

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 85 3 MAY 2013 PAGES 8950 TO 9035

HELD AT

CIVIC CENTRE, RUSTENBURG, NORTH WEST PROVINCE



© REALTIME TRANSCRIPTIONS

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



Page 8950

1 [PROCEEDINGS ON 3 MAY 2013]
 2 [09:42] CHAIRPERSON: The Commission resumes.
 3 Majoor-Generaal, u is nog steeds onder eed. U is eintlik
 4 generaal-majoor in Afrikaans, is dit nie? Ek is jammer ek
 5 het die verkeerde benaming gebruik. Generaal-Majoor, u is
 6 nog steeds onder eed.
 7 CHARL ANNANDALE: s.o.e.
 8 CHAIRPERSON: Mr Bizos, you're still
 9 cross-examining.
 10 MR MSIMANG: Chairperson, Mr Chairperson,
 11 before the cross-examination resumes, we want to make an
 12 observation - an observation which I wouldn't really call
 13 an objection - into the manner the cross-examination is
 14 being conducted. There are questions asked, simple
 15 question, and then we get a very, very lengthy answer, and
 16 I know you ruled yesterday that the witness should be
 17 permitted to answer as long as possible, but I think there
 18 must be boundaries. The witness should not -
 19 CHAIRPERSON: Sir, I didn't say as long
 20 as possible, but I said if a witness is asked a question
 21 and told he must say yes or no, he's entitled to say I'm
 22 not going to answer yes or no, I'll give a qualified
 23 answer, but I think the point you've made is that some of
 24 the answers were rather lengthy and perhaps we must ask the
 25 witness, if possible, to keep his answers within reason, if

Page 8951

1 that's what you're saying, within reason, but if he feels
 2 he can do so in order to give justice to the answer he's
 3 giving. Would that be a fair approach?
 4 MR MSIMANG: That will be a fair
 5 approach.
 6 CHAIRPERSON: Let's hear what Mr Semenya
 7 says about it. Mr Semenya?
 8 MR SEMENYA SC: Chair, if -
 9 CHAIRPERSON: Subject to the proviso that
 10 he must obviously be in a position to give what he
 11 considers to be a fair answer to the question which does
 12 justice to the answer he's giving.
 13 MR SEMENYA SC: Part of the problem,
 14 Chair, is that the questions are open-ended and they invite
 15 that type of long answers to them.
 16 CHAIRPERSON: You will remember on
 17 [inaudible] occasion [inaudible] suggested he reformulate
 18 his questions to avoid that problem. But anyway, a concern
 19 has been expressed and I'm sure that the Major-General will
 20 do his best to ensure that his answers are not
 21 unnecessarily prolix. I'm not saying they necessarily have
 22 been so far, but anyway, it's a point you've raised and
 23 it's on the table. Okay, Mr Tip, I understand - sorry,
 24 before you - some of the questions, Mr Msimang, of course
 25 did call for long answers because Mr Bizos put a lot of

Page 8952

1 material to the witness and the witness had to deal with it
 2 all in his answer. Your complaint isn't about those
 3 answers, I take it, but anyway, let's not regard it as a
 4 complaint. It's really a suggestion for future. Would
 5 that be fair?
 6 MR MSIMANG: It will be fair,
 7 Chairperson.
 8 CHAIRPERSON: And you would accept
 9 obviously that the witness mustn't be put under constraints
 10 whereby he's not able to give what he considers to be an
 11 adequate answer that does justice to what he wants to say.
 12 You'll be the first to accept that, it take it.
 13 MR MSIMANG: That is acceptable, and even
 14 the objections and the interjections sometimes, because
 15 they also refer to certain pages and then the witness
 16 starts reading all those pages as answers. Even that is a
 17 problematic, Chairperson.
 18 CHAIRPERSON: Okay, well let's take each
 19 case as it arises, but anyway, I'm aware of the point that
 20 you've raised. Mr Tip, I understand you have something
 21 rather sad to tell us?
 22 MR TIP SC: Thank you, Chair. Yes,
 23 everyone here will recall Mr Albert Gegeleza who was one of
 24 the four NUM witnesses who testified earlier this year. He
 25 very sadly passed away in the early hours of this morning

Page 8953

1 and after a long illness, I may say that he was not a well
 2 man when he gave his evidence and we thought it fitting
 3 that the Commission should be aware of that and we are sure
 4 that all the parties also would feel that they would like
 5 to be informed of that sad fact.
 6 CHAIRPERSON: Thank you for telling us of
 7 this sad event. Would you kindly convey to his family the
 8 sincere condolences of the Commission. We're very sorry to
 9 hear the news. Our sympathy goes out in this period of
 10 their loss.
 11 MR TIP SC: Chair, we're very
 12 appreciative of that and we'll certainly see to it that
 13 those remarks are conveyed.
 14 CHAIRPERSON: Thank you. Mr Bizos.
 15 Major-General, you've heard the discussion between Mr
 16 Msimang, Mr Semenya, and myself. I don't want you to be
 17 constrained in any way to give answers which do not do
 18 justice to what you want to convey to us. It's important
 19 we get your evidence to be able to weigh it up fully. Mr
 20 Msimang was afraid that some of your answers were unduly
 21 long, but that is a matter for debate that I don't propose
 22 entering into, but the fact is I want you to appreciate
 23 that your evidence is very important and we don't want you
 24 at any point to feel that you're being handicapped in any
 25 way to giving your evidence to us as fully as you consider

Page 8954

1 it necessary for us to hear.

2 GENERAAL-MAJOOR ANNANDALE: Voorsitter,

3 baie dankie –

4 CHAIRPERSON: I understand also that

5 depends to some extent on the question you're asked. Some

6 questions may almost invite lengthy answers; others can be

7 satisfactorily answered in a short way, but that's a

8 decision you have to make when each question is put to you.

9 GENERAAL-MAJOOR ANNANDALE: Voorsitter,

10 ek sien die opmerking in die regte konteks. Dankie.

11 CROSS-EXAMINATION BY MR BIZOS SC (CONTD.):

12 Thank you, Mr Chairman. General, we have heard from you

13 and others that the happenings at Marikana on the 16th of

14 August were unique and unprecedented. Do you share that

15 view?

16 GENERAAL-MAJOOR ANNANDALE: Ek deel dit,

17 Voorsitter.

18 MR BIZOS SC: Now we know that the

19 environment or other circumstances play an important part

20 in the decisions that are made at any given time, and they

21 have to be taken into consideration. Would you agree?

22 GENERAAL-MAJOOR ANNANDALE: Ek stem saam,

23 Voorsitter.

24 MR BIZOS SC: Have you any knowledge of

25 what happened on the 22nd of May 2012 where there was a very

Page 8955

1 large demonstration in the vicinity of Marikana?

2 GENERAAL-MAJOOR ANNANDALE: Ek kan nie

3 die betrokke demonstrasie onthou nie, nee Voorsitter.

4 MR BIZOS SC: Well, perhaps the details

5 that are to be found in the statement, which is not yet an

6 exhibit, of Joseph Omphile Merafe – we ask for leave to

7 hand it in, Mr Chairman, and given an exhibit number.

8 CHAIRPERSON: Certainly, Mr Bizos, if you

9 would hand it up – it will be exhibit GGG15, I believe.

10 Now Mr Bizos, I don't know how you're going to handle this

11 statement in cross-examination. I see it is made by a

12 lieutenant-colonel. It's one of the, presumably one of the

13 police statements.

14 MR BIZOS SC: Yes.

15 CHAIRPERSON: I don't know whether the

16 Major-General has read it. I don't know whether it will be

17 –

18 MR BIZOS SC: There is only one paragraph

19 in this that I want to deal with, Mr Chairman. Have you

20 got a copy, General?

21 GENERAAL-MAJOOR ANNANDALE: Ek het 'n

22 afskrif, dis korrek.

23 MR BIZOS SC: Please turn to page 8,

24 paragraph 9 of the statement. Has it got an exhibit

25 number?

Page 8956

1 CHAIRPERSON: I have given it the exhibit

2 number GGG15. Mr Bizos, I'm not sure whether you were here

3 when I said previously that in future when exhibits are

4 going to be handed up during the course of the day I'd

5 appreciate it if we were given copies the day before so we

6 can study them the night before. I did make that as a

7 request. If I have to turn it into a ruling, I will do so,

8 but I take it you weren't aware of that, but please, I hope

9 everyone will remember that in future.

10 MR BIZOS SC: The statement only came to

11 my notice last night, Mr Chairman, but we will try and

12 observe that direction. Thank you.

13 CHAIRPERSON: Not only you, but your

14 colleagues as well.

15 MR BIZOS SC: Would you like to read it

16 out, or do you want me to read it out?

17 CHAIRPERSON: It's actually page 3, Mr

18 Bizos, it's headed 8 because it's paragraph 8.

19 MR BIZOS SC: I'm sorry.

20 CHAIRPERSON: It's paragraph 9 on page 3

21 of the statement.

22 MR BIZOS SC: Yes.

23 CHAIRPERSON: Perhaps the witness could

24 get a chance to read it silently to himself before you

25 proceed.

Page 8957

1 MR BIZOS SC: Yes.

2 CHAIRPERSON: And when he's ready he'll

3 let us know.

4 MR BIZOS SC: Yes.

5 GENERAAL-MAJOOR ANNANDALE: Dankie,

6 Voorsitter, ek het die paragraaf gelees.

7 MR BIZOS SC: It would appear that

8 despite the 15 000, some of whom were armed, that members

9 of VISPOL and POP and Tactical Response Team members

10 managed to deal with the 15 000 without any casualties.

11 GENERAAL-MAJOOR ANNANDALE: Dit wil so

12 voorkom, Voorsitter.

13 MR BIZOS SC: I know that similes for

14 comparisons very often are not complete solutions, but to

15 assert that what happened in Marikana was unprecedented

16 isn't correct, is it?

17 GENERAAL-MAJOOR ANNANDALE: Voorsitter,

18 ek is nie bewus van die omvang en die omstandighede rondom

19 hierdie spesifieke insident nie. Uit die paragraaf wat aan

20 my voorgehou is kan ek nie lees dat daar enige aanval op 'n

21 polisielyn plaasgevind het nie, en ek weet ook nie wat die

22 aanloop was tot hierdie situasie nie.

23 MR BIZOS SC: And we also don't know

24 whether they used razor wire. We don't know whether they

25 used gas. We don't know if they used –

Page 8958

1 CHAIRPERSON: - gas, Mr Bizos. They used
2 a CS canister.
3 MR BIZOS SC: I'm sorry, Mr Chairman?
4 CHAIRPERSON: They used a CS canister,
5 didn't they?
6 MR BIZOS SC: Yes.
7 CHAIRPERSON: Isn't that gas?
8 MR BIZOS SC: Yes. No, I'm sorry, yes I
9 withdraw that question. But there were no casualties.
10 That's really –
11 GENERAAL-MAJOOR ANNANDALE: Voorsitter,
12 ek het reeds geantwoord in terme van hierdie paragraaf blyk
13 dit dat daar nie enige sterftes/beserings was nie.
14 MR BIZOS SC: The other situation where
15 there was a death was the Tatane incident. You know about
16 that?
17 GENERAAL-MAJOOR ANNANDALE: Ek is bewus
18 van die Tatane insident, dis korrek.
19 MR BOOI: I am aware of the total
20 incident, yes.
21 MAJOR-GENERAL ANNANDALE: Tatane
22 incident.
23 CHAIRPERSON: It's Tatane, T-A-T-A-N-E.
24 MR BOOI: Sorry, I've got it, Mr
25 Chairperson.

Page 8959

1 MR BIZOS SC: There was a death there.
2 GENERAAL-MAJOOR ANNANDALE: Dit is
3 korrek.
4 CHAIRPERSON: I'm informed that the
5 previous interpretation was not recorded because the
6 interpreter's microphone was off. Is that correct? So –
7 MR MAHLANGU: The interpretation was, I
8 am aware of the Tatane incident.
9 MR BIZOS SC: There was considerable
10 public disquiet about that death.
11 GENERAAL-MAJOOR ANNANDALE: Daar was,
12 Voorsitter.
13 MR BIZOS SC: And there was even greater
14 disquiet when the nine policemen that were involved in it
15 were acquitted for the lack of evidence.
16 GENERAAL-MAJOOR ANNANDALE: Voorsitter,
17 my enigste kommentaar is dat daar 'n bevoegde hof aangestel
18 was wat 'n bevinding gemaak het en ek het verneem dat daar
19 persone is wat nie noodwendig saamstem nie.
20 MR BIZOS SC: The significant reason why
21 the proper court could not come to a conclusion is that
22 although two policemen had made statements before, they
23 were not prepared to repeat those statements before the
24 court.
25 CHAIRPERSON: Mr Bizos, I'm not sure as

Page 8960

1 to the relevance of that question. Perhaps you can
2 enlighten me on that?
3 MR BIZOS SC: It will become apparent, Mr
4 Chairman.
5 CHAIRPERSON: You give me your assurance,
6 Mr Bizos?
7 MR BIZOS SC: Yes, it will become
8 apparent that there is some relevance to that.
9 CHAIRPERSON: I accept your assurance.
10 If counsel me the assurance –
11 MR BIZOS SC: Yes.
12 CHAIRPERSON: - I'll leave the matter
13 there.
14 [10:02] MR BIZOS SC: It was a situation where
15 nine policemen were involved. Two of them made statements
16 implicating their fellow policemen. They went to court.
17 They reneged on the statements, and the nine, all nine said
18 they could not identify the one that actually shot. You
19 accept that, that that is what happened?
20 GENERAAL-MAJOOR ANNANDALE: Voorsitter,
21 ek is nie bewus van die besondere, of die besonderhede nie.
22 Ek moet aanvaar as mnr Bizos so sê dat dit waarskynlik so
23 was, maar ek is nie bewus daarvan nie.
24 MR BIZOS SC: The facts are in the public
25 domain, but what I want to put to you, that that is an

Page 8961

1 example of policemen going out of their way to protect
2 their fellow policemen, even though a crime was committed
3 in their presence.
4 CHAIRPERSON: Mr Bizos, I don't mean to
5 stop you. I understand the point you're making, but I
6 wonder whether you didn't put the proposition a bit too
7 strongly. I understand – I may have misunderstood, but I
8 understood that disciplinary steps are contemplated against
9 some of the policemen who gave evidence and they presumably
10 will not submit that what you've put is correct. So it may
11 well be that what you said must be qualified by some word,
12 "allegedly," or something or that kind, but you present it
13 as a stark fact that these policemen have been guilty of
14 serious misconduct because of this, what you would say was
15 a mistaken pleading of collegial loyalty, and that
16 statement without any qualification as a fact, I don't
17 think could appropriately be made in these proceedings. So
18 perhaps you can reformulate what you said.
19 MR BIZOS SC: Well, the allegations – the
20 allegations are that the nine policemen made it impossible
21 for justice to be done by either remaining silent in
22 relation to the conduct of one or other of their
23 colleagues, or they gave evidence which did not help the
24 court come to a just conclusion. I'm not asking you to
25 judge them. What I am concerned with, General, is that the

Page 8962

1 validity of the public perception that the police will not
 2 give evidence to implicate their fellow policemen, is that
 3 public perception either in part or in whole justified?
 4 GENERAAL-MAJOOR ANNANDALE: Voorsitter, u
 5 sal merk dat my antwoorde tradisioneel korter is as die
 6 vrae.
 7 MR BOOI: Mr Chairman, you will note that
 8 my answer will not be as short as it should perhaps be, or
 9 expected to be –
 10 CHAIRPERSON: No, he said the opposite.
 11 “You’ll note that my answer is traditionally shorter than
 12 the question.” That was the answer, which Mr Bizos says he
 13 can take that. Anyway, carry on with your answer, Major-
 14 General.
 15 GENERAAL-MAJOOR ANNANDALE: Voorsitter,
 16 elke verkeerde handeling van enige polisiebeampte is sleg
 17 in die oë van die publiek. Voorsitter, ek sal graag dat
 18 ons nie twee polisielede uit 196 000 plus – miskien moet ek
 19 die vraag net meer volledig eers, dat hy dit makliker kan
 20 vertaal. Hierdie is twee polisielede se optrede uit 'n
 21 totale getal sterkte van meer as 196 000 polisielede in die
 22 Suid-Afrikaanse Polisie diens. So wat ek wil sê, dit sal
 23 onregverdig wees om 'n oordeel te vel op elke
 24 polisiebeampte se integriteit gebaseer op twee
 25 polisiebeamptes se pertinente gedrag.

Page 8963

1 MR BIZOS SC: Let me put it in another
 2 way. Would you deny that there is a code of silence
 3 prevalent in the police force, that is that you don't give
 4 evidence against your colleague; you stick together?
 5 GENERAAL-MAJOOR ANNANDALE: Voorsitter,
 6 daar bestaan verseker nie so 'n kode in die Suid-Afrikaanse
 7 Polisie diens nie.
 8 MR BIZOS SC: Well, are there some who
 9 believe in this code of conduct?
 10 GENERAAL-MAJOOR ANNANDALE: Voorsitter,
 11 maar daar is nie so 'n “code of conduct” nie. Dit bestaan
 12 nie. Ons het 'n “code of conduct” in die polisie wat
 13 verseker dit nie onderskryf nie.
 14 CHAIRPERSON: Major-General, could I ask
 15 a question based on the approach that Mr Bizos is putting
 16 to you. Have you in the course of your experience as an
 17 officer ever presided over disciplinary tribunals where
 18 policemen are brought up, charged with infractions of the
 19 disciplinary rules applying in the service?
 20 GENERAAL-MAJOOR ANNANDALE: Ek het
 21 inderdaad voorgesit, dis korrek, Voorsitter.
 22 CHAIRPERSON: What Mr Bizos is after is
 23 have you in the course of your experience encountered
 24 conduct by members of the service who have lied to defend,
 25 to assist their colleagues who are charged, or stated

Page 8964

1 things they didn't know about, which in the circumstances
 2 they should have known about, which would have reflected
 3 adversely on the colleague who were charged before you in
 4 the disciplinary proceedings?
 5 GENERAAL-MAJOOR ANNANDALE: Voorsitter,
 6 maar die vraag was nie so gevra nie. Die vraag het verwys
 7 na 'n pertinente “code of conduct” –
 8 CHAIRPERSON: No, no, I know that, that's
 9 why I said I was approaching the matter from a different
 10 angle.
 11 GENERAAL-MAJOOR ANNANDALE: Voorsitter,
 12 ek kan een geval onthou wat ek self 'n dissiplinêre verhoor
 13 voorsitter was. Dan is daar uiteraard wat mens in die
 14 media lees waar daar sodanige bewerings gemaak word.
 15 MR BIZOS SC: Let's come to Marikana.
 16 CHAIRPERSON: Before you get to Marikana,
 17 if I can just ask you one more question on the topic. I
 18 take it you've been aware in the course of your career of
 19 lots of case where policemen were convicted by courts on
 20 the basis of evidence given by their colleagues.
 21 GENERAAL-MAJOOR ANNANDALE: Baie, baie
 22 meer as die negatiewe, verseker, Voorsitter, en so ook in
 23 departementele verhore wat ek voorgesit het.
 24 MR BIZOS SC: Do you believe, General,
 25 that the Constitution, the legislation relating to the

Page 8965

1 police, or the Standing Orders, impede the work of the
 2 police in fighting crime?
 3 CHAIRPERSON: Mr Bizos, didn't we have
 4 that question yesterday?
 5 MR BIZOS SC: It wasn't the precise
 6 terminology as I put it today.
 7 CHAIRPERSON: Well, my recollection was
 8 the question was more or less verbatim as you put it now.
 9 MR BIZOS SC: No, because –
 10 CHAIRPERSON: But obviously if you want
 11 to go back to that topic to raise aspects that weren't
 12 raised yesterday, you have the fullest right to do that.
 13 MR BIZOS SC: We do.
 14 CHAIRPERSON: It did sound to me thought
 15 as if you were covering ground we covered yesterday. Mr
 16 Semenya, you turned your light on.
 17 MR SEMENYA SC: It was precisely to say
 18 that this topic has been – to use the expression – a lemon
 19 that's squeezed dry now.
 20 CHAIRPERSON: Mr Bizos thinks there is
 21 some juice left in the lemon. Mr Bizos, I'll allow you to
 22 ask questions which go further than the questions you asked
 23 yesterday, but if the questions are merely repetition of
 24 what happened yesterday I won't allow them. The question
 25 you asked yesterday was his views, you put the passage in

<p style="text-align: right;">Page 8966</p> <p>1 the opening statement by Mr Semenya to him, which more or 2 less said, well you said it said that and you asked him if 3 he agreed and he gave his answer. So if you're approaching 4 the matter again on another aspect, please get to the other 5 aspect.</p> <p>6 MR BIZOS SC: It is on another basis and 7 on evidence that we discovered yesterday, Mr Chairman. 8 What is your short answer? Do you believe that they are an 9 impediment in fighting crime in South Africa?</p> <p>10 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 11 nee, ek is nie bewus van enige sodanige wetgewing pertinent 12 nie, die Konstitusie of dan Staande Ordes wat ons beperk om 13 misdaad te bekamp nie.</p> <p>14 MR BIZOS SC: Is there –</p> <p>15 CHAIRPERSON: It hasn't been interpreted 16 yet, Mr Bizos.</p> <p>17 MR BOOI: I am not aware of such –</p> <p>18 MAJOR-GENERAL ANNANDALE: Legislation.</p> <p>19 MR BOOI: - legislation. Yes, there are 20 impediments –</p> <p>21 CHAIRPERSON: No, no, no, no, it's the 22 other way around. He said, "I'm not aware of any 23 legislation or anything in the Constitution, or anything in 24 the Standing Orders that impede in any way the 25 investigation or combating of crime." I think that was his</p>	<p style="text-align: right;">Page 8968</p> <p>1 understand "body of policemen," so several police officers? 2 Is that my correct interpretation of a "body of policemen?" 3 More than one, a number, a substantial number?</p> <p>4 MR BIZOS SC: You tell us –</p> <p>5 CHAIRPERSON: The word "body" is a bit 6 ambiguous. You know, do you mean a dozen or do you mean a 7 couple hundred or do you mean thousands or –</p> <p>8 MR BIZOS SC: The witness can tell us 9 whether there are discussions when you're having tea, when 10 you're having lunch, or whether you go, when you go to the 11 bar, or whatever, is there a perception that we actually 12 need to be "kragdadig" in order to deal with crime?</p> <p>13 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 14 in my daaglikse handel en wandel in my kantooropset en die 15 mense wat ek daaglik omgaan mee, is daar geen sodanige 16 gevoel nie.</p> <p>17 [10:22] MR BIZOS SC: Do you know of any 18 statement of any person in high authority to have said 19 anything which may be interpreted that they have the right 20 to be "kragdadig?"</p> <p>21 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 22 ek is bewus van media verwysings na sodanige uitlatings wat 23 gemaak is.</p> <p>24 MR BIZOS SC: Please tell us of what you 25 know of these rumours or statements.</p>
<p style="text-align: right;">Page 8967</p> <p>1 answer. If I misinterpreted it, he will tell me.</p> <p>2 GENERAAL-MAJOOR ANNANDALE: U is 100% 3 daar, dankie, Voorsitter.</p> <p>4 MR BIZOS SC: Are there people within the 5 police service who blame the Constitution, the Standing 6 Orders, the legislation, for the high degree of criminality 7 in the country?</p> <p>8 GENERAAL-MAJOOR ANNANDALE: Uiteraard kan 9 ek nie elkeen van die 196 000 se opinies kan ek weergee 10 nie, maar waarvan ek bewus is, nee.</p> <p>11 MR BIZOS SC: Is there a body of 12 policemen who believe that these instruments prevent them 13 from being – and I think that the best word is the 14 Afrikaans word, "kragdadig," – in order to lessen the crime 15 in South Africa?</p> <p>16 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 17 as ek verstaan, "a body of policemen," dan verstaan ek 'n 18 amptelike benadering deur 'n groot groepering, of 'n 19 groepering. Is ek reg as ek dit so verstaan? So amper 'n 20 amptelike benadering tot kragdadigheid?</p> <p>21 MR BIZOS SC: No, the question is, is 22 there a body of policemen who believe that they are 23 prevented from being "kragdadig" in order to lessen the 24 criminality in the country?</p> <p>25 MAJOR-GENERAL ANNANDALE: I need to</p>	<p style="text-align: right;">Page 8969</p> <p>1 CHAIRPERSON: No, he's not talking about 2 rumours and statements. He's talking about things that 3 appeared in the media. He's aware, as we all are, that 4 various statements have been quoted in the media from time 5 to time. That's what he said, not "rumours," but he's 6 referring to reports that appeared in the media, as I 7 understand his evidence, of statements allegedly made by 8 people.</p> <p>9 MR BIZOS SC: Well, can you remember 10 anyone highly placed that made any statement which would 11 encourage policemen to be "kragdadig?"</p> <p>12 MR SEMENYA SC: No, no Chair –</p> <p>13 CHAIRPERSON: How is this going to help 14 us as to whether he's aware of any particular statement in 15 the media? Some of these media statements have been 16 referred to. You've in fact referred to them yourself in 17 the course of the cross-examination of the National 18 Commissioner. So these statements are, for what they're 19 worth, before the Commission. Now the extent of the 20 knowledge of this particular witness of the statements, is 21 that going to help us to answer any of the questions that 22 we have to answer? I don't want to unduly hinder you in 23 the course of your cross-examination, but remind you how 24 much the Commission costs every day, remind you of the 25 necessity for us to proceed with expedition to make our</p>

Page 8970

1 findings, and if we're going to have this kind of question
 2 all the time then I'm afraid we're going to be hampered in
 3 expeditiously dealing with the problems before us. If you
 4 have a very good reason for asking this question, because
 5 it leads up to something else, I won't stop you, but for
 6 the life of me I can't see at the moment how his answer on
 7 that question, whichever way it goes, is going to help us.

8 MR BIZOS SC: Mr Chairman –

9 CHAIRPERSON: May I say something else?

10 Obviously this is a witness who reads the newspapers. I
 11 think we can accept that he's likely to have read at least
 12 some of the statements that have been referred to in the
 13 past, but how does that help us to answer any of the
 14 questions that we have to answer?

15 MR BIZOS SC: I'll explain why I am
 16 pursuing this line, because yesterday we came across
 17 further information about the lack of leadership at
 18 Marikana and how the one person that actually said that
 19 there will be - as you know it was disclosed - that there
 20 will be bloodshed, we have unearthed evidence that she was
 21 in fact sidelined.

22 CHAIRPERSON: Maybe you can put those
 23 points directly to the witness, but –

24 MR BIZOS SC: Yes, I –

25 CHAIRPERSON: You are approaching the

Page 8971

1 matter rather circumspectly. I understand sometimes why
 2 cross-examiners do that, but I don't know in this case with
 3 this witness if you need be as circumspect as you are. Why
 4 not come directly to the point, put it to him, and let's
 5 get his comments.

6 MR BIZOS SC: Yes. I'm going to read –
 7 there are numerous such statements, but there is one that I
 8 want to remind you of in view of what we have to deal with
 9 later. The Deputy Minister of Safety & Security, Susan
 10 Shabangu, now the Minister of Mineral Resources, "You must
 11 kill the bastards if they threaten you or the community.
 12 You must not worry about the regulations. I want no
 13 warning shots. You have one shot and it must be a kill
 14 shot. I will not tolerate any pathetic excuses for you not
 15 being able to deal with crime. You have been given guns;
 16 now use them."

17 CHAIRPERSON: Can you tell us when she
 18 said that? I know we've had it before. It's in some of
 19 the materials that are before us, but I think for the
 20 benefit of the witness –

21 MR BIZOS SC: The statement was made on
 22 the 9th of April 2008.

23 CHAIRPERSON: Yes.

24 MR BIZOS SC: And it was –

25 CHAIRPERSON: I think that's all we need

Page 8972

1 now.

2 MR BIZOS SC: Yes, and it goes on, and
 3 the following year Minister Mthethwa, Minister of Safety &
 4 Security –

5 MR SEMENYA SC: Chair –

6 CHAIRPERSON: Sorry, before you carry on,
 7 Mr Bizos, Mr Semenya wants to say something.

8 MR SEMENYA SC: Chair, apart from the
 9 fact that we have had this before, its proximity to the
 10 events of Marikana escapes me.

11 CHAIRPERSON: That's why I asked for the
 12 date. Mr Bizos, you didn't discover this yesterday,
 13 because we've had that before. So are you leading up to
 14 something that you discovered yesterday?

15 MR BIZOS SC: Yes, Mr Chairman –

16 CHAIRPERSON: Because you talked about
 17 somebody who was sidelined. Now perhaps we should get to
 18 that. I don't want a cross-examiner with your years of
 19 experience, I don't want to be prescriptive, but I would
 20 like us to get to the nub of the matter sooner rather than
 21 later, if you don't mind.

22 MR BIZOS SC: Mr Chairman, with the
 23 greatest respect, we are concerned that these statements –
 24 and those will be my questions to this witness – what do
 25 statements to this effect have on the rank and file of the

Page 8973

1 police that shot at Marikana.

2 CHAIRPERSON: May I suggest we settle our
 3 difference as follows. You put the statements that you are
 4 going to rely on and then you end up by asking the witness
 5 the question, what effect will those have in his experience
 6 and knowledge, and so on, on the rank and file at Marikana.

7 MR BIZOS SC: Yes.

8 CHAIRPERSON: So how many statements are
 9 you going to put? You've given us the Shabangu one from
 10 2008 and now you've got another one from the following year
 11 by the then Minister -

12 MR BIZOS SC: There are two more short
 13 statements, Mr Chairman –

14 CHAIRPERSON: Alright, let's hear the two
 15 more short statements –

16 MR BIZOS SC: - and we cannot be
 17 restricted, with respect, Mr Chairman, in putting to each
 18 one of these persons that were there - and we will argue
 19 that they are responsible for the deaths and the injuries –
 20 we have to put to them what was the guiding principle that
 21 led to the tragedy –

22 CHAIRPERSON: Yes, Mr Bizos, I indicated
 23 I'm not stopping you. I'm just suggesting a way we could
 24 do it with minimum expenditure of time.

25 MR BIZOS SC: Yes.

<p style="text-align: right;">Page 8974</p> <p>1 CHAIRPERSON: Put the other statements 2 that you rely on, then ask the follow-up question – 3 MR BIZOS SC: Yes, of course. 4 CHAIRPERSON: Let's carry on with that. 5 You agree, that's the appropriate way [inaudible]. 6 MR BIZOS SC: The Mthethwa statement, "We 7 don't believe that when you are faced with criminals armed 8 with sophisticated weaponry, the police task would be to 9 take out some human rights charter. Now we are saying to 10 the police that we ourselves have an obligation as well to 11 strengthen the arm of these task forces so that they are 12 able on the field to teach those people a lesson, to fight 13 fire with fire. There is no other way on that." And 14 finally, "We don't want hesitation from the police. 117 15 policemen died last year because they hesitated to defend 16 themselves." Had you heard or read – 17 CHAIRPERSON: I'm sorry, Mr Bizos, I 18 understood you said there were three statements you're 19 going to rely on. You've given us two so far. Is there a 20 third? 21 MR BIZOS SC: There are two from Mthethwa 22 and one – 23 CHAIRPERSON: I see. You've given us 24 both from Minister Mthethwa – 25 MR BIZOS SC: Yes.</p>	<p style="text-align: right;">Page 8976</p> <p>1 daarna gewees. 2 MR BIZOS SC: Had you not heard them 3 discussed among your fellow officers, what are the 4 ministers saying? 5 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 6 ons is 'n professionele polisie organisasie. Ons kry ons 7 leiding en rigting vanuit die Konstitusie, wetgewing, 8 nasionale instruksies, Staande Ordes. Ons kry dit ook in 9 terme van standaard operasionele prosedures en ons kry dit 10 in terme van direkteiewe en nêrens in enige van die 11 pertinente dokumente waarna ek verwys het bestaan daar so 12 'n benadering van kragdadigheid nie. So nee, Voorsitter, 13 ek hoor dit nie in die gange nie en ek hoor dit ook nie oor 14 tee nie. Voorsitter, ons is ook nie daar om enigiemand 15 lesse te leer nie. Ons het 'n verantwoordelikheid en ons 16 verantwoordelikheid is om persone voor die reg te bring en 17 daar is 'n regstelsel, 'n behoorlike regstelsel wat dan 18 hulle gang sal gaan. Voorsitter, my eie interpretasie van 19 enige sodanige praat is suiwer dat ons die, dat ons moet 20 meer toegewyd wees in terme van die bekamping van misdaad, 21 maar ook dat daar 'n bekommernis is oor die aantal sterftes 22 onder polisiebeamptes, en dat polisiebeamptes waaksaam moet 23 wees. 24 MR BIZOS SC: Are you going to tell the 25 Commission that these statements of these two ministers</p>
<p style="text-align: right;">Page 8975</p> <p>1 CHAIRPERSON: And the one from the Deputy 2 Minister, as she then was, Shabangu. 3 MR BIZOS SC: Yes. 4 CHAIRPERSON: Alright, so those are the 5 three statements. Now I understand you want to ask the 6 witness a question – 7 MR BIZOS SC: Yes. 8 CHAIRPERSON: - based on those 9 statements. 10 MR BIZOS SC: Yes. 11 CHAIRPERSON: The effect they would have 12 – but anyway, you phrase the question the way you want to. 13 MR BIZOS SC: Yes. Were you aware of 14 these statements being made by the ministers who head the 15 police? 16 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 17 nie noodwendig ten tyde van wat dit gemaak is nie, maar ek 18 het dit nou in die Marikana verrigtinge het ek dit gelees. 19 MR BIZOS SC: Have you not heard of them 20 before? 21 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 22 ek kan nie gaan sê dat ek pertinent die een van Adjunk- 23 Minister Shabangu gehoor het nie, en ek kan ook nie gaan sê 24 dat ek pertinent kan onthou dit was in 20-dit of 20-dat wat 25 dit gesê was nie. Ek het in die media, was daar verwys</p>	<p style="text-align: right;">Page 8977</p> <p>1 were not discussed by the senior officers among themselves, 2 among the people that they command, that these are 3 statements which do not accord with the Constitution, and 4 which do not accord with the legislation, and which do not 5 accord with the police orders? One would have expected if 6 you had the respect for these law provisions, to tell your 7 members ignore them, they are wrong, they are contrary to 8 the law. 9 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 10 ek het gesê in my omgewing is ek nie bewus daarvan dat daar 11 enige sodanige besprekings is nie. Voorsitter, 12 polisiebeamptes word behoorlik opgelei. Ons opleiding is 13 tans oor 24 maande, net die basiese opleiding, en daar word 14 omvattend gedeel met die relevante wetgewing, en ek stel 15 dit aan u dat polisiebeamptes terdeë bewus is van hulle 16 professionele verantwoordelikheid. 17 [10:42] MR BIZOS SC: And you're not prepared to 18 concede that these statements will send mixed signals, they 19 say never mind the regulations, and they are after all the 20 political heads of the police. Surely it must be matters 21 that were of necessity to be discussed to at least remind 22 them don't listen to them, listen to the orders, listen to 23 the legislation, listen to the Constitution. 24 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 25 ek is van 2005 af is ek op 'n hoofkantoor afdeling –</p>

<p style="text-align: right;">Page 8978</p> <p>1 CHAIRPERSON: The head office division 2 since 2005. 3 MAJOR-GENERAL ANNANDALE: That's correct. 4 Ek het verwys na interne van my omgewing dat daar nie 5 sodanige besprekings was nie. Ek kan sekerlik nie getuig 6 wat bevelvoerders op die 1 116 polisiestasies in hierdie 7 land, wase besprekings daar plaasgevind het nie. 8 Voorsitter, maar wat ek weet, dit maak nie saak wie wat sê 9 nie; op die einde van die dag is daar net een persoon wat 10 in 'n hof gaan staan en verantwoordbaar gehou word vir sy 11 of haar dade. There's only one person that will have to go 12 and account in court, and that's the person that actually 13 performed a specific action, and not those people that 14 actually uttered the words. 15 MR BIZOS SC: The people at the radio 16 stations, is it not a concern of the general, like 17 yourself, what effect these statements would have on the 18 people at the various stations? 19 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 20 ek kan dit nie beter verduidelik nie. Ek kan net getuig in 21 my eie omgewing. Daar is regdeur die land, het ons nege 22 provinsies. In elke provinsie is daar behoorlike stelsels, 23 posvlak stelsels. Ek kan regtig net gaan getuig in terme 24 van my eie waarneming van dit. 25 MR BIZOS SC: Do you consider yourself as</p>	<p style="text-align: right;">Page 8980</p> <p>1 reminded of it. Major-General, may I ask you a question 2 relevant to what Mr Bizos is asking you about. I 3 understand you've got your own responsibilities and your 4 own division, as it were, in head office. If there was 5 concern in head office about the effect that particularly 6 Deputy Minister Shabangu's comments might have on the 7 understanding of the ordinary rank and file, and what would 8 happen for example if policemen were brought before court, 9 charged with shooting without giving a warning and so on, 10 and he pleaded in mitigation that well, I merely did what 11 the Deputy Minister said, which might put the court in a 12 difficult position in imposing a proper sentence because 13 after all he pleads in mitigation this is what the Deputy 14 Minister told me to do, but who would have been responsible 15 in head office for sending some kind of warning down the 16 line, as it were, to the rank and file that never mind what 17 the Deputy Minister said, you obey the law, the 18 Constitution, the Standing Orders? Was there a particular 19 division at head office that would have been concerned with 20 that kind of thing? Obviously it wasn't your section, but 21 was there a section, was there someone or some particular 22 major-general or lieutenant-general whose responsibility it 23 would have been to send that kind of message down into the 24 nine provinces and down to the stations? 25 GENERAAL-MAJOOR ANNANDALE: Voorsitter,</p>
<p style="text-align: right;">Page 8979</p> <p>1 a member of – 2 CHAIRPERSON: It hasn't been interpreted 3 – sorry, Mr Bizos, it hasn't been interpreted into English 4 yet, the answer. 5 MR BOOI: Mr Chairperson, what I do know 6 is that in my area – ek kan dit nie alles onthou. 7 CHAIRPERSON: What he says, he can only 8 testify as to what happened in his area of responsibility, 9 but there are – he did speak about various other levels 10 right throughout the country. There are nine provinces and 11 what happens in all those nine provinces it's not a matter 12 of which he has direct knowledge, as I understand his 13 evidence. Did I understand you correctly? 14 MAJOR-GENERAL ANNANDALE: Yes, 15 Chairperson, and that is various structures obviously that 16 all go right down to station level. 17 MR BOOI: Thank you, Mr Chairman. 18 MR BIZOS SC: The passages that I have 19 read to you were made by ministers who have powers to 20 direct the police. 21 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 22 geen persoon in hierdie land is verhewe bo die wet nie. 23 MR BIZOS SC: Yes, thank you for that. 24 We often say it ourselves. 25 CHAIRPERSON: We need still to be</p>	<p style="text-align: right;">Page 8981</p> <p>1 dit kan 'n verskeidenheid van persone wees. Dit kan 2 byvoorbeeld die Nasionale Kommissaris wees of enige van die 3 Adjunk Nasionale Kommissarisse, of dit kan ook vanuit die 4 polisie se regsafdeling, kan daar so 'n, dan 'n opmerking 5 gemaak word, en dit sal tipies deur Korporatiewe 6 Kommunikasie sal dit dan versprei word, alhoewel dit 7 natuurlik sou vanaf, een van die persone wat ek vermeld het 8 sou gesê het ons moet so 'n berig uitstuur, 'n interne 9 kommunikasie na al ons lede om dit in konteks te plaas, of 10 dan wat ook al die geval sou wees. 11 CHAIRPERSON: It will be sent as an 12 internal communication from head office to all the members. 13 Is that right? 14 MAJOR-GENERAL ANNANDALE: That's right, 15 Chairperson, yes. That is the channel that will be used. 16 MR BIZOS SC: Do you know whether any 17 such step was taken in order to correct these statements or 18 commands of the two ministers? 19 CHAIRPERSON: I'm not sure whether 20 "command" is the right word. I'm not sure - the minister 21 has the right to give guidance and so on, on matters of 22 policy. I'm not sure the minister has got the power to 23 give commands. So I'm not sure that "command" is a happy 24 word, but perhaps you could rephrase the question. 25 MR BIZOS SC: Were any steps taken to</p>

<p style="text-align: right;">Page 8982</p> <p>1 inform the police force as a whole that these statements 2 may not be in accordance with the law? 3 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 4 ek weet nie. Die uitspraak deur die adjunk-minister was in 5 2008, so dis vyf jaar terug. Daar's letterlik duisende en 6 duisende kommunikasiestukke wat deur die polisie versprei 7 word in 'n finansiële jaar. 8 CHAIRPERSON: Mr Bizos, in order to save 9 time, I understand the point you're making and I understand 10 why you consider it's important, but I would have thought, 11 if I may say so, the way perhaps we can deal with it with a 12 minimum expenditure of time is you can ask your learned 13 friend for the police to give you copies of any such 14 communications that were sent out, and we don't have to ask 15 this witness about it. As he says, he's at a disadvantage 16 anyway; there are thousands of them every year. But you 17 could ask the police counsel, legal representatives for 18 that and if there are such communications they can be put 19 before us, and if there aren't, that silence will itself 20 possibly convey a message which you'll want to deal with in 21 your argument. 22 MR BIZOS SC: I'm sure that they've heard 23 you, Mr Chairman, and they will volunteer such statements 24 if they were made. I doubt very much that they will – 25 CHAIRPERSON: Don't make comments like</p>	<p style="text-align: right;">Page 8984</p> <p>1 orders and unwittingly may have committed offences? 2 COMMISSIONER HEMRAJ: Is there a basis 3 for such a proposition, Mr Bizos? 4 MR BIZOS SC: I beg your pardon? 5 COMMISSIONER HEMRAJ: Is there any basis 6 for such a proposition, for the proposition that you're 7 putting? 8 MR BIZOS SC: The factual one or the 9 legal one? 10 COMMISSIONER HEMRAJ: Yes, well either. 11 MR BIZOS SC: Well, I submit, with 12 respect, that the ordinary policeman may have interpreted 13 as an order that he had to obey, you have only one word, 14 kill, and we don't want you to be guided by an order, with 15 the words, the charter. There are words which may – I'm 16 not saying to the witness or the Commission that they must 17 judge the minister as to whether the order was unlawful or 18 not, but I am entitled to put that this sort of talk could 19 be interpreted by the lay policeman as orders from above, 20 giving them a licence to kill. 21 CHAIRPERSON: Is that not a matter for 22 argument rather than to be traversed with this witness? 23 MR BIZOS SC: I'm putting to him, Mr 24 Chairman, what we are going to argue, for his comment. 25 CHAIRPERSON: I see. Mr Bizos, I have a</p>
<p style="text-align: right;">Page 8983</p> <p>1 that, Mr Bizos. 2 MR BIZOS SC: Yes. 3 CHAIRPERSON: They may well have done so 4 and they may also in their training courses for example 5 have dealt with this kind of thing as well. There was also 6 of course the letter of the Minister which is before us as 7 an exhibit, I think it's July 2011, which was subsequently 8 varied, which also did, as it were, reaffirm some law as 9 traditionally laid down. But anyway, these are matters 10 that can possibly more productively be addressed in 11 argument - 12 MR BIZOS SC: There's just one last 13 question – 14 CHAIRPERSON: But anyway, carry on with 15 your next question. 16 MR BIZOS SC: The last question on the 17 issue. General, section 199(6) of the Constitution says 18 the following, "No member of any security service may obey 19 a manifestly illegal order." Did you know of this 20 provision, General? 21 GENERAAL-MAJOOR ANNANDALE: Ek is 22 verseker bewus daarvan. 23 MR BIZOS SC: Yes. Would you agree that 24 some of the police members who do not know that subsection 25 of the Constitution may have interpreted the statements as</p>	<p style="text-align: right;">Page 8985</p> <p>1 bit of difficulty with your question. I understand where 2 you're coming from and I don't want to be unduly 3 restrictive, but is the suggestion that anyone who fired a 4 shot at Marikana, any member of the police service who 5 fired a shot at Marikana in 2012 in circumstances which you 6 will argue in due course were illegal, was influenced to do 7 so by remarks that were made by a deputy minister, who's no 8 longer connected with the police department, four years 9 previously? Is that what you're suggesting to the witness? 10 Because if there's no causal connection between what was 11 said by the deputy minister in 2008 and what happened on 12 the 16th of August 2012, then it's an inquiry which we 13 shouldn't expend our energy on. I understand what you say 14 about the deputy minister's comments and I can understand 15 and foresee the criticisms you're going to make about it, 16 but as far as our inquiry is concerned, don't we need a 17 causal link between the one and the other? 18 MR BIZOS SC: The submission is going to 19 be, Mr Chairman that these statements have influenced a 20 culture of "kragdadigheid" – I don't know what the English 21 translation is in the police – and that spirit of 22 "kragdadigheid" was all over the place at Marikana on the 23 16th of August. 24 CHAIRPERSON: Major-General, we'll take – 25 sorry, Mr Semenya?</p>

<p style="text-align: right;">Page 8986</p> <p>1 MR SEMENYA SC: Chair, would my learned 2 colleague Mr Bizos tell us whether he's going to produce 3 this evidence? 4 MR BIZOS SC: We are conducting a case on 5 behalf of our clients and in the interest of justice we are 6 going to say that the evidence produced and that will be 7 produced will, should lead to inevitable inference that 8 there was this spirit of "kragdadigheid" that really 9 influenced the people that shot the 34 dead and the 84 10 injured person. 11 CHAIRPERSON: But you're being asked by 12 Mr Semenya to indicate what evidence you have or are going 13 to produce to establish that. That's what Mr Semenya 14 asked. 15 MR BIZOS SC: There will be evidence of 16 the experts, of the medical experts, of the crowd control 17 experts – 18 CHAIRPERSON: Ja, I think all that then 19 will be a matter of argument at the end of the case, won't 20 it? End of, not the case, the end of the sitting of the 21 Commission. I'm concerned with questions you're asking 22 this particular witness at this time, but perhaps there's a 23 way of dealing with it, or I'll try. You yourself in your 24 actions at Marikana, were you influenced by any belief that 25 "kragdadigheid" was an important value that had to be</p>	<p style="text-align: right;">Page 8988</p> <p>1 CHAIRPERSON: Are there particular 2 passages in them that – 3 MR BIZOS SC: They're two short 4 statements, Mr Chairman. 5 CHAIRPERSON: Alright, well hand them out 6 during the tea adjournment. We'll now take the tea 7 adjournment. 8 [COMMISSION ADJOURNS COMMISSION RESUMES] 9 [11:26] CHAIRPERSON: The Commission resumes. I 10 see we have two statements now before us, one of Lieutenant 11 Baloyi and one of Lieutenant-Colonel Vermaak. Do you want 12 me to mark them as exhibits, Mr Bizos? 13 MR BIZOS SC: Yes. 14 CHAIRPERSON: Which must be 16 and which 15 17? 16 MR BIZOS SC: Option – 17 CHAIRPERSON: No, you can choose. The 18 one you're going to refer to first is obviously going to be 19 16. So which one are you going to refer to first? 20 MR BIZOS SC: Baloyi. 21 CHAIRPERSON: Baloyi, alright. So that's 22 GGG16 and the other one is GGG17, and that's Lieutenant- 23 Colonel Vermaak. Right. Generaal-Majoor, u is nog steeds 24 onder eed. 25 CHARL ANNANDALE: s.o.e.</p>
<p style="text-align: right;">Page 8987</p> <p>1 subscribed to? 2 [11:02] GENERAAL-MAJOOR ANNANDALE: Voorsitter, 3 verseker nie. 4 CHAIRPERSON: Right, were you aware of 5 any other member of the service who was there at Marikana 6 at that time who was influenced, as far as you knew, by the 7 belief that Mr Bizos is referring to? 8 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 9 weereens nee. 10 CHAIRPERSON: Mr Bizos, isn't that all 11 that you can legitimately ask this witness? I'm not saying 12 you can't argue the point and you can't ask other people, 13 but isn't that as far as you can take it with this witness? 14 MR BIZOS SC: Yes. 15 CHAIRPERSON: Alright, is this perhaps an 16 appropriate stage for us to take the tea adjournment? 17 MR BIZOS SC: Mr Chairman, we just want 18 to give notice that we will hand out two new documents 19 after the adjournment. 20 CHAIRPERSON: May I suggest you hand them 21 out during the adjournment – 22 MR BIZOS SC: Now perhaps, so that they 23 can be read before we continue. 24 CHAIRPERSON: Are they lengthy? 25 MR BIZOS SC: No.</p>	<p style="text-align: right;">Page 8989</p> <p>1 VOORSITTER: Ek verstaan u was besig om 2 die verklarings te lees wat u gekry het, gedurende die 3 teepouse. 4 GENERAAL-MAJOOR ANNANDALE: Dit is 5 korrek, Voorsitter. 6 CHAIRPERSON: Ja, okay. 7 CROSS-EXAMINATION BY MR BIZOS SC (CONTD.): 8 With your leave, Mr Chairman. I was before the adjournment 9 challenged as to what evidence we have for the proposition 10 that we then put. I ask for leave to put another question 11 by referring to what we are relying on, and I would ask you 12 to please look at FFF14 at page 26. This is Maximum Force, 13 the exhibit by Mr David Bruce who is an expert – 14 CHAIRPERSON: Yes, I thought you'd be 15 referring to that. I brought my copy, but what's the 16 exhibit number? I didn't have it written on – FFF? 17 MR BIZOS SC: FFF – 18 CHAIRPERSON: 14. 19 MR BIZOS SC: 14. 20 CHAIRPERSON: Alright, what page? 21 MR BIZOS SC: Page 26, last paragraph. 22 CHAIRPERSON: I think the witness was 23 referred to it yesterday. 24 MR BIZOS SC: Yes, it was referred to by 25 –</p>

<p style="text-align: right;">Page 8990</p> <p>1 CHAIRPERSON: Mr Budlender.</p> <p>2 MR BIZOS SC: Mr Budlender, yes. Yes.</p> <p>3 CHAIRPERSON: Okay, we've got page 22 in</p> <p>4 front of us. What – it's quite a lengthy page. Where on</p> <p>5 the page does it –</p> <p>6 MR BIZOS SC: I want to read that.</p> <p>7 CHAIRPERSON: Not the whole page –</p> <p>8 MR BIZOS SC: No, no, the bottom, three</p> <p>9 lines at the bottom.</p> <p>10 CHAIRPERSON: Three lines at the bottom?</p> <p>11 MR BIZOS SC: Page 26 –</p> <p>12 CHAIRPERSON: Page 26, I see.</p> <p>13 MR BIZOS SC: At the bottom.</p> <p>14 CHAIRPERSON: Yes, I see. Alright, let's</p> <p>15 just make sure the Major-General has got it. Major-</p> <p>16 General, have you got exhibit FFF14 in front of you, and</p> <p>17 have you got page 267?</p> <p>18 GENERAAL-MAJOOR ANNANDALE: Ek het dit</p> <p>19 inderdaad, Voorsitter.</p> <p>20 CHAIRPERSON: Right, Mr Bizos, carry on.</p> <p>21 MR BIZOS SC: "How widely the term</p> <p>22 'maximum force' is used in the SAPD is not clear. One</p> <p>23 revealing piece of information are some notes made by a</p> <p>24 SAPS member distressed by new firearms in law and –</p> <p>25 CHAIRPERSON: Mr Bizos, I'm sorry, Mr</p>	<p style="text-align: right;">Page 8992</p> <p>1 on it, and –</p> <p>2 CHAIRPERSON: Alright. Okay, well carry</p> <p>3 on then. I thought you were just repeating the point Mr</p> <p>4 Budlender's made. I was wrong; I'm sorry. Please proceed.</p> <p>5 MR BIZOS SC: No, the memory of my</p> <p>6 colleagues is much better than mine to the matter, but</p> <p>7 there is also another paragraph which answers the question</p> <p>8 that was put to me, and I replied, but we have support to</p> <p>9 the answer, on the second-last paragraph of page 27, Mr</p> <p>10 Chairman. Whether or not the term –</p> <p>11 CHAIRPERSON: I'm sorry, Mr Bizos, you</p> <p>12 were challenged to produce evidence. This of course is not</p> <p>13 evidence; this is just a statement in a book, but I will</p> <p>14 allow you to ask the question, notwithstanding that.</p> <p>15 MR BIZOS SC: Thank you. Whether or not</p> <p>16 –</p> <p>17 CHAIRPERSON: Sorry, obviously on the</p> <p>18 clear understanding that this is an allegation made by a</p> <p>19 reputable journalist in a published book -</p> <p>20 MR BIZOS SC: Yes.</p> <p>21 CHAIRPERSON: - which the Major-General</p> <p>22 has said requires investigation by the police.</p> <p>23 MR BIZOS SC: Yes.</p> <p>24 CHAIRPERSON: So on that basis I'll allow</p> <p>25 you to proceed.</p>
<p style="text-align: right;">Page 8991</p> <p>1 Budlender questioned the witness specifically on this</p> <p>2 passage.</p> <p>3 MR BIZOS SC: Yes, yes.</p> <p>4 CHAIRPERSON: He expressed his concern</p> <p>5 about it. He said if it's true it's a very serious matter,</p> <p>6 requires investigation and serious steps to be taken.</p> <p>7 MR BIZOS SC: Yes.</p> <p>8 CHAIRPERSON: So we've already dealt with</p> <p>9 that point. Are you dealing with the point now from</p> <p>10 another angle, as it were, or are you taking it further or</p> <p>11 –</p> <p>12 MR BIZOS SC: No, there is –</p> <p>13 CHAIRPERSON: Well, it has been dealt</p> <p>14 with in his evidence.</p> <p>15 MR BIZOS SC: If I may just – no</p> <p>16 reference to a maximum force, but he says, the trainer kept</p> <p>17 saying shooting in the SAPS has been neglected for many</p> <p>18 years and they are finally –</p> <p>19 CHAIRPERSON: Yes, that is a new point.</p> <p>20 MR BIZOS SC: - this again. That was put</p> <p>21 and the witness was apprised and he actually made a promise</p> <p>22 to the court in answer, to the Commission, that he would</p> <p>23 look into it. I wanted to –</p> <p>24 CHAIRPERSON: I see. Alright, okay.</p> <p>25 MR BIZOS SC: - say that we are relying</p>	<p style="text-align: right;">Page 8993</p> <p>1 MR BIZOS SC: Yes, thank you, Mr</p> <p>2 Chairman. But the paragraph deals with the question of</p> <p>3 relevance and this is why I want to read it into the</p> <p>4 record, and that was not dealt with previously. "Whether</p> <p>5 or not the term 'maximum force' was used, what was conveyed</p> <p>6 to the trainees was that certain types of actions on the</p> <p>7 part of an opponent could be used as a pretext for using</p> <p>8 force. Once they had been provided with such a pretext</p> <p>9 there was no need for them to limit the amount of force</p> <p>10 used. This understanding may have been articulated by some</p> <p>11 of those who were guided by it as a concept of maximum</p> <p>12 force, and though the term may not have been used generally</p> <p>13 in firearms training, it is likely that the idea had gained</p> <p>14 considerably currency amongst the leadership and</p> <p>15 potentially the members of key units in the police. This</p> <p>16 may also help to explain why it was then used to explain</p> <p>17 the actions of the operational response services units at</p> <p>18 Marikana." I don't know if the witness wants to comment on</p> <p>19 that paragraph –</p> <p>20 CHAIRPERSON: There's one further point,</p> <p>21 passage that I suppose has to be referred to. Where Mr</p> <p>22 Bruce refers to this term having been used to explain the</p> <p>23 actions by the operational response service units, the</p> <p>24 reference is to what he says in the first paragraph on page</p> <p>25 26 where he refers to a statement which we've dealt with,</p>

Page 8994

1 which has been dealt with in evidence by the National
 2 Commissioner where she said that the police were forced to
 3 utilise maximum force to defend themselves. Now of course
 4 there may be a lot of debate and I don't think this is the
 5 right place to do it because this witness, it wasn't his
 6 statement, it's the statement of the National Commissioner,
 7 and there may be a lot of debate as to what that meant in
 8 the context. So I don't think we should go there now, but
 9 anyway, I just put that because that explains the last
 10 sentence that you read out. But anyway, you've read the
 11 passage. What do you want to ask the witness about it?
 12 MR BIZOS SC: Well, whether he has any
 13 comments to make about it, Mr Chairman. He has already
 14 indicated that it's a matter of concern to him and it will
 15 be looked into. If he wants to add anything, he is free to
 16 do so, Mr Chairman. General, do you want to make any
 17 further comments other than what you told Mr Budlender?
 18 MAJOR-GENERAL ANNANDALE: Chairperson, I
 19 was actually waiting for it to be translated into isiXhosa,
 20 that's why I did not respond, and the Chairperson was busy.
 21 I will respond. Can I continue?
 22 MR MAHLANGU: Yes.
 23 MAJOR-GENERAL ANNANDALE: Chairperson, I
 24 would not go and repeat what I've said yesterday in terms
 25 of, or was it the day before yesterday with Mr Budlender.

Page 8995

1 I just want to mention that this whole article is based on
 2 the one unidentified source, and I must stress, it's one
 3 unidentified source. So dis een polisiebeampte wat
 4 pertinent so 'n oordrag na bewering gemaak het aan die
 5 skrywer van hierdie artikel, en dan na gelang van hierdie
 6 oordrag is daar dan 'n pertinente aanname wat gemaak word
 7 deur die skrywe. Ek het ook verwys dat ek nie kan sien wat
 8 is die verbintenis tydens so 'n afleiding wat hy maak in
 9 die laaste sin van daardie paragraaf met verwysing na
 10 operasionele reaksiedienste nie, maar ek het ook dan my
 11 bekommernis uitgespreek sou daar 'n moontlikheid wees dat
 12 daar enige waarheid steek in terme van hierdie oordrag, en
 13 dat daar sodanige ondersoek moet volg om dan die, om agter
 14 die waarheid te kom.
 15 CHAIRPERSON: I omitted to say when we
 16 resumed that we'll be adjourning at 1 o'clock today and
 17 we'll be resuming at 10 o'clock on Monday morning. We will
 18 not be sitting on Friday the 10th, and so we'll be
 19 adjourning at 1 o'clock on Thursday afternoon, the 9th.
 20 Please carry on, Mr Bizos. Those comments didn't relate in
 21 any way to your cross-examination.
 22 MR BIZOS SC: Thank you, Mr Chairman.
 23 General, do you accept responsibility for the plan devised
 24 by SAPS to address the disturbances in Marikana in the week
 25 of the 13th to the 16th?

Page 8996

1 GENERAAL-MAJOOR ANNANDALE: Voorsteller,
 2 ek stem saam met die plan. Verantwoordelikheid, ek het
 3 geen probleem om gesamentlike verantwoordelikheid te
 4 aanvaar nie. Ek het egter verduidelik in terme van die
 5 protokol was daar 'n oorhoofse bevelvoerder, so uiteraard
 6 was dit in terme van sy goedkeuring ook.
 7 MR BIZOS SC: I will accept that you
 8 admit to taking collective responsibility, but I want to
 9 ask you that whether a person in your position may not have
 10 not only collective but personal responsibility for any
 11 faults that there may be in the plan? You are, or you
 12 hold one of the highest ranks in the police. Is that
 13 right?
 14 GENERAAL-MAJOOR ANNANDALE: Ek hou 'n hoë
 15 rang, dis korrek –
 16 CHAIRPERSON: He's a major-general. You
 17 don't have to ask him if he holds a high rank in the
 18 police. Obviously he does. Isn't that, with respect, a
 19 little bit on the time wasting side? I'm sure you don't
 20 mean it that way, but it has that effect. He's obviously
 21 got a high post in the police. I mean major-general, you
 22 expect him to say no I haven't got a high post in the
 23 police? Aren't you wasting time?
 24 MR BIZOS SC: No, you are one of the most
 25 experienced generals.

Page 8997

1 GENERAAL-MAJOOR ANNANDALE: In die
 2 polisie?
 3 MR BIZOS SC: Yes.
 4 GENERAAL-MAJOOR ANNANDALE: Ek kan dit
 5 net antwoord as ek weet wat is die ervaring van die ander
 6 generaal-majoor, luitenant-generaal en dan die, daar is een
 7 generaal in die polisie.
 8 MR BIZOS SC: You are one of the most
 9 experienced.
 10 GENERAAL-MAJOOR ANNANDALE: Ek aanvaar,
 11 ja, dat 30 jaar is redelike goeie ervaring.
 12 MR BIZOS SC: You were appointed the
 13 commander of the JOC.
 14 GENERAAL-MAJOOR ANNANDALE: Dit is nie
 15 korrek nie, nee Voorsteller.
 16 MR BIZOS SC: Or was it [inaudible] –
 17 GENERAAL-MAJOOR ANNANDALE: Voorsteller,
 18 ek het my rol omvattend verduidelik. My rol in die GOS was
 19 dan gewees die voorsitter van die JOCOM vergaderings in
 20 opdrag van die oorhoofse bevelvoerder.
 21 MR BIZOS SC: Surely with your experience
 22 and –
 23 MR MAHLANGU: Excuse me –
 24 CHAIRPERSON: I'm sorry, Mr Bizos, that
 25 wasn't interpreted into isiXhosa. Those in the auditorium

<p style="text-align: right;">Page 8998</p> <p>1 who have come to follow the proceedings are entitled to 2 know what the answer is. 3 MR MAHLANGU: The interpreter himself did 4 not understand the question. 5 MR BOOI: Mr Chair, I did not hear the 6 question. 7 CHAIRPERSON: Let's have the question 8 again so it can be interpreted into isiXhosa. 9 MR BIZOS SC: I'll put it this way. You 10 were the nerve centre of the operations. 11 GENERAAL-MAJOOR ANNANDALE: Ek as 12 individu was die "nerve centre" van die operasie? 13 MR BIZOS SC: Because you were the 14 commander of JOC. 15 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 16 ek het in die vorige vraag gesê ek was nie die bevelvoerder 17 van die JOC nie. 18 MR BIZOS SC: Well, whatever we may call 19 you, surely you are in a position to accept responsibility 20 for the plan and not merely as one of a larger team. 21 Personally you are responsible. Do you accept that? 22 CHAIRPERSON: I'm sorry, Mr Bizos, Mr 23 Semenya has turned on his light; he wants to say something. 24 MR SEMENYA SC: Chair, the witness has 25 said that he takes joint responsibility for the plan. It</p>	<p style="text-align: right;">Page 9000</p> <p>1 question. What is my learned friend's objection? If he 2 concedes that he was personally liable, why can't I ask the 3 witness do you accept that you were personally liable? 4 What are we afraid of – 5 CHAIRPERSON: Is liable the word – 6 MR BIZOS SC: - and why is the objection 7 raised? 8 CHAIRPERSON: Is liable the word, or 9 responsible? Isn't the word we're dealing with 10 "responsible?" 11 MR BIZOS SC: Responsible, not liable. 12 Responsible. I'll stick with responsible. Do you accept 13 personal responsibility? In view of your rank, in view of 14 your experience, do you accept personal responsibility for 15 the plan? That is – I don't understand why an 16 interpretation of what he has already said amounts to his 17 admitting personal responsibility, without allowing me to 18 ask the witness, and to say yes or no, do you accept 19 personal responsibility. What is the problem? 20 COMMISSIONER TOKOTA: But Mr Bizos, do 21 you want him to accept responsibility in his personal 22 capacity? 23 MR BIZOS SC: Yes. 24 COMMISSIONER TOKOTA: Why? He has 25 already said it was a joint thing. Why must he take</p>
<p style="text-align: right;">Page 8999</p> <p>1 was a plan approved by the overall commander. I don't 2 understand what Mr Bizos now wants the witness to respond 3 to, that he must take personal responsibility. 4 CHAIRPERSON: Mr Bizos, if he's jointly 5 responsible, he can't say I'm only responsible in one way 6 but I'm basically not responsible personally. Surely what 7 he said amounts to a statement that I'm responsible, my 8 responsibility is joint, but I'm still responsible. 9 MR BIZOS SC: Yes, let him say that I am 10 personally responsible. It may be a fine matter and I 11 don't want any arguments about it. I want him to, if that 12 is so, to say yes I am personally responsible for the plan. 13 There may be others also responsible, but I don't want any 14 argument at the end of these proceedings that you cannot 15 put blame on any particular individual; there was 16 collective responsibility. 17 [11:46] CHAIRPERSON: Well, I've understood him 18 to say already that he participated in the discussions 19 which led to the adoption of the plan. I understood him to 20 say that he agreed with what was, with the plan, and I've 21 understood him to say that he accepts joint responsibility. 22 Now I don't see how it could possibly be open to him or 23 anyone else on his behalf to contend at the end of the day 24 that despite all that he wasn't really responsible. That – 25 MR BIZOS SC: Mr Chairman, it's a simple</p>	<p style="text-align: right;">Page 9001</p> <p>1 personal responsibility? He's on official duty. 2 CHAIRPERSON: You know, I don't 3 understand what responsibility you're talking about. Are 4 you suggesting, asking him to acknowledge that if what 5 happened amounted to some kind of delict, that he would be 6 liable as – to use the English expression – one of the 7 thought theses in his personal capacity. Is that what 8 you're trying to get him to admit? 9 MR BIZOS SC: Yes. 10 CHAIRPERSON: Is that relevant for the 11 purposes of our inquiry? If there is legal liability it 12 will manifestly be liability on the part of the State – if 13 there is. I don't, we will find out perhaps at the end, 14 and even if we say, find that there is, it may not be 15 accepted and there may be further litigation, but we may 16 not so find and we won't know, we don't know at this stage. 17 But if there is a finding of liability, and if that finding 18 is correct, then the State will be liable. I mean you're 19 not going to also sue not only the State, but all the 20 members of JOCOM, are you? 21 MR BIZOS SC: Mr Chairman, the fact that 22 my learned friend is objecting is something that concerns 23 me as to what the argument would be; that there is 24 collective responsibility, but you cannot hold anyone 25 personally responsible.</p>

Page 9002

1 MR SEMENYA SC: Chair –
 2 CHAIRPERSON: Yes, I'd like to ask Mr
 3 Bizos a question before you speak. I still don't
 4 understand how it's going to help us to answer the
 5 questions put to us in the Terms of Reference, but before
 6 you carry on I want to ask you this. I asked you about
 7 delictual liability and you said yes. Do you also suggest
 8 that there might be criminal liability?
 9 MR BIZOS SC: There may well be. There
 10 may well be, Mr Chairman –
 11 CHAIRPERSON: So in that case –
 12 MR BIZOS SC: - and I would not dismiss
 13 that –
 14 CHAIRPERSON: In that case a civil action
 15 against the police might be, if the finding, if there is
 16 liability and so forth, might assist the persons who've
 17 suffered damage as a consequence of this, might give them
 18 compensation. Of course that wouldn't be an answer in a
 19 criminal case. That's your point, is it?
 20 MR BIZOS SC: Mr Chairman, yes –
 21 CHAIRPERSON: I'm just trying to
 22 understand your contention.
 23 MR BIZOS SC: Yes, and my fears are
 24 enhanced because of my learned friend's attitude, and we
 25 have an objection –

Page 9003

1 CHAIRPERSON: Alright, okay. Let's hear
 2 what your learned friend has to say. He's indicated he
 3 wants to say something.
 4 MR SEMENYA SC: Chair, more pointedly, my
 5 team and I are not on brief to resist a delictual claim in
 6 these proceedings, neither are we here on brief to deal
 7 with criminal charges of any kind, and I can't see any
 8 basis for those questions at all, Chair, and I don't think
 9 the SAPS must stand accused unrepresented on allegations of
 10 this kind.
 11 CHAIRPERSON: Can you refer me to
 12 passages, at anything in the Terms of Reference which will
 13 justify this questioning on?
 14 MR BIZOS SC: Speaking from memory, Mr
 15 Chairman –
 16 CHAIRPERSON: I wonder if –
 17 MR BIZOS SC: Perhaps I should get the
 18 Terms in front of me.
 19 CHAIRPERSON: Yes, I don't know whether
 20 your cross-examination is likely to end today.
 21 MR BIZOS SC: Yes.
 22 CHAIRPERSON: If you're likely to carry
 23 on next week, you'll have the opportunity between now and
 24 then to look at the Terms of Reference –
 25 MR BIZOS SC: Yes, well –

Page 9004

1 CHAIRPERSON: - and to address me further
 2 on this point.
 3 MR BIZOS SC: And possibly advance
 4 argument that will –
 5 CHAIRPERSON: Yes, yes –
 6 MR BIZOS SC: - as to why we want to ask
 7 you to find, if the evidence supports it, that the
 8 following persons are personally responsible for what
 9 happened.
 10 CHAIRPERSON: Mr Bizos, I think the best
 11 way forward is for – I think this is quite a complicated
 12 aspect and I wouldn't like to give a ruling one way or the
 13 other without full argument on the matter. I suggest that
 14 we let that point stand over until next week when you can
 15 come with a prepared argument –
 16 MR BIZOS SC: Yes, full argument.
 17 CHAIRPERSON: And Mr Semanya can, if
 18 necessary, give a reasonably prepared reply. Possibly the
 19 way to do it might be if you prepare written argument, you
 20 can give it to Mr Semanya and he could prepare a reply,
 21 because seeing it may well be an important point and I
 22 wouldn't want to give a ruling off the cuff, as it were,
 23 with respect to a –
 24 MR BIZOS SC: We agree, Mr Chairman, that
 25 it is an issue which we should address you on because it's

Page 9005

1 important –
 2 CHAIRPERSON: Yes, no –
 3 MR BIZOS SC: It's important –
 4 CHAIRPERSON: I understand you consider
 5 it to be important –
 6 MR BIZOS SC: I will give that –
 7 CHAIRPERSON: - and if it's covered by
 8 the Terms of Reference, that's obviously an important
 9 aspect in the question as to whether, in answering the
 10 question whether you can ask this question. But let's not
 11 debate it further now. Let's carry on with your cross-
 12 examination on other matters and you can address it when we
 13 resume on Monday. Mr Semanya, if it's covered by the Terms
 14 of Reference, then the fact that you're not briefed to deal
 15 with that Term of Reference, if it is so covered, is not a
 16 matter that obviously would be relevant at this point, but
 17 if it's obviously not covered by the Terms of Reference,
 18 well that would be the end of the matter. But anyway,
 19 let's address those matters more fully when there's full
 20 argument on Monday. Mr Bizos, would you like to turn to
 21 some other aspect at this stage?
 22 MR BIZOS SC: Yes, Mr Chairman. General,
 23 would you agree that the plan did not simply appear on the
 24 14th of August out of the blue; it was germinated from the
 25 discussions held on the 13th? Do you agree?

<p style="text-align: right;">Page 9006</p> <p>1 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 2 die situasie het reeds begin op die 10de Augustus van 2012. 3 CHAIRPERSON: Mr Bizos, sorry to 4 interrupt you. The position, as I understand it, there's 5 an exhibit where all these plans are collected. It starts 6 with the 10th - 7 MR BIZOS SC: Yes. 8 CHAIRPERSON: - the contingency plan. 9 This witness wasn't involved at that stage. As we know, he 10 only arrived on the scene later, and then there's a series 11 of plans of greater completeness with more detail, 12 culminating in the plan of the 16th. 13 MR BIZOS SC: It is apparent from 14 Lieutenant-Colonel Scott's statement, exhibit FFF18, that a 15 coordinated strategy was discussed at an 11PM meeting on 16 the night of the 13th of August, as well as the basis of the 17 ultimate plan, such as negotiations, dialogue, tactical 18 intervention. Do you agree with that? 19 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 20 ja, beide myself en Luitenant-Kolonel Scott het eers op die 21 13de gearriveer, so dit was toe ons betrokkeheid by die 22 beplanning. 23 MR BIZOS SC: According to your 24 statement, paragraph 8 in GGG1, the very next morning, 25 Tuesday the 14th, at approximately 10:15 you called national</p>	<p style="text-align: right;">Page 9008</p> <p>1 CHAIRPERSON: Yes, I think you had 2 already when you were questioned by Mr Budlender. 3 GENERAAL-MAJOOR ANNANDALE: Absoluut, 4 Voorsitter. 5 MR BIZOS SC: Would you like to tell us 6 how would you have dealt with at least some of the 7 disruptions that you may have foreseen? 8 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 9 ek sal graag wil. Ek het verwys na die preposisionering 10 van die lemmetjiesdraad sodat dit ontplooi kan word om 11 beide fisiese obstruksie te plaas – 12 MR MAHLANGU: It could be deployed in 13 such a way to avoid any physical – 14 CHAIRPERSON: No, no, no, other way 15 round. It was to be deployed both so that it could be a 16 physical obstruction, I think he said, and he hasn't given 17 us the second half yet. Is that right? 18 GENERAAL-MAJOOR ANNANDALE: Dis korrek, 19 Voorsitter, asook 'n sielkundige versperring. 20 CHAIRPERSON: I suppose to be a 21 psychological barrier as well as a physical barrier. Is 22 that what you're saying, Major-General? Is that right? 23 GENERAAL-MAJOOR ANNANDALE: Dis korrek. 24 Ek het verwys na afsperring van 'n sogenaamde neutrale 25 gebied. Ek het ook verwys na die afstand wat ons pertinent</p>
<p style="text-align: right;">Page 9007</p> <p>1 coordinator for hostage negotiators to deploy a team of 2 negotiators, and they were deployed on the same day. 3 GENERAAL-MAJOOR ANNANDALE: Dit is so 4 vermeld in my verklaring, dit is korrek, Voorsitter. 5 MR BIZOS SC: It would appear that you 6 were already executing the so-called police plan. 7 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 8 ja, daar was reeds 'n polisieplan vanaf die 10de en dan 'n 9 addisionele een op die 13de. Die onderhandelingsgedeelte 10 is in terme van die operasionalisering van die plan soos 11 uiteengesit in die "Operational plan." 12 MR BIZOS SC: Do you agree with the 13 National Commissioner that the plan would have worked had 14 it not been disrupted? 15 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 16 ons was oortuig dat ons 'n deeglike plan het, en dit was 'n 17 plan wat nie tenuitvoer gebring kon word nie weens die 18 aanval op die polisielyn. 19 MR BIZOS SC: You agree that it was 20 disrupted. Did you foresee that there could have been 21 possible disruptions on the plan? 22 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 23 ek het reeds omvattend daarna verwys en ek kan weer 24 teruggaan na dit. Dit gaan egter, dit kan net 'n 25 omvattende antwoord wees.</p>	<p style="text-align: right;">Page 9009</p> <p>1 gehou het tussen die polisielyn en die voorste groepering. 2 Ek het verwys na die plasing van reserwemagte in die 3 "forward holding area" 1 en 2. Ek het verwys na die 4 pertinente verantwoordelikhede van die spesiale taakmag, 5 maar ek het bowenal verwys na die onderhandelings en die 6 prosesse wat ons in plek gesit het om te onderhandel, om 7 enkeles te noem. Dit is nie omvattend nie, Voorsitter. 8 [12:06] MR BIZOS SC: I don't know if you want to 9 answer my next question now or to await the argument that 10 we may present to the Commission, but the question is this; 11 if the Commission finds that there were serious faults in 12 the plan, will you accept responsibility for those faults? 13 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 14 ek was regtig onder die indruk ons het reeds daarmee 15 gedeel, want dit is niks anders as dieselfde vraag wat 16 vroeër aan my gevra is nie. 17 MR BIZOS SC: Well, we will leave that 18 over. Now in your statement GGG1 in paragraph 7 you set 19 out the names of the persons that had been deployed for 20 various tasks. Your own, you say, you had the 21 responsibility as Head, Specialised Operations, to command 22 and coordinate the deployment of the NIU and STF members. 23 You confirm that? 24 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 25 in my verklaring staan dit so. Ek het onder getuienis het</p>

Page 9010

1 ek ook gesê dat dit het ook ingesluit 10 lede van Mobiele
 2 Operasies.
 3 MR BIZOS SC: We will come to that.
 4 There are set out in paragraph 67 of exhibit L –
 5 MR MAHLANGU: Slide 67.
 6 MR BIZOS SC: And you there say that the
 7 running of the operation by managing the JOC. Is that
 8 correct?
 9 CHAIRPERSON: You left out the word
 10 "coordinate." The witness was responsible to coordinate,
 11 or it was his role actually, to use the exact word, it was
 12 his role to coordinate the running of the operation by
 13 managing the JOC with the designated role-players
 14 representing each field. I take it you agree with that?
 15 GENERAAL-MAJOOR ANNANDALE: Dis korrek,
 16 Voorsitter.
 17 MR BIZOS SC: And in the paragraph of
 18 your statement you set out the deployment of the Provincial
 19 Commissioner and Major-General Mpembe as Deputy Provincial
 20 Commissioner, and to complicate matters further, Major-
 21 General Naidoo was of the operational command structure of
 22 the intervention, while Brigadier Calitz, Provincial Head
 23 Operation Services, was operational commander. Is that
 24 correct?
 25 GENERAAL-MAJOOR ANNANDALE: Dit is so in

Page 9011

1 my verklaring vermeld, Voorsitter.
 2 MR BIZOS SC: I think we've got it
 3 correctly. Now in the light of all these commanders, would
 4 you agree that it's a somewhat bewildering command
 5 structure?
 6 GENERAAL-MAJOOR ANNANDALE: Nee, ek stem
 7 nie saam nie, Voorsitter.
 8 CHAIRPERSON: Perhaps you should say to
 9 the witness why you say it's bewildering –
 10 MR BIZOS SC: Yes.
 11 CHAIRPERSON: - to enable him to answer
 12 you comprehensively.
 13 MR BIZOS SC: I say this because who was
 14 in fact running the operation as a whole?
 15 GENERAAL-MAJOOR ANNANDALE: Die oorhoofse
 16 bevelvoerder, Generaal-Majoor Mpembe.
 17 MR BIZOS SC: So he was the overall
 18 commander.
 19 GENERAAL-MAJOOR ANNANDALE: Dit is
 20 korrek.
 21 MR BIZOS SC: You corrected Adv Budlender
 22 when he referred to JOC commanders and claimed that they
 23 were not commanders, but JOC representatives.
 24 GENERAAL-MAJOOR ANNANDALE: Dis korrek,
 25 jy het GOS verteenwoordigers.

Page 9012

1 MR BIZOS SC: Whom did you represent?
 2 CHAIRPERSON: Sorry, you said "GOS
 3 verteenwoordigers" –
 4 GENERAAL-MAJOOR ANNANDALE: Gesamentlike
 5 operasionele sentrum, JOC.
 6 CHAIRPERSON: Thank you.
 7 MAJOR-GENERAL ANNANDALE: JOC, yes.
 8 MR BIZOS SC: Whom did you represent?
 9 GENERAAL-MAJOOR ANNANDALE: Voorsitter,
 10 ek dink, met respek, verstaan Adv Bizos nie die
 11 bevelstruktuur in terme van die operasie nie.
 12 CHAIRPERSON: I'm sorry to intervene, but
 13 I think in the interest of moving this debate on, I see
 14 from the relevant slide of exhibit L that what it said is
 15 that the Major-General's role was to coordinate the running
 16 of the operation by managing the JOC, with the designated
 17 role-players representing each field. So the question
 18 would be, did you represent any field yourself, or were you
 19 the coordinator of the operation, coordinator of the
 20 running of the operation?
 21 GENERAAL-MAJOOR ANNANDALE: Voorsitter,
 22 ek het die aktiwiteite in die JOC gekoördineer en ek was
 23 die voorsitter van die JOCOM vergaderings. Die pertinente
 24 bevelvoerders was Generaal Mpembe in terme van oorhoofs en
 25 dan Brigadier Calitz as die operasionele bevelvoerder, maar

Page 9013

1 daardeur is daar ook ander bevelvoerders, verwysend na
 2 Generaal Naidoo in terme van "forward holding" area 1, en
 3 Pitsi by "forward holding area" 2, en verskeie ander
 4 bevelvoerders, Makhubela, Mere, Gaffley, en so kan ek
 5 aangaan.
 6 CHAIRPERSON: Mr Bizos, I think Mr Booi
 7 has got to try and interpret that whole answer into
 8 isiXhosa, but I suppose the answer is let Mr Mahlangu do it
 9 first into English and then Mr Booi, perhaps he can, if
 10 it's possible, break it up a bit and then Mr Booi can
 11 interpret as he goes along. It's a long answer. I'm not
 12 criticising the witness, because it was a question that
 13 required a long answer, but still it does create problems
 14 in relation to interpretation.
 15 MR BIZOS SC: You have consistently
 16 maintained that Major-General Mpembe was in overall
 17 command. Is that right?
 18 GENERAAL-MAJOOR ANNANDALE: Voorsitter,
 19 dit is die feite en ek het dit so oorgedra.
 20 MR BIZOS SC: Were you aware of the
 21 difficulties that Major-General Mpembe faced during the
 22 incident on Monday, the 13th of August?
 23 GENERAAL-MAJOOR ANNANDALE: As ek u net
 24 kan vra, verwysend na watse probleme?
 25 MR BIZOS SC: Was it reported to you –

<p style="text-align: right;">Page 9014</p> <p>1 CHAIRPERSON: No, you haven't answered 2 his question, Mr Bizos. I know counsel don't have to 3 answer the questions of witnesses, but sometimes it does 4 take the process forward. You referred to the difficulties 5 that Major-General Mpmembe experienced on the 13th. 6 MR BIZOS SC: Yes. 7 CHAIRPERSON: You asked whether the 8 witness is aware of them, and he said well what 9 difficulties, and you didn't answer. I take it you 10 probably meant the engagement between some of the strikers 11 and police at the railway line near the Karee Mine, which 12 led to the death of two policemen, injury of a third – 13 MR BIZOS SC: Yes. 14 CHAIRPERSON: - and death of three 15 civilians. I take it that's what you're referring to but 16 you didn't – 17 MR BIZOS SC: Yes. 18 CHAIRPERSON: - you didn't answer his 19 question. So he hasn't been able yet to answer your 20 question. 21 MR BIZOS SC: Yes. 22 CHAIRPERSON: Am I right? Are those the 23 difficulties at the mine - 24 MR BIZOS SC: Ja, those are – he asked 25 the question; he'll get the answer in the next question, Mr</p>	<p style="text-align: right;">Page 9016</p> <p>1 you that the handling of the situation that you described 2 at some length, led to a fundamental disagreement between 3 General Mpmembe and Mr Merafe? 4 CHAIRPERSON: You mean Lieutenant-Colonel 5 Merafe? I take it you mean Lieutenant-Colonel Merafe? 6 MR BIZOS SC: Is it? 7 CHAIRPERSON: The deponent of exhibit 8 GGG15? 9 MR BIZOS SC: Yes. Did you become aware 10 of their, to put it mildly, differences of opinion? 11 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 12 met my aankoms op die toneel op die Maandagmiddag, het 13 Luitenant-Kolonel Vermaak my ingelig dat daar nie 'n 14 ooreenkoms was tussen Generaal Mpmembe en Luitenant-Kolonel 15 Merafe in terme van die hantering van die toneel. 16 MR BIZOS SC: But what was the 17 fundamental difference between the – 18 CHAIRPERSON: Mr Bizos, Mr Booi is trying 19 to interpret what's been said into isiXhosa. 20 MR BIZOS SC: Sorry. Yes, the 21 fundamental difference between the two was whether the use 22 of force should be used to disperse the group or not. 23 [12:26] GENERAAL-MAJOOR ANNANDALE: Soos dit aan 24 my oorgedra was, Voorsitter, het ek dit verstaan dat 25 Generaal Mpmembe van oortuiging was dat die groep moet</p>
<p style="text-align: right;">Page 9015</p> <p>1 Chairman. 2 CHAIRPERSON: No, no, but he asks you a 3 question and you should answer it. Anyway, you heard the 4 debate between me and Mr Bizos, Major-General. Are you now 5 able to answer the question that he asked you; were you 6 aware of the difficulties which Major-General Mpmembe had 7 experienced on the 13th? 8 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 9 ek is bewus dat Generaal Mpmembe met 'n moeilike situasie 10 gedeel het, 'n situasie waar daar 'n groot groep gewapende 11 individue was, 'n groep wat hy mee onderhandel het in 'n 12 poging om hulle te kry om hulle wapens neer te lê, 'n groep 13 wat geweier het om hulle wapens neer te lê op sy versoek, 14 'n groep wat toe beweeg het en daar was toe 'n alterkaside, 15 'n interaksie tussen die polisie en die stakende groep, en 16 dat daar tydens die alterkaside twee polisiebeamptes gesterf 17 het, en dat twee mynwerkers ook gedood is, en dat die 18 liggaam van 'n verdere persoon gevind is en dat daar ook 19 beserings was en dat daar ook polisiewapens en 'n 20 polisie radio geroof is. 21 CHAIRPERSON: The radio, I think one 22 radio. 23 MR MAHLANGU: If I may correct, one 24 police radio robbed. 25 MR BIZOS SC: General, was it reported to</p>	<p style="text-align: right;">Page 9017</p> <p>1 toegelaat word om te beweeg, terwyl Luitenant-Kolonel 2 Merafe van opinie was dat die groep uiteengedryf moet word. 3 MR BIZOS SC: And were you informed that 4 General Mpmembe said that he did not want another Tatane 5 incident? 6 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 7 ek het dit gelees in een van hierdie bewysstukke wat aan my 8 gegee is net voor die teetyd. 9 COMMISSIONER HEMRAJ: General, when was 10 it conveyed to you that there was a difference of opinion 11 about the approach in this matter? When was that fact 12 conveyed to you? 13 GENERAAL-MAJOOR ANNANDALE: Kommissaris, 14 dit was tydens my aankoms die Maandagmiddag op die toneel 15 waar die persone gesterf het, toe die oordrag aan my gemaak 16 is deur Luitenant-Kolonel Vermaak, wie ook daar teenwoordig 17 was. 18 MR BIZOS SC: Now the statements are 19 before the Commission, before you, and before us. What 20 General Mpmembe feared, that there would be another Tatane, 21 came to pass on the 13th, and not only were there two 22 policemen but a couple of other people killed as well. 23 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 24 ek weet nie of die oordrag so nie – ek lees dit in 25 Luitenant-Kolonel Merafe se verklaring, paragraaf 17. Ek</p>

<p style="text-align: right;">Page 9018</p> <p>1 weet nie of die oordrag so gemaak was deur Generaal Mpembe 2 en wat hy daarby bedoel het nie; het hy bedoel dat daar nie 3 moet iemand doodgaan nie? Ek weet werklik nie, en ek dink 4 ook nie mens kan die twee tonele met mekaar vergelyk nie. 5 MR BIZOS SC: Well, have you heard the 6 expression that violence begets violence? 7 GENERAAL-MAJOOR ANNANDALE: Die Engelse 8 een, nee. Is dit geweld lei tot geweld? Dit het ek al 9 gehoor. 10 MR BIZOS SC: Have you heard of the 11 expression? 12 GENERAAL-MAJOOR ANNANDALE: Ek het nou 13 net gesê, Voorsitter, in Afrikaans ja, het ek al die 14 uitdrukking gehoor, geweld lei tot geweld. 15 MR BIZOS SC: Would you agree that if 16 General Mpembe's view prevailed on that afternoon, there 17 may not have been any violence at all either against police 18 or protesters on the 13th? 19 MR SEMENYA SC: Objection, Chair. 20 CHAIRPERSON: Mr Semanya, I see you've 21 turned your light on. 22 MR SEMENYA SC: Yes, if this is reference 23 to the 13th, the facts are that General Mpembe's view 24 prevailed. 25 CHAIRPERSON: Yes, Mr Bizos, that seems</p>	<p style="text-align: right;">Page 9020</p> <p>1 Lieutenant-Colonel Merafe expressed was not given effect 2 to. What Major-General Mpembe wanted to happen, happened. 3 The people weren't disarmed and they proceeded further. So 4 as I see it, subject – I'm not going to rule against you 5 until I've heard you, but subject to what you may say, it 6 seems to me prima facie at least that Mr Semanya is right. 7 MR BIZOS SC: No, with respect, Mr 8 Chairman, perhaps we should also look at Mr Mpembe's 9 objections in the other exhibit that was recently put, that 10 an attempt to disperse people and to disarm them would lead 11 to bloodshed. I submit that Mr Mpembe properly – 12 CHAIRPERSON: Are you referring to what 13 he said on the evening of the 15th, I think it was? 14 MR BIZOS SC: Yes, that his attitude was 15 the same, or substantially similar on the 13th, but he was 16 blamed because his view did not prevail on the 13th and 17 unhappily did not prevail on the 15th. 18 CHAIRPERSON: Mr Bizos, I'm sorry, that's 19 not the way I understand it. We haven't heard the full 20 story yet of what happened on the 13th. We've just got 21 statements. 22 MR BIZOS SC: Yes. 23 CHAIRPERSON: But what appears from the 24 statements that you've put it is that General Mpembe's view 25 prevailed in the sense that the people were not disarmed.</p>
<p style="text-align: right;">Page 9019</p> <p>1 to be the defect in your question, is his view prevailed 2 and that led to a disagreement later because, as I 3 understand it, which we read in the statements, he was 4 blamed for the deaths that followed because he didn't 5 disarm the people when his colleague thought they should 6 have been disarmed. So I don't think your question's 7 factual basis is correct. 8 MR BIZOS SC: The fact is that Mr Mpembe 9 wanted to lead the people to the koppie and that they 10 should not be dispersed. It's clear, if that view 11 prevailed there would not have been any violence. 12 CHAIRPERSON: No, I'm sorry. I'm sorry. 13 It's more complicated than that. As I read it, Lieutenant- 14 Colonel Merafe's view was that the strikers should be 15 disarmed there and then and General Mpembe didn't want them 16 disarmed for reasons he gave. 17 MR BIZOS SC: Yes. 18 CHAIRPERSON: And they went on. There 19 was then an attempt, it was feared they'd go into the 20 informal settlement and in order to prevent them from, 21 discourage them from going into the informal settlement, as 22 I understand it, stun grenades were used and so forth, and 23 then there was effectively an interaction – as the witness 24 puts it – which led to the deaths of these people, as have 25 been mentioned. But the fact is that the view that</p>	<p style="text-align: right;">Page 9021</p> <p>1 They then proceeded in the direction of the informal 2 settlement. The police then in an endeavour to dissuade 3 them from going to the informal settlement, stun grenades 4 were used. There was then an interaction, as the Major- 5 General puts it, and a number of people died. So it's an 6 oversimplification to say that General Mpembe's view did 7 not prevail and therefore that led to bloodshed. What 8 exactly led to the bloodshed is something we will hear 9 evidence about later, I take it, but I don't think it could 10 be put as starkly as you've done by way of a fair question 11 to the witness, but Mr Semanya, I've just put my 12 understanding of the matter - 13 MR SEMENYA SC: That's what the 14 statements say, Chair. 15 CHAIRPERSON: So Mr Bizos, I'm afraid I 16 must rule against you. I think your question may well have 17 to be – 18 MR MSIMANG: Can I assist, before you 19 rule against Mr Bizos? 20 CHAIRPERSON: Yes. Yes, Mr Msimang? 21 MR MSIMANG: If you look at Baloyi, 22 GGG16, paragraphs 8 and 9, there he clearly indicates that 23 as they were escorting the minors in the direction of the 24 mountain, he moved with other members in the Nyala and 25 tried to curb the miners from moving in that direction.</p>

<p style="text-align: right;">Page 9022</p> <p>1 CHAIRPERSON: Yes, that's not relevant to 2 the objection. The point is that that paragraph in fact 3 supports what's been put already, that the senior colonel 4 referred to in para 7 is obviously Colonel Merafe, he said 5 that it's better to disarm them there. The general didn't 6 agree, told us to follow them. Mr Baloyi then said, 7 Lieutenant Baloyi then said that stun grenades should be 8 used to disperse them, and then he goes on with paragraph 9 8. The point at the moment under debate is whether General 10 Mpembe's view prevailed on the 13th or not, and it's quite 11 clear from all the statements we have that it did prevail, 12 that the – and we know that from what we've heard before – 13 the strikers were not disarmed by the railway line; they 14 were allowed to proceed with their weapons, so that General 15 – so it's incorrect to say that if General Mpembe's view 16 had prevailed, things would have been different. The facts 17 are that General Mpembe's view did prevail. So the 18 question I'm afraid is not a fair one and I disallow it. 19 Mr Bizos, that doesn't mean you can't approach the matter 20 in another way on the basis of the correct facts, but all 21 I'm saying is the way you put it, that because General 22 Mpembe's view didn't prevail, there was bloodshed on the 23 13th, that doesn't seem to me to be correct. But anyway, I 24 don't want to stop you on the line because I think I know 25 where you're going, but that question I didn't like.</p>	<p style="text-align: right;">Page 9024</p> <p>1 and 675, and portions of 676 of GG4 – GGG4, you will see 2 that General Mpembe was completely against the 3 implementation of the plan for the 16th. 4 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 5 nee – 6 MR BIZOS SC: For the sake of 7 completeness, this is why he was pushed out and put on a 8 private helicopter and did nothing on the 16th to command. 9 CHAIRPERSON: Mr Bizos, that's two 10 questions in one. The first one was that it appears from 11 GGG4 that he was against the plan. 12 MR BIZOS SC: Yes. 13 CHAIRPERSON: What page in particular are 14 you referring to there? 15 MR BIZOS SC: Let me read it, Mr 16 Chairman. 674 – 17 CHAIRPERSON: That's page 5 of the 18 exhibit, yes, and which line are you reading from? 19 MR BIZOS SC: At the bottom of 674, line 20 28, "Now I need to do my job and also call me to" – 21 CHAIRPERSON: "You all also" – 22 MR BIZOS SC: - "you also call me to 23 remove firearms. I cannot do there and disarm people. It 24 would be bloodshed. So then I need to go in a specific 25 house, disarm them. That is the only way," and at line 8,</p>
<p style="text-align: right;">Page 9023</p> <p>1 MR BIZOS SC: Our understanding of the 2 evidence as a whole is that General Mpembe was against the 3 idea of dispersing and disarming both on the 13th and the 4 subsequent occasion when he said that this plan will lead 5 to bloodshed, and I may as well make the whole submission 6 known to you, the Commission, is this; we are going to 7 contend, Mr Chairman, that General Mpembe was sidelined. 8 CHAIRPERSON: Well, may I suggest that 9 you put the questions to the witness about that – 10 MR BIZOS SC: Yes. 11 CHAIRPERSON: But all I'm saying is you 12 can't put questions to him based upon what I have – 13 MR BIZOS SC: Very well. 14 CHAIRPERSON: - considered to be a 15 misstatement of what happened on the 13th, and that's Mr 16 Semanya's objection too, which has been upheld – Mr Bizos 17 continues, what do you say about the contention that 18 General Mpembe was sidelined? Do you agree with that? 19 GENERAAL-MAJOOR ANNANDALE: Voorsitter, 20 nee, ek stem nie saam nie. Hy was die oorhoofse 21 bevelvoerder en hy was deurlopend betrokke, maar hy sal vir 22 homself kan kom getuig. 23 MR BIZOS SC: At the risk of being 24 repetitive, because this was canvassed by our learned 25 friend Mr Budlender, but if you look at the GG4, page 674</p>	<p style="text-align: right;">Page 9025</p> <p>1 "Beating this elephant bit by bit because me going there to 2 the mountain, disarming people, is going to be bloodshed. 3 It is going to be bloodshed. That one I can assure you. 4 Those blankets they have and those things, I saw being cut 5 by police officers in front of me; they did that, so now 6 that is what I am saying to the leadership, are calling 7 upon," and then at line 22, "If you were there, President, 8 you could count how many people, between 3 000 and 4 000. 9 So if you charge those people with a number of police you 10 have, with what they have, cut the people, they are also 11 psyched up; definitely anyone would come up with that 12 whatever thing, they will have to act and we are also not 13 prepared to use less bullets, and I know that you do not 14 want us to shoot, shoot. Here is that the police are 15 shooting, are killing people, and we do not want to go that 16 route, but at the same time we are also not prepared that 17 our members should die, but we have a duty to disarm." 18 [12:46] Then the last three lines on page 676, "I cannot 19 go to the mountain. It is not, it has never been 20 strategically in my training; I have not taught because I 21 must disarm somebody, how can I do" – 22 CHAIRPERSON: "How do I de-arm" - 23 MR BIZOS SC: - "de-arm somebody with an 24 axe and I have a firearm? It will never work. There is no 25 training in the whole world to deal like that."</p>

<p style="text-align: right;">Page 9026</p> <p>1 CHAIRPERSON: Major-General, were you 2 present when that discussion took place between, according 3 to this transcript between Major-General Mpembe and Mr 4 Zokwana and Mr Mathunjwa? 5 GENERAAL-MAJOR ANNANDALE: Voorsitter, 6 ja ek was teenwoordig. 7 MR BIZOS SC: Would you agree that he 8 made it clear that he was against the implementation of the 9 plan? 10 CHAIRPERSON: Mr Semenya, you want to say 11 something? 12 MR SEMENYA SC: That is also factually 13 incorrect, Chair. At this meeting there was no discussion 14 of the plan. Secondly, the evidence is that the plan was 15 signed - we have the document – by General Mpembe. 16 MR BIZOS SC: - language speaks for 17 itself. Let the witness answer, please. 18 COMMISSIONER TOKOTA: But Mr Bizos, this 19 was said in the context of him persuading the two 20 presidents to go and talk to the people on the koppie – 21 MR BIZOS SC: No. 22 COMMISSIONER TOKOTA: - not in the 23 context of implementing the plan. Isn't that so? 24 MR BIZOS SC: No, Mr Chairman. It was on 25 the 15th, the meeting was on the 15th.</p>	<p style="text-align: right;">Page 9028</p> <p>1 CHAIRPERSON: Mr Bizos, I wonder whether 2 it's appropriate for us to have this debate now. I'll tell 3 you why I say that. General Mpembe is going to give 4 evidence. There's a dispute now with another witness, 5 admittedly who was present, as to what exactly General 6 Mpembe said and whether what he said amounted to 7 disapproval of a plan which he had apparently signed. I'm 8 not sure that it is as simple as it's been put to you, but 9 I think it may be premature for us to have this debate, and 10 inappropriate, because General Mpembe's going to come and 11 he's going to tell us, and what is put here, what is 12 transcribed here is obviously going to be discussed. The 13 way I read the document, for what it's worth, is Mr Zokwana 14 said that he wanted the people to be disarmed. That was 15 his plea in the passage we're looking at, that the people 16 should be disarmed, at the foot of 672. I take it that 17 that last two lines is Mr Zokwana speaking. "Our feeling 18 is either those guys are disarmed or dispersed. As long as 19 they continue to stay in that mountain people are going to 20 continue to do their rallies," and he goes on about that. 21 So he wants them disarmed, and he goes on to say, "What we 22 are fearing of losing," on page 673, line 6, "What we are 23 fearing of losing lives, disarm these guys. We're going to 24 lose lives of innocent people," and so forth, and then 25 General Mpembe then is speaking to him, Zokwana, and he's</p>
<p style="text-align: right;">Page 9027</p> <p>1 COMMISSIONER TOKOTA: Yes, between him 2 and the two presidents to go and persuade the people. He 3 says, "I don't want to go there. Go and talk to your 4 people, otherwise there'll be bloodshed." He's saying this 5 in the context of persuading them to go to the mountain and 6 persuade them to lay off the arms, not so? 7 MR BIZOS SC: Mr Chairman, we would 8 submit that the interpretation that we have put on these 9 statements clearly indicate that he was against the plan. 10 He was speaking on the 15th and this was going to take place 11 on the 16th. 12 COMMISSIONER HEMRAJ: Mr Bizos, there 13 were so many elements to that plan besides just this one 14 aspect that you're referring to. Are you really suggesting 15 that what General Mpembe was doing was discussing this 16 entire plan with the presidents of two unions where there 17 was so much trouble between the unions members? Is that 18 what you're suggesting? 19 MR BIZOS SC: What General Mpembe said, 20 and he also alluded to it in his statement after the event, 21 rather cryptically, that if he was in charge what had 22 happened would not have happened, that should be taken into 23 consideration as well as to what he meant. We submit that 24 this and his statement makes it quite clear that he was 25 against the implementation of the plan.</p>	<p style="text-align: right;">Page 9029</p> <p>1 saying to him – and it may well be that you're right, but 2 we'll hear this from General Mpembe, that he's saying to 3 him, "You give us the information, we'll go and get the 4 arms from their homes." That's the passage that appears 5 further on, top of page 675, and it may well be, but he's 6 saying, "This idea of disarming them in the field when 7 they've got axes isn't going to work. There's no training 8 that can solve that." But we are dealing with a transcript 9 where it's got lots of passages marked as inaudible, so 10 it's not quite clear what exactly was said. We'll be 11 better able to deal with this point when General Mpembe 12 gives evidence. The witness has said that your main 13 allegation is because he was opposed to the plan, he was 14 sidelined, and is not correct, he says he wasn't sidelined, 15 he was in charge the whole time. That's his answer. 16 Whether that's right or wrong, we will possibly discover 17 later in the light of further evidence, but is there any 18 point at this stage in traversing the matter with this 19 witness, based upon an incomplete transcription of a 20 discussion that had taken place on the night of the 15th? 21 MR BIZOS SC: Mr Chairman, I accept that, 22 but may I, with respect, answer the suggestion by the 23 Commissioner that it related to the past. The context is 24 clear that they were speaking about what has to happen. 25 CHAIRPERSON: That may be so, Mr Bizos,</p>

Page 9030

1 but I mean is there – I don't want to stop you debating
 2 with my learned colleague –
 3 MR BIZOS SC: Yes.
 4 CHAIRPERSON: - but again, isn't the
 5 debate premature? Aren't we going to be in a better
 6 position to follow the argument and in fact find out what
 7 actually happened later when General Mzembe gives evidence?
 8 There may be something in what you say; it may be there
 9 isn't, but we can't decide that now, can we? And you can't
 10 therefore ask questions –
 11 MR BIZOS SC: Well, don't let's make a
 12 decision on it, but what I want to put to the General is
 13 this; you say that Mzembe was in overall command at the
 14 time that the people were killed at Marikana.
 15 GENERAAL-MAJOOR ANNANDALE: Voorsitter,
 16 nie net ek sê so nie; die feite sê so. Daar is telkens
 17 verwys daarna. Generaal Mzembe homself het 'n handtekening
 18 gesit as oorhoofse bevelvoerder, so ek weet nie hoekom is
 19 dit in dispuut nie.
 20 MR BIZOS SC: Whilst the killing was
 21 taking place, he was sent up in a helicopter, a private
 22 helicopter.
 23 CHAIRPERSON: Is that correct, Major-
 24 General? Was he sent or did he send himself?
 25 GENERAAL-MAJOOR ANNANDALE: Voorsitter,

Page 9031

1 Generaal Mzembe het aan my meegedeel dat hy nou in 'n
 2 helikopter gaan vertrek en altwee polisiehelikopters was
 3 reeds in die lug, so Voorsitter, nee, daar was nie iemand
 4 wat gesê het, "Generaal Mzembe, nou gaan jy in 'n
 5 helikopter klim en jy gaan vlieg nie." Hy het gesê hy gaan
 6 dit nou self doen.
 7 MR BIZOS SC: An overall commander, in
 8 his statement GGG12, paragraph 51, says this, "At all times
 9 while I was in the helicopter, which was a period of about
 10 20 minutes or less, was accessible by radio both to the
 11 operational commander, Brigadier Calitz, and to the JOC.
 12 As overall commander I could only give direction when
 13 direction was sought either from the JOC or from the
 14 operational commander. Neither sought direction." Is this
 15 the language of an overall commander that he could give
 16 direction only if he was asked by others?
 17 GENERAAL-MAJOOR ANNANDALE: Voorsitter,
 18 ek weet nie wat moet die taal wees van 'n oorhoofse
 19 bevelvoerder nie.
 20 CHAIRPERSON: Mr Bizos, the second
 21 sentence of para 51 says, "as overall commander." So I
 22 mean I don't see on what possible basis you can use this
 23 passage to advance the contention that he wasn't the
 24 overall commander. He says himself in terms, "as overall
 25 commander." He admittedly says he was subject to

Page 9032

1 difficulties because, communication difficulties –
 2 MR BIZOS SC: Yes.
 3 CHAIRPERSON: But that's a different
 4 matter, but you say he was displaced, as it were, as
 5 overall commander, and that's demonstrably shown to be
 6 incorrect by his own words in the second sentence of para
 7 51.
 8 MR BIZOS SC: Yes, Mr Chairman, if I say
 9 "displaced," I did not intend it. He was sidelined, Mr
 10 Chairman.
 11 CHAIRPERSON: If the sidelining took
 12 place because he was in a helicopter –
 13 MR BIZOS SC: Yes.
 14 CHAIRPERSON: - and we've had the
 15 evidence, and I don't know if there's anything in this
 16 statement that says that that's incorrect, that he elected,
 17 he chose himself to go in the helicopter, presumably
 18 because he thought that that was the better way to deal
 19 with the situation. He deals a little bit with that in the
 20 – where does he say – oh, he says himself, look at
 21 paragraph 48, "I remained at the JOC," he says. "Later I
 22 informed Major-General Annandale," which is what the
 23 General has just told us, "that I wanted to fly over the
 24 area to get a view of what was happening." So here the man
 25 himself says I decided to get into a helicopter, not

Page 9033

1 because I wanted to be sidelined, or I was sidelining
 2 myself, but because I wanted to get a view of what was
 3 happening. So the contention that you put up isn't
 4 supported by the documents on which you rely. But perhaps
 5 you'd like to think about it and we will continue with the
 6 –
 7 MR BIZOS SC: I just want to draw
 8 attention, Mr Chairman, with respect, with paragraph –
 9 MR MAHLANGU: Just switch on, Mr Bizos.
 10 MR BIZOS SC: - that people had been shot
 11 and died at the scene when I arrived at the JOC. I
 12 enquired whether the scene was being attended to by, and
 13 Brigadier Van Zyl confirmed so. Brigadier Pretorius
 14 confirmed that the IPID had also been informed and Major-
 15 General Naidoo had confirmed that he was taken, the
 16 emergency medical services based at forward holding area.
 17 I want to put a question, Mr Chairman, finally. The
 18 overall commander didn't know what was happening on the
 19 ground and he was not informed by any of the people that
 20 took the decisions to shoot.
 21 CHAIRPERSON: I'm sorry, Mr Bizos, I'm
 22 not sure that that question is a correct question because
 23 the evidence as we have it is that no-one, as I understand
 24 it, took a decision to shoot. The evidence seems to be
 25 that the shots were fired by people in the line without any

1 order having been given, and so each one seems individually
 2 to have taken a decision in circumstances that are
 3 obviously going to be explored in depth, but it isn't as if
 4 one of the commanders on the ground said shoot, and Major-
 5 General Mpmembe's complaint could have been I wasn't
 6 consulted about that decision, because there was no such
 7 decision, no such order to shoot. The facts are different.
 8 So I'm not sure if that's a good question, but in any
 9 event, the passage you referred to is preceded by paragraph
 10 51 in which his statement is that he could only give
 11 direction when he was in the helicopter if direction was
 12 sought, and direction wasn't thought. That's the high-
 13 water mark of it, isn't it?

14 MR BIZOS SC: Well, what I want to put to
 15 the witness, Mr Chairman, that it is passing strange that
 16 the overall commander is on a helicopter and nobody
 17 communicates with him not only shall we shoot, but it is
 18 not even reported to him immediately that in fact 16 people
 19 have been killed. What sort of overall commander was this?

20 CHAIRPERSON: I suggest you take up that
 21 matter on Monday morning at 10 o'clock with the witness.
 22 We will now adjourn until Monday –

23 COMMISSIONER HEMRAJ: Sorry, you also
 24 need to check, Mr Bizos, if the operational commanders or
 25 the commanders on the ground knew that General Mpmembe was

1 in the air at the time, because it was reported to the JOC.
 2 Maybe you want to check that fact when you go into the
 3 question.

4 MR BIZOS SC: Yes.

5 CHAIRPERSON: Alright, we'll now take the
 6 adjournment till 10 o'clock on Monday.

7 [COMMISSION ADJOURNED]

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

A				
aan 8957:19 8977:15 8995:4 9009:16 9016:23 9017:7,15 9031:1	adversely 8964:3	8998:2 9002:4,18 9009:9 9011:11 9013:7,8,11,13 9014:3,9,18,19,25 9015:3,5 9026:17 9029:15,22	arrived 9006:10 9033:11	bastards 8971:11
aangaan 9013:5	af 8977:25	answered 8954:7 9014:1	article 8995:1	Beating 9025:1
aangestel 8959:17	afdeling 8977:25	answering 9005:9	articulated 8993:10	bedoel 9018:2,2
aankoms 9016:12 9017:14	afleiding 8995:8	answers 8950:24,25 8951:15,20,25 8952:3 8952:16 8953:17,20 8954:6 8992:7	artikel 8995:5	beg 8984:4
aanloop 8957:22	afraid 8953:20 8970:2 9000:4 9021:15 9022:18	antwoord 8997:5 9007:25	asked 8950:14,20 8954:5 8965:22,25 8966:2 8972:11 8986:11,14 9002:6 9014:7,24 9015:5 9031:16	begets 9018:6
aanname 8995:6	Africa 8966:9 8967:15	antwoorde 8962:5	asking 8961:24 8970:4 8973:4 8980:2 8986:21 9001:4	behalf 8986:5 8999:23
aantal 8976:21	Afrikaans 8950:4 8967:14 9018:13	anyway 8951:18,22 8952:3,19 8962:13 8975:12 8982:16 8983:9,14 8994:9,10 9005:18 9015:3 9022:23	asks 9015:2	behoorlik 8977:12
aanvaar 8960:22 8996:4 8997:10	afskrif 8955:22	apart 8972:8	asook 9008:19	behoorlike 8976:17 8978:22
aanval 8957:20 9007:18	afsperring 9008:24	apparent 8960:3,8 9006:13	aspect 8966:4,5 9004:12 9005:9,21 9027:14	beide 9006:20 9008:11
able 8952:10 8953:19 8971:15 8974:12 9014:19 9015:5 9029:11	afstand 9008:25	apparently 9028:7	assert 8957:15	bekamp 8966:13
Absoluut 9008:3	afternoon 8995:19 9018:16	appear 8957:7 9005:23 9007:5	assist 8963:25 9002:16 9021:18	bekamping 8976:20
accept 8952:8,12 8960:9,19 8970:11 8995:23 8996:7 8998:19,21 9000:3,12 9000:14,18,21 9009:12 9029:21	agree 8954:21 8974:5 8983:23 9004:24 9005:23,25 9006:18 9007:12,19 9010:14 9011:4 9018:15 9022:6 9023:18 9026:7	appeared 8969:3,6	auditorium 8997:25	bekommernis 8976:21 8995:11
acceptable 8952:13	agreed 8966:3 8999:20	appears 9020:23 9024:10 9029:4	August 8954:14 8985:12,23 9005:24 9006:16 9013:22	belief 8986:24 8987:7
accepted 9001:15	agter 8995:13	applying 8963:19	audit 9025:3	believe 8955:9 8963:9 8964:24 8966:8 8967:12,22 8974:7
accepts 8999:21	air 9035:1	appointed 8997:12	attempt 9019:19 9020:10	benaming 8950:5
accessible 9031:10	aktiwiteite 9012:22	appreciate 8953:22 8956:5	attended 9033:12	benefit 8971:20
accord 8977:3,4,5	al 8981:9,10 9018:8,13	appreciative 8953:12	attention 9033:8	beperk 8966:12
account 8978:12	Albert 8952:23	apprised 8991:21	attitude 9002:24 9020:14	beplanning 9006:22
accused 9003:9	alhoewel 8981:6	approach 8951:3,5 8963:15 9017:11 9022:19	aware 8952:19 8953:3 8956:8 8958:19 8959:8 8964:18 8966:17,22 8969:3,14 8975:13 8987:4 9013:20 9014:8 9015:6 9016:9	berig 8981:8
acknowledge 9001:4	allegation 8992:18 9029:13	approaching 8964:9 8966:3 8970:25	await 9009:9	beserings 9015:19
acquitted 8959:15	allegations 8961:19,20 9003:9	appropriate 8974:5 8987:16 9028:2	ax 9025:24	besig 8989:1
act 9025:12	allegedly 8961:12 8969:7	appropriately 8961:17	axes 9029:7	besondere 8960:21
action 8978:13 9002:14	alles 8979:6	approved 8999:1		besonderhede 8960:21
actions 8986:24 8993:6 8993:17,23	allow 8965:21,24 8992:14,24	approved 8999:1		besprekings 8977:11 8978:5,7
add 8994:15	allowed 9022:14	approximately 9006:25		best 8951:20 8967:13 9004:10
addisionele 9007:9	allowing 9000:17	April 8971:22		bestaan 8963:6,11 8976:11
address 8995:24 9004:1,25 9005:12,19	alluded 9027:20	area 8979:6,8 9009:3 9013:2,3 9032:24 9033:16		beter 8978:20
addressed 8983:10	alright 8973:14 8975:4 8987:15 8988:5,21 8989:20 8990:14 8991:24 8992:2 9003:1 9035:5	aren't 8982:19 8996:23 9030:5		betrokke 8955:3 9023:21
adequate 8952:11	alterkase 9015:14,16	argue 8973:18 8984:24 8985:6 8987:12		betrokkenheid 9006:21
adjourn 9034:22	altwee 9031:2	argument 8982:21 8983:11 8984:22 8986:19 8999:14 9001:23 9004:4,13,15 9004:16,19 9005:20 9009:9 9030:6		better 8992:6 9022:5 9029:11 9030:5 9032:18
ADJOURNED 9035:7	ambiguous 8968:6	arguments 8999:11		bevelstruktuur 9012:11
adjourning 8995:16,19	amount 8993:9	arises 8952:19		bevelvoerder 8996:5 8997:20 8998:16 9011:16 9012:25 9023:21 9030:18 9031:19
adjourment 8987:16 8987:19,21 8988:6,7 8989:8 9035:6	amounted 9001:5 9028:6	armed 8957:8 8974:7		bevelvoeders 8978:6 9012:24 9013:1,4
adequate 8952:11	amounts 8999:7 9000:16	arms 9027:6 9029:4		bevinding 8959:18
adjourn 9034:22	amper 8967:19			bevoegde 8959:17
ADJOURNED 9035:7	amptelike 8967:18,20			beweeg 9015:14 9017:1
adjourning 8995:16,19	ander 8997:5 9013:1,3			bewering 8995:4
adjourment 8987:16 8987:19,21 8988:6,7 8989:8 9035:6	anders 9009:15			bewerings 8964:14
ADJOURNS 8988:8	angle 8964:10 8991:10			bewilderings 9011:4,9
Adjunk 8975:22 8981:3	answer 8950:15,17,22 8950:23 8951:2,11,12 8952:2,11 8962:8,11 8962:12,13 8966:3,8 8967:1 8969:21,22 8970:6,13,14 8979:4 8991:22 8992:9			bewus 8957:18 8958:17 8960:21,23 8966:11 8967:10 8968:22 8977:10,15 8983:22 9015:9
adjunk-minister 8982:4				bewysstukke 9017:7
admit 8996:8 9001:8				bit 8961:6 8968:5 8985:1 8996:19 9013:10 9025:1,1
admittedly 9028:5 9031:25				
admitting 9000:17				
adoption 8999:19				
Adv 9011:21 9012:10				
advance 9004:3 9031:23				

<p>9032:19 blame 8967:5 8999:15 blamed 9019:4 9020:16 blankets 9025:4 bloodshed 8970:20 9020:11 9021:7,8 9022:22 9023:5 9024:24 9025:2,3 9027:4 blue 9005:24 blyk 8958:12 bo 8979:22 body 8967:11,17,22 8968:1,2,5 Booi 8958:19,24 8962:7 8966:17,19 8979:5,17 8998:5 9013:6,9,10 9016:18 book 8992:13,19 bottom 8990:8,9,10,13 9024:19 boundaries 8950:18 bowenal 9009:5 break 9013:10 brief 9003:5,6 briefed 9005:14 Brigadier 9010:22 9012:25 9031:11 9033:13,13 bring 8976:16 brought 8963:18 8980:8 8989:15 Bruce 8989:13 8993:22 Budlender 8990:1,2 8991:1 8994:17,25 9008:2 9011:21 9023:25 Budlender's 8992:4 bullets 9025:13 busy 8994:20 byvoorbeeld 8981:2</p> <hr/> <p style="text-align: center;">C</p> <p>Calitz 9010:22 9012:25 9031:11 call 8950:12 8951:25 8998:18 9024:20,22 called 9006:25 calling 9025:6 canister 8958:2,4 canvassed 9023:24 can't 8970:6 8987:12 8987:12 8999:5 9000:2 9003:7 9022:19 9023:12 9030:9,9 capacity 9000:22 9001:7 career 8964:18 carry 8962:13 8972:6 8974:4 8983:14 8990:20 8992:2 8995:20 9002:6 9003:22 9005:11 case 8952:19 8964:19 8971:2 8986:4,19,20</p>	<p>9002:11,14,19 casualties 8957:10 8958:9 causal 8985:10,17 centre 8998:10,12 certain 8952:15 8993:6 certainly 8953:12 8955:8 Chair 8951:8,14 8952:22 8953:11 8969:12 8972:5,8 8986:1 8998:5,24 9002:1 9003:4,8 9018:19 9021:14 9026:13 Chairman 8954:12 8955:7,19 8956:11 8958:3 8960:4 8962:7 8966:7 8970:8 8972:15,22 8973:13 8973:17 8979:17 8982:23 8984:24 8985:19 8987:17 8988:4 8989:8 8992:10 8993:2 8994:13,16 8995:22 8999:25 9001:21 9002:10,20 9003:15 9004:24 9005:22 9015:1 9020:8 9023:7 9024:16 9026:24 9027:7 9029:21 9032:8,10 9033:8,17 9034:15 challenged 8989:9 8992:12 chance 8956:24 channel 8981:15 charge 9025:9 9027:21 9029:15 charged 8963:18,25 8964:3 8980:9 charges 9003:7 CHARL 8950:7 8988:25 charter 8974:9 8984:15 check 9034:24 9035:2 choose 8988:17 chose 9032:17 circumspect 8971:3 circumspectly 8971:1 circumstances 8954:19 8964:1 8985:5 9034:2 civil 9002:14 civilians 9014:15 claim 9003:5 claimed 9011:22 clear 8990:22 8992:18 9019:10 9022:11 9026:8 9027:24 9029:10,24 clearly 9021:22 9027:9 clients 8986:5 code 8963:2,9,11,12 8964:7 colleague 8963:4</p>	<p>8964:3 8986:2 9019:5 9030:2 colleagues 8956:14 8961:23 8963:25 8964:20 8992:6 collected 9006:5 collective 8996:8,10 8999:16 9001:24 collegial 8961:15 colonel 8988:23 9019:14 9022:3,4 combating 8966:25 come 8959:21 8961:24 8964:15 8971:4 8998:1 9004:15 9010:3 9025:11 9028:10 coming 8985:2 command 8977:2 8981:20,23 9009:21 9010:21 9011:4 9013:17 9024:8 9030:13 commander 8997:13 8998:14 8999:1 9010:23 9011:18 9031:7,11,12,14,15 9031:21,24,25 9032:5 9033:18 9034:16,19 commanders 9011:3,22 9011:23 9034:4,24,25 commands 8981:18,23 comment 8984:24 8993:18 comments 8971:5 8980:6 8982:25 8985:14 8994:13,17 8995:20 Commission 8950:2 8953:3,8 8969:19,24 8976:25 8984:16 8986:21 8988:8,8,9 8991:22 9009:10,11 9017:19 9023:6 9035:7 Commissioner 8969:18 8984:2,5,10 8994:2,6 9000:20,24 9007:13 9010:19,20 9017:9 9026:18,22 9027:1,12 9029:23 9034:23 committed 8961:2 8984:1 communicates 9034:17 communication 8981:12 9032:1 communications 8982:14,18 community 8971:11 comparisons 8957:14 compensation 9002:18 complaint 8952:2,4 9034:5 complete 8957:14 completely 9024:2 completeness 9006:11</p>	<p>9024:7 complicate 9010:20 complicated 9004:11 9019:13 comprehensively 9011:12 concede 8977:18 concedes 9000:2 concept 8993:11 concern 8951:18 8978:16 8980:5 8991:4 8994:14 concerned 8961:25 8972:23 8980:19 8985:16 8986:21 concerns 9001:22 conclusion 8959:21 8961:24 condolences 8953:8 conduct 8961:22 8963:9,11,12,24 8964:7 conducted 8950:14 conducting 8986:4 confirm 9009:23 confirmed 9033:13,14 9033:15 connected 8985:8 connection 8985:10 consequence 9002:17 consider 8953:25 8978:25 8982:10 9005:4 considerable 8959:9 considerably 8993:14 consideration 8954:21 9027:23 considered 9023:14 considers 8951:11 8952:10 consistently 9013:15 Constitution 8964:25 8966:23 8967:5 8977:3,23 8980:18 8983:17,25 constrained 8953:17 constraints 8952:9 consulted 9034:6 CONTD 8954:11 8989:7 contemplated 8961:8 contend 8999:23 9023:7 contention 9002:22 9023:17 9031:23 9033:3 context 8994:8 9026:19 9026:23 9027:5 9029:23 contingency 9006:8 continue 8987:23 8994:21 9028:19,20 9033:5 continues 9023:17 contrary 8977:7 control 8986:16</p>	<p>convey 8953:7,18 8982:20 conveyed 8953:13 8993:5 9017:10,12 convicted 8964:19 coordinate 9009:22 9010:10,10,12 9012:15 coordinated 9006:15 coordinator 9007:1 9012:19,19 copies 8956:5 8982:13 copy 8955:20 8989:15 correct 8957:16 8959:6 8961:10 8968:2 8978:3 8981:17 9001:18 9010:8,24 9015:23 9019:7 9022:20,23 9029:14 9030:23 9033:22 corrected 9011:21 correctly 8979:13 9011:3 costs 8969:24 counsel 8960:10 8982:17 9014:2 count 9025:8 country 8967:7,24 8979:10 couple 8968:7 9017:22 course 8951:24 8956:4 8963:16,23 8964:18 8969:17,23 8974:3 8983:6 8985:6 8992:12 8994:3 9002:18 courses 8983:4 court 8959:21,24 8960:16 8961:24 8978:12 8980:8,11 8991:22 courts 8964:19 covered 8965:15 9005:7,13,15,17 covering 8965:15 create 9013:13 crime 8961:2 8965:2 8966:9,25 8967:14 8968:12 8971:15 criminal 9002:8,19 9003:7 criminality 8967:6,24 criminals 8974:7 criticising 9013:12 criticisms 8985:15 cross 9005:11 cross-examination 8950:11,13 8954:11 8955:11 8969:17,23 8989:7 8995:21 9003:20 cross-examiner 8972:18 cross-examiners 8971:2 cross-examining</p>
--	--	--	--	---

8950:9 crowd 8986:16 cryptically 9027:21 CS 8958:2,4 cuff 9004:22 culminating 9006:12 culture 8985:20 curb 9021:25 currency 8993:14 cut 9025:4,10	8957:10 8968:12 8971:8,15 8982:11,20 9003:6 9005:14 9025:25 9029:11 9032:18 dealing 8970:3 8986:23 8991:9 9000:9 9029:8 deals 8993:2 9032:19 dealt 8983:5 8991:8,13 8993:4,25 8994:1 9008:6 death 8958:15 8959:1 8959:10 9014:12,14 deaths 8973:19 9019:4 9019:24 debate 8953:21 8994:4 8994:7 9005:11 9012:13 9015:4 9022:9 9028:2,9 9030:5 debating 9030:1 decide 9030:9 decided 9032:25 decision 8954:8 9030:12 9033:24 9034:2,6,7 decisions 8954:20 9033:20 deeglike 9007:16 deel 8954:16 defect 9019:1 defend 8963:24 8974:15 8994:3 definitely 9025:11 degree 8967:6 delict 9001:5 delictual 9002:7 9003:5 demonstrably 9032:5 demonstrasie 8955:3 demonstration 8955:1 deny 8963:2 departemente 8964:23 department 8985:8 depends 8954:5 deploy 9007:1 deployed 9007:2 9008:12,15 9009:19 deployment 9009:22 9010:18 deponent 9016:7 depth 9034:3 deputy 8971:9 8975:1 8980:6,11,13,17 8985:7,11,14 9010:19 described 9016:1 designated 9010:13 9012:16 despite 8957:8 8999:24 detail 9006:11 details 8955:4 deur 8967:18 8981:5 8982:4,6 8995:7 9017:16 9018:1 deurlopend 9023:21 devised 8995:23	de-arm 9025:22,23 dialogue 9006:17 didn't 8950:19 8958:5 8961:6 8964:1 8965:3 8972:12 8989:16 8995:20 9014:9,16,18 9019:4,15 9022:5,22 9022:25 9033:18 died 8974:15 9021:5 9033:11 dieselfde 9009:15 difference 8973:3 9016:17,21 9017:10 differences 9016:10 different 8964:9 9022:16 9032:3 9034:7 difficult 8980:12 difficulties 9013:21 9014:4,9,23 9015:6 9032:1,1 difficulty 8985:1 dink 9012:10 9018:3 direct 8979:12,20 direction 8956:12 9021:1,23,25 9031:12 9031:13,14,16 9034:11,11,12 directly 8970:23 8971:4 direktiewe 8976:10 dis 8955:22 8958:18 8963:21 8982:5 8995:3 8996:15 9008:18,23 9010:15 9011:24 disadvantage 8982:15 disagreement 9016:2 9019:2 disallow 9022:18 disapproval 9028:7 disarm 9019:5 9020:10 9022:5 9024:23,25 9025:17,21 9028:23 disarmed 9019:6,15,16 9020:3,25 9022:13 9028:14,16,18,21 disarming 9023:3 9025:2 9029:6 disciplinary 8961:8 8963:17,19 8964:4 disclosed 8970:19 discourage 9019:21 discover 8972:12 9029:16 discovered 8966:7 8972:14 discussed 8976:3 8977:1,21 9006:15 9028:12 discussing 9027:15 discussion 8953:15 9026:2,13 9029:20 discussions 8968:9 8999:18 9005:25 dismiss 9002:12	disperse 9016:22 9020:10 9022:8 dispersed 9019:10 9028:18 dispersing 9023:3 displaced 9032:4,9 dispute 9028:4 dispuut 9030:19 disquiet 8959:10,14 disrupted 9007:14,20 disruptions 9007:21 9008:7 dissiplinêre 8964:12 dissuade 9021:2 distressed 8990:24 disturbances 8995:24 dit 8950:4 8954:16 8957:11 8958:13 8959:2 8960:22 8962:19,22 8963:11 8963:13 8967:19 8975:17,18,18,24,25 8976:8,9,13,13 8977:15 8978:8,20,24 8979:6 8981:1,1,3,5,6 8981:6,9 8989:4 8990:18 8996:6 8997:4,14 9006:21 9007:3,4,16,24,24,24 9008:10 9009:7,15,25 9010:1,25 9011:19 9013:19,19 9016:23 9016:24 9017:7,14,24 9018:8,8 9030:19 9031:6 division 8978:1 8980:4 8980:19 document 9026:15 9028:13 documents 8987:18 9033:4 doen 9031:6 doesn't 9022:19,23 doing 9027:15 dokumente 8976:11 domain 8960:25 don't 8953:16,21,23 8955:10,15,16 8957:23,24,25 8961:4 8961:16 8963:3 8969:22 8971:2 8972:18,19,21 8974:7 8974:14 8977:22 8982:14,25 8984:14 8985:2,16,20 8993:18 8994:4,8 8996:17,19 8999:1,11,13,22 9000:15 9001:2,13,16 9002:3 9003:8,19 9009:8 9014:2 9019:6 9021:9 9022:24 9027:3 9030:1,11 9031:22 9032:15 doodgaan 9018:3 doubt 8982:24 dozen 8968:6	draw 9033:7 dry 8965:19 due 8985:6 duisende 8982:5,6 duty 9001:1 9025:17
D			E	
daaglik 8968:15 daaglikse 8968:14 daar 8957:20 8958:13 8959:11,17,18 8963:6 8963:11 8964:13,14 8967:3 8968:15 8975:25 8976:11,14 8976:17,21 8977:10 8977:13 8978:4,7,9 8978:21,22 8981:4 8995:6,11,12,13 8996:5 8997:6 9007:8 9013:1 9015:10,14,16 9015:18,19 9016:13 9017:16 9018:2 9030:16 9031:3 daarby 9018:2 daardeur 9013:1 daardie 8995:9 daarmee 9009:14 daarna 8976:1 9007:23 9030:17 daarvan 8960:23 8977:10 8983:22 Daar's 8982:5 dade 8978:11 dag 8978:9 damage 9002:17 dan 8964:13 8966:12 8967:17 8976:17 8981:4,6,10 8995:5,6 8995:10,13 8997:6,19 9007:8 9012:25 dankie 8954:3,10 8957:5 8967:3 dat 8957:20 8958:13 8959:17,18 8960:22 8962:5,17,19 8975:22 8975:24 8976:19,19 8976:21,22 8977:10 8977:15 8978:4 8995:7,11,13 8997:11 9007:16 9010:1 9015:9,16,17,17,18 9015:19 9016:13,24 9016:25 9017:2 9018:2 9031:1 date 8972:12 David 8989:13 day 8956:4,5 8969:24 8994:25 8999:23 9007:2 dead 8986:9 deal 8952:1 8955:19	death 8958:15 8959:1 8959:10 9014:12,14 deaths 8973:19 9019:4 9019:24 debate 8953:21 8994:4 8994:7 9005:11 9012:13 9015:4 9022:9 9028:2,9 9030:5 debating 9030:1 decide 9030:9 decided 9032:25 decision 8954:8 9030:12 9033:24 9034:2,6,7 decisions 8954:20 9033:20 deeglike 9007:16 deel 8954:16 defect 9019:1 defend 8963:24 8974:15 8994:3 definitely 9025:11 degree 8967:6 delict 9001:5 delictual 9002:7 9003:5 demonstrably 9032:5 demonstrasie 8955:3 demonstration 8955:1 deny 8963:2 departemente 8964:23 department 8985:8 depends 8954:5 deploy 9007:1 deployed 9007:2 9008:12,15 9009:19 deployment 9009:22 9010:18 deponent 9016:7 depth 9034:3 deputy 8971:9 8975:1 8980:6,11,13,17 8985:7,11,14 9010:19 described 9016:1 designated 9010:13 9012:16 despite 8957:8 8999:24 detail 9006:11 details 8955:4 deur 8967:18 8981:5 8982:4,6 8995:7 9017:16 9018:1 deurlopend 9023:21 devised 8995:23	de-arm 9025:22,23 dialogue 9006:17 didn't 8950:19 8958:5 8961:6 8964:1 8965:3 8972:12 8989:16 8995:20 9014:9,16,18 9019:4,15 9022:5,22 9022:25 9033:18 died 8974:15 9021:5 9033:11 dieselfde 9009:15 difference 8973:3 9016:17,21 9017:10 differences 9016:10 different 8964:9 9022:16 9032:3 9034:7 difficult 8980:12 difficulties 9013:21 9014:4,9,23 9015:6 9032:1,1 difficulty 8985:1 dink 9012:10 9018:3 direct 8979:12,20 direction 8956:12 9021:1,23,25 9031:12 9031:13,14,16 9034:11,11,12 directly 8970:23 8971:4 direktiewe 8976:10 dis 8955:22 8958:18 8963:21 8982:5 8995:3 8996:15 9008:18,23 9010:15 9011:24 disadvantage 8982:15 disagreement 9016:2 9019:2 disallow 9022:18 disapproval 9028:7 disarm 9019:5 9020:10 9022:5 9024:23,25 9025:17,21 9028:23 disarmed 9019:6,15,16 9020:3,25 9022:13 9028:14,16,18,21 disarming 9023:3 9025:2 9029:6 disciplinary 8961:8 8963:17,19 8964:4 disclosed 8970:19 discourage 9019:21 discover 8972:12 9029:16 discovered 8966:7 8972:14 discussed 8976:3 8977:1,21 9006:15 9028:12 discussing 9027:15 discussion 8953:15 9026:2,13 9029:20 discussions 8968:9 8999:18 9005:25 dismiss 9002:12	disperse 9016:22 9020:10 9022:8 dispersed 9019:10 9028:18 dispersing 9023:3 displaced 9032:4,9 dispute 9028:4 dispuut 9030:19 disquiet 8959:10,14 disrupted 9007:14,20 disruptions 9007:21 9008:7 dissiplinêre 8964:12 dissuade 9021:2 distressed 8990:24 disturbances 8995:24 dit 8950:4 8954:16 8957:11 8958:13 8959:2 8960:22 8962:19,22 8963:11 8963:13 8967:19 8975:17,18,18,24,25 8976:8,9,13,13 8977:15 8978:8,20,24 8979:6 8981:1,1,3,5,6 8981:6,9 8989:4 8990:18 8996:6 8997:4,14 9006:21 9007:3,4,16,24,24,24 9008:10 9009:7,15,25 9010:1,25 9011:19 9013:19,19 9016:23 9016:24 9017:7,14,24 9018:8,8 9030:19 9031:6 division 8978:1 8980:4 8980:19 document 9026:15 9028:13 documents 8987:18 9033:4 doen 9031:6 doesn't 9022:19,23 doing 9027:15 dokumente 8976:11 domain 8960:25 don't 8953:16,21,23 8955:10,15,16 8957:23,24,25 8961:4 8961:16 8963:3 8969:22 8971:2 8972:18,19,21 8974:7 8974:14 8977:22 8982:14,25 8984:14 8985:2,16,20 8993:18 8994:4,8 8996:17,19 8999:1,11,13,22 9000:15 9001:2,13,16 9002:3 9003:8,19 9009:8 9014:2 9019:6 9021:9 9022:24 9027:3 9030:1,11 9031:22 9032:15 doodgaan 9018:3 doubt 8982:24 dozen 8968:6	draw 9033:7 dry 8965:19 due 8985:6 duisende 8982:5,6 duty 9001:1 9025:17
			earlier 8952:24 early 8952:25 eed 8950:3,6 8988:24 een 8964:12 8975:22 8978:9 8981:7 8995:3 8997:6 9007:9 9017:7 9018:8 eers 8962:19 9006:20 effect 8972:25 8973:5 8975:11 8978:17 8980:5 8996:20 9020:1 effectively 9019:23 egter 8996:4 9007:24 ei 8976:18 8978:21,24 einde 8978:9 eintlik 8950:3 either 8961:21 8962:3 8984:10 9018:17 9028:18 9031:13 elected 9032:16 elements 9027:13 elephant 9025:1 elke 8962:16,23 8978:22 elkeen 8967:9 emergency 9033:16 en 8957:18,21 8959:18 8964:22 8968:14,14 8975:23 8976:7,9,10 8976:13,15,16,22 8977:13,14 8978:10 8981:5 8982:5 8995:5 8995:12 8997:6 9006:20 9007:8,16,23 9009:1,3,5 9012:22 9012:24 9013:2,3,4 9013:19 9015:14,15 9015:15,17,17,18,19 9015:19 9016:14 9018:2,3 9023:21 9031:2,5 enable 9011:11 encountered 8963:23 encourage 8969:11 endeavour 9021:2 energy 8985:13 engagement 9014:10 Engelse 9018:7 English 8979:3 8985:20 9001:6 9013:9 enhanced 9002:24 enige 8957:20 8958:13 8962:16 8966:11 8976:10,19 8977:11 8981:2 8995:12 enigiemand 8976:14 enigste 8959:17 enkeles 9009:7	

<p>enlighten 8960:2 enquired 9033:12 ensure 8951:20 entering 8953:22 entire 9027:16 entitled 8950:21 8984:18 8998:1 environment 8954:19 ervaring 8997:5,11 escapes 8972:10 escorting 9021:23 establish 8986:13 evening 9020:13 event 8953:7 9027:20 9034:9 events 8972:10 evidence 8953:2,19,23 8953:25 8959:15 8961:9,23 8962:2 8963:4 8964:20 8966:7 8969:7 8970:20 8979:13 8986:3,6,12,15 8989:9 8991:14 8992:12,13 8994:1 9004:7 9021:9 9023:2 9026:14 9028:4 9029:12,17 9030:7 9032:15 9033:23,24 exact 9010:11 exactly 9021:8 9028:5 9029:10 examination 9005:12 example 8961:1 8980:8 8983:4 Excuse 8997:23 excuses 8971:14 executing 9007:6 exhibit 8955:6,7,9,24 8956:1 8983:7 8989:13,16 8990:16 9006:5,14 9010:4 9012:14 9016:7 9020:9 9024:18 exhibits 8956:3 8988:12 expect 8996:22 expected 8962:9 8977:5 expedition 8969:25 expeditiously 8970:3 expend 8985:13 expenditure 8973:24 8982:12 experience 8963:16,23 8972:19 8973:5 8997:21 9000:14 experienced 8996:25 8997:9 9014:5 9015:7 expert 8989:13 experts 8986:16,16,17 explain 8970:15 8993:16,16,22 explains 8994:9 explored 9034:3 expressed 8951:19 8991:4 9020:1</p>	<p>expression 8965:18 9001:6 9018:6,11 extent 8954:5 8969:19</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>faced 8974:7 9013:21 facie 9020:6 fact 8953:5,22 8961:13 8961:16 8969:16 8970:21 8972:9 9001:21 9005:14 9011:14 9017:11 9019:8,25 9022:2 9030:6 9034:18 9035:2 facts 8960:24 9018:23 9022:16,20 9034:7 factual 8984:8 9019:7 factually 9026:12 fair 8951:3,4,11 8952:5 8952:6 9021:10 9022:18 family 8953:7 far 8951:22 8974:19 8985:16 8987:6,13 faults 8996:11 9009:11 9009:12 feared 9017:20 9019:19 fearing 9028:22,23 fears 9002:23 feel 8953:4,24 feeling 9028:17 feels 8951:1 feite 9013:19 9030:16 fellow 8960:16 8961:2 8962:2 8976:3 FFF 8989:16,17 FFF14 8989:12 8990:16 FFF18 9006:14 field 8974:12 9010:14 9012:17,18 9029:6 fight 8974:12 fighting 8965:2 8966:9 file 8972:25 8973:6 8980:7,16 finally 8974:14 8991:18 9033:17 finansieële 8982:7 find 9001:13,14,16 9004:7 9030:6 finding 9001:17,17 9002:15 findings 8970:1 finds 9009:11 fine 8999:10 fire 8974:13,13 firearm 9025:24 firearms 8990:24 8993:13 9024:23 firesh 8985:3,5 9033:25 first 8952:12 8988:18 8988:19 8993:24 9013:9 9024:10 fisiese 9008:11 fitting 8953:2</p>	<p>fly 9032:23 follow 8998:1 9022:6 9030:6 followed 9019:4 following 8972:3 8973:10 8983:18 9004:8 follows 8973:3 follow-up 8974:2 foot 9028:16 force 8963:3 8982:1 8989:12 8990:22 8991:16 8993:5,8,9 8993:12 8994:3 9016:22 forced 8994:2 forces 8974:11 foresee 8985:15 9007:20 foreseen 9008:7 forth 9002:16 9019:22 9028:24 forward 9004:11 9009:3 9013:2,3 9014:4 9033:16 found 8955:5 four 8952:24 8985:8 free 8994:15 Friday 8995:18 friend 8982:13 9001:22 9003:2 9023:25 friend's 9000:1 9002:24 front 8990:4,16 9003:18 9025:5 full 9004:13,16 9005:19 9020:19 fullest 8965:12 fully 8953:19,25 9005:19 fundamental 9016:2,17 9016:21 further 8965:22 8970:17 8991:10 8993:20 8994:17 9001:15 9004:1 9005:11 9010:20 9020:3 9029:5,17 future 8952:4 8956:3,9</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>gaan 8975:22,23 8976:18 8978:10,23 9007:24 9031:2,4,5,5 Gaffley 9013:4 gained 8993:13 gang 8976:18 gange 8976:13 gas 8957:25 8958:1,7 geantwoord 8958:12 gearriveer 9006:21 gebaseer 8962:24 gebied 9008:25 gebring 9007:17 gebruik 8950:5 gedeel 8977:14 9009:15</p>	<p>9015:10 gedood 9015:17 gedrag 8962:25 gedurende 8989:2 geen 8968:15 8979:22 8996:3 gegee 9017:8 Gegeleza 8952:23 gehoor 8975:23 9018:9 9018:14 gehou 8978:10 9009:1 gekoördineer 9012:22 gekry 8989:2 gelang 8995:5 gelees 8957:6 8975:18 9017:7 gemaak 8959:18 8964:14 8968:23 8975:17 8981:5 8995:4,6 9017:15 9018:1 generaal 8997:7 9012:24 9013:2 9015:9 9016:14,25 9018:1 9030:17 9031:1,4 general 8954:12 8955:20 8961:25 8962:14 8964:24 8978:16 8983:17,20 8990:16 8994:16 8995:23 9005:22 9010:21 9015:25 9016:3 9017:4,9,20 9018:16,23 9019:15 9020:24 9021:5,6 9022:5,9,14,15,17,21 9023:2,7,18 9024:2 9026:15 9027:15,19 9028:3,5,10,25 9029:2,11 9030:7,12 9030:24 9032:23 9033:15 9034:5,25 generally 8993:12 generals 8996:25 germinated 9005:24 geroof 9015:20 gesamentlike 8996:3 9012:4 gesit 9009:6 9030:18 gesterf 9015:16 9017:15 gesê 8975:25 8977:10 8981:8 8998:16 9010:1 9018:13 9031:4,5 getal 8962:21 getuienis 9009:25 getuig 8978:5,20,23 9023:22 geval 8964:12 8981:10 gevind 9015:18 gevoel 8968:16 gevra 8964:6 9009:16 gewapende 9015:10 gewees 8976:1 8997:19</p>	<p>geweier 9015:13 geweld 9018:8,8,14,14 GGG1 9006:24 9009:18 GGG12 9031:8 GGG15 8955:9 8956:2 9016:8 GGG16 8988:22 9021:22 GGG17 8988:22 GGG4 9024:1,11 GG4 9023:25 9024:1 give 8950:22 8951:2,10 8952:10 8953:17 8960:5 8962:2 8963:3 8981:21,23 8982:13 8987:18 9002:17 9004:12,18,20,22 9005:6 9028:3 9029:3 9031:12,15 9034:10 given 8954:20 8955:7 8956:1,5 8964:20 8971:15 8973:9 8974:19,23 9008:16 9020:1 9034:1 gives 9029:12 9030:7 giving 8951:3,12 8953:25 8980:9 8984:20 go 8965:11,22 8968:10 8968:10 8978:11 8979:16 8994:8,24 9019:19 9024:24 9025:15,19 9026:20 9027:2,3,3,5 9029:3 9032:17 9035:2 goedkeuring 8996:6 goeie 8997:11 goes 8953:9 8970:7 8972:2 9013:11 9022:8 9028:20,21 going 8950:22 8955:10 8956:4 8961:1 8969:13,21 8970:1,2 8970:7 8971:6 8973:4 8973:9 8974:19 8976:24 8984:24 8985:15,18 8986:2,6 8986:12 8988:18,18 8988:19 9001:19 9002:4 9019:21 9020:4 9021:3 9022:25 9023:6 9025:1,2,3 9027:10 9028:3,10,11,12,19 9028:23 9029:7 9030:5 9034:3 good 8970:4 9034:8 GOS 8997:18 9011:25 9012:2 graag 8962:17 9008:9 greater 8959:13 9006:11 greatest 8972:23 grenades 9019:22 9021:3 9022:7</p>
--	--	--	---	---

<p>groep 9015:10,11,12,14 9015:15 9016:25 9017:2</p> <p>groepering 8967:18,19 9009:1</p> <p>groot 8967:18 9015:10</p> <p>ground 8965:15 9033:19 9034:4,25</p> <p>group 9016:22</p> <p>guidance 8981:21</p> <p>guided 8984:14 8993:11</p> <p>guiding 8973:20</p> <p>guilty 8961:13</p> <p>guns 8971:15</p> <p>guys 9028:18,23</p> <hr/> <p style="text-align: center;">H</p> <p>haar 8978:11</p> <p>half 9008:17</p> <p>hampered 8970:2</p> <p>hand 8955:7,9 8987:18 8987:20 8988:5</p> <p>handed 8956:4</p> <p>handel 8968:14</p> <p>handeling 8962:16</p> <p>handicapped 8953:24</p> <p>handle 8955:10</p> <p>handling 9016:1</p> <p>handtekening 9030:17</p> <p>hantering 9016:15</p> <p>happen 8980:8 9020:2 9029:24</p> <p>happened 8954:25 8957:15 8960:19 8965:24 8979:8 8985:11 9001:5 9004:9 9020:2,20 9023:15 9027:22,22 9030:7</p> <p>happening 9032:24 9033:3,18</p> <p>happenings 8954:13</p> <p>happens 8979:11</p> <p>happy 8981:23</p> <p>hasn't 8966:15 8979:2 8979:3 9008:16 9014:19</p> <p>haven't 8996:22 9014:1 9020:19</p> <p>head 8975:14 8978:1 8980:4,5,15,19 8981:12 9009:21 9010:22</p> <p>headed 8956:18</p> <p>heads 8977:20</p> <p>hear 8951:6 8953:9 8954:1 8973:14 8998:5 9003:1 9021:8 9029:2</p> <p>heard 8953:15 8954:12 8974:16 8975:19 8976:2 8982:22 9015:3 9018:5,10 9020:5,19 9022:12</p> <p>held 9005:25</p>	<p>helicopter 9024:8 9030:21,22 9031:9 9032:12,17,25 9034:11,16</p> <p>helikopter 9031:2,5</p> <p>help 8961:23 8969:13 8969:21 8970:7,13 8993:16 9002:4</p> <p>HEMRAJ 8984:2,5,10 9017:9 9027:12 9034:23</p> <p>hesitated 8974:15</p> <p>hesitation 8974:14</p> <p>het 8950:5 8955:21 8957:6,21 8958:12 8959:18,18 8963:12 8963:20 8964:6,23 8975:18,18,23,25 8976:11,15 8977:10 8978:4,7,21 8981:7,8 8989:2 8990:18 8995:4,7,10 8996:2,4 8997:18 8998:16 9006:2,20 9007:16,23 9008:9,24,25 9009:1 9009:2,3,5,6,14,25,25 9010:1 9011:25 9012:22 9013:19 9015:10,11,13,14,17 9016:12,24 9017:7,15 9018:2,2,8,12,13 9030:17 9031:1,4,5</p> <p>he'll 8957:2 9014:25</p> <p>he's 8950:21 8951:2,12 8952:10 8957:2 8969:1,2,3,5,14 8970:11 8982:15 8986:2 8996:16,20 8999:4 9001:1 9003:2 9027:4 9028:11,25 9029:2,5</p> <p>hierdie 8957:19,22 8958:12 8962:20 8978:6 8979:22 8995:5,5,12 9017:7</p> <p>high 8967:6 8968:18 8996:17,21,22 9034:12</p> <p>highest 8996:12</p> <p>highly 8969:10</p> <p>hinder 8969:22</p> <p>hoekom 9030:18</p> <p>hof 8959:17 8978:10</p> <p>hold 8996:12 9001:24</p> <p>holding 9009:3 9013:2 9013:3 9033:16</p> <p>holds 8996:17</p> <p>homes 9029:4</p> <p>homself 9023:22 9030:17</p> <p>hoofkantoor 8977:25</p> <p>hoor 8976:13,13</p> <p>hope 8956:8</p> <p>hostage 9007:1</p> <p>hou 8996:14</p> <p>hours 8952:25</p>	<p>house 9024:25</p> <p>hoë 8996:14</p> <p>hulle 8976:18 8977:15 9015:12,12,13</p> <p>human 8974:9</p> <p>hundred 8968:7</p> <p>hy 8962:19 8995:8 9015:11 9018:2,2 9023:20,21,21 9031:1 9031:5,5</p> <hr/> <p style="text-align: center;">I</p> <p>idea 8993:13 9023:3 9029:6</p> <p>identify 8960:18</p> <p>iemand 9018:3 9031:3</p> <p>ignore 8977:7</p> <p>illegal 8983:19 8985:6</p> <p>illness 8953:1</p> <p>immediately 9034:18</p> <p>impede 8965:1 8966:24</p> <p>impediment 8966:9</p> <p>impediments 8966:20</p> <p>implementation 9024:3 9026:8 9027:25</p> <p>implementing 9026:23</p> <p>implicate 8962:2</p> <p>implicating 8960:16</p> <p>important 8953:18,23 8954:19 8982:10 8986:25 9004:21 9005:1,3,5,8</p> <p>imposing 8980:12</p> <p>impossible 8961:20</p> <p>inappropriate 9028:10</p> <p>inaudible 8951:17,17 8974:5 8997:16 9029:9</p> <p>incident 8958:15,20,22 8959:8 9013:22 9017:5</p> <p>incomplete 9029:19</p> <p>incorrect 9022:15 9026:13 9032:6,16</p> <p>inderdaad 8963:21 8990:19</p> <p>indicate 8986:12 9027:9</p> <p>indicated 8973:22 8994:14 9003:2</p> <p>indicates 9021:22</p> <p>individu 8998:12</p> <p>individual 8999:15</p> <p>individually 9034:1</p> <p>individue 9015:11</p> <p>indrak 9009:14</p> <p>inevitable 8986:7</p> <p>inference 8986:7</p> <p>influenced 8985:6,19 8986:9,24 8987:6</p> <p>inform 8982:1</p> <p>informal 9019:20,21 9021:1,3</p> <p>information 8970:17 8990:23 9029:3</p> <p>informed 8953:5 8959:4 9017:3 9032:22 9033:14,19</p> <p>infractions 8963:18</p> <p>ingelig 9016:13</p> <p>ingesluit 9010:1</p> <p>injured 8986:10</p> <p>injuries 8973:19</p> <p>injury 9014:12</p> <p>innocent 9028:24</p> <p>inquiry 8985:12,16 9001:11</p> <p>insident 8957:19 8958:18</p> <p>instruksies 8976:8</p> <p>instruments 8967:12</p> <p>integriteit 8962:24</p> <p>intend 9032:9</p> <p>interaction 9019:23 9021:4</p> <p>interaksie 9015:15</p> <p>interest 8986:5 9012:13</p> <p>interjections 8952:14</p> <p>internal 8981:12</p> <p>interne 8978:4 8981:8</p> <p>interpret 9013:7,11 9016:19</p> <p>interpretasie 8976:18</p> <p>interpretation 8959:5,7 8968:2 9000:16 9013:14 9027:8</p> <p>interpreted 8966:15 8968:19 8979:2,3 8983:25 8984:12,19 8997:25 8998:8</p> <p>interpreter 8998:3</p> <p>interpreter's 8959:6</p> <p>interrupt 9006:4</p> <p>intervene 9012:12</p> <p>intervention 9006:18 9010:22</p> <p>investigation 8966:25 8991:6 8992:22</p> <p>invite 8951:14 8954:6</p> <p>involved 8959:14 8960:15 9006:9</p> <p>IPID 9033:14</p> <p>isiXhosa 8994:19 8997:25 8998:8 9013:8 9016:19</p> <p>isn't 8952:2 8957:16 8958:7 8987:10,13 8996:18 9000:9 9026:23 9029:7 9030:4,9 9033:3 9034:3,13</p> <p>issue 8983:17 9004:25</p> <p>it's 8951:22,23 8952:4 8953:18 8955:12 8956:17,18,18,20 8958:23 8966:21 8971:18 8979:11 8982:10 8983:7 8985:12 8990:4 8991:5,5 8994:6,14 8995:2 8999:25 9002:4 9004:25</p>	<p>9005:3,7,13,17 9011:4,9 9013:10,11 9019:10,13 9021:5 9022:5,10,15 9028:2 9028:8,13 9029:9,10</p> <p>I'd 8956:4 9002:2</p> <p>I'll 8950:22 8960:12 8965:21 8970:15 8986:23 8992:24 8998:9 9000:12 9028:2</p> <p>I'm 8950:21 8951:19 8951:21 8952:19 8956:2,19 8958:3,8 8959:4,25 8961:24 8966:22 8970:2 8971:6 8973:23,23 8974:17 8981:19,20 8981:22,23 8982:22 8984:15,23 8986:21 8987:11 8990:25 8992:4,11 8996:19 8997:24 8998:22 8999:5,6,7,8 9002:21 9012:12 9013:11 9019:12,12 9020:4,18 9021:15 9022:18,21 9023:11 9028:7 9033:21,21 9034:8</p> <p>I've 8958:24 8994:24 8999:17,20 9020:5 9021:11</p> <hr/> <p style="text-align: center;">J</p> <p>ja 8986:18 8989:6 8997:11 9006:20 9007:8 9014:24 9018:13 9026:6</p> <p>jaar 8982:5,7 8997:11</p> <p>jammer 8950:4</p> <p>job 9024:20</p> <p>JOC 8997:13 8998:14 8998:17 9010:7,13 9011:22,23 9012:5,7 9012:16,22 9031:11 9031:13 9032:21 9033:11 9035:1</p> <p>JOCOM 8997:19 9001:20 9012:23</p> <p>joint 8998:25 8999:8,21 9000:25</p> <p>jointly 8999:4</p> <p>Joseph 8955:6</p> <p>journalist 8992:19</p> <p>judge 8961:25 8984:17</p> <p>juice 8965:21</p> <p>July 8983:7</p> <p>justice 8951:2,12 8952:11 8953:18 8961:21 8986:5</p> <p>justified 8962:3</p> <p>justify 9003:13</p> <p>ju 9011:25 9031:4,5</p> <hr/> <p style="text-align: center;">K</p> <p>kan 8955:2 8957:20</p>
--	--	---	---

8962:19 8964:12 8967:8,9 8975:22,23 8975:24 8978:5,20,20 8978:23 8979:6 8981:1,1,3,4 8995:7 8997:4 9007:23,24 9008:10 9013:4,24 9018:4 9023:22 kantooropset 8968:14 Karee 9014:11 keep 8950:25 kept 8991:16 key 8993:15 kill 8971:11,13 8984:14 8984:20 killed 9017:22 9030:14 9034:19 killing 9025:15 9030:20 kind 8961:12 8970:1 8980:15,20,23 8983:5 9001:5 9003:7,10 kindly 8953:7 klim 9031:5 knew 8987:6 9034:25 know 8950:16 8954:18 8955:10,15,16 8957:3 8957:13,23,24,25 8958:15 8964:1,8 8968:6,17,25 8970:19 8971:2,18 8979:5 8981:16 8983:19,24 8985:20 8993:18 8998:2 9001:2,16,16 9003:19 9006:9 9009:8 9014:2 9022:12,24 9025:13 9032:15 9033:18 knowledge 8954:24 8969:20 8973:6 8979:12 known 8964:2 9023:6 kode 8963:6 kom 8995:14 9023:22 kommentaar 8959:17 Kommissaris 8981:2 9017:13 Kommissaris 8981:3 kommunikasie 8981:6 8981:9 kommunikasiestukke 8982:6 kon 9007:17 Konstitusie 8966:12 8976:7 konteks 8954:10 8981:9 koppie 9019:9 9026:20 Korporatiewe 8981:5 korrek 8955:22 8958:18 8959:3 8963:21 8989:5 8996:15 8997:15 9007:4 9008:18,23 9010:15 9011:20,24 korter 8962:5 kragdadig 8967:14,23	8968:12,20 8969:11 kragdadigheid 8967:20 8976:12 8985:20,22 8986:8,25 kry 8976:6,8,9 9015:12 <hr/> L L 9010:4 9012:14 laaste 8995:9 lack 8959:15 8970:17 laid 8983:9 land 8978:7,21 8979:22 language 9026:16 9031:15 large 8955:1 larger 8998:20 law 8977:6,8 8980:17 8982:2 8983:8 8990:24 lay 8984:19 9027:6 lead 8986:7 9019:9 9020:10 9023:4 leadership 8970:17 8993:14 9025:6 leading 8972:13 leads 8970:5 learned 8982:12 8986:1 9000:1 9001:22 9002:24 9003:2 9023:24 9030:2 leave 8955:6 8960:12 8989:8,10 9009:17 led 8973:21 8999:19 9014:12 9016:2 9019:2,24 9021:7,8 lede 8981:9 9010:1 leer 8976:15 lees 8957:20 8964:14 8989:2 9017:24 left 8965:21 9010:9 legal 8982:17 8984:9 9001:11 legislation 8964:25 8966:18,19,23 8967:6 8977:4,23 legitimately 8987:11 lei 9018:8,14 leiding 8976:7 lemmetjiesdraad 9008:10 lemon 8965:18,21 length 9016:2 lengthy 8950:15,24 8954:6 8987:24 8990:4 lesse 8976:15 lessen 8967:14,23 lesson 8974:12 letter 8983:6 letterlik 8982:5 let's 8951:6 8952:3,18 8964:15 8971:4 8973:14 8974:4 8990:14 8998:7 9003:1 9005:10,11,19 9030:11	level 8979:16 levels 8979:9 liability 9001:11,12,17 9002:7,8,16 liable 9000:2,3,5,8,11 9001:6,18 licence 8984:20 lied 8963:24 Lieutenant 8988:10,22 9019:13 9022:7 lieutenant-colonel 8955:12 8988:11 9006:14 9016:4,5 9020:1 lieutenant-general 8980:22 life 8970:6 liggaam 9015:18 light 8965:16 8998:23 9011:3 9018:21 9029:17 limit 8993:9 line 8970:16 8980:16 9014:11 9022:13,24 9024:18,19,25 9025:7 9028:22 9033:25 lines 8990:9,10 9025:18 9028:17 link 8985:17 listen 8977:22,22,22,23 litigation 9001:15 little 8996:19 9032:19 lives 9028:23,24 long 8950:17,19 8951:15,25 8953:1,21 9013:11,13 9028:18 longer 8985:8 look 8989:12 8991:23 9003:24 9020:8 9021:21 9023:25 9032:20 looked 8994:15 looking 9028:15 lose 9028:24 losing 9028:22,23 loss 8953:10 lot 8951:25 8994:4,7 lots 8964:19 9029:9 loyalty 8961:15 lug 9031:3 luitenant-generaal 8997:6 Luitenant-Kolonel 9006:20 9016:13,14 9017:1,16,25 lunch 8968:10 lê 9015:12,13 <hr/> M maak 8978:8 8995:8 Maandagmiddag 9016:12 9017:14 maande 8977:13 maar 8960:23 8963:11 8964:6 8967:10 8975:17 8976:21	8978:8 8995:10 9009:5 9012:25 9023:21 Mahlangu 8959:7 8994:22 8997:23 8998:3 9008:12 9010:5 9013:8 9015:23 9033:9 main 9029:12 maintained 9013:16 Majoor-Generaal 8950:3 Major 8962:13 8990:15 9010:20 9021:4 9030:23 9033:14 9034:4 major-general 8951:19 8953:15 8955:16 8958:21 8963:14 8966:18 8967:25 8978:3 8979:14 8980:1,22 8981:14 8985:24 8990:15 8992:21 8994:18,23 8996:16,21 9008:22 9010:19 9012:7 9013:16,21 9014:5 9015:4,6 9020:2 9026:1,3 9032:22 Major-General's 9012:15 Makhubela 9013:4 making 8961:5 8982:9 makliker 8962:19 man 8953:2 9032:24 managed 8957:10 managing 9010:7,13 9012:16 manifestly 8983:19 9001:12 manner 8950:13 Marikana 8954:13 8955:1 8957:15 8964:15,16 8970:18 8972:10 8973:1,6 8975:18 8985:4,5,22 8986:24 8987:5 8993:18 8995:24 9030:14 mark 8988:12 9034:13 marked 9029:9 material 8952:1 materials 8971:19 Mathunjwa 9026:4 matter 8953:21 8960:12 8964:9 8966:4 8971:1 8972:20 8979:11 8984:21 8986:19 8991:5 8992:6 8994:14 8999:10 9004:13 9005:16,18 9017:11 9021:12 9022:19 9029:18 9032:4 9034:21 matters 8977:20	8981:21 8983:9 9005:12,19 9010:20 maximum 8989:12 8990:22 8991:16 8993:5,11 8994:3 mean 8961:4 8968:6,6 8968:7 8996:20,21 9001:18 9016:4,5 9022:19 9030:1 9031:22 meant 8994:7 9014:10 9027:23 media 8964:14 8968:22 8969:3,4,6,15,15 8975:25 medical 8986:16 9033:16 mee 8968:15 9015:11 meedeel 9031:1 meer 8962:19,21 8964:22 8976:20 meeting 9006:15 9026:13,25 mekaar 9018:4 member 8979:1 8983:18 8985:4 8987:5 8990:24 members 8957:8,9 8963:24 8977:7 8981:12 8983:24 8993:15 9001:20 9009:22 9021:24 9025:17 9027:17 memory 8992:5 9003:14 mens 8964:13 9018:4 mense 8968:15 mention 8995:1 mentioned 9019:25 Merafe 8955:6 9016:3 9016:5,5,15 9017:2 9017:25 9020:1 9022:4 Merafe's 9019:14 Mere 9013:4 merely 8965:23 8980:10 8998:20 merk 8962:5 message 8980:23 8982:20 met 8977:14 8995:9 8996:2 9012:10 9015:9 9016:12 9018:4 microphone 8959:6 mildly 9016:10 mind 8972:21 8977:19 8980:16 mine 8992:6 9014:11 9014:23 Mineral 8971:10 miners 9021:25 minimum 8973:24 8982:12 minister 8971:9,10 8972:3,3 8973:11
--	--	---	---	--

8974:24 8975:2,23 8980:6,11,14,17 8981:20,22 8983:6 8984:17 8985:7,11 ministers 8975:14 8976:4,25 8979:19 8981:18 minister's 8985:14 minors 9021:23 minutes 9031:10 misconduct 8961:14 misdaad 8966:13 8976:20 misinterpreted 8967:1 miskien 8962:18 misstatement 9023:15 mistaken 8961:15 misunderstood 8961:7 mitigation 8980:10,13 mixed 8977:18 mnr 8960:22 Mobiele 9010:1 moeilike 9015:9 moet 8960:22 8962:18 8976:19,22 8981:8 8995:13 9016:25 9017:2 9018:3 9031:18 moment 8970:6 9022:9 Monday 8995:17 9005:13,20 9013:22 9034:21,22 9035:6 moontlikheid 8995:11 morning 8952:25 8995:17 9006:24 9034:21 mountain 9021:24 9025:2,19 9027:5 9028:19 moved 9021:24 moving 9012:13 9021:25 Mpembe 9010:19 9011:16 9012:24 9013:16,21 9014:5 9015:6,9 9016:3,14 9016:25 9017:4,20 9018:1 9019:8,15 9020:2,11 9023:2,7 9023:18 9024:2 9026:3,15 9027:15,19 9028:3,6,25 9029:2 9029:11 9030:7,13,17 9031:1,4 9034:25 Mpembe's 9018:16,23 9020:8,24 9021:6 9022:10,15,17,22 9028:10 9034:5 Msimang 8950:10 8951:4,24 8952:6,13 8953:16,20 9021:18 9021:20,21 Mthethwa 8972:3 8974:6,21,24 mustn't 8952:9 mynwerkers 9015:17	<hr/> N n 8955:21 8957:20 8959:17,18 8962:20 8962:23 8963:6,11,12 8964:7,12 8967:17,18 8967:18,19 8976:6,12 8976:15,17,17,21 8977:25 8978:10 8981:1,4,4,8,8 8982:7 8995:4,6,8,11 8996:5 8996:14 9007:8,8,16 9007:16,24 9008:19 9008:24 9015:9,10,10 9015:11,11,12,14,14 9015:15,18,19 9016:13 9030:17 9031:1,4,18 Naidoo 9010:21 9013:2 9033:15 names 9009:19 nasionale 8976:8 8981:2,3 national 8969:17 8994:1,6 9006:25 9007:13 natuurlik 8981:7 near 9014:11 necessarily 8951:21 necessary 8954:1 9004:18 necessity 8969:25 8977:21 nee 8955:3 8966:11 8967:10 8976:12 8987:9 8997:15 9011:6 9018:8 9023:20 9024:5 9031:3 need 8967:25 8968:12 8971:3,25 8979:25 8985:16 8993:9 9024:20,24 9034:24 neer 9015:12,13 negatiewe 8964:22 nege 8978:21 neglected 8991:17 negotiations 9006:17 negotiators 9007:1,2 neither 9003:6 9031:14 nerve 8998:10,12 net 8962:19 8977:13 8978:9,20,23 8997:5 9007:24 9013:23 9017:8 9018:13 9030:16 neutrale 9008:24 never 8977:19 8980:16 9025:19,24 new 8987:18 8990:24 8991:19 news 8953:9 newspapers 8970:10 night 8956:6,11 9006:16 9029:20 niks 9009:15	nine 8959:14 8960:15 8960:17,17 8961:20 8979:10,11 8980:24 NIU 9009:22 noem 9009:7 nog 8950:3,6 8988:23 noodwendig 8959:19 8975:17 note 8962:7,11 notes 8990:23 notice 8956:11 8987:18 notwithstanding 8992:14 nou 8975:18 9018:12 9031:1,4,6 no-one 9033:23 nub 8972:20 NUM 8952:24 number 8955:7,25 8956:2 8968:3,3 8989:16 9021:5 9025:9 numerous 8971:7 Nyala 9021:24 nêrens 8976:10	9009:6,6 9015:12,12 9015:13 9017:1 omgaan 8968:15 omgewing 8977:10 8978:4,21 omitted 8995:15 Omphile 8955:6 omstandighede 8957:18 omvang 8957:18 omvattend 8977:14 8997:18 9007:23 9009:7 omvattende 9007:25 Once 8993:8 onder 8950:3,6 8976:22 8988:24 9009:14,25 onderhandel 9009:6 9015:11 onderhandelings 9009:5 onderhandelingsged... 9007:9 onderskryf 8963:13 ondersoek 8995:13 onregverdig 8962:23 ons 8962:18 8963:12 8966:12 8976:6,6,6,8 8976:9,14,15,15,19 8976:19 8977:12 8978:21 8981:8,9 9006:21 9007:16,16 9008:25 9009:6,14 onthou 8955:3 8964:12 8975:24 8979:6 ontplooï 9008:10 ook 8957:21 8964:22 8975:23 8976:8,13,14 8976:21 8981:3,10 8995:7,10 8996:6 9008:25 9010:1,1 9013:1 9015:17,18,19 9017:16 9018:4 oor 8976:13,21 8977:13 oordeel 8962:23 oordrag 8995:4,6,12 9017:15,24 9018:1 ooreenkoms 9016:14 oorgedra 9013:19 9016:24 oorhoofs 9012:24 oorhoofse 8996:5 8997:20 9011:15 9023:20 9030:18 9031:18 oortuig 9007:16 oortuiging 9016:25 op 8957:20 8962:23,24 8977:25 8978:6,9 9006:2,20 9007:9,18 9015:13 9016:12,12 9017:14 opdrag 8997:20 open 8999:22 opening 8966:1 open-ended 8951:14	operasie 8998:12 9012:11 Operasies 9010:2 operasionalisering 9007:10 operasionele 8976:9 8995:10 9012:5,25 operation 9010:7,12,23 9011:14 9012:16,19 9012:20 operational 8993:17,23 9007:11 9010:21,23 9031:11,14 9034:24 operations 8998:10 9009:21 opgelei 8977:12 opinie 9017:2 opinions 8967:9 opinion 9016:10 9017:10 opleiding 8977:12,13 opmerking 8954:10 8981:4 opponent 8993:7 opportunity 9003:23 opposed 9029:13 opposite 8962:10 Option 8988:16 optrede 8962:20 order 8951:2 8967:14 8967:23 8968:12 8981:17 8982:8 8983:19 8984:13,14 8984:17 9019:20 9034:1,7 orders 8965:1 8966:24 8967:6 8977:5,22 8980:18 8984:1,19 Ordes 8966:12 8976:8 ordinary 8980:7 8984:12 organisasie 8976:6 overall 8999:1 9011:17 9013:16 9030:13 9031:7,12,15,21,24 9031:24 9032:5 9033:18 9034:16,19 oversimplification 9021:6 oë 8962:17 o'clock 8995:16,17,19 9034:21 9035:6
			<hr/> P page 8955:23 8956:17 8956:20 8989:12,20 8989:21 8990:3,4,5,7 8990:11,12,17 8992:9 8993:24 9023:25 9024:13,17 9025:18 9028:22 9029:5 pages 8952:15,16 para 9022:4 9031:21 9032:6 paragraaf 8957:6,19 8958:12 8995:9	

9017:25 paragraph 8955:18,24 8956:18,20 8989:21 8992:7,9 8993:2,19 8993:24 9006:24 9009:18 9010:4,17 9022:2,8 9031:8 9032:21 9033:8 9034:9 paragraphs 9021:22 pardon 8984:4 part 8951:13 8954:19 8962:3 8993:7 9001:12 participated 8999:18 particular 8969:14,20 8980:18,21 8986:22 8988:1 8999:15 9024:13 particularly 8980:5 parties 8953:4 pass 9017:21 passage 8965:25 8991:2 8993:21 8994:11 9028:15 9029:4 9031:23 9034:9 passages 8979:18 8988:2 9003:12 9029:9 passed 8952:25 passing 9034:15 pathetic 8971:14 people 8967:4 8969:8 8974:12 8977:2 8978:13,15,18 8986:9 8987:12 9017:22 9019:5,9,24 9020:3 9020:10,25 9021:5 9024:23 9025:2,8,9 9025:10,15 9026:20 9027:2,4 9028:14,15 9028:19,24 9030:14 9033:10,19,25 9034:18 perception 8962:1,3 8968:11 performed 8978:13 period 8953:9 9031:9 permitted 8950:17 person 8968:18 8970:18 8978:11,12 8986:10 8996:9 personal 8996:10 8999:3 9000:13,14,17 9000:19,21 9001:1,7 personally 8998:21 8999:6,10,12 9000:2 9000:3 9001:25 9004:8 persone 8959:19 8976:16 8981:1,7 9017:15 persons 8973:18 9002:16 9004:8 9009:19	persoon 8978:9 8979:22 9015:18 persuade 9027:2,6 persuading 9026:19 9027:5 pertinent 8966:11 8975:22,24 8995:4 9008:25 pertinente 8962:25 8964:7 8976:11 8995:6 9009:4 9012:23 phrase 8975:12 physical 9008:13,16,21 piece 8990:23 Pitsi 9013:3 plaas 8981:9 9008:11 plaasgevind 8957:21 8978:7 place 8985:22 8994:5 9026:2 9027:10 9029:20 9030:21 9032:12 placed 8969:10 plan 8995:23 8996:2,11 8998:20,25 8999:1,12 8999:19,20 9000:15 9005:23 9006:8,12,17 9007:6,10,11,13,16 9007:17,21 9009:12 9023:4 9024:3,11 9026:9,14,14,23 9027:9,13,16,25 9028:7 9029:13 plans 9006:5,11 plasing 9009:2 play 8954:19 plea 9028:15 pleaded 8980:10 pleading 8961:15 pleads 8980:13 please 8955:23 8956:8 8966:4 8968:24 8989:12 8992:4 8995:20 9026:17 plek 9009:6 plus 8962:18 poging 9015:12 point 8950:23 8951:22 8952:19 8953:24 8961:5 8971:4 8982:9 8987:12 8991:9,9,19 8992:3 8993:20 9002:19 9004:2,14,21 9005:16 9022:2,9 9029:11,18 pointedly 9003:4 points 8970:23 police 8955:13 8962:1 8963:3 8965:1,2 8967:5 8968:1 8973:1 8974:8,10,14 8975:15 8977:5,20 8979:20 8982:1,13,17 8983:24 8985:4,8,21 8992:22 8993:15 8994:2	8996:12,18,21,23 9002:15 9007:6 9014:11 9015:24 9018:17 9021:2 9025:5,9,14 policeman 8984:12,19 policemen 8959:14,22 8960:15,16 8961:1,2 8961:9,13,20 8962:2 8963:18 8964:19 8967:12,17,22 8968:1 8968:2 8969:11 8974:15 8980:8 9014:12 9017:22 policy 8981:22 polisie 8963:12 8976:6 8981:4 8982:6 8997:2 8997:7 9015:15 polisiebeampte 8962:16,24 8995:3 polisiebeamptes 8962:25 8976:22,22 8977:12,15 9015:16 Polisiediens 8962:22 8963:7 polisiehelikopters 9031:2 polisielede 8962:18,20 8962:21 polisielyn 8957:21 9007:18 9009:1 polisieplan 9007:8 polisieradio 9015:20 polisiestasies 8978:6 polisiewapens 9015:19 political 8977:20 POP 8957:9 portions 9024:1 position 8951:10 8980:12 8996:9 8998:19 9006:4 9030:6 possible 8950:17,20,25 9007:21 9013:10 9031:22 possibly 8982:20 8983:10 8999:22 9004:3,18 9029:16 post 8996:21,22 posvlak 8978:23 potentially 8993:15 power 8981:22 powers 8979:19 praat 8976:19 preceded 9034:9 precise 8965:5 precisely 8965:17 premature 9028:9 9030:5 prepare 9004:19,20 prepared 8959:23 8977:17 9004:15,18 9025:13,16 prepositionering 9008:9 prescriptive 8972:19	presence 8961:3 present 8961:12 9009:10 9026:2 9028:5 presided 8963:17 President 9025:7 presidents 9026:20 9027:2,16 presumably 8955:12 8961:9 9032:17 pretext 8993:7,8 Pretorius 9033:13 prevail 9020:16,17 9021:7 9022:11,17,22 prevailed 9018:16,24 9019:1,11 9020:25 9022:10,16 prevalent 8963:3 prevent 8967:12 9019:20 prevented 8967:23 previous 8959:5 previously 8956:3 8985:9 8993:4 prima 9020:6 principle 8973:20 private 9024:8 9030:21 probably 9014:10 problem 8996:3 problem 8951:13,18 9000:19 problematic 8952:17 probleme 9013:24 problems 8970:3 9013:13 proceed 8956:25 8969:25 8992:4,25 9022:14 proceeded 9020:3 9021:1 proceedings 8950:1 8961:17 8964:4 8998:1 8999:14 9003:6 process 9014:4 produce 8986:2,13 8992:12 produced 8986:6,7 productively 8983:10 professionele 8976:6 8977:16 prolix 8951:21 promise 8991:21 proper 8959:21 8980:12 properly 9020:11 propose 8953:21 proposition 8961:6 8984:3,6,6 8989:9 procedures 8976:9 prosesse 9009:6 protect 8961:1 protesters 9018:18 protokol 8996:5 provided 8993:8 provinces 8979:10,11	8980:24 Provincial 9010:18,19 9010:22 provinsie 8978:22 provisions 8978:22 provision 8983:20 provisions 8977:6 proviso 8951:9 proximity 8972:9 psyched 9025:11 psychological 9008:21 public 8959:10 8960:24 8962:1,3 publiek 8962:17 published 8992:19 purposes 9001:11 pursuing 8970:16 pushed 9024:7 put 8951:25 8952:9 8954:8 8960:25 8961:6,10 8963:1 8965:6,8,25 8970:22 8971:4 8973:3,9,20 8974:1 8980:11 8982:18 8984:18 8989:10,10 8991:20 8992:8 8994:9 8998:9 8999:15 9002:5 9016:10 9020:9,24 9021:10,11 9022:3,21 9023:9,12 9024:7 9027:8 9028:8,11 9030:12 9033:3,17 9034:14 puts 9019:24 9021:5 putting 8963:15 8973:17 8984:7,23
Q				
			qualification 8961:16 qualified 8950:22 8961:11 question 8950:15,20 8951:11 8954:5,8 8958:9 8960:1 8962:12 8963:15 8964:17 8965:4,8,24 8967:21 8970:1,4,7 8973:5 8974:2 8975:6 8975:12 8980:1 8981:24 8983:13,15 8983:16 8985:1 8989:10 8992:7,14 8993:2 8998:4,6,7 9000:1 9002:3 9005:9 9005:10,10 9009:9,10 9012:17 9013:12 9014:2,19,20,25,25 9015:3,5 9019:1 9021:10,16 9022:18 9022:25 9033:17,22 9033:22 9034:8 9035:3 questioned 8991:1 9008:2 questioning 9003:13	

<p>questions 8950:14 8951:14,18,24 8954:6 8965:22,22,23 8969:21 8970:14 8972:24 8986:21 9002:5 9003:8 9014:3 9023:9,12 9024:10 9030:10 question's 9019:6 quite 8990:4 9004:11 9022:10 9027:24 9029:10 quoted 8969:4</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>radio 8978:15 9015:21 9015:22,24 9031:10 railway 9014:11 9022:13 raise 8965:11 raised 8951:22 8952:20 8965:12 9000:7 rallies 9028:20 rang 8996:15 rank 8972:25 8973:6 8980:7,16 8996:17 9000:13 ranks 8996:12 razor 8957:24 read 8955:16 8956:15 8956:16,24 8970:11 8971:6 8974:16 8979:19 8987:23 8990:6 8993:3 8994:10,10 9019:3,13 9024:15 9028:13 reading 8952:16 9024:18 reads 8970:10 ready 8957:2 reaffirm 8983:8 reaksiedienste 8995:10 really 8950:12 8952:4 8958:10 8986:8 8999:24 9027:14 reason 8950:25 8951:1 8959:20 8970:4 reasonably 9004:18 reasons 9019:16 recall 8952:23 recollection 8965:7 record 8993:4 recorded 8959:5 redelike 8997:11 reeds 8958:12 9006:2 9007:8,23 9009:14 9031:3 refer 8952:15 8988:18 8988:19 9003:11 reference 8991:16 8993:24 9002:5 9003:12,24 9005:8,14 9005:15,17 9018:22 referred 8969:16,16 8970:12 8989:23,24 8993:21 9011:22</p>	<p>9014:4 9022:4 9034:9 referring 8969:6 8987:7 8989:11,15 9014:15 9020:12 9024:14 9027:14 refers 8993:22,25 reflected 8964:2 reformulate 8951:17 8961:18 reg 8967:19 8976:16 regard 8952:3 regdeur 8978:21 regsafdeling 8981:4 regstelsel 8976:17,17 regte 8954:10 regtig 8978:23 9009:14 regulations 8971:12 8977:19 relate 8995:20 related 9029:23 relating 8964:25 relation 8961:22 9013:14 relevance 8960:1,8 8993:3 relevant 8980:2 9001:10 9005:16 9012:14 9022:1 relevante 8977:14 rely 8973:4 8974:2,19 9033:4 relying 8989:11 8991:25 remained 9032:21 remaining 8961:21 remarks 8953:13 8985:7 remember 8951:16 8956:9 8969:9 remind 8969:23,24 8971:8 8977:21 reminded 8980:1 remove 9024:23 reneged 8960:17 repeat 8959:23 8994:24 repeating 8992:3 repetition 8965:23 repetitive 9023:24 rephrase 8981:24 replied 8992:8 reply 9004:18,20 reported 9013:25 9015:25 9034:18 9035:1 reports 8969:6 represent 9012:1,8,18 representatives 8982:17 9011:23 representing 9010:14 9012:17 reputable 8992:19 request 8956:7 required 9013:13 requires 8991:6 8992:22 reserwemagte 9009:2</p>	<p>resist 9003:5 Resources 8971:10 respect 8972:23 8973:17 8977:6 8984:12 8996:18 9004:23 9020:7 9029:22 9033:8 respek 9012:10 respond 8994:20,21 8999:2 response 8957:9 8993:17,23 responsibilities 8980:3 responsibility 8979:8 8980:22 8995:23 8996:8,10 8998:19,25 8999:3,8,16,21 9000:13,14,17,19,21 9001:1,3,24 9009:12 9009:21 responsible 8973:19 8980:14 8998:21 8999:5,5,6,7,8,10,12 8999:13,24 9000:9,10 9000:11,12,12 9001:25 9004:8 9010:10 restricted 8973:17 restrictive 8985:3 resume 9005:13 resumed 8995:16 resumes 8950:2,11 8988:8,9 resuming 8995:17 revealing 8990:23 right 8965:12 8968:19 8979:10,16 8981:13 8981:14,20,21 8987:4 8988:23 8990:20 8994:5 8996:13 9008:17,22 9013:17 9014:22 9020:6 9029:1,16 rights 8974:9 rigting 8976:7 risk 9023:23 robbed 9015:24 rol 8997:18,18 role 9010:11,12 9012:15 role-players 9010:13 9012:17 rondom 8957:18 round 9008:15 route 9025:16 rule 9020:4 9021:16,19 ruled 8950:16 rules 8963:19 ruling 8956:7 9004:12 9004:22 rumours 8968:25 8969:2,5 running 9010:7,12 9011:14 9012:15,20</p> <hr/> <p style="text-align: center;">S</p> <hr/>	<p>saak 8978:8 saam 8954:22 8996:2 9011:7 9023:20 saamstem 8959:19 sad 8952:21 8953:5,7 sadly 8952:25 Safety 8971:9 8972:3 sake 9024:6 sal 8962:5,17,22 8976:18 8981:5,6 9008:9 9023:21 SAPD 8990:22 SAPS 8990:24 8991:17 8995:24 9003:9 satisfactorily 8954:7 save 8982:8 saw 9025:4 saying 8951:1,21 8974:9 8976:4 8984:16 8987:11 8991:17 9008:22 9022:21 9023:11 9025:6 9027:4 9029:1 9029:2,6 says 8951:7 8962:12 8979:7 8982:15 8983:17 8991:16 8993:24 9027:3 9029:14 9031:8,21,24 9031:25 9032:16,20 9032:21,25 scene 9006:10 9033:11 9033:12 Scott 9006:20 Scott's 9006:14 se 8962:20,24,25 8967:9 8981:4 9017:25 second 9008:17 9031:20 9032:6 Secondly 9026:14 second-last 8992:9 section 8980:20,21 8983:17 security 8971:9 8972:4 8983:18 see 8953:12 8955:11 8970:6 8974:23 8984:25 8988:10 8990:12,14 8991:24 8999:22 9003:7 9012:13 9018:20 9020:4 9024:1 9031:22 seeing 9004:21 sekerlik 8978:5 self 8964:12 9031:6 Semenya 8951:6,7,8,13 8953:16 8965:16,17 8966:1 8969:12 8972:5,7,8 8985:25 8986:1,12,13 8998:23 8998:24 9002:1 9003:4 9004:17,20 9005:13 9018:19,20 9018:22 9020:6</p>	<p>9021:11,13 9026:10 9026:12 Semenya's 9023:16 send 8977:18 8980:23 9030:24 sending 8980:15 senior 8977:1 9022:3 sense 9020:25 sent 8981:11 8982:14 9030:21,24 sentence 8980:12 8994:10 9031:21 9032:6 sentrum 9012:5 series 9006:10 serious 8961:14 8991:5 8991:6 9009:11 service 8963:19,24 8967:5 8983:18 8985:4 8987:5 8993:23 services 8993:17 9010:23 9033:16 set 9009:18 9010:4,18 settle 8973:2 settlement 9019:20,21 9021:2,3 Shabangu 8971:10 8973:9 8975:2,23 Shabangu's 8980:6 share 8954:14 shoot 9025:14,14 9033:20,24 9034:4,7 9034:17 shooting 8980:9 8991:17 9025:15 short 8954:7 8962:8 8966:8 8973:12,15 8988:3 shorter 8962:11 shot 8960:18 8971:13 8971:14 8973:1 8985:4,5 8986:9 9033:10 shots 8971:13 9033:25 shouldn't 8985:13 shown 9032:5 side 8996:19 sidelined 8970:21 8972:17 9023:7,18 9029:14,14 9032:9 9033:1 sidelining 9032:11 9033:1 sielkundige 9008:19 sien 8954:10 8995:7 signals 8977:18 signed 9026:15 9028:7 significant 8959:20 silence 8963:2 8982:19 silent 8961:21 silently 8956:24 similar 9020:15 similes 8957:13 simple 8950:14 8999:25 9028:8</p>
---	---	--	--	---

<p>simply 9005:23 sin 8995:9 sincere 8953:8 Sir 8950:19 sitting 8986:20 8995:18 situasie 8957:22 9006:2 9015:9,10 situation 8958:14 8960:14 9016:1 9032:19 skrywe 8995:7 skrywer 8995:5 sleg 8962:16 slide 9010:5 9012:14 sodanige 8964:14 8966:11 8968:15,22 8976:19 8977:11 8978:5 8995:13 sodat 9008:10 sogenaamde 9008:24 solutions 8957:14 solve 9029:8 somebody 8972:17 9025:21,23 somewhat 9011:4 sooner 8972:20 soos 9007:10 9016:23 sophisticated 8974:8 sorry 8951:23 8953:8 8956:19 8958:3,8,24 8972:6 8974:17 8979:3 8985:25 8990:25 8992:4,11,17 8997:24 8998:22 9006:3 9012:2,12 9016:20 9019:12,12 9020:18 9033:21 9034:23 sort 8984:18 9034:19 sou 8981:7,8,10 8995:11 sought 9031:13,14 9034:12 sound 8965:14 source 8995:2,3 South 8966:9 8967:15 so-called 9007:6 speak 8979:9 9002:3 speaking 9003:14 9027:10 9028:17,25 9029:24 speaks 9026:16 Specialised 9009:21 specific 8978:13 9024:24 specifically 8991:1 spesiale 9009:4 spesifieke 8957:19 spirit 8985:21 8986:8 squeezed 8965:19 staan 8978:10 9009:25 Staan 8966:12 8976:8 stage 8987:16 9001:16 9005:21 9006:9 9029:18</p>	<p>stakende 9015:15 stand 9003:9 9004:14 standaard 8976:9 Standing 8965:1 8966:24 8967:5 8980:18 stark 8961:13 starkly 9021:10 starts 8952:16 9006:5 State 9001:12,18,19 stated 8963:25 statement 8955:5,11,24 8956:10,21 8961:16 8966:1 8968:18 8969:10,14 8971:21 8974:6 8992:13 8993:25 8994:6,6 8999:7 9006:14,24 9009:18 9010:18 9027:20,24 9031:8 9032:16 9034:10 statements 8955:13 8959:22,23 8960:15 8960:17 8968:25 8969:2,4,7,15,18,20 8970:12 8971:7 8972:23,25 8973:3,8 8973:13,15 8974:1,18 8975:5,9,14 8976:25 8977:3,18 8978:17 8981:17 8982:1,23 8983:25 8985:19 8988:4,10 9017:18 9019:3 9020:21,24 9021:14 9022:11 9027:9 station 8979:16 stations 8978:16,18 8980:24 stay 9028:19 steeds 8950:3,6 8988:23 steek 8995:12 stel 8977:14 stelsels 8978:22,23 stem 8954:22 8996:2 9011:6 9023:20 step 8981:17 steps 8961:8 8981:25 8991:6 sterftes 8976:21 sterftes/beserings 8958:13 sterkte 8962:21 STF 9009:22 stick 8963:4 9000:12 stop 8961:5 8970:5 9022:24 9030:1 stopping 8973:23 story 9020:20 strange 9034:15 strategically 9025:20 strategy 9006:15 strengthen 8974:11 stress 8995:2 strikers 9014:10</p>	<p>9019:14 9022:13 strongly 8961:7 structure 9010:21 9011:5 structures 8979:15 study 8956:6 stun 9019:22 9021:3 9022:7 subject 8951:9 9020:4 9020:5 9031:25 submission 8985:18 9023:5 submit 8961:10 8984:11 9020:11 9027:8,23 subscribed 8987:1 subsection 8983:24 subsequent 9023:4 subsequently 8983:7 substantial 8968:3 substantially 9020:15 sue 9001:19 suffered 9002:17 suggest 8973:2 8987:20 9002:7 9004:13 9023:8 9034:20 suggested 8951:17 suggesting 8973:23 8985:9 9001:4 9027:14,18 suggestion 8952:4 8985:3 9029:22 Suid-Afrikaanse 8962:22 8963:6 suiwer 8976:19 support 8992:8 supported 9033:4 supports 9004:7 9022:3 suppose 8993:21 9008:20 9013:8 sure 8951:19 8953:3 8956:2 8959:25 8981:19,20,22,23 8982:22 8990:15 8996:19 9028:8 9033:22 9034:8 surely 8977:20 8997:21 8998:19 8999:6 Susan 8971:9 switch 9033:9 sy 8978:10 8996:6 9015:13 sympathy 8953:9 sê 8960:22 8962:22 8975:22,23 8978:8 9030:16,16 s.o.e 8950:7 8988:25</p>	<p>8985:24 8987:13,16 8988:6 8999:3 9000:25 9010:14 9014:4,9,15 9016:5 9021:9 9027:10 9028:16 9034:20 9035:5 taken 8954:21 8981:17 8981:25 8991:6 9027:22 9029:20 9033:15 9034:2 takes 8998:25 talk 8984:18 9026:20 9027:3 talked 8972:16 talking 8969:1,2 9001:3 tans 8977:13 task 8974:8,11 tasks 9009:20 Tatane 8958:15,18,21 8958:23 8959:8 9017:4,20 taught 9025:20 te 8962:23 8966:13 8976:15,16 8981:9 8989:2 8995:14 8996:3 9008:11 9009:6,7 9015:12,12 9015:13 9017:1 tea 8968:9 8987:16 8988:6,6 teach 8974:12 team 8957:9 8998:20 9003:5 9007:1 tee 8976:14 teenwoordig 9017:16 9026:6 teepouse 8989:3 teetyd 9017:8 telkens 9030:16 tell 8952:21 8967:1 8968:4,8,24 8971:17 8976:24 8977:6 8986:2 9008:5 9028:2 9028:11 telling 8953:6 ten 8975:17 tenuitvoer 9007:17 terdeë 8977:15 term 8990:21 8992:10 8993:5,12,22 9005:15 terme 8958:12 8976:9 8976:10,20 8978:23 8995:12 8996:4,6 9007:10 9012:11,24 9013:2 9016:15 terminology 8965:6 terms 8994:24 9002:5 9003:12,18,24 9005:8 9005:13,17 9031:24 terug 8982:5 teruggaan 9007:24 terwyl 9017:1 testified 8952:24 testify 8979:8 thank 8952:22 8953:6</p>	<p>8953:14 8954:12 8956:12 8979:17,23 8992:15 8993:1 8995:22 9012:6 that's 8951:1 8954:7 8958:10 8964:8 8965:19 8969:5 8971:25 8972:11 8974:5 8978:3,12 8981:14 8986:13 8988:21,22 8994:20 9002:19 9005:8 9014:15 9020:18 9021:13 9022:1 9023:15 9024:9,17 9029:4,15,16 9032:3 9032:5,16 9034:8,12 there'll 9027:4 there's 8978:11 8983:12 8985:10 8986:22 8993:20 9005:19 9006:4,10 9028:4 9029:7 9032:15 theses 9001:7 they'd 9019:19 they're 8969:18 8988:3 they've 8982:22 9029:7 thing 8980:20 8983:5 9000:25 9025:12 things 8964:1 8969:2 9022:16 9025:4 think 8950:17,23 8961:17 8966:25 8967:13 8970:11 8971:19,25 8983:7 8986:18 8989:22 8994:4,8 9003:8 9004:10,11 9008:1,16 9011:2 9012:13 9013:6 9015:21 9019:6 9020:13 9021:9,16 9022:24 9028:9 9033:5 thinks 8965:20 third 8974:20 9014:12 thought 8953:2 8965:14 8982:10 8989:14 8992:3 9001:7 9019:5 9032:18 9034:12 thousands 8968:7 8982:16 threaten 8971:11 three 8974:18 8975:5 8990:8,10 9014:14 9025:18 Thursday 8995:19 till 9035:6 time 8954:20 8969:4,5 8970:2 8973:24 8982:9,12 8986:22 8987:6 8996:19,23 9025:16 9029:15 9030:14 9035:1 times 9031:8</p>
T				
<p>taakmag 9009:4 taal 9031:18 table 8951:23 tactical 8957:9 9006:17 take 8952:3,12,18 8956:8 8962:13 8964:18 8974:9</p>	<p>taakmag 9009:4 taal 9031:18 table 8951:23 tactical 8957:9 9006:17 take 8952:3,12,18 8956:8 8962:13 8964:18 8974:9</p>	<p>taakmag 9009:4 taal 9031:18 table 8951:23 tactical 8957:9 9006:17 take 8952:3,12,18 8956:8 8962:13 8964:18 8974:9</p>	<p>taakmag 9009:4 taal 9031:18 table 8951:23 tactical 8957:9 9006:17 take 8952:3,12,18 8956:8 8962:13 8964:18 8974:9</p>	<p>taakmag 9009:4 taal 9031:18 table 8951:23 tactical 8957:9 9006:17 take 8952:3,12,18 8956:8 8962:13 8964:18 8974:9</p>

<p>Tip 8951:23 8952:20,22 8953:11</p> <p>tipies 8981:5</p> <p>today 8965:6 8995:16 9003:20</p> <p>toe 9006:21 9015:14,14 9017:15</p> <p>toegelaat 9017:1</p> <p>toegewyd 8976:20</p> <p>TOKOTA 9000:20,24 9026:18,22 9027:1</p> <p>told 8950:21 8980:14 8994:17 9022:6 9032:23</p> <p>tolerate 8971:14</p> <p>toneel 9016:12,15 9017:14</p> <p>tonele 9018:4</p> <p>top 9029:5</p> <p>topic 8964:17 8965:11 8965:18</p> <p>tot 8957:22 8967:20 9018:8,14</p> <p>total 8958:19</p> <p>totale 8962:21</p> <p>tradisioneel 8962:5</p> <p>traditionally 8962:11 8983:9</p> <p>tragedy 8973:21</p> <p>trainees 8993:6</p> <p>trainer 8991:16</p> <p>training 8983:4 8993:13 9025:20,25 9029:7</p> <p>transcribed 9028:12</p> <p>transcript 9026:3 9029:8</p> <p>transcription 9029:19</p> <p>translated 8994:19</p> <p>translation 8985:21</p> <p>traversed 8984:22</p> <p>traversing 9029:18</p> <p>tribunals 8963:17</p> <p>tried 9021:25</p> <p>trouble 9027:17</p> <p>true 8991:5</p> <p>try 8956:11 8986:23 9013:7</p> <p>trying 9001:8 9002:21 9016:18</p> <p>Tuesday 9006:25</p> <p>turn 8955:23 8956:7 9005:20</p> <p>turned 8965:16 8998:23 9018:21</p> <p>tussen 9009:1 9015:15 9016:14</p> <p>twee 8962:18,20,24 9015:16,17 9018:4</p> <p>two 8959:22 8960:15 8973:12,14 8974:19 8974:21 8976:25 8981:18 8987:18 8988:3,10 9014:12 9016:21 9017:21 9024:9 9026:19</p>	<p>9027:2,16 9028:17</p> <p>tyde 8975:17</p> <p>tydens 8995:8 9015:16 9017:14</p> <p>type 8951:15</p> <p>types 8993:6</p> <p>T-A-T-A-N-E 8958:23</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>u 8950:3,3,5 8962:4 8967:2 8977:15 8988:23 8989:1,2 9013:23</p> <p>uit 8957:19 8962:18,20</p> <p>uitdrukking 9018:14</p> <p>uiteengedryf 9017:2</p> <p>uiteengesit 9007:11</p> <p>uiteraard 8964:13 8967:8 8996:5</p> <p>uitgespreek 8995:11</p> <p>uitlatings 8968:22</p> <p>uitspraak 8982:4</p> <p>uitstuur 8981:8</p> <p>ultimate 9006:17</p> <p>understand 8951:23 8952:20 8954:4 8961:5,7 8968:1 8969:7 8971:1 8975:5 8979:12,13 8980:3 8982:9,9 8985:1,13 8985:14 8998:4 8999:2 9000:15 9001:3 9002:4,22 9005:4 9006:4 9019:3 9019:22 9020:19 9033:23</p> <p>understanding 8980:7 8992:18 8993:10 9021:12 9023:1</p> <p>understood 8961:8 8974:18 8999:17,19 8999:21</p> <p>unduly 8953:20 8969:22 8985:2</p> <p>unearthed 8970:20</p> <p>unhappily 9020:17</p> <p>unidentified 8995:2,3</p> <p>unions 9027:16,17</p> <p>unique 8954:14</p> <p>units 8993:15,17,23</p> <p>unlawful 8984:17</p> <p>unnecessarily 8951:21</p> <p>unprecedented 8954:14 8957:15</p> <p>unrepresented 9003:9</p> <p>unwittingly 8984:1</p> <p>upheld 9023:16</p> <p>use 8965:18 8971:16 9001:6 9010:11 9016:21 9025:13 9031:22</p> <p>utilise 8994:3</p> <p>uttered 8978:14</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>validity 8962:1</p>	<p>value 8986:25</p> <p>van 8957:18 8958:12 8958:18 8960:21 8962:16,17,21 8966:11 8967:9 8968:22 8975:17,22 8976:9,10,10,12,18 8976:20,20 8977:15 8977:25 8978:4,9,24 8978:24 8981:1,2,7 8995:5,5,9,12 8996:4 8996:6 8997:5,19,20 8998:12,17 9006:2 9007:10,10 9008:10 9008:24 9009:2,4 9010:1 9012:11,23,24 9013:2 9015:18 9016:15,15,25 9017:2 9017:7 9031:18 9033:13</p> <p>vanaf 8981:7 9007:8</p> <p>vanuit 8976:7 8981:3</p> <p>varied 8983:8</p> <p>various 8969:4 8978:18 8979:9,15 9009:20</p> <p>vel 8962:23</p> <p>verantwoordbaar 8978:10</p> <p>verantwoordelikhede 9009:4</p> <p>verantwoordelikheid 8976:15,16 8977:16 8996:2,3</p> <p>verbatim 8965:8</p> <p>verbintenis 8995:8</p> <p>verdere 9015:18</p> <p>verduidelik 8978:20 8996:4 8997:18</p> <p>vergaderings 8997:19 9012:23</p> <p>vergelyk 9018:4</p> <p>verhewe 8979:22</p> <p>verhoor 8964:12</p> <p>verhore 8964:23</p> <p>verkeerde 8950:5 8962:16</p> <p>verklaring 9007:4 9009:25 9011:1 9017:25</p> <p>verklarings 8989:2</p> <p>Vermaak 8988:11,23 9016:13 9017:16</p> <p>vermeld 8981:7 9007:4 9011:1</p> <p>verneem 8959:18</p> <p>verrigtinge 8975:18</p> <p>verseker 8963:6,13 8964:22 8983:22 8987:3</p> <p>verskeidenheid 8981:1</p> <p>verskeie 9013:3</p> <p>versoek 9015:13</p> <p>versperring 9008:19</p> <p>versprei 8981:6 8982:6</p> <p>verstaan 8967:17,17,19 8989:1 9012:10</p>	<p>9016:24</p> <p>vertaal 8962:20</p> <p>verteenwoordigers 9011:25 9012:3</p> <p>vertrek 9031:2</p> <p>verwys 8964:6 8975:25 8976:11 8978:4 8995:7 9007:23 9008:9,24,25 9009:2 9009:3,5 9030:17</p> <p>verwysend 9013:1,24</p> <p>verwysing 8995:9</p> <p>verwysings 8968:22</p> <p>vicinity 8955:1</p> <p>view 8954:15 8971:8 9000:13,13 9018:16 9018:23 9019:1,10,14 9019:25 9020:16,24 9021:6 9022:10,15,17 9022:22 9032:24 9033:2</p> <p>views 8965:25</p> <p>violence 9018:6,6,17 9019:11</p> <p>vir 8978:10 9023:21</p> <p>VISPOL 8957:9</p> <p>vlieg 9031:5</p> <p>volg 8995:13</p> <p>volledig 8962:19</p> <p>volunteer 8982:23</p> <p>voor 8976:16 9017:8</p> <p>voorgehou 8957:20</p> <p>voorgesit 8963:21 8964:23</p> <p>voorkom 8957:12</p> <p>voorste 9009:1</p> <p>vorige 8998:16</p> <p>vra 9013:24</p> <p>vraag 8962:19 8964:6,6 8998:16 9009:15</p> <p>vrae 8962:6</p> <p>vroeër 9009:16</p> <p>vyf 8982:5</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>waaksaam 8976:22</p> <p>waar 8964:14 9015:10 9017:15</p> <p>waarheid 8995:12,14</p> <p>waarna 8976:11</p> <p>waarneming 8978:24</p> <p>waarskynlik 8960:22</p> <p>waarvan 8967:10</p> <p>waiting 8994:19</p> <p>wandel 8968:14</p> <p>want 8950:11 8953:16 8953:18,22,23 8955:19 8956:16 8960:25 8965:10 8969:22 8971:8,12 8972:18,19 8974:14 8975:5,12 8982:20 8984:14 8985:2 8987:17 8988:11 8990:6 8993:3 8994:11,16 8995:1</p>	<p>8996:8 8999:11,11,13 9000:21 9002:6 9004:6,22 9009:8,15 9017:4 9019:15 9022:24 9025:14,15 9026:10 9027:3 9030:1,12 9033:7,17 9034:14 9035:2</p> <p>wanted 8991:23 9019:9 9020:2 9028:14 9032:23 9033:1,2</p> <p>wants 8952:11 8972:7 8993:18 8994:15 8998:23 8999:2 9003:3 9028:21</p> <p>wapens 9015:12,13</p> <p>warning 8971:13 8980:9,15</p> <p>wasn't 8965:5 8980:20 8994:5 8997:25 8999:24 9006:9 9029:14 9031:23 9034:5,12</p> <p>wasting 8996:19,23</p> <p>wat 8957:19,21 8959:18,19 8962:22 8963:12 8964:12,13 8964:23 8966:12 8968:15,22 8975:17 8975:24 8976:17 8978:6,8,8,9 8981:7 8981:10 8982:6 8989:2 8995:3,6,7,8 8997:5 9007:17 9008:25 9009:6,15 9015:11,13,14 9017:7 9018:2 9031:4,18</p> <p>water 9034:13</p> <p>watse 8978:7 9013:24</p> <p>way 8953:17,25 8954:7 8961:1 8963:2 8966:22,24 8970:7 8973:23 8974:5,13 8975:12 8982:11 8986:23 8995:21 8996:20 8998:9 8999:5 9004:11,12,19 9008:13,14 9020:19 9021:10 9022:20,21 9024:25 9028:13 9032:18</p> <p>weaponry 8974:8</p> <p>weapons 9022:14</p> <p>week 8995:24 9003:23 9004:14</p> <p>weens 9007:17</p> <p>weer 9007:23</p> <p>weereens 8987:9</p> <p>weergee 8967:9</p> <p>wees 8962:23 8976:20 8976:23 8981:1,2,10 8995:11 9007:25 9031:18</p> <p>weet 8957:21 8978:8 8982:4 8997:5 9017:24 9018:1,3</p>
--	---	---	---	--

<p>9030:18 9031:18 weigh 8953:19 went 8960:16 9019:18 weren't 8956:8 8965:11 9020:3 werklik 9018:3 wet 8979:22 wetgewing 8966:11 8976:7 8977:14 we'll 8953:12 8985:24 8988:6 8995:16,17,18 9029:2,3,10 9035:5 we're 8953:8,11 8970:1 8970:2 9000:9 9028:15,23 we've 8971:18 8972:13 8990:3 8991:8 8993:25 9011:2 9020:20 9022:12 9032:14 what's 8989:15 9016:19 9022:3 whichever 8970:7 Whilst 9030:20 who's 8985:7 who've 9002:16 widely 8990:21 wie 8978:8 9017:16 wil 8957:11 8962:22 9008:9 wire 8957:24 withdraw 8958:9 witness 8950:16,18,20 8950:25 8952:1,1,9 8952:15 8956:23 8968:8 8969:20 8970:10,23 8971:3,20 8972:24 8973:4 8975:6 8982:15 8984:16,22 8985:9 8986:22 8987:11,13 8989:22 8991:1,21 8993:18 8994:5,11 8998:24 8999:2 9000:3,18 9006:9 9010:10 9011:9 9013:12 9014:8 9019:23 9021:11 9023:9 9026:17 9028:4 9029:12,19 9034:15,21 witnesses 8952:24 9014:3 wonder 8961:6 9003:16 9028:1 won't 8965:24 8970:5 8986:19 9001:16 word 8961:11 8964:14 8967:13,14 8968:5 8977:12,13 8978:10 8981:5,6,20,24 8982:7 8984:13 8995:6 9000:5,8,9 9007:17 9008:10 9010:9,11 9017:1,2 words 8978:14 8984:15</p>	<p>8984:15 9032:6 work 8965:1 9025:24 9029:7 worked 9007:13 world 9025:25 worry 8971:12 worth 8969:19 9028:13 wouldn't 8950:12 9002:18 9004:12,22 written 8989:16 9004:19 wrong 8977:7 8992:4 9029:16</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>year 8952:24 8972:3 8973:10 8974:15 8982:16 years 8972:18 8985:8 8991:18 yesterday 8950:16 8965:4,12,15,23,24 8965:25 8966:7 8970:16 8972:12,14 8989:23 8994:24,25 you'd 8989:14 9033:5 you'll 8952:12 8962:11 8982:20 9003:23 you're 8950:8 8951:1 8953:24 8954:5 8955:10 8961:5 8966:3 8968:9,10 8974:18 8977:17 8982:9 8984:6 8985:2 8985:9,15 8986:11,21 8988:18 9001:3,8,18 9003:22 9005:14 9008:22 9014:15 9022:25 9027:14,18 9029:1 you've 8950:23 8951:22 8952:20 8953:15 8961:10 8964:18 8969:16 8973:9,10 8974:19,23 8980:3 8994:10 9018:20 9020:24 9021:10</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p>Zokwana 9026:4 9028:13,17,25 Zyl 9033:13</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p>000 8957:8,10 8962:18 8962:21 8967:9 9025:8,8 09:42 8950:2</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 8978:6 8995:16,19 9009:3 9013:2 10 8995:17 9010:1 9034:21 9035:6 10de 9006:2 9007:8</p>	<p>10th 8995:18 9006:6 10:02 8960:14 10:15 9006:25 10:22 8968:17 10:42 8977:17 100% 8967:2 11PM 9006:15 11:02 8987:2 11:26 8988:9 11:46 8999:17 116 8978:6 117 8974:14 12:06 9009:8 12:26 9016:23 12:46 9025:18 13de 9006:21 9007:9 13th 8995:25 9005:25 9006:16 9013:22 9014:5 9015:7 9017:21 9018:18,23 9020:15,16,20 9022:10,23 9023:3,15 14 8989:18,19 14th 9005:24 9006:25 15 8957:8,10 15th 9020:13,17 9026:25,25 9027:10 9029:20 16 8988:14,19 9034:18 16th 8954:13 8985:12 8985:23 8995:25 9006:12 9024:3,8 9027:11 17 8988:15 9017:25 196 8962:18,21 8967:9 199(6) 8983:17</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2 9009:3 9013:3 20 9031:10 20-dat 8975:24 20-dit 8975:24 2005 8977:25 8978:2 2008 8971:22 8973:10 8982:5 8985:11 2011 8983:7 2012 8954:25 8985:5,12 9006:2 2013 8950:1 22 8990:3 9025:7 22nd 8954:25 24 8977:13 26 8989:12,21 8990:11 8990:12 8993:25 267 8990:17 27 8992:9 28 9024:20</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3 8950:1 8956:17,20 9025:8 30 8997:11 34 8986:9</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>4 9025:8</p>	<p>48 9032:21</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>5 9024:17 51 9031:8,21 9032:7 9034:10</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6 9028:22 67 9010:4,5 672 9028:16 673 9028:22 674 9023:25 9024:16,19 675 9024:1 9029:5 676 9024:1 9025:18</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>7 9009:18 9022:4</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>8 8955:23 8956:18,18 9006:24 9021:22 9022:9 9024:25 84 8986:9</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9 8955:24 8956:20 9021:22 9th 8971:22 8995:19</p>
--	--	--	---