37024:18 thematic 36878:12 Thembinkosi 36939:20</p>	<p>themes 36992:23 36993:1 36994:8 there's 36871:14 36877:9 36909:5 36912:1 36934:10 36937:3 36940:11 36941:15,23,24 36956:5 36966:11 36972:4 36977:4 36978:8 36987:23 36988:3 36993:4 37003:18 37006:4 37012:5 37018:13,16 37020:20 they'd 36931:16 they're 36905:14 36924:10 36971:6 37010:2,15 37012:23 37012:24 37022:19 they've 36937:5 thing 36902:5 36923:1 36938:18 36947:24 36955:15 36956:19 36957:23 36966:1 36976:8 36984:17 36988:8,20 37019:18 things 36883:18 36909:6 36929:6,14 36936:23 36947:19 36952:7 36953:16 36954:9 36958:6 36961:3,25 36962:2 36965:4 36989:1,3 37010:13 37018:4 37019:2 thinking 36935:19 36941:13 36943:17 third 36870:23 36927:2 36927:5 thought 36919:2 36926:22 36948:23 36977:14 36993:12 threat 36948:9 threatened 36948:6 three 36869:7,11 36870:6 36879:4 36881:13 36913:11 36960:8 36961:4 36964:16,17 36981:15 throw 36935:6 36938:13 thrown 36955:16 37008:19 throws 36938:11 Thursday 36919:16 37004:1,4 tie 36972:8 till 36878:23 36928:13 37024:25 timeline 36954:10 timelines 36929:1 36932:24 36933:3,14 times 36879:4,9 36881:22 36882:1 36902:6 36985:7</p>	<p>37010:23 37017:22 37024:16 Timor 36880:11,23 Timorese 36880:13 titles 36951:11,11 today 36880:5 36958:17 36960:15 37009:19 37024:22 today's 36953:20 36958:24 told 36870:18 36891:4 36899:6,16 36901:14 36906:8,21 36909:22 36909:25 36910:3 36916:23 36917:18 36926:15,20 36927:7 36927:10,14,14,15,18 36927:18 36928:21 36930:17,18 36931:15,15,17,18 36934:18 36935:3,4 36935:22 36936:16 36942:8 36959:10 36963:7,14 36999:23 37000:3 37001:11,14 37001:18 37004:10 37006:6 37008:6,7,9 37009:9,9 37010:1 37015:3,11,16 37019:21 37024:22 37024:25 tolerate 36894:6 tomorrow 36925:14,15 36937:4 37025:2,4,9 37025:23 37026:5 tool 36989:1 top 36896:2 37021:25 topics 36934:6 36978:12 36995:19 torture 36882:2 totally 36976:16 36977:17 36981:21 36985:19 TR 36943:18 track 36951:8,9 36986:12 37011:20 trade 37013:5 traffic 36911:10 36985:9 36988:16,19 trail 36981:12 36982:5 36982:22 36987:14 37007:17 37008:7 trails 36984:9 36985:3 train 36996:10 trained 36872:16,25 36874:3 training 36872:10,20 36874:21,24 36878:5 36878:24 36880:21 36882:7 trains 36984:1 tramlines 36876:18 transcript 36887:4 36889:12,12 36914:6 36971:9,13,13 37006:16</p>	<p>transcripts 36883:22 36884:13 36888:6,7 36888:15 36902:17 translate 36882:10 translated 36879:18 transpired 36937:10 36938:14 36986:19 36991:11 transpires 36985:23 transpiring 36902:7 trauma 36904:2 travelled 36943:1 treat 36983:8 treated 36983:2 37016:20 treaties 36883:13 36978:10,11 treatment 36880:15 Treaty 36883:12 trial 36890:21 tribunal 36974:7 tribunals 36973:17 tried 36870:16 36890:10 36896:11 36909:17 36910:4 36929:24 36938:21 36938:24 36975:11 37009:17 37011:20 trigger 36943:13 36970:17 36971:1 37007:7 triggered 36897:2 troops 36880:10,23 trouble 36932:18 36957:15 36960:21 troublemakers 36881:10,10 TRT 36945:17 36946:16,22 36947:20 36999:5 37006:8 trucks 37001:17 37011:8 true 36927:21 36932:7 36943:4 36976:7 36980:21 trumped 36977:1,1 trusts 36968:9 truth 36875:15,15,15 36915:8 36955:16 36963:7,15 36983:3,9 truthful 36964:10 try 36886:16 36908:20 36909:14,23 36929:9 36932:10 36954:24 36955:8 36959:2 36967:10,13 36972:8 36976:15 36986:18 36986:25 36991:18 36993:12 37011:19 37025:1,24 trying 36888:19 36901:1 36923:2 36929:12 36938:6 36939:23 36963:21 36974:15 36983:6</p>	<p>36988:9 Tshepiso 36871:8,23 Tsiloane 36917:14 TTTT4 36871:17,25 Tuesday 37003:23 37004:3,11,12 tumble 37008:20 turn 36971:16 36982:13 turning 36976:19 turns 36947:21 two 36869:7,11 36870:6,23,24 36876:4 36877:9 36878:7 36881:6 36892:2 36893:25 36909:5 36925:20 36948:10 36959:4,25 36960:3 36964:11 36965:17 36986:12 36989:23 36993:10 36993:14 37000:11 37002:25 twofold 36954:2 typed 36978:20 types 36984:9,20 T-S-H-E-P-I-S-O 36871:23</p> <hr/> <p style="text-align: center;">U</p> <p>UK 36972:15 36981:14 36981:20 36986:22 36996:18 ultimately 36942:18 36956:2 UN 36878:15,15 36969:17 36971:4 unable 36908:12,24 36910:24 unbecoming 36980:17 unbiased 36891:1 uncontroversial 36953:17 underlies 36975:16 undermines 36890:11 underpinned 37013:11 understand 36882:2 36886:7,21,21 36888:24 36889:8 36890:15 36893:19 36896:8 36899:25 36903:12 36906:22 36907:24 36911:8,10 36917:18,25 36919:25 36920:10 36937:1 36939:2,4 36943:11 36944:22 36947:3 36948:2 36950:11 36951:10 36952:3 36953:5 36954:6,8,10,16 36956:21 36957:16 36959:22 36963:8,11 36963:22,24 36972:12 36985:5 36989:3 36991:4,9</p>
---	--	--	---	---

36992:2 36993:25 36995:2 37004:8,13 37008:6 37011:4 37016:12 understanding 36896:17 36908:4,6 36917:21 36944:7 36962:6 37000:2 37011:4 37016:16 understood 36915:22 36920:6 36943:14,15 36993:19 37000:6 undertake 36939:4 36958:18 37011:1 undertaken 36958:10 undertaking 36874:10 36934:15,21 36960:13 36965:8,13 37011:10 undertook 36928:9 undue 36987:11 uneasy 36891:13 unfair 36916:20 36961:19 unfettered 36991:23 unfolded 36885:3 Unfortunately 36957:25 unimaginable 36897:12 36923:2 union 36891:18 36894:5 36895:9,21 unions 36891:14,15 36892:12,12 unit 36945:22 36949:10 United 36877:24,25 36878:16 36968:11 units 36922:17,20,24 36924:10 universe 36959:6 36992:13 unlawful 36980:17 unlimited 36995:15 unnecessarily 36981:1 unpack 36998:21 unprecedented 36921:9 36922:7,14 36923:16 Unquestionably 37009:22 unravel 36988:4 unravelling 36893:12 36897:9 36907:21 36946:19 36983:20 unreliable 36889:24,25 36890:17,18 unworkable 36976:14 un-levelling 36977:16 update 36978:4 updated 36901:25 36978:9 upheld 36961:14 uphold 36977:20 upset 37019:9 upsetting 36966:13 upstream 36970:16	urge 36964:7 usage 37023:3 use 36870:17 36872:10 36872:16,23 36877:20 36882:3 36905:10,14 36940:25 36943:18 36943:20 36944:1,4 36945:16,21,21 36947:18 36949:25 36950:10 36953:23 36958:13,25 36960:15,22 36969:11,21 36970:5 36970:13,24 36972:2 36973:24 36974:1 36976:10,24 36978:17 36979:25 36980:3 36984:18 36988:24 36995:3,7 37006:10 37008:21 37021:18 37023:15 useful 36891:6 36954:8 36994:23 usual 36874:8 utilise 36951:1 utterance 36973:5 utterly 36953:17 UUUU 36905:12 36950:1 UUUU10.4 37020:10 UUUU2.4 36905:11 UUUU3 36978:16 36979:15 <hr/> V <hr/> vacated 36875:6 valid 36903:14 validate 37009:5 validation 36878:17 valuable 36954:2 36955:18 36981:12 value 36907:6,7 36938:25 36955:18 Van 37001:17 37017:14 variant 36879:2 variety 36923:20 various 36880:22 36885:3 36892:23 36934:23 36953:14 36954:8 37018:3 vehicle 36991:10 venturing 36973:13 verbatim 36986:23 verifiable 37009:1 Vermaak 36902:10,14 36902:15 36911:12 36914:14 version 36961:20 36987:4 37014:3,6 versions 36999:3 Verslag 36955:4 versus 36968:11 36972:15 37023:21 vicinity 36942:14	victim 36941:8,10 36942:21 36943:2 36972:19 36973:2 36975:3 video 36872:16 36883:23 36912:5 36950:7 36952:6 36953:8,14,23 36954:7,18 36955:11 36955:21,24 36956:1 36956:2,6 36957:22 36959:7,8,12,19,20 36960:5,6 36961:21 36964:1,17 36965:15 36986:23 36987:24 37018:2,10,11,11,24 37018:25 37019:1,22 37020:6,13,16,23 37021:3,6,16,20 37022:1,4,7,10,13,15 37022:21 37023:1,3 37023:10,17,19,23 37024:7,10,18 videographers 36987:25 videos 36939:25 36950:7,10,12 36951:1,5,9 36953:7 36954:8,16 36957:14 36958:22 36959:24 36960:15 36964:8 36966:3,4,6,11,16 37016:9 37017:25 37018:8 videotape 36987:7 36988:22 videotaped 36987:9 36988:21 view 36942:25 37021:17,22 37022:5 viewed 36987:12 viewing 37016:9 views 36942:21,24 36943:16 vigorous 37025:22 violate 36971:1,3 violation 36970:22 violence 36894:5 36984:23 37016:2 violent 36897:3 37016:4 virtually 36944:9 visible 36960:6 visit 36880:18 visited 36990:22 visits 36888:15 36889:13 VISPOL 36973:4 Visser 36962:7,9,10 36965:10 37016:22 Visser's 36962:17 36964:2 visuals 36952:17 voice 36913:15,17 36914:21 voiced 36899:14	36932:6 36976:12 volley 36914:24 voluntarily 36926:5 Voorlopipe 36955:4 vying 36892:12 V-shape 37021:24 V2 36960:4 37020:9 37021:18 37022:17 V2A 37020:24 V3 37023:3 V4 37023:14 V5 37023:24 <hr/> W <hr/> wad 36959:10 37024:4 wage 36891:16 wait 36928:13 36936:22 waiting 36936:16 walk 36891:20 walked 36904:6 walking 36960:7 want 36869:4 36882:14 36886:19,21 36890:1 36891:3 36893:25 36894:1 36898:11 36904:22 36916:20 36918:19 36919:6 36920:23 36931:23 36933:22 36939:1,3,3 36939:8,18 36944:15 36945:12 36947:18 36960:19 36970:2 36971:15 36972:22 36973:10 36976:15 36980:25 36981:9 36983:19 36996:22 37004:8,18 37007:8 37010:19 37011:2,3 37017:20 37018:25 37025:14 wanted 36909:23 36910:23 36912:10 36930:7 36973:11 36982:5 37015:5 37024:25 wanton 36895:4 wants 36883:20,21 36899:25 36945:12 36953:22 36991:20 warned 37001:25 37002:8 37003:1 37006:22 warning 36966:13,19 37017:16 37018:23 37018:24 37023:16 37023:18 warnings 37011:9 Warrant 36872:6,8 36874:20 36911:20 36912:5,8 wasn't 36896:22,22,24 36926:25 36928:13 36936:5 36938:19 36939:12 36993:17 36999:13 37001:20	37004:6 37005:1 waste 36957:19 36998:10 watch 36965:5,20 37018:8 watching 37017:24 water 36870:17,24 36871:6 36872:9,11 36872:12,16,24 36873:12,15,18 36874:4,22,23 37008:18 37023:3,13 way 36873:10,20 36894:1,5 36898:21 36916:9 36935:20 36946:22 36957:13 36958:25 36968:20 36975:10,12 36976:6 36980:9 36983:17 36986:7 37019:12 ways 36870:23 36890:14 wealth 37011:18 weapon 36947:15,17 weapons 36944:2,7 36984:20,21 wearing 36988:14 week 36935:14 36949:3 36991:1 36999:16 weight 36954:4 36965:6 welcome 36952:18 went 36884:17,19,24 36887:16 36888:11 36892:2 36896:25 36897:3 36899:8 36901:7 36904:16 36912:11 36922:8 36929:12,12 36932:14 36960:21 36974:21 36982:24 36986:3,6,7 36988:2 36993:11 37013:9 37014:2 weren't 36896:11 36906:21 36909:17 36909:23 36916:22 36931:21 36936:4 37000:12 37013:1 west 36872:4 36874:22 36960:8 western 36915:25 we'd 36965:5 37017:6 we'll 36882:13 36884:3 36948:17 36951:16 36954:24 36958:16 36958:18 36960:13 36965:3,7 36971:13 36990:16 36998:11 36999:11 37002:23 37005:21 37010:25 37015:8 37017:13 37020:3 37022:17 37026:4 we're 36873:16 36884:7 36928:23
---	--	--	--	---

<p>36936:16 36937:1 36951:16 36956:7 36957:13 36959:10 36989:22 37005:3 37010:1 37017:17,25 37018:8 37019:1 37020:6,9,17 we've 36934:12 36949:25 36950:22 36954:9 36955:6,8 36958:10 36959:25 36960:3 36965:14,22 36994:4 36997:13 37005:2,2 37009:24 37019:2 37024:8 37025:4 what's 36937:7 36962:19 36969:14 37018:1,12 37024:3 whilst 36983:17 36996:4 White 36969:16 36970:10 36981:24 36982:20 36993:22 36994:6 36995:23 36997:8 37003:13 37007:5 White's 36954:17 36996:5 who'd 36974:25 who're 37018:23 who's 36949:16 36962:22 who've 36960:1 wire 37014:15,19 37015:1,6,9 37018:14 37020:25 37021:5,10 37022:3 wish 36875:11 36895:22 36936:2,2 36963:1 37019:15 wishing 36957:22 withdraw 36912:9 36943:24 withdrawn 36949:8 witness 36871:10,11 36874:18 36875:6,6 36885:8 36890:21 36893:3 36910:18 36935:8 36936:1 36942:8,19 36949:9 36949:12 36953:23 36957:20 36961:7,11 36961:12,18 36962:22 36963:14 36963:17,18 36964:9 36964:10 36967:15 36967:22 36977:23 36983:8,8 37009:7,15 37020:7 witnesses 36964:22 36983:3 witness's 36963:6 woman 36974:24 wonder 36952:22 Wonderkop 36905:23</p>	<p>won't 36869:25 36937:4 36967:22 36971:13 36974:4 36988:11 36991:13 36998:10 word 36884:3 36934:12 36951:11 36971:17 wording 36993:8 words 36886:8 37014:4 work 36879:19 36881:8 36883:11 36885:16 36886:2 36897:10,18 36910:7 36915:12 36936:19 36939:9 36962:10 36965:9 36969:1 36978:3 36982:19,20 36987:21 worked 36877:18,24 36878:3,15,21 36879:12 36880:13 36947:15 36990:22 working 36878:9,14 36881:20 36909:18 36909:23 36928:21 36930:17,19 36937:1 36937:3 works 37010:18 world 36877:17 36929:13 world-best 36995:12 worried 36995:16 worry 36890:6 36919:3 worse 36924:14 worst 36923:21 36924:1,11 worth 36938:13 wouldn't 36910:7,7 36923:5,10 36991:11 37003:2,6 37017:11 wound 36940:14 36942:2 36944:18,22 wounds 36944:20 write 36930:22 36979:20 writing 36920:9 36931:25 36961:8 written 36876:15 36919:24 36920:2,13 36922:15,23 36923:1 36923:16 36946:24 36990:12 36995:14 36998:25 36999:3,9 36999:12,19 37000:12 37007:18 37013:1,3 wrong 36896:17 36899:8 36900:25 36901:4 36904:12 36927:25,25 36929:12,12 36931:25 36932:14 36934:12 36959:20 36985:17 36989:1 37003:11 wrongly 36943:17</p>	<p>wrote 37000:24 37001:15,23 37002:6 37006:19</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p>X 36916:25</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>Y 36916:25 Yeah 36971:19 year 36879:17 36885:17 36894:9 36932:24 36933:2 36955:2,2,7 36968:14 36997:16 37006:20 37013:14 37014:14 years 36877:8,9,10,16 36881:20 36920:23 36974:21 36975:11 36977:11 36981:17 36991:14 37000:15 37012:1 yellow 37021:17 37022:5 yesterday 36890:4 36898:24 36912:21 36928:21,24 36930:16 36991:9 37007:5 you'd 36902:19 36906:2 36914:8,8 36930:19 36943:5 36965:20 36973:7 36984:9 36989:10 36995:21 37007:8 37015:24 you'll 36874:10 36883:1 36884:5 36889:22 36926:18 36928:1 36940:10 36942:17 36947:12 36971:4 36995:15 37013:23,24 37018:15 37022:11 you're 36869:12,13,19 36869:22 36870:8 36874:7,10 36884:4 36885:2 36892:19,20 36897:8 36909:2 36917:7 36918:11 36936:3 36944:21 36947:18 36948:21 36949:20 36952:8 36962:18 36963:21 36965:15 36967:16 36967:25 36985:2 36990:7 37000:15 37005:25 37008:1,18 37009:12 37011:11 37015:25 37017:2 37018:23 37019:24 you've 36885:14 36886:4 36912:8 36913:1 36917:18 36932:15 36935:20 36938:4 36939:4</p>	<p>36940:4,7 36942:20 36942:23 36943:19 36943:20 36945:16 36957:4 36965:8,13 36967:7 36971:20 36974:20 36992:8,9 37009:17</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p>Z 37009:18 zooming 37024:12 zoom-in 37020:20 Zyl 37001:17</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p>000 36879:4,5 36921:15 37005:2 09:10 36869:2 09:30 36882:7 09:50 36897:4</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 36876:16,17 36897:15 36898:3 36905:1,1,2 36905:4 36906:6,20 36907:3 36908:5,17 36910:3,9 36911:5,10 36915:10 36919:3 36938:10,11 36939:5 36939:19,20 36940:10,20,21 36942:12,14,16 36945:17 36953:15 36956:23 36966:12 36981:15,18 36985:11 37004:5 37021:9 37023:25 37024:1,5 37025:18 1st 36888:13 36895:6 36998:10 1.11 36919:19 1.12 36916:16 36917:8 1.3 36925:21 1.9 36919:23 1:00 37025:7,16 37026:1 1:30 36919:17,21 37004:1 37025:7 10 36870:18 36871:2 36905:18,19 36970:4 36972:24 37008:19 10th 36896:18 37015:23 10% 36953:18 10:10 36913:10 10:29 36928:20 10:49 36943:11 100 36895:6 36944:16 36946:10 36996:19 36996:21 100% 36994:18 36995:22 11 36905:19 36906:3 36912:5 36928:7 36948:13 36970:8 36972:24</p>	<p>11A 36906:3 11th 36896:24 37015:23 11:20 36948:20 11:40 36961:19 12 36911:23 36912:11 36956:24 36972:24 36998:16 37023:4 12th 36874:1 37015:23 12:00 36976:5 12:19PM 37011:22 12:24 36981:6 12:44 36994:10 13 36891:12 36949:3 37023:4 13th 36903:10,24 36921:19 37015:23 13:30 36918:6 13:47 37005:24 14 36877:8 36914:6,7 36949:2 14th 36917:22 37003:23 14:12 37020:5 14:32 37020:23 14:51 37022:22 15 36869:25 36925:25 36926:3 36928:6 36959:19 36981:4 15th 36917:22 15:15 37023:9 15:35 37023:23 15:42:30 37021:10 15:43:30 37021:10 15:46:30 37021:11 15:47:45 37021:12 15:48:20 37021:13 15:54 37024:20 15:55 37021:14 16 36919:21 36921:3 36940:8 36941:13 16th 36891:21 36892:2 36894:25 36895:15 36895:20 36896:15 36897:5 36903:17,21 36918:1,3,4,7 36919:3 36998:20 36999:25 37000:1,22 37001:10,11 37002:8 37007:15 37013:18 37015:11 16:03 36905:21 36907:10 36908:9 16:05 36906:4 17:47 37022:17,20 173 36928:6,7 178 36998:5 18 36940:8,9 181 37005:16 19 36920:24 36930:11 194 36960:23,25 1992 36990:21 1994 36878:20 1995 36877:25 1998 36879:16 36881:18</p>
--	---	---	---	--

<p>1999 36880:8</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2 36885:6 36897:16 36905:21 36906:4,19 36907:1,13,17 36908:2 36910:4 36938:5,15 36939:3 36942:12,15 36967:3 36968:12 36988:2 37006:4 37010:1 37021:11 37024:1,8</p> <p>2.4 36905:15</p> <p>20 36870:19 36871:3 36873:21 36877:10 36920:23 36930:11 36944:22 37017:17</p> <p>20:21 36960:9</p> <p>200 36879:11 36944:17</p> <p>2001 36878:23</p> <p>2003 36878:23</p> <p>2012 36891:21 36895:6 36921:3,19 36925:25 36926:3</p> <p>2013 36876:10 36886:1 36888:12,13 36926:6 36926:17 36928:6 36949:1,2 37002:7 37011:13,22 37013:16 37014:20</p> <p>2014 36869:1 36928:25 36968:2 36997:23 36998:10</p> <p>20442 36928:7 36930:10</p> <p>21 36930:10</p> <p>21:45 36960:9</p> <p>21661 37005:16</p> <p>21662 37005:17</p> <p>21719 37005:16</p> <p>21724 37006:4</p> <p>21728 37005:16</p> <p>22 36876:5 36877:16 36960:5 36977:11</p> <p>22nd 36928:25</p> <p>22:11 36960:9</p> <p>23rd 36928:5</p> <p>232 36914:6</p> <p>24 36891:11,12 36893:10 37018:5 37023:21</p> <p>250 36940:18</p> <p>259 36978:20 36979:12 36979:13,14</p> <p>262 36921:6,11</p> <p>28th 36885:17,19 36948:25 36991:1</p> <p>280 36941:24</p> <p>29003 36914:6</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3 36872:5 36911:21 36916:13 36917:8,11 36917:19 36918:6 36919:2,24 36920:10 36921:15 36922:19</p>	<p>37003:22 37007:14 37022:2 37023:2 37024:8</p> <p>3rd 37011:22 37012:16 37013:16</p> <p>3(a) 36968:12</p> <p>3:20 37024:10</p> <p>300 36944:15 36998:18 37000:20</p> <p>33 36942:12,15</p> <p>34 36894:24 36895:19 36896:14 36897:5</p> <p>35 36877:8 36913:3,4 36913:10 37005:2</p> <p>36 36879:18 36880:5</p> <p>37 37022:25</p> <p>38 37021:8</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>4 36906:18 36919:2 36958:6 37022:8,12 37022:14</p> <p>4SEPTEMBER 36869:1</p> <p>4th 36955:2</p> <p>4:00 37024:22</p> <p>42 36879:5</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>5 36878:5 36919:2 37006:4 37021:7 37022:11</p> <p>50 36959:20</p> <p>51 36998:16</p> <p>556-round 36944:8</p> <p>595 36941:6</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6 36905:18 36911:3 36919:2 36920:22 36967:3</p> <p>6AM 37001:10,15 37002:7,25 37006:20</p> <p>6th 36955:2</p> <p>600 36879:4 36941:2 36944:16</p> <p>63 36970:9</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>7 36978:17</p> <p>7:00 37025:11</p> <p>70 36877:16 36990:22</p> <p>78 37003:21 37004:10</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>8 36904:24 36911:2</p> <p>8th 36876:10 36885:25 36885:25 36926:6,16 36949:1 36992:4 37001:4 37002:6</p> <p>86 36978:21 36979:14</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9 36869:20 37001:24 37002:25 37006:21</p> <p>9AM 37002:7</p>	<p>9mil 36946:5,6,7 36948:9</p> <p>9millimetres 36948:4</p> <p>9:00 37025:3,7</p> <p>90% 36953:17 36978:8</p> <p>93 36969:16 36970:1</p> <p>99 36946:10</p>		
---	---	---	--	--