

IN DIE HOOGGEREGSHOF VAN SUID-AFRIKA  
(TRANSVAALSE PROVINSIALE AFDELING)

Asy 2

SAAKNOMMER: CC 482/85

DELMAS

198~~5~~<sup>6</sup>-01-20

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST EN

ASSESSORE: MNR. W.F. KRUGEL

MNR. W.A. JOUBERT

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

ADV. W. HANEKOM

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

ADV. C. BIZOS

ADV. K. TIP

ADV. Z.M. YACOOB

ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

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KONTRAKTEURS:

LUBBE OPNAMES  
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VOLUME 1

(Bladsye 1 - 15)

K12

HOF HERVAT OP 20 JANUARIE 1986.

MNR. JACOBS : Net voordat ons die pleitstorie sal behandel is daar twee aspekte wat ek net graag onder die Hof se aandag wil bring. Die eerste is, ons het 'n soort van 'n indeks vir al hierdie baie dokumente opgetrek. Ek wil dit met verlof op hierdie stadium net by die hof inhandig. Die tweede aspek wat ek op hierdie stadium, voordat die beskuldigdes pleit, onder die Hof se aandag wil bring is, eintlik is ek baie jammer dat ek vanmôre met so iets moet kom voor die Hof, maar ek dink dit is gepas dat die Hof kennis hiervan dra, die probleem wat (10) ons hier ondervind. Een van die getuies van die Staat is 'n baie belangrike getuie. Dit is Edith Letlaka. Ons het kennis gekry dat 'n sekere firma, hier is vanmôre kennisgewings ook ingedien, Mohamed Bham, verskyn namens die getuie om haar belange te behartig in die hof, indien daar lateraan iets sou verkeerd met haar loop, dat daar miskien 'n moontlikheid van 'n vervolging sou wees. Op dié stadium was sy 'n Staatsgetuie gewees en sy is nog 'n Staatsgetuie en sy geniet die beskerming van die Staat as haar regsverteenvoerder as dit ooit nodig sou wees dat sy regsverteenvoering moet kry. Ons het (20) die firma van Mohamed Bham, die prokureursfirma, verskeie kere ingelig dat sy 'n Staatsgetuie is en dat hulle nie geregtig is om met haar te kommunikeer nie, want sy is 'n Staatsgetuie. Hulle het dit aanvaar en erken dat hulle nie met haar kommunikeer nie, maar dat hulle graag, as dit nodig is, later vir haar sal verskyn, maar nou het daar onreëlmatighede begin intree. Die Staat beskik op hierdie stadium oor inligting dat daar skakeling was verlede week tussen hierdie getuie en die kantoor van die prokureur. Daar is gereël vir 'n geheime ontmoeting tussen die getuie en 'n persoon en sedert dat daardie (30) geheime ontmoeting plaasgevind het, is die Staatsgetuie weg.

... / Ons

Ons beskik ook oor verdere getuienis of verdere inligting dat daar was 'n verdere skakeling tussen die prokureursfirma en die familie van die getuie en dat die prokureur wat met die familie geskakel het, gesê het aan die moeder van die getuie dat die moeder moet onder geen omstandighede aan die polisie openbaar waar die getuie is nie. Ek is baie seker My Geleerde Vriende het niks daarmee te doen nie, hulle weet nie daarvan nie, maar ek voel net dat met die afskop, getuies wat na die hof toe moet kom, word gereël deur prokureursfirmas dat hulle nie moet hof toe kom nie. Ek het gevoel die Hof moet kennis(10) neem, want ons het baie probleme om veral met die aanvang van die verhoor die ding volgens 'n patroon en 'n plan volgens ons beplanning te doen en dat hierdie tipe dinge nou gebeur.

COURT : Mr Patel, I place on record that you saw me in chambers and that you placed on record that you appear I think inter alia for this witness. Is that correct?

MR PATEL : Yes. I appear for a list of witnesses, including the one that has just been mentioned.

COURT : Very serious allegations have been made against the firm of attorneys that has instructed you. Did you understand what Mr Jacobs was saying? (20)

MR PATEL : Yes.

COURT : I do not want an explanation now. I would like you to go into the matter and I would like you to come and see me and give me an explanation later.

MNR. JACOBS : Voordat die klagstaat dan gestel word, is daar met toestemming van die verdediging op hierdie besonderhede, die volume op die nadere besonderhede op bladsy 20 'n wysiging.

HOF : Wat is die wysiging?

MNR. JACOBS : Op bladsy 20 daar onder daardie paragraaf 6(30) wat daar voorkom, dan net 7 bysit.

... / HOF

HOF : 'n Paragraaf 7 daar onder inskryf?

MNR. JACOBS : Ja en dan die naam Afroscope se lid van die bestuur is C. Pracasim.

HOF : Hoe gaan dit nou lui? Moet daar staan "Afroscope se lid"?

MNR. JACOBS : "Afroscope se lid van die bestuur."

HOF : Is dit die bestuur van UDF of die bestuur van Afroscope?

MNR. JACOBS : Nee, Afroscope.

HOF : Ja?

MNR. JACOBS : C. Pracasim. (10)

HOF : Die woorde wat daar moet kom is "Afroscope se lid van die bestuur: C. Pracasim.

MNR. JACOBS : Dan op bladsy 27 word daar na daardie lang lys van name voor punt 1.4.1 in daardie opening C. Pracasim daar in te skryf.

HOF : Na "Beskuldigde Tebogo Godfrey Moselane"?

MNR. JACOBS : Dit is reg.

HOF : Is dit al wysigings?

MNR. JACOBS : Dit is al wysigings.

COURT : Any objection, Mr Chaskalson? (20)

MR CHASKALSON : As I understand the position, they can do what they like before plea. Your Lordship has told us that already.

MNR. JACOBS : Dan, die verdediging het aan my meegedeel dat die beskuldigdes is vertrouwd met die aktes van beskuldiging, dit is met hulle deurgegaan en dat dit nie nodig is dat dit in die hof uitgelees word nie en dat hulle sal pleit op die akte van beskuldiging. Ek vra dan, as die beskuldigdes dit bevestig, dat hulle dan sal pleit.

COURT : Accused, I will ask you individually to plead to (30) the indictment and the further particulars thereto. The State

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has informed me that the indictment and the further particulars have been explained to you and that you know what the charges are against you. When you are asked to plead, if there is any uncertainty still about the indictment and the further particulars, you must inform the Court of that uncertainty, otherwise you can just plead. We will start off with accused no. 1. What do you plead to the charges in the indictment?

ACCUSED NO. 1 : I plead not guilty.

COURT : Accused no. 2?

ACCUSED NO. 2 : I plead not guilty. (10)

COURT : Accused no. 3?

ACCUSED NO. 3 : I plead not guilty.

COURT : Accused no. 4?

ACCUSED NO. 4 : I plead not guilty.

COURT : Accused no. 5?

ACCUSED NO. 5 : I plead not guilty.

COURT : Accused no. 6?

ACCUSED NO. 6 : Not guilty.

COURT : Accused no. 7?

ACCUSED NO. 7 : I plead not guilty. (20)

COURT : Accused no. 8?

ACCUSED NO. 8 : I plead not guilty.

COURT : Accused no. 9?

ACCUSED NO. 9 : I plead not guilty.

COURT : Accused no. 10?

ACCUSED NO. 10 : I plead not guilty.

COURT : Accused no. 11?

ACCUSED NO. 11 : I plead not guilty. (Not in microphone)

COURT : Accused no. 12?

ACCUSED NO. 12 : I plead not guilty. (30)

COURT : Accused no. 13?

... / ACCUSED

ACCUSED NO. 13 : I plead not guilty.

COURT : Accused no. 14?

ACCUSED NO. 14 : I plead not guilty.

COURT : Accused no. 15?

ACCUSED NO. 15 : I plead not guilty.

COURT : Accused no. 16?

ACCUSED NO. 16 : I plead not guilty.

COURT : Accused no. 17?

ACCUSED NO. 17 : I plead not guilty.

COURT : Accused no. 18? (10)

ACCUSED NO. 18 : I plead not guilty.

COURT : Accused no. 19?

ACCUSED NO. 19 : I plead not guilty.

COURT : Accused no. 20?

ACCUSED NO. 20 : I plead not guilty and would like to reaffirm that my organisation the United Democratic Front is committed to unviolent change.

COURT : Accused no. 21?

ACCUSED NO. 21 : I plead not guilty.

COURT : Accused no. 22? (20)

ACCUSED NO. 22 : I plead not guilty.

COURT : Mr Chaskalson, is there an explanation of plea?

MR CHASKALSON : In terms of Section 115 of the Criminal Procedure Act we would like on behalf of the accused to make the following statement. The statements have been reduced to writing and if I might hand it to Your Lordship and a copy to My Learned Friend. The accused have already all pleaded not guilty to all the charges against them. In explanation of that plea we would like to record first that the accused admit that the African National Congress, to whom we refer as the ANC, (30) has the object of overthrowing the government of the Republic

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of South Africa to whom we refer as the government by violence. Secondly that the South African Communist Party, to whom we refer as the SACP has the object of overthrowing the government by violence. Thirdly that the accused deny that they conspired with the ANC or any other persons or organisations to overthrow or endanger the government by violence or by threats of violence or by means which contemplated the use of violence. Fourthly that the accused admit that in Cape Town on 20 August 1983 the United Democratic Front, to whom we refer as the UDF, was constituted as an organisation consisting of a number (10) of democratic organisations which were affiliated to it as members. The accused state that the UDF was a lawful organisation which functioned publicly and lawfully in opposition to the government's proposals for a new constitution and its policy of apartheid and they deny that the object of the UDF was to overthrow or endanger the government by violence or by threats of violence or by means which contemplated the use of violence. Fifthly the UDF - the accused deny that the UDF conspired with the ANC or any other persons or organisations to overthrow or endanger the government by violence or by (20) threats of violence or by means which contemplated the use of violence. The accused deny that the members of the management structures and officials of the UDF and/or the members of the management structures of the organisations or bodies affiliated to the UDF or which supported the UDF or any of them conspired with each other or with the accused to overthrow or endanger the government by violence or by threats of violence or by means which contemplated the use of violence. Seventhly each of the accused denies that he committed any act of violence or caused any act of violence to be com- (30) mitted or to be threatened or that he committed any act in

... / execution

execution or furtherance of the objects of the ANC or SACP or with the intention of overthrowing or endangering the government by violence or by threats of violence or by means which contemplated the use of violence. The accused intend to make admissions in regard to a number of averments made in the indictment and further particulars. Discussions are still taking place with the State in regard to these admissions and formal admissions will be made later in terms of Section 220 of the Criminal Procedure Act in order to expedite the proceedings. We think that this draws attention to the (10) central issues and that in time the admissions which will be made will be recorded as formal admissions in terms of Section 220 of the Act and the admissions contained in this document may also be so recorded.

MNR. JACOBS : Die eerste getuie wat ek gaan roep is Zendile Tom Mohlobo. Voordat ek die getuie inroep in die hof wil ek die Hof meedeel dat hierdie getuie is 'n vorige lid van die ANC. As hy hierso in die hof getuienis gee gaan sy lewe in gevaar wees. Dit is 'n aanvaarde en bekende beleid van die ANC om enige persone van sy organisasie wat getuienis gee en hulle(20) identiteit word bekend gemaak, dat hulle vermoor word. In terme van artikel 153(2) van die Strafproseswet, nr. 51 van 1977, wil ek by die Hof aansoek doen dat die Hof gelas dat hierdie getuie sy getuienis in camera gee en dat ook niks gepubliseer word om sy identiteit te openbaar nie. Dit is my submissie dat die persoon se veiligheid en lewe is in hierdie opsig in die hande van die Hof. Daarom doen ek hierdie aansoek en dat die regspleging dit vereis dat mense bereidwillig moet wees om te getuig as hulle die beskerming van die Hof verlang. Indien die getuie getuig in camera dan is daar hoegenaamd (30) geen gevaar dat die beskuldigdes op enige wyse benadeel kan

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word nie. Dit is uitsluitlik vir die beskerming van die getuies.

COURT : What is your attitude, Mr Chaskalson?

MR CHASKALSON : I oppose that application. Apart from anything else, My Learned Friend has already informed everybody of the name of the witness without to give evidence. There seems to be absolutely no purpose at this stage in open court in the presence of everybody assembled, if the witness, the person who is about to give evidence is disclosed. So, what possible protection there can be to the witness by now having the name concealed from the audience. That is difficult to(10) understand. There are a number of authorities dealing with this. Perhaps I did not realise I was going to be greeted with a witness without an opening. Perhaps I should gather the authorities and address Your Lordship on the law applicable to that if I may.

COURT : How much time do you need?

MR CHASKALSON : I think I can get - in five to ten minutes I should be able to get the authorities.

MNR. JACOBS : Ek mag net sê, ek het nie verwag daar sou so 'n aansoek gekom het nie. Ek het miskien 'n fout gemaak, (20) maar die getuie - die mense sal nie weet wat die aard van die getuienis is wat hierdie man gee nie. Ek het miskien in senuweeagtigheid hierso 'n fout gemaak om die naam te noem, maar dit verander nie - dit is die inhoud van die getuienis wat hy gaan gee, wat gekoppel kan word aan sy naam en dit word dan bekend gemaak en dit is waar die gevaar in lê.

HCF VERDAAG.

HOF HERVAT.

MR CHASKALSON : I assume that My Learned Friend intends calling this witness on the main count. I say so because if he had intended calling the witness on one of the alternative (30) counts, there is a provision of the Internal Security Act  
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which provides that the application for the hearing in terms of Section 151 of the Act should be heard in camera itself.

COURT : Could we just have clarity on this.

MR CHASKALSON : Before Your Lordship asks My Learned Friend perhaps I might add two observations which My Learned Friend may want to consider too and Your Lordship may wish to hear him on that too. The obvious purpose of that is that no names should be mentioned in court. What I intend to do now is to address Your Lordship purely on the question of law. In view of what has happened, it may well be in everybody's interest(10) if the arguments were heard without any more reference to the name or the reasons which My Learned Friend has advanced, other than what he has already said and what we know to be the reason. So, if the people may understand the reasons ultimately for Your Lordship's decision may be. I will only be addressing Your Lordship on the question of law and there can be no purpose in the statute preventing legal arguments being put before the Court. My Learned Friend has already made statements which, if he had intended calling the witness on the alternative counts, should have been made in camera. The act, the statute(20) talks about the application. My argument, of course, will be - not be the application, it will be the objection and it may in all the circumstances be better if the argument were to be conducted in open court. The section of the Internal Security Act is Section 65.

MNR. JACOBS : Dit lyk vir my ek het in hierdie hof vanmôre sommer heeltemal verkeerd afgeskop. Dit gaan oor die hele akte van beskuldiging. Ek is jammer om dit te sê, ek het fout gemaak. Ek mag dit net noem, daar mag ander aansoeke ook nog wees. Miskien is dit goed as ons dan probeer red wat te redde is (30) en ek vra dat die aansoek dan verder in camera gehoor word in

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terme van artikel ... (Hof kom tussenbei)

HOF : Onder artikel 65 is ek verplig om die saak in camera te hoor. Dit wil so voorkom.

MNR. JACOBS : Dit lyk so.

HOF : Gaan u nog ander aansoeke bring ook?

MNR. JACOBS : Hier sal heelwat van die ander getuies wees wat vir dieselfde redes ... (Hof kom tussenbei)

HOF : Die hele saak sal uitgepluis moet word nou?

MNR. JACOBS : Ja. Daar is heelwat getuies wat nog gaan kom wat ek dieselfde aansoek sal moet bring. (10)

CCURT : In terms of ... (Mr Chaskalson intervenes)

MR CHASKALSON : I beg Your Lordship's pardon. Could I just?

COURT : Yes, certainly.

MR CHASKALSON : As far as the other applications may be concerned - obviously each application will depend on its own facts and if My Learned Friend now wants to bring an application in respect of another witness, at that stage, if it involves Section 65, he should make his application behind closed doors. The problem which arises is, that My Learned Friend made the application and the application has already been made in (20) open court. I realise that there is now a statute - the statute is obligatory. The only question is whether he has made his application, whether what I now have to say to you is the application or the opposition and since I do not intend in any way to refer to the witness by name but merely to address argument to Your Lordship on the law, the question then arises whether it is obligatory to Your Lordship under the statute to clear the court. Whether it is not in those circumstances, whether it would not be desirable that it should not be done.

CCURT : Well, the difficulty I have with your argument (30) is this, Mr Chaskalson, and that is this that I was going to

... / put

put to Mr Jacobs whether he should not place facts before me in support of his application. That might mean that he will have to lead evidence in support of his application and this brings it squarely back to his - the ball is in his court again, so we are still on the application and not on the answer to the application.

MR CHASKALSON : If he is going to do that, then I think the statute gives Your Lordship no choice. If he is not going to do that, then it may be better in view of what has happened that the legal argument should take place in open court (10) for all to hear. I intend merely to just refer to legal authority and not to mention the name again.

COURT : But then when he replies to your answer and he refers to facts again, we are back to square one.

MR CHASKALSON : I understand that.

COURT : I have a difficulty there.

MNR. JACOBS : Blykbaar sal daar - ek het eerlik gesê nie verwag dat so iets sou gebeur nie. Daar sal moontlik getuies moet inkom, as 'n mens kyk na die gesag wat daar is. Ek wonder of ek en My Geleerde Vriend nie kan onderhandel en kyk of (20) ons tot 'n vergelyk kan kom op hierdie aspek nie.

HOF : Ja, ek het daar vrede mee. Ek sal verdaag, dan kan u gesels. Prima facie wil dit vir my voorkom asof u darem iets aan my sal moet voorlê waarop ek my diskresie moet uitoefen om te besluit of ek die artikel toepas of nie die artikel toepas nie. Dit is nou die artikel in die Strafproseswet. Dit lyk vir my ek het nie 'n diskresie nie, onder die Wet op Binnelandse Veiligheid. Daar moet ek die eerste aansoek in camera aanhoor. Dit wil vir my so voorkom.

MNR. JACOBS : Dit is reg. (30)

HCF : Maar ek kan 'n bietjie verdaag, dan kan u die saak

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oorweeg.

MNR. JACOBS : Blykbaar word die kop nou al geskud deur hulle, so ek weet nie. Blykbaar sal daar dan nie 'n ooreenkoms kan wees nie. Kan ek dan miskien 'n verdaging kry, dat ek net presies hoor wat is aan die gang?

HOF : Nou maar goed.

MR CHASKALSON : I think My Learned Friend - I am quite happy to talk to him, but I think if he wants to lead evidence, he must lead it. It is an important issue whether this case should be heard in the public eye and if he wishes to (10) supplement his application, then it is up to him to decide to do that, but I do not think I can help him in that regard.

HOF : Wil u 'n verdaging hê om u posisie te oorweeg of wil u my nou meedeel dat u gaan getuienis lei of wat is die posisie? Ek wil net weet waarnatoe ons beweeg, mnr. Jacobs?

MNR. JACOBS : Ek sal verplig wees dan om getuienis te lei as ek die mense in camera het. My plig is om te vra vir die beskerming van die mense. Ek sal verplig wees dan om getuienis te lei.

HOF : Is u in die posisie om dit nou te doen? (20)

MNR. JACOBS : Ek is nie in die posisie op hierdie stadium om dit te doen nie.

HOF : Wanneer sal u dit kan doen?

MNR. JACOBS : Dit sal ek dan net nou moet vasstel. Ek sal moet telefoonoproepe maak en hoor wanneer kan die mense hier wees.

HOF : U het nie 'n ander getuie waarmee u kan aangaan intussen nie?

MNR. JACOBS : Nee. My hele program was omvergegooi deur die insident waarvan ten aanvang van die hof vir die Hof gesê (30) het. Ter elfder ure moet heeltemal nuwe reëlins getref word

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in die beplanning van ons saak.

HOF : Is die aard van die probleem van die getuies, verskillende getuies ongeveer dieselfde?

MNR. JACOBS : Min of meer.

HOF : Moet u dan nie maar 'n aansoek rig dat ons sekere beginsels uitklaar nie en dat ons daarvoor duidelikheid kry dat ons nie vir elke getuie hierdie soort aansoek het, 'n verdaging en oorweging en so meer nie?

MNR. JACOBS : Ek sal dit waardeer as dit kan gedoen word dat ons 'n beginsel neerlê en dan weet ons as die Hof 'n besluit (10) geneem het, of ek dan kan reken op so 'n beginsel dat die getuie getuienis in camera gee of nie.

HOF : Het u ACKERMANN, R. se uitspraak gelees in dié verband?

MNR. JACOBS : Ek is vertrouwd met die inhoud daarvan.

HOF : Ek wil daarop ook toegesprek word dan, op die uitspraak, want hy wyk af van CURLEWIS, R. se uitspraak.

MNR. JACOBS : Dan is daar weer 'n onlangse een wat ek wil probeer in die hande kry van HUMAN, R. uit 'n geval wat uit dieselfde insidente in die Vaal gevloei het.

HOF : Dit is dus duidelik raadsaam dat as ek hier 'n beslissing(20) moet vel, ek al die uitsprake moet hê wat hierop betrekking het. Ek het ACKERMANN, R. se uitspraak gekry. Ek weet nie van HUMAN, R. se uitspraak nie.

MNR. JACOBS : Ons het hom ook nie. Ons het probeer om dit by die griffier in die hande te kry, maar ons kon dit nie betyds kry nie. So, ek sal weer moet probeer. Dan dink ek is dit miskien wenslik dat ons dan die saak moet verdaag na môre-oggend toe, dat ek vanmiddag probeer om al hierdie - iemand stuur om die gesag te gaan haal, by die griffier te gaan kyk of hulle by HUMAN, R. daardie uitspraak kan kry, die ander te kry, (30) CURLEWIS, R. s'n te kry.

... / HOF

HOF : Ja, maar u het tog geweet as u hierdie soort getuie bring en u kry hierdie soort beswaar dat ons betoog daaroor moet hê. Ons kan nie daardie soort van ding laat oorstaan nie.

MNR. JACOBS : Ek kan ook net noem dat ons kan nie boeke in die biblioteek kry nie, al die boeke is uitgeneem. Hier is ook te min boeke.

HOF : Ek sal vir tien minute verdaag, dan kan u die saak uitsorteer en u kan my in kamers kom spreek, die twee senior advokate. (10)

HOF VERDAAG.

HOF HERVAT.

MNR. JACOBS : In hierdie aansoek is die Staat van voorneme om getuienis aan te bied. Die getuies is ongelukkig nie hier nie. Ek vra uitstel na môre-oggend toe. Die getuies sal dan hier by die hof wees.

HOF : Is die aard van die getuienis sodanig dat ek artikel 65 van die Wet op Binnelandse Veiligheid moet toepas?

MNR. JACOBS : Dit sal so wees.

COURT : Mr Interpreter, will you inform the public that when we commence tomorrow morning I will be obliged to apply the(20) provisions of Section 65 of the Internal Security Act which will oblige me to hold that part of the proceedings in camera while I decide whether the witness is to testify in camera. Mr Chaskalson, what is your attitude?

MR CHASKALSON : It is an unfortunate occurrence and there is nothing we can do about it. My Learned Friend has no further witnesses to continue with. It seems inevitable. I would just like to repeat what I have already requested My Learned Friend and that is that he should, if possible, have witnesses to continue tomorrow after this section of the case has been(30) dealt with, so that the matter can proceed and a full day can

be taken up.

MNR. JACOBS : Ek mag My Geleerde Vriend net antwoord op hierdie laaste stelling. Ons sou begin het met die getuie wat verdwyn het. Dit was alles gereed, gekonsulteer, dat sy sou kom. Toe die getuie verdwyn het, toe gooi dit die hele lot omver. Toe moes ek inderhaas ander getuies kry. Sy sou taamlike lang getuienis gelewer het. Sy sou 'n lang tyd in die getuiebank gewees het. My beplanning het ek toe gedoen daarvolgens en my getuies ook hier te kry. Toe moes ek ongelukkig inderhaas nou ander getuies gereed hê om hierso reg te staan as sy (10) nie sou uitkom nie en na konsultasie dat ons haar nie sou roep nie. Toe moes ek nou hierdie tipe getuies bring wat aandrang op beskerming. Dit is dan 'n ding wat heeltemal buite ons beheer opgeduik het. So, ek probeer my uiterste bes - gaan ek probeer vanmiddag. Ek gaan die dinge deurgaen en kyk. Dit is moeilik om nou van ver af getuies orals te kry op so 'n stadium. Ek gaan my bes probeer om dit te doen. Dit is al wat ek die Hof kan belowe, ek sal net my bes probeer.

HOF : U moet asseblief u bes doen, Mnr. Jacobs.

This matter is remanded till tomorrow morning. We will (20) resume at 09h00 sharp.

COURT ADJOURNS.