IN DIE HOOGGEREGSHOF VAN SUID-AFRIKA Ass. 2

(TRANSVAALSE PROVINSIALE AFDELING)

SAAKNOMMER: CC 482/85 DELMAS

1986-09-05

DIE STAAT teen: PATRICK MABUYA BALEKA EN 21 ANDER

VOOR: SY EDELE REGTER VAN DIJKHORST EN

ASSESSORE: MNR. W.F. KRÜGEL

PROF. W.A. JOUBERT

NAMENS DIE STAAT: ADV. P.B. JACOBS

ADV. P. FICK

ADV. W. HANEKOM

NAMENS DIE VERDEDIGING: ADV. A. CHASKALSON

ADV. G. 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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HOF HERVAT OP 5 SEPTEMBER 1986.

MR YACOOB : My Lord, accused no. 17 is now with us.

COURT : What is his condition at the moment?

MR YACOOB : I have had only two minutes to speak to him. He says he feels much better.

LEENDERT PIETER CHRISTIAAN JANSEN, v.o.e.

CROSS-EXAMINATION BY MR YACOOB (continued) : Colonel,we are still busy with EXHIBIT 7 tape 1 side 2 and we are about to go into the applause at counter number 528 on the 7700 to which we referred you. Did you hear the applause? Page 33 on the transcript.

COURT : Just to get this thing straightened out. Which meeting are you dealing with?

MR YACOOB : I am still dealing with Krisch Rabillal. Eight lines from the bottom Your Lordship will see an applause. Did you listen to that applause? -- Ja, ek het daarna geluister.

Did you find any difficulty arising out of that applause? Any change? -- Ek het weer baie sorgvuldig daarna geluister. Ek vind niks in daardie deel wat ek sou sê dit klink vir my snaaks of dit klink vir my asof daar enigiets gebeur het op daardie punt nie.

We will just play it very quickly for you and just to make sure that you listen to the same applause and demonstrate what we mean. We will start playing it at counter number 524 on the 7700, which would be counter number 440 on the 7100 which Your Lordship will be using. If you could just listen very carefully about half-way through that and if you have a stop watch there, we think the real problem arises fifteen seconds from the beginning of the applause.

(Bandopname?/...

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(Bandopname word gespeel) We stopped playing at 532 on the 7700 and at 451 on the 7100. Did you notice that when the applause begins, in fact in the first fifteen seconds of the applause, it sounds like an applause in a very full hall with very little echo but fifteen seconds later what suddenly happens is that the quality of the applause changes in terms of its rhythm and at the same time one gets the sort of hall echo being introduced which implies a change in environment or a change in time. What would you say about that? -- Ja, eerstens op die deel waarvan daar gepraat word deur die verdediging is daar 'n definitiewe hoorbare verandering in die applaus. Dit stem ek mee saam, maar dit is vir my baie duidelik dat wat gebeur het, is dat 'n sekere deel van die gehoor op daardie stadium opgehou het om hande te klap en dat slegs 'n ander deel wat skynbaar nader is aan die plek waar die mikrofoon is, voortgaan. Dit is selfs ook moontlik dat die deel wat opgehou het om hande te klap op daardie stadium gestaan het vir 'n tyd lank en dat hulle op daardie stadium gaan sit het. Dit alleen sou al 'n effek hê op die klank wat gehoor word, maar die geheel indruk wat ek kry van die applaus in daardie deel is dat alles in geheel 'n natuurlike situasie is. Ek sê dit omdat die tipe van hande klap wat 'n effense stadige ritme het in die later deel na die ongeveer vyftien sekondes punt, daardie selfde hande klap kan ook in die eerste deel gehoor word, behalwe dat dit in die eerste deel gemasker word deur 'n ander ek sou dit noem 'n groter groep applaus. Met ander woorde, dit is vir my natuurlik dat dit slegs 'n deel is waar sekere mense in die gehoor ophou om hande te klap, terwyl 'n klompie nog voortgaan daarmee.

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We grant that what you say is a possibility, but what worries us about this is that if the hall had substantially the same number of people in it from the beginning of that applause to the end of it, there seems little explanation for the change in the acoustics and that is he real problem for us which creates the possibility, the real possibility that there was a change in environment in time? -- Nee, ek stem nie saam dat daar 'n verandering in omgewings is nie. Wat daar gebeur het, glo ek is dat die deel van die gehoor wat opgehou het om hande te klap was verder weg van die mikrofoon af en toe hulle ophou, toe word die deel wat nader aan die mikrofoon is duideliker gehoor en omdat hulle nader is, klink die akoestiek vir hulle handeklappery anders as vir die mense wat ver weg is of sal ek sê verder weg is. Die mense wat verder weg is, se geluide, klanke, die hande geklap in hierdie geval, moet 'n baie verder pad trek en sal dus 'n groter hoeveelheid willekeurige eggo daarop hê, wanneer dit by die mikrofoon aankom, terwyl dit nie geld vir die mense wat naby aan die mikrofoon is nie.

And our concern has actually increased because the applause is one of the places at which edits can reasonably easily be taken. What do you say to that? -- Word daar voorgestel - word dit gestel dat daar waarskynlik 'n "edit" is op daardie punt?

We are saying that our concern about the change in the applause is in fact increased because those are the points at which edits can reasonably easily be taken, but we do not know whether there has been an edit or not. That is the point. -- Nee, 'n mens sou dit weer kan voorspeel indien die Hof dit verkies, maar ek is heeltemal oortuig van die

antwoord/...

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antwoord wat ek gegee het.

We can move on then to tape 2 side 1 EXHIBIT 7 and the interruptions which you found at your counter number 15, 18 and 24 as you will see from your report.

COURT : The report being ABD(6)3.

MR YACOOB : You describe what happened at your counter numbers given as radio microphone interruptions. You had the opportunity to investigate the matter. Do you still say it was that? -- Word daar nou spesifiek net gepraat van die een by 015? Of sluit dit die een by 018 ook in?

May be we should take them one at a time. -- Sover dit die punt aangaan by 015 wat ek beskryf het as kort verdwyning van klank RM of radiomikrofoononderbreking en ook by 018 is dieselfde kort verdwyning van klank RM onderbreking, daar vind ek sekere verskynsels wat daarop dui dat dit in werklikheid nie ʼn radiomikrofoononderbreking was nie.

What do you now say they were? Or what they are? -- Ek sal later verduidelik hoe die situasie ontstaan het, maar ek is oortuig daarvan nou op hierdie stadium dat punte 015 en 018, so ook 024 is in werklikheid stukkies opname bo-oor die oorspronklike opname.

We are in complete agreement with you.-- Ek het nagegaan van waarom ek die verkeerde inligting daar ingeskryf het en dit het vir my duidelik geword dat dit een van die dinge is wat soms gebeur as ʼn mens onder druk werk. Ek het naamlik begin - op ʼn stadium het ek begin met die analise van hierdie kant van die band en toe moes dit onderbreek word vir ander werk wat ek moes doen in verband met heeltemal ʼn ander saak. Vir daardie doel het ek ʼn filter in my meetsisteem ingesit ten einde sekere metings te kan doen en

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aan die einde van die dag toe ek ŉ klein tydjie oorgehad het, het ek die eerste stukkie van band 2 kant 1 geanaliseer, dit wil sê die stukkies by tellerlesing 015 en 018, maar ek het vergeet om die filter wat in die sisteem was uit te haal en ek het ook foto's geneem van daardie dele, maar die teenwoordigheid van die filter het veroorsaak dat ek verkeerde inligting op die ossilloskoop gesien het en daarop is my analiseresultaat toe gebaseer. Ek het op ŉ latere stadium verder gegaan. In die tussentyd was die filter verwyder. Ek het dit nie op daardie stadium agtergekom nie, maar ek onthou van die situasie, sodat die deel by tellerlesing 024 het ek korrek geanaliseer en die foto's wat ek geneem het, het ek nou nog beskikbaar ook. Hulle is korrek geneem, maar met my her-analise gedurende die week, dit is nou gedurende hierdie week, nadat die verdediging vir my daarop attent gemaak het dat hulle is van mening dat daardie twee punte opname bo-oor vorige opname is, het ek daardie dele weer geanaliseer en gevind dat my oorspronklike gevolgtrekking verkeerd was en dat dit in werklikheid klein stukkies is waar daar ŉ opname gemaak is bo-oor ŉ vorige opname en ek kon vasstel uit die ossilloskoopvergelykings dat die situasie by die punte 015, 018 en 024 al drie dieselfde situasie is, dit wil sê die opname bo-oor die vorige opname is gemaak met presies dieselfde bandmasjien.

HOF : Maar nie ewe lank nie, neem ek aan? -- Nee. Die eerste twee 015 en 018 was baie kort. Hulle is elkeen ongeveer een sekond of minder, terwyl die een by 024 ŉ bietjie langer is, ongeveer 2,9 sekondes. Dit is nou ook interessant dat ek vantevore gewerk het, te doene gehad het met ŉ video-opname wat gemaak was van die Krisch Rabillal

Memorial/...

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Memorial, hierdie spesifieke vergadering en dat ek gevra was om 'n transkripsie te maak van die klankgedeelte op daardie video-opname en uit daardie transkripsie kon ek vergelyk met hierdie op daardie video-opname is hierdie probleme nie teenwoordig nie en ek kon vasstel presies hoeveel van die oorspronklike spraak weggeraak het en ek kon volgens die transkripsie ook vasstel of daar enige ander wysigings of veranderings aangebring is. Ek het gevind dat by die eerste verdwyning by 015 raak daar drie woorde weg ... (Hof kom tussenbei)

HOF : Net so 'n oomblik. Kan u my eers wys op die transkripsie waar is dit? - Dit begin by die vierde lyn van bo af waar Victoria Msenge praat op bladsy 37.

Nou kry ek in die tweede reël 'n "inaudible" en dan kry ek 'n entjie verder af twee "inaudibles" in dieselfde reël. Oor watter deel praat ons as ons van 015 praat? -- Die eerste "inaudible" in die sewende lyn van die toespraak stem volgens my notas ooreen met die verdwyning van klank by tellerlesing 015.

Wat is daar dan tussen hom en die een waar die telefoon lui? Dit is 024? -- Nee, wag, ek maak 'n fout daar. Daardie een wat ek nou genoem het, is die tweede een, 018 s'n. Die eerste een is nie aangedui hier nie. Dit is twee reëls voor dit, die lyn wat begin met "In fact Christ ran away from ..." en ek dink dit is verander.

"Home" het ons nou hier, dit was "heaven". Op ons transkripsie staan "In fact Christ ran away from home." -- Ja, dit is net voor die "Christ", tussen "in fact" en "Christ".

Dit is 015? -- Dit is 015. Ek het dat daar moet inkom "that Jesus Christ". Die "Christ" skynbaar kom tog wel op

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altwee uit. So, ditis eintlik net twee woorde wat weggerak het. Dan die tweede een by die plek 018 aangedui waar daar staan "inaudible", wat daar moet gebeur is dat by die "inaudible" moet daar staan "like Moses". Met ander woorde daardie sin sal wees "Krisch like Moses" en dan deel van die "inaudible" sluit in 'n vliegtuiggeraas. Daar was 'n pouse op daardie punt terwyl 'n vliegtuig oorgevlieg het en dan herhaal die spreker die "Krisch like Moses". Die volgende "Krisch" na die "inaudible" behoort te lees "Krisch" en dan weer kom daar "like Moses" by, maar dit is niet 'n verkeerde transkripsie. Dit is nie iets wat wegraak nie. Dit is wel op hierdie band. Dan by 024 is by die volgende "inaudible" waar na daar in hakies staan (sounds like telephone rings) en daar is lyk vir my omtrent vier woorde of drie woorde wat wegraak volgens my notas, maar daar is ook 'n fout in the transkripsie. So, daardie sinnetjie moet lees "Krisch like Moses ran away" die "to" is verkeerd. Daar moet inkom "ran away from slavery, racial discrimination" dan "the implementations" is verkeerd, dit moet wees "intimidation". Die twee woorde word vervang met die enkele woord "intimi-dation." Dit is die dele wat daar weggeraak het wat ek kon aanvul deur gebruik te maak van die ander transkripsie wat ek beskikbaar gehad het.

MR YACOOB : My Lord, I do not know whether the witness's evidende in relation to what he saw on a video is admissible and if so, for what purpose. May I reserve my rights on this matter. If I think I want to make a point of it, I will do that in argument.

COURT : Yes, very well.

MR YACOOB : As far as these filters are concerned, you say

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the filter prevented you from listening to the tape properly. Do you actually remember that this is what happened or do you think that this is what must have happened? -- Nee, toe ek die saak ondersoek het, toe het dit in my geheue teruggekom dat dit is wat werklik gebeur het. Wat ek nie kan onthou nie, is presies wat die instellings van die filter was, maar ek weet dat die filter soos hy daar ingestel was, volgens die foto's wat ek geneem het, veroorsaak het dat die pulse wat die belangrike aanduidings is op hierdie gedeelte nie korrek deurgekom het nie.

You did not realise at the time that you were using filters. Is that right? -- Nee. Ek was onder sulke druk dat dit my skynbaar heeltemal - dat dit my nie opgeval het nie. Bowendien ek en luitenant Joubert het saam gewerk aan hierdie toerusting en op dié manier, sodra twee mense saam werk, dan is daar partykeer goed wat ʼn mens nie oplet nie en wat in hierdie geval deurgeglip het sonder dat ek dit raakgesien het.

But when you looked at the photographs, when you looked at the original photographs, I take it it was clear to you in an instant that filters had been used? -- Nee, dit was nie. Dit was slegs nadat die punt aan my gestel is dat ek die foto's vir 015, 018 en 024 langs mekaar gesit het en alhoewel daar duidelike verskille was, het iets my opgeval wat gemaak het dat ek daardie punte weer gaan ondersoek het op die ossilloskoop en toe gevind het dat daardie gedeelte verkeerd was en toe onthou ek wat gebeur het.

HOF : Wat is die effek van ʼn filter? -- Daardie filter moes ingestel gewees het ten minste om lae frekwensie seine weg te vat, sodat die pulse wat deur die wiskop veroorsaak

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word veral, feitlik heeltemal verdwyn het van die toneel af. Ek het hulle glad nie raakgesien nie.

MR YACOOB : Normally when you listen to a tape recording and if you are not under pressure, is it correct that the trained ear would immediately know particularly with a lot of experience whether the sound that one is listening to is filtered or not? -- Dit hang af van hoe die filter ingestel is. Dit is nie sonder meer so dat 'n mens dit agterkom nie. Ek kan verstaan hoe die probleem in my geval ontstaan het. Party goed op daardie stadium was met 'n filter beluister en party goed sonder 'n filter. Die effek van die filter is glad nie om die spraak onverstaanbaar te maak nie, om die waarheid te sê in party gevalle verbeter die filter die verstaanbaarheid van die spraak.

Do you agree - I hope it would not be necessary to put the photographs in - that the pulses on your photographs now without the filter ... (Court intervenes)

COURT : Sorry, do we have photographs before the court? You are not referring to photographs before the court?

MR YACOOB : Not yet. I will compare those with photographs before the court.

COURT : I am not inviting you to. I am just for the record's clarity sake putting it that you are not referring to any photographs before the court?

MR YACOOB : No. The photographs which you have in your possession are not before the court which you took now without the filter? -- Ja.

Is it clear from those photographs in relation to the interruptions at 015 and 018 your counter readings, that the pulses are of the sort and of the strength designated for

example/...

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example in the photograph which is before the court already ABD(7)13? -- Die pulse - ja, dit is korrek. Hulle stem taamlik goed ooreen met dit wat op ABD(7)13 is.

HOF : Dit is nou met die filter of sonder die filter? -- Dit is nou sonder die filter. Met ander woorde, in die korrekte vorm. Daar is klein verskilletjies wat aandui dat dit nie dieselfde bandmasjien was nie, maar dit is - op die oog af lyk dit dieselfde.

MR YACOOB : While we are busy comparing those photographs, I just want to understand that evidence a bit clearly. Do the differences indicate that it was a different type of machine or not? -- Nee, die ooreenkomste dui aan dat dit heel waarskynlik dieselfde tipe masjien was, maar nie dieselfde spesifieke masjien nie.

The effect of the filter was that low frequency sounds were cut out to the extent that those pulses which are now on the existing photograph, which look like the pulses on photograph ABD(7)13 were not there at all in the photographs which you took with filters. Is that correct? -- Nee, daar was iets van die pulse teenwoordig, maar dit het gelyk presies soos sagte spraak.

If the pulses were reduced to such an extent I would imagine that when listening to the tape with your trained ear and your experience you would be able to hear the difference, if you were not under pressure? -- U moet onthou daardie stukkie het ek ook geluister met die filter in.

That is right, but I am putting it to you that if you are not under pressure, bearing in mind your trained ear and experience, would you say that you would normally have had realised by listening to the fact that you could not

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get low frequency sounds that you have got a filter there where you should not have one? -- Nee, die hoeveelheid waarmee die filter lae frekwensies hoef uit te sny ten einde hierdie effek ten opsigte van die spesifieke puls te veroorsaak is sodanig dat dit twyfelagtig is of ŉ mens met die eerste oog opslag of die eerste luister slag eintlik gaan agterkom dat daar wel ŉ filter in is. Die verskil is op die luister na die sein nie baie groot nie en ek het reeds verduidelik ...

(Mr Yacoob intervenes)

At a general level in relation to - leaving aside the fact that you were able to fill the contents from the video, I want you to assume for a moment you did not have the video and you could not do that. -- Ja, goed.

Do you agree that these three erasures after the fact that we are talking about 015, 018 and 024 could be ways of masking an edit in terms of the elastoplast method we spoke of? -- Ja, daardie moontlikheid is daar.

As far as EXHIBIT 7(1) and 7(2) is concerned generally, I simply want to put to you that the noise level during radio microwave interruptions which agreed by us to be radio microwave interruptions are much lower than they are during the same sort of interruption in EXHIBIT 6, which is the tape relating to Claremont?

HOF : Kan u dit nog onthou? -- Ek sit nou en dink, ek onthou van my foto's spesifiek dat vir hierdie Claremont geval- ekskuus tog vir die Krisch Rabillal geval was die lyntjies in die foto's of op die ossilloskoopskerm wat die verdwyning van klank aandui gedurende radiomikrofoononderbreking besonder gelyk gewees. So, ek dink ek is geneig om met die verdediging saam te stem in daardie opsig.

MR YACOOB/...

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MR YACOOB : And at a general level again in relation to these tapes quickly, do we agree here again that there were no positive indications of originality here? -- Ja, op dieselfde basis as reeds voorheen bespreek is.

And we agree again that there are a lot of clicks, bangs, applauses and so on which provide the opportunity to mask edits and to do edits more easily? -- Soos ek vantevore ook gesê het. Daar is diverse geluide, maar ek is nog steeds oortuig dat indien hulle gebruik sou wees om veranderings in die band te maak deur middel van edits, dan is ek oortuig dat ek dan ten minste sommige van hulle sou waargeneem het,indien nie almal nie, maar ek het niks daarvan teëgekom nie.

Do you accept that rewinding a tape and starting to record again is one of the ways in which editing of a tape can be done, where you have an original playing on one tape recorder, that you record for a bit and then you find you do not want that, so you rewind and start again at about the point where you think you have got on your tape what you want to. That would be one of the methods? -- Ja, as ŉ mens besig is om ŉ heropname te maak en jy wil die oorspronklike verander, dan is dit een van die metodes. Dit is korrek, ja.

I put it to you again that we are not certain whether this particular tape is an original or a copy and I put it to you that we cannot be certain that no edits have been conducted here from analysis of the tape itself? -- Wel, ek kan net sê dat in dié tipe wat ek kon vergelyk op hierdie bande tussen die video opname wat ek mee gewerk het en hierdie opname kon ek geen verskil kry nie. Die video opname dek

minder/...

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minder as die totale vergadering. Dus is daar nie al die dele wat ek op dié manier kon nagaan nie maar die dele wat ek wel kon nagaan, kon ek geen verskille vind nie.

You cannot exclude the possibility, in fact the fact that the video is shorter does create the possibility that it itself is a very edited version?

COURT : Is that necessarily correct? If you only take or record a portion of proceedings, can you call that an edited version or is it a part recording?

MR YACOOB : I am asking him. He saw - he can tell us it depends obviously on how it is shorter ... (Court intervenes)

COURT : I am putting tthis to you, because it may create uncertainty as to what you mean by editing.

MR YACOOB : I mean editing in its wider sense and all I am saying that once it is shorter it creates the possibility not that - it creates the strong possibility that there was editing and I used editing in the widest context in putting the submission. If the witness in his answer wants to say from his listening to his video only a certain a type of thing is possible and a certain type of thing is not, then he can say so.-- As ek die situasie reg verstaan het, ek weet dat hierdie videoband nie ingehandig is as getuienis nie, soos ek verstaan het is daar beslag gelê op hierdie videoband onmiddellik na die vergadering, sodat enige weglatings sou gedoen gewees het tydens die maak van die opname.

I would like you not to refer - not to try and refer to what you heard from other people in coming to your conclusions, please. Just restrict ourselves to the video itself. From the video itself, I want to put it to you

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that the fact that it is shorter indicates that there has been a measure of editing in relation to the video and I would like you to respond to that. -- Ja, dit is korrek. Die feit dat dit korter is dat daar duidelike breuke is, beteken dat daar wel een of ander vorm van "editing" plaasgevind het.

HOF : Wat verstaan u in hierdie sin onder "editing"? Daar is twee moontlikhede, soos ek dit het. Die een is dat 'n mens die totale verrigtinge opneem op videoband en dan stukkies uitsny. Die ander is dat jy in die loop van die proses die video aanskakel en afskakel op 'n stadium en dan weer aanskakel en weer afskakel. Met ander woorde, tydens die vergadering. Bedoel u met "editing" dat jy jou redigering op die vergadering doen deur kieskeurig te wees of bedoel u met "editing" dat daar agterna met die band ingemeng word? -- As daar nie gespesifiseer word nie, dan kan "editing" enige van daardie situasies insluit. Met ander woorde, dit sluit die situasie in waar daar op die vergadering besluit is op 'n stadium om die masjien af te sit en later weer aan te sit en weer af te sit en weer aan te sit.

Ek het dit nog altyd so gehad dat 'n verslag van 'n vergadering nie geredigeer is as die verslaggewer net hier en daar iets neergeskryf het en gerapporteer het nie, maar wel geredigeer is as die redakteur stukkies uitgehaal het of verander het, maar as u daardie wye definisie wil gebruik, is u welkom om dit te doen. Gaan maar voort.

MR YACOOB : Can we then go please to the tape relating to Huhudi and this , as I understand it, is EXHIBIT 12(1) and 12(2). It is ABD(6)4, that is the detailed analysis and it is dealt with in your report ABD(4) at pages 13 to 16.

Our/...

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Our major problem with this tape is the way in which the automatic gain control operates. Before that, may be we should get on record very quickly something about the automatic gain control. Do you agree that what the automatic gain control is is in fact control the level of recording, the level of information which is fed into the tape recorder at the stage while the tape recorder is on record. Is that right? -- Ja en die doel daarvan is om seker te maak dat die bandmasjien altyd so na as moontlik aan die maksimum vlak opneem.

And as clearly as possible as well to avoid distortion? Sometimes it fails to do so because of microphone overload. That would be one of the other purposes? -- Ja, indien ŉ mens harde klanke nie sou beperk nie, dan sal dit iets oorlaai en dit sou vervorming of distorsie veroorsaak op die opname.

So, what happens is is that when the sound being recorded becomes loud, the volume recording, if we can call it that on the tape recorder is turned down by this automatic gain control in simple terms. Would you agree that is the correct description? -- Ja, ek stem saam daarmee.

And when the sounds go soft then in general terms what happens is that the volume control becomes louder to accommodate the soft sound. Do you agree with that? -- Ja. Miskien is dit nuttig om op hierdie stadium ook by te sê dat as klank skielik hard word, kan die bandmasjien se outomatiese winsbeheersisteem vinnig reageer om te sort dat daar so min as moontlik vervorming op die klank is. Metr ander woorde, die wins word baie gou afgedraai wanneer die sein sterker word, maar as die sein swakker word, dan

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vat dit 'n langer tyd, heelwat langer tyd vir die wins om weer opgedraai te word.

But the automatic gain control would not in many tape recorders become very quickly softer when there is one syllable of loud sound because it will say "Well, let me wait and see what happens before I adjust myself." Do you agree with that? -- Die manier waarop die beheer plaasvind wissel 'n bietjie van masjien tot masjien, maar in baie van die goedkoper eenvoudige bandmasjiene is dit korrek dat een enkele klikgeluid sal nie die outomatiese winsbeheer aktiveer nie, maar 'n paar na mekaar sal dit wel doen.

HOF : Maar wat nou as daar 'n toespraak gehou word op 'n gewone rustige vlak en 'n stoel val om op die verhoog? Wat sal dan gebeur met die opname? -- Dit hang af van hoeveel klank die stoel maak. As hy genoeg klank maak, die hele is dat 'n baie sterk klank vir 'n kort tydjie duur, dan sal dit die winsbeheer aktiveer, of 'n effens sagter klank moet 'n langer tyd duur. So, as dit 'n baie sterk klank is, dan sal dit die winsbeheer aktiveer. 'n Mens vind gewoonlik dat op plekke waar daar teen die mikrofoon gestamp word, die mikrofoon self, sulke geluide aktiveer wel winsbeheer, maar sterk geluide byvoorbeeld 'n stoel wat omval 'n bietjie verder weg van die mikrofoon daar is dit nie altyd seker of dit wel sal aktiveer of nie sal aktiveer nie. Dit is in meer tegniese terme 'n integrasie proses van tyd vermenigvuldig met amplitude. As 'n mens 'n sterk klank het wat 'n lang tyd duur en hy het 'n bietjie laer amplitude kan jy dieselfde produk kry as 'n baie sterk wat vir 'n kort tydjie duur, want die produk kan dieselfde wees.

MR YACOOB : Do you accept that when listening to a recording/...

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recording, the way to notice the operation of the gain control is not during the speech itself, but during the quiet portions between sentences, between paragraphs and so on? -- Dit is korrek. Goed werkende winsbeheer sal nie in die spraak self hoorbaar wees nie.

What happens is that while the speech is going on, while the person is actually talking, you do not hear the background noises and so on, because the tape recorder volume, its sensitivity is down and then inbetween the sentences the minute or the second rather the person stops speaking, a couple of seconds later you hear the background noises and audience sounds and so on very gradually getting louder and louder inbetween the sentences. Would you agree with that sort of effect? -- Ek stem saam met die effek. Ek stem net nie saam met die woorde "very gradually" sonder 'n verdere verduideliking nie.

Shall we just say that different gain control systems have different timings? -- Ja.

Or this release time which one calls it? -- Dit is korrek. Daar is sisteme wat vinnig reageer en ander wat stadig reageer.

The problem which we find - before I get to that. We find for example that when we look at the Claremont tape, that is EXHIBIT 6 the release time on that one, particularly when one has regard to the period between speakers, is more or less fifteen seconds. It takes about fifteen seconds to release itself so that we can hear the background noises and so on somewhat clearly. Sorry, to release itself completely. It takes fifteen seconds to release itself completely and I have been asked to clarify that you start

hearing/...

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hearing the effect of the release after one and a half seconds or so. Would you regard that time as within the normale sort of range? -- Ja.

The problem we have with this sort of tape is that ... (Court intervenes)

COURT : This particular tape is not number 6 but number 7?

MR YACOOB : EXHIBIT 7. The problem with EXHIBIT 7 is that the best way we can describe it is that the automatic gain control is savage in the sense that it releases very, very quickly, immediately the person stops speaking, we hear the noise of the audience and so in the middle, then the person starts speaking again and it sort of releases and gains, releases and gains too rapidly and too quickly and we find this in fact a bigger problem because on this tape the speech is intelligible largely because it seems clear that people are speaking away from the microphone. So, it is quite clear that the sound level is low, the tape recorder is not having to cope with too much because the people are speaking away from the microphone and yet you have this very savage operation of the automatic gain control.

COURT : When you speak of savage, do you mean that soft sounds are quickly brought into place or do you mean also that hard sounds are quickly cut out?

MR YACOOB : Both.

MNR. JACOBS : Voor die getuie antwoord, ek is nou nie seker of dit BEWYSSTUK 7 is nie. Huhudi is BEWYSSTUK 12.

MR YACOOB : I am sorry. -- Ja-nee, ek is bly die regstelling is gemaak, want die effekte wat nou beskryf is stem ek saam is op BEWYSSTUK 12 teenwoordig.

Do you find it a problem? -- Ja, ek hou van die

beskrywing/...

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beskrywing "savage operation", maar dit is myns insiens ŉ bietjie oordryf. Daar is niks daaraan wat ek sou sê is "savage" nie. Ek sou dit net beskryf as vinnige werking.

To describe it as unduly fast?-- Ja, dit verg nou ŉ hele verduideliking, maar dit kom basies daarop neer dat wanneer klanke gemiddeld ... (Hof kom tussenbei)

HOF : Kan ek net dit vra. As ons nou ŉ lekker debat gehad het oor die "automatic gain control", waar land ons?

MR YACOOB : We are going to the point that one of the reasons that I am going to suggest that an explanation for this what we call savage automatic gain control is a certain type of copying process.

HOF : U wou nog verduidelik. -- Ja ek wil net eers begin deur te sê dat by BEWYSSTUK 7 Krisch Rabillal is die soortgelyke situasie geldig, behalwe dat dit nie vir die oog op vallend is nie, om ŉ ander rede, maar ek glo dat in beide die gevalle dieselfde tipe bandmasjien gebruik is. Ek sal nou ongelukkig ŉ bietjie tegnies moet raak om die verduideliking te kan gee. In klank, in terme van klankpeile, klankvlakke, die sterkte van klank, word dit gewoonlik aangegee in terme van desibels en die gewone vlakke waaroor gewerk word is vir spraak en soortgelyke klanke tussen ongeveer 30 desibel aan die lae kant en ongeveer 90 tot 100 desibel aan die hoë kant. Hierdie desibel is desibel verwys tot ŉ sekere klankpeil. Met ander woorde, dit is desibel wat reeds verwysing het. Normaalweg het desibel geen spesifieke verwysing nie. Met ander woorde ŉ mens kan nie sê 30 desibel alleenlik beteken iets nie. ŉ Mens kan net sê ŉ verhouding tussen iets en ŉ ander ding. Dit situasie hier is dat 0 desibel stem ooreen met die sagste klank wat die menslike oor

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kan hoor.

HOF : Die geoefende menslike oor of die gewone menslike oor? -- Die jong menslike oor. 'n Bandmasjien word gemaak - ekskuus, die outomatiese winsbeheersisteem word gewoonlik gemaak om te kan werk met klanke van ongeveer 100 desibel af tot omtrent 30 desibel. Die bandmasjien self het 'n dinamiek, dit wil sê 'n verskil tussen maksimum en minimum sein van ongeveer iets tussen 30 en 40 desibel. Daar word gewoonlik vir dié doel gereken op so iets soos 40 desibel. Dit beteken dat die outomatiese winsbeheer hoef slegs te werk vir klankpeile tussen 70 desibel en 100 desibel. Onder dit word die verskille deur die bandmasjien se eie dinamiek hanteer, sodat die sagste klank wat dan opgeneem word, ook ooreenstem met die sagste klank wat bruikbaar is om opgeneem te kan word ten opsigte van agtergrondgeraas en dies meer. Outomatiese winsbeheer is sodanig ingestel dat soos klank harder word van 30 desibel af op, dan is dit eers wanneer klank by ongeveer 70 desibel uitkom en ek moet sê ek verwys hier na die klank naby die mikrofoon - wanneer dit by die 70 desibel punt verbygaan, dan sal outomatiese winsbeheer begin om aktief te kan raak en by daardie situasie, gestel ons werk met klankpeile tussen 70 en 80 desibel, werk die outomatiese winsbeheer net effentjies. Wanneer 'n mens egter te doen het klankpeile wat heelwat hoër is, hier in die orde van 90 tot 100 desibel, dan werk die outomatiese winsbeheer hard en daar is - dit is nou die belangrike punt, dat om te werk tussen die gebied 90 tot 100 desibel sal die bandmasjien se outomatiese winsbeheer altyd stadiger reageer as wanneer dit moet werk in die gebied tussen 70 en 80 desibel. In hierdie geval is daar nie gebruik gemaak van 'n radiomikrofoon

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nie. Die mikrofoon self was iewers, dit is nou 'n verlengde mikrofoon, maar die mikrofoon self was iewers in die saal gewees en dit beteken dat die mikrofoon afhanklik was van beskikbare klank en nie soos in 'n radiomikrofoonsisteem waar die klank op verskeie maniere versterk kan word voordat dit by die bandopnemer kom nie. Dit was vir my duidelik in hierdie opname dat - dit is die Huhudi opname - dit klank gedurig naby die onderste grens was van waar outomatiese winsbeheer net werk en dan ook net 'n bietjie werk en onder dié omstandighede tesame met die aspek dat 'n mens werk met 'n bandmasjien wat van nature 'n vinnige reaksie het, is die effek, soos wat hier waargeneem is, vir my volledig aanvaarbaar en het ek geen probleme daarmee dat dit 'n natuurlike situasie kan wees nie. Miskien moet ek net 'n paar woorde by sê. Daar is 'n rukkie gelede gepraat van die Claremont geval waar dit tot 15 sekondes kan neem vir die - wat genoem is "complete release" en een tot een en 'n half sekonde voordat 'n mens die werking kan hoor en ek wil dit so verduidelik. Gestel daar was 'n sterk klank van om en by 100 desibel en 'n mens wil daarna wag vir die bandmasjien om volledig terug te keer na maksimum wins, dan moet 'n mens wag totdat hy terugkeer na 100,deur 90, deur 80 tot by 70 en onder daardie omstandighede vat dit baie langer as byvoorbeeld net die verskil tussen 100 en 90, wanneer 'n mens dit net kan begin waarneem. Om die waarheid te sê 'n mens hoor dit al gouer as daardie. So, dit vat lank vir die totale uitwerking om terug te keer na normaal as daar 'n sterk sein was.

ASSESSOR (MNR. KRÜGEL) : Maak u nie nou 'n fout nie? Die harde klank 100 by 90 of 90 tot 100, neem 15 sekondes om

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weer terug te kom na normaal toe? -- Die masjien se wins was sodanig afgedraai dat dit nou 'n hele tyd vat - die wins was ver afgedraai so dit vat 'n hele tyd vir daardie wins om weer terug te kom.

Toe sê u nou weer 90 en 100, maar u het seker bedoel hierso by 70? -- Slegs om van 100 na 90 te kom, nie van 100 af tot 70 nie. Laat ek net byvoeg dat dit is interessant dat in baie bandmasjiene dit langer sal vat om van 100 na 90 toe te gaan as om van 80 na 70 toe te gaan.

GETUIE STAAN AF.

HOF VERDAAG. HOF HERVAT.

LEENDERT PIETER CHRISTIAAN JANSEN, nog onder eed

CROSS-EXAMINATION BY MR YACOOB (continued) : Is it correct that or would you agree with us that the recording level on this particular recorder is low? We are talking about EXHIBIT 12(1) and 12(2) now. -- Nee, ek kan nie daarmee saamstem nie. Die opnamevlak op hierdie opname is deurgaans baie naby aan maksimum wat op 'n band opgeneem kan word. So, die opname op die band self kom hard deur, maar wat ek wel mee saamstem is dat die verskil tussen die sterkte van die spraakklank en ander agtergrondgeluide nie baie groot is nie. So, afhangend van hoe 'n mens jou volume kontrole stel, sou 'n mens kan dink dat die opname vlak redelik laag is.

The way in which we measure levels is as follows and is slightly differently from the way in which you measure it. We actually connect up the oscilloscope to the tape recorder by-passing the volume control, so that we do not have that variable about the extent to which we set our volume and then we make a record of the extent to which we need to adjust the oscilloscope to get more or less the

same/...

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same seeable understandable comprehensible vertical line. So, the way in which we do it, the volume control is not variable. Let me just tell you that as far as the Huhudi - no, I am sorry, as far as EXHIBIT 7 is concerned, the Krisch Rabillal we had to get our oscilloscope to point 5 to get the reading right, that is ,5 volts per centimetre and in this particular tape we needed to get ,2 volts per centimetre. Let me just get one thing clear. Do you agree that ,2 volts per centimetre means that you are getting a lower level of sound and ,5 means that you are getting a higher level of sound? Do you agree with that? -- Ja, as ŉ mens sou aanneem dat in albei gevalle die ossilloskoopuitwyking presies dieselfde is.

More or less the same. We did not measure them on each occasion. -- Dan sou hierdie verskil aandui dat daar iets meer as 6 desibel verskil is in klanksterkte.

I forgot to inform Your Lordship, but accused no. 1 became temporarily ill and remained where he was downstairs at the adjournment.

COURT : Thank you.

MR YACOOB : All I want to put to you is that the lowness of the sound level as well as this AGC problem creates for us the possibility that the tape recorder making the recording was probably fed with too low a level of sound to enable to gain control on the copying tape recorder to operate - operating at such a low level that it varies completely and that is the explanation for the variables. What do you say to that?

COURT : Can I just get clarity now. Your vision of this thing is that the proceedings were recorded. That a copy

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was made of that recording. That because the level of sound is so or was so low on the original recording, the copying process did not produce a proper copy in the sense that the automatic gain control got haywire. Is that what you are putting?

MR YACOOB : No. Let me start again. That there was a recording process where there was a problem about the sound being low in any event. That would have been the original recording. Then at some stage, one does not know what generation of the copying process, but at some stage that recording was again fed into another recording and this is the copy which is possibly present at court now, at such a low level - again at a low level, so that what one has here in this combination of low level sound and operating of the automatig gain control is not just the effect of the low level of sound in the hall. One has the double effect of a low level of sound in the first place when the original recording would have been made and then a further problem created when the recording was fed for the purpose of making a copy when the sound level was even further lowered. So, ... (Court intervenes)

COURT : Would that mean then that the recording was made on a machine which was not directly connected but was made with a microphone?

MR YACOOB : No, it would mean that it would have been made with the machine directly connected as well - could have been made as well. One would imagine that with the absence of background noises, separate background noises and so on, the probability seems to be that it was made on a direct connection recording.

COURT/...

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COURT : On a direct connection the situation of the volume control knob does affect the strength recorded?

MR YACOOB : Not on a recorder which has the automatic gain control, but from tape recorder to tape recorder the level at which you feed in the sound, the play back level is ... (Court intervenes)

COURT : Is the equivalent of the take up level?

MR YACOOB : That is right. So, what we are saying is that firstly the sound was too low at the microphone level in a hall and then subsequently at some stage, we do not know when, there was a low feeding of sound again in the sense that the tape recorder playing back the recording and feeding it, was set at too low a level and the effect one gets here is a sort of double level, double lowness effect.

ASSESSOR (MNR. KRÜGEL) : Is that now on the automatic gain control?

MR YACOOB : Yes, well what one has then is the operation of two automatic gain controls. The one - two or more automatic gain controls. One cannot say, but at the very least possibly two, the one making the recording and the other involved in the making of the copy. -- Daar is nou twee aparte aspekte genoem. Die een is die effek van die outomatiese winsbeheer en die ander een is die effens laer vlak van opname op die Huhudi band ten opsigte van die Krisch Rabillal band. Die situasies wat in die twee gevalle gegeld het is sodanig dat die effekte wat beskryf is, sodanig is dat dit presies is wat ek sou verwag onder die omstandighede as 'n normale verskynsel sonder dat dit nodig is om die effek van 'n heropname proses te oorweeg. In die Krisch Rabillal geval waar daar 'n radiomikrofoon gebruik is, is daar deurgaans

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betreklike sterk klank na die bandopnemer gevoer, wat beteken dat die bandopnemer deurgaans naby sy maksimum werk, in terme vanm my vorige verduideliking sal ek sê deurgaans in die omgewing van 90 en 100 desibel. In die geval van die Huhudi band waar daar ŉ direkte mikrofoonverbinding was met ŉ eksterne mikrofoon wat nie baie naby aan die spreker was nie, dit is duidelik uit die ego's wat ŉ mens hoor op die opname, daar sou ŉ mens verwag dat jy ŉ situasie kry waar die bandmasjien normaalweg by ŉ heelwat laer vlak werk van ongeveer tussen 70 en 80 desibel. Outomatiese winsbeheer is normaalweg sodanig dat dit nie ŉ perfekte beheer uitoefen op die sterkte van die klank nie, sodat klank van 70 desibel swakker na die bandmasjien gevoer word as klank van 80 desibel, maar nie met die verskil van 10 desibel nie, miskien met die verskil van 1 0f 2 desibel. Soortgelyk sal klank by 100 desibel heelwat sterker by die band masjien ingevoer word as klank in die omgewing van 80 desibel en alhoewel die klank met ŉ faktor verskil het wat ooreenstem met 20 desibel sou die bandmasjien se toename in sein wat geregistreer word miskien ooreenstem met ongeveer 6 desibel. So, die outomatiese winsbeheer die toename van klank, maar hy elimineer dit nie heeltemal nie. So, ŉ mens verwag dat as daar gedurig sterk klank ingevoer word na die bandmasjien dat die bandmasjien dit wel effens hoër sal opneem as klank wat tussen 70 en 80 desibel ingevoer is. Ek kan net byvoeg dat ek in my jare se ondervinding met spraak by verskeie geleenthede in diepte navorsing gedoen het oor die werking van outomatiese winsbeheer en ek is dus baie bekend met die manier waarop winsbeheer werk in verskillende gevalle. Vervolgens wil ek byvoeg dat op die bandmasjien wat ek gisteraand gebruik het om die

klankvlak/...

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klankvlak op die Huhudi band na te gaan, het ek gevind dat die rooi liggie wat aandui dat voldoende sterkte opname gemaak was op die band gedurig aangekom het. Die eerste rooi liggie gaan aan op 0 desibel en die volgende een op plus 3 desibel. Albei daardie liggies het dikwels aangekom wat aandui dat daar wel ŉ voldoende sterk opname gemaak was op die band, maar dit is normaal om te verwag dat indien die sein nog sterker sou wees, dat nog sterker sein opgeneem sou word volgens die bandopnemer, sodat die effek van verskille in vlak tussen die twee opnames ŉ geheel natuurlike situasie is

I just want to understand the fact that these lights came on. Does that mean that you were having sound more than 3 decibels or what? -- Nee, die 0 desibel punt op ŉ band-masjien stem ooreen met wat normaalweg beskou word as maksimum

K445 opnamevlak sonder vervorming, sonder distorsie vir normale tipe band.

And the 3 decibel? -- Plus 3 desibel beteken dit 3 desibel bokant daardie punt wat nog altyd goed opgeneem word, maar met ŉ klein mate van vervorming wat op spraak normaalweg nie hoorbaar sal wees nie.

Does that mean that the sound level was high on this tape recording? -- Dit beteken dat die klankvlak op hierdie opname ooreenstem met wat ŉ bandmasjien sou opneem wanneer hy die klank teen redelike vol volume opneem, maar dit is steeds nog ŉ klein bietjie minder as dit wat opgeneem is vir die Krisch Rabillal opname. My mening is nie dat die gemid-delde verskil soveel as 6 desibel of meer is nie, maar dat dit effens minder as 6 desibel gemiddeld is. Dit is natuurlik moeilik om presiese syfers aan te dui by variërende

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seinsterktes. Verder wil ek net by sê dat sover dit die outomatiese winsbeheer aangaan waarvan die werking duidelik gehoor kan word in hierdie opname en waarvan daar gehoor kan word dat dit betreklik vinnig werk, kan ek sê dat ek al met verskeie bandmasjiene te doen gehad het waarvan die winsbeheer nog heelwat vinniger reageer as dit wat in hierdie geval geld, maar dat ek ook met bandmasjiene gewerk het waarvan die winsbeheer baie stadiger reageer as dit wat in hierdie geval geld.

Finally I just want to put to you - does the bad quality of the recording itself provide an indication that this recording might not be an original one? -- Die kwaliteit van die opname is daar niks mee verkeerd nie. Die kwaliteit van die klank soos opgeneem is goed, maar daar is 'n aansienlike hoeveelheid lastige eggo's by op die opname wat maak dat die spraak verstaanbaarheid nie so goed soos wat 'n mens graag sou wou hê nie, maar dit sê niks dat die kwaliteit nie goed is nie. Die mikrofoon en die bandmasjien het dus goed gewerk, maar die mikrofoon was te ver weg van die spreker af.

And there are obviously a number of applauses, bang, clicks, clanks, microphone noises etc. on this recording as well? -- Dit is korrek.

And just to generalise these questions for the tapes we have not dealt with so that I do not have to go through them again and those that we have not dealt with, are <u>EXHIBIT 1</u> which is the TIC ...(Court intervenes)

<u>COURT</u> : 1 is not the TIC.

<u>MR YACOOB</u> : <u>EXHIBIT 1</u> is the national launch and <u>EXHIBIT 14</u> which is the TIC. Can you answer these questions please

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in relation to EXHIBIT 7 - sorry, I am really getting confused EXHIBIT 12 we are dealing with now, EXHIBIT 1 and EXHIBIT 14 together. I expect the answer would probably be the same. EXHIBIT 1 falls in a different category. We are just dealing with EXHIBITS 12 and 14 now.

COURT : For clarity sake. The one is the TIC and the other one is the Huhudi meeting?

MR YACOOB : Yes. Do you agree that in respect of both those tapes, that is 12 and 14 that we are talking about, there are these characteristics that I have named? -- Ja, dit kom voor op enige van die soort opnames. Dit is ŉ standaard eienskap.

I want to put it to you that again even in these tapes it is that sort of thing which provides scope , if I can put it that way for undetectable editing? -- Ja, dit is nou die kwessie van dat ŉ mens, as jy na die tyd wysigings wil aanbring in ŉ opname deur "edits" te maak, dat jy dan die plekke uitsoek waar in ieder geval stampgeluide of klapgeluide of klikgeluide is en dit so probeer reël dat jou oorgangspunte van een deel van die opname na ŉ ander op die plek waar die "edit" voorkom, dat jy dit so na as moontlik laat saamval met daardie normale geluide. Ek wil tog net sê dat dit, volgens my mening, slegs ŉ persoon is wat ŉ deskundige is in die maak van sulke wysigings aan bandopnames, sulke redigering om byvoorbeeld probleme uit te skakel, soos waar ŉ person gehoes het en so aan. Dit is net so ŉ persoon wat bewus daarvan sal wees en moeite sal doen om te sorg dat sy redigeringspunte juis saamval met sulke punte en dat ek nie sou verwag dat ŉ non-professionele persoon eers daaraan sal dink om sulke punte uit te soek nie.

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Or a person who has reasonable skill and intelligence, common sense and is interested in the sound area as well? -- Nie sonder dat hy ondervinding het nie. Dit moet 'n persoon wees met 'n aansienlike hoeveelheid ondervinding.

I want to suggest to you that that experience need not be a particularly long or particularly torturous one. It will be fairly easy to learn about these things and apply them. -- Slegs indien 'n mens geleer word deur 'n deskundige.

I suggest to you that these are the sort of thing about which you can learn by yourself as well. Lots of people would be self taught in this art. -- Ja, dit aanvaar ek, maar dan sal dit oor 'n kwessie van jare wees waarin ondervinding opgehou word.

Also I want to put to you that in relation to both these tapes it is possible that there is an edit that you did not pick up? -- Dit is voorheen deur my gesê dat die moontlikheid dat daar dinge gedoen kon gewees het aan 'n band bestaan, maar dat ek sou verwag dat indien dit wel plaasgevind het, ek wel een of ander tekens daarvan sou gevind het.

Our position is that as far as EXHIBIT 12 is concerned we say we do not know whether it is an original or a copy, we think it might be a copy ... (Court intervenes)

COURT : That is now Huhudi?

MR YACOOB : That is Huhudi and we cannot say with the time available to us whether - we cannot say for certain that we have been able to pick up every oddity and that we have not missed a careful edit. -- Ja, in teenstelling daarmee kan ek sê dat ek wel daardie bande deeglik nagegaan het en dat ek definitief geen tekens gevind het dat dit dalk nie

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ŉ oorspronklike is nie of dat daar dalk op een of ander manier gepeuter is met die opname.

As far as EXHIBIT 14(1) and 14(2) is concerned, this is one of the tapes which we have not investigated at all, because of the lack of time and My Lord, for the record, we may well be forced into certain positions later, but for the present, for what it is worth, I place on record that although we have not had the time to go through is, we do not want it at this stage to be taken as a concession that the report is correct as far as EXHIBIT 14(1) and 14(2) is concerned. And because we have not gone through the tape and did not have the time to investigate it at all, we can make no comment about it at this stage. Against that background I want to turn very quickly to the last tape we have to deal with and that is EXHIBIT 1. Your report in relation to that is EXHIBIT ABD(5) and your detailed analysis is ABD(6)1. Is it correct that if one reads your report as a whole, EXHIBIT 1 is obviously not an original recording? Would that be a fair inference to draw?

COURT : Are you putting it in toto, because we have got a lot of sub-sections of 1.

MR YACOOB : Yes.

COURT : In toto it is not a copy?

MR YACOOB : No, no, not a copy ... (Court intervenes)

COURT : Are you saying that all the portions of 1 are copies? Or are you saying that some of the portions 1 are obviously copies?

MR YACOOB : I am saying that all the portions of 1 are obviously copies. -- Nee, sover kan ek nie gaan nie.

How far as you prepared to go? -- Ek het wel gevind

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dat sekere dele van die sewe bande van BEWYSSTUK 1 her- opnames bevat. So, daar is dele wat definitief heropnames is en dan is daar nog ek dink een geval, ek praat van geheue waar van die ander wat nie heropnames is nie, opname bo-oor ŉ vorige opname bevat wat duidelik doelbewus na die tyd daar op geplaas is, maar ek kon nie aanduidings vind dat al die bande heropnames is nie.

I will tell you in what sense I have put this to you. Suppose that one had an original continuous recording of let us say a conference or a meeting, what one would get is a person will put in tape 1, turn it around, record on side 2 of that tape and so on and so on in a continuous fashion. Once you get to the situation where some parts of the tapes are at least repeats, then you have got the problem that you cannot say at all that what happens here was that there was a continuous recording which is put up and therefore the possibility that these are not original recordings become particularly strong. In fact I would suggest that it almost necessarily follows that that is so unless one has a situation where on a careful examination of the tapes one can say this is a copy, this is an original because A, B and C, but you cannot say it is an original because you do not know where it is supposed to start more or less and where it is supposed to finish more or less. There is a total absence of continuity. Putting it on the basis that once you get the situation where there is obviously a measure of editing and such a measure of editing that it amounts to duplication, that the series cannot actually amount to a series and that you cannot really say that any of those are originals. -- Ek het ŉ

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paar besware teen die argument en een van hulle wat genoem is, die sogenaamde afwesigheid van kontinuïteit, is in sekere opsigte juis 'n aanduiding dat dit oorspronklike opnames kan wees. Die veronderstelling wat hier gemaak is dat daar 'n ander oorspronklike en kontinue opname was, en dat van daardie af hierdie bande voorberei is as her-opnames, kan ek glad nie aanvaar nie omrede dat enigiemand wat doelbewus heropnames maak vanaf 'n kontinue oorspronklike op kassette sal sorg dat op elke plek waar hy die kasset moet omdraai of 'n nuwe kasset moet insit, sal hy 'n stukkie van die vorige opname herhaal om seker te maak dat die kontinuïteit behoue bly. Wanneer die spesifieke opnames self die oorspronklikes is, dan sal dit in alle gevalle by die omdraai van die kassette of by die oorgang na nuwe kassette so wees dat daar nie kontinuïteit is nie en dit is juis wat in hierdie geval geld. Dus dit is die een aspek. Die ander aspek dat die opnames op hierdie kassette skynbaar deurmekaar is, dui vir my daarop dat die nommering-sisteem by die maak van die oorspronklikes nie deeglik gedoen is nie en dat daar om daardie rede na die tyd pro-bleme ontstaan het om uit te werk wat presies gaan by wat.

That is alright. Let us just take you to your report. I notice that in EXHIBIT 5 - in EXHIBIT ABD(5) which relates to EXHIBIT 5 you did not actually come to any conclusion at all. There is no sort of concluding paragraph as there is in any of the other reports. Does that reflect - the fact that there is no conclusion at the end accurately reflects your own state of mind in relation to this exhibit? -- Die benadering ten opsigte van hierdie sewe bande van BEWYSSTUK 1 was sekerlik anders gewees omrede dit bekend

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was dat hulle bande is waarop daar beslag gelê is en daarom was dit nooit my bedoeling om te probeer om 'n sertifikaat van oorspronklikheid uit te reik ten opsigte van hierdie bande nie, maar slegs om die bande na te gaan en te sien welke verskynsels vind ek op die bande.

So, let us leave it at the level that as far as EXHIBIT 1 is concerned and you must listen carefully, you have not given - you do not give even now any certificate of originality? -- Dit is korrek.

I just want to get to another area and I would like to take you back, please, to matters which we have not covered and which came up a bit later and I would like to go back please to EXHIBIT 6 and your photograph ABD(7)1 in that regard. There is just a little matter that I want to put right. Remember I asked you at some stage to listen for what I call a burst of sound in the right channel. Do you recall that?

HOF : Maar gaan daarmee nie saam (7)3 en (7)4 nie?

MR YACOOB : I think it is (7)2. -- Ja, nou verstaan ek die vraag.

You recall that I asked you to see whether you could find a burst of sound and what you drew to the Court's attention when you came back was that the click that we have been talking about which appears in both channels and which is in fact recorded at ,7 I think it is on that photograph? -- Dit is korrek, ja.

And I forgot to tell you what that burst of sound was that we were talking about. It does actually appear on your photograph. It is on the right-hand channel only and it is between 6 and 7, between your numbers 6 and 7. I

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will tell you how many millimetres from 6 in a moment. It is about 2mm from - it is nearer 1mm away from your point 6 where hopefully you will see something which indicates ... (Court intervenes)

COURT : Where do you start measuring when you start measuring at point 6? Point 6 is quite a wide pulse? -- Miskien om onduidelikheid uit te skakel kan ek net vra, die groot puls by punt 6 het twee dele, ʼn langer een en kort daarna ʼn baie korter een. Is die tweede een die korter een wat van gepraat word?

MR YACOOB : May be the easiest way is if Mr Atkinson can point it out to the witness. He can look at it and mark it in some way or something.

COURT : I think the pointing out can be done on ABD(7)2 but do not mark my ABD(7)2 at this stage. -- Die deel wat aan my uitgewys is, is dit wat ek so pas beskryf het as die tweede deel van die sterk puls by 6. Daar is een langer deel, helder wit en dan kort daarna, baie kort daarna is daar ʼn korter deel wat omtrent net so hoog gaan en dit is daardie tweede korter deel wat nou aan my uitgewys is.

MR YACOOB : I just want to put it to you that if you listen precisely at that point at the right channel with your volume turned up, quite apart from difficulties about definition, you will hear this burst of sound.

COURT : You are saying it is only in the right channel, not in the left channel?

MR YACOOB : No, definitely not in the left channel. I am asked to clarify, definitely not audible in the left channel. I think it would be appropriate to take the adjournment at this stage.

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COURT : Do you want the witness to listen over the adjournment? Or are you just putting it and leaving it?

MR YACOOB : I am putting it and leaving it. If he wants to listen to it and dispute it - I will be making some point of it.

COURT : Well, so far you started off by saying there was a pulse which was only in one channel. Then he came back with photographs (7)3 and (7)4 and indicated that that pulse was in fact in both channels. Now you are referring him to a different pulse.

MR YACOOB : No, no, that is not so. I do not have access to the record now. I referred him specifically to two things. I said to him first immediately before the word "Gentlemen" or immediately before the words "then gentlemen", there is a burst of sound in the right channel. Thereafter a little further on, I did not tell him exactly where at that stage, the record will speak for itself, I said to him there was another sound which I very purposely said I was not going to describe to him at that stage. Then I said to him will you please listen and come back. When he came back we got so caught up with the click and Your Lordship will notice that the click appears if one listens to the recording after the words "then gentlemen" ... (Court intervenes)

COURT : The click is at 7?

MR YACOOB : That is so. It actually occurs at the word before. What actually was that the click that he has ifound was the sound which I had referred tht witness to and which I had in fact refused to describe. I said I am not going to describe to him exactly where that sound is, but it is a little after that, find it. That one he found but thought that that was

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a burst of sound I was talking about and I now want to clarify that that that was not the burst of sound I was talking about and I want to make it quite clear that one was so involved with the click at that stage, that one forgot about the burst.

COURT : Very well, the witness can listen to it if he wants to and give his comments on this.

GETUIE STAAN AF.

HOF VERDAAG. HOF HERVAT.

LEENDERT PIETER CHRISTIAAN JANSEN, nog onder eed

CROSS-EXAMINATION BY MR YACOOB (continued) : Colonel, did you have an opportunity to listen to the sound that we were talking about immediately after the adjournment? -- Nee, ek het nie weer daarna geluister nie, want ek vind dit nie nodig nie. Ek kan die vraag antwoord sonder dat ek weer daarna hoef te luister.

You have already given an answer. Do you regard that as sufficient? -- Ek wil net sê dat die foto ABD(7)2 gemaak is van die klank vanaf die regterkanaal. Ek dink ek het dit al voorheen gesê, maar ek het by gesê dat dieselfde geld vir die linkerkanaal, behalwe dat die sterkte van die puls by die punt aangedui as punt 7 effens verskillend is. Sover dit die puls aangaan wat deur die verdediging aangedui is en wat ek beskryf het as die tweede deel van die puls by punt 6 op hierdie foto, kan ek eerstens sê dat uit my analise op die ossilloskoop het ek gevind dat daardie puls ook voorkom op die linkerkanaal. Ek het gevind dat altwee daardie pulse aangedui by die punt as punt 6 hou verband met die laggeluid en dat dit nie 'n aparte klank is wat daar voorkom nie. Tweedens wil ek sê dat die twee klanke so

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naby aanmekaar is dat dit moeilik is om hulle te hoor as aparte klanke maar dat hulle deel vorm van een geheel en sonder gesofistikeerde toerusting sal dit nie moontlik wees om die twee klanke apart te kan beskryf nie.

You say that it appears on the oscilloscope on both channels, this sound. Do you accept that it is audible only on one channel or do you think it is audible on both channels? -- Dit sal hoorbaar wees op altwee, maar omdat hulle as een geheel gehoor word, kan ek my voorstel dat wanneer daar by verskillende geleenthede na die twee kanale geluister word, hulle miskien effens op verskillende maniere beskryf kan word.

I want to put it to you that it is not audible on the left hand channel. I want to put it to you further that if one listens reasonably carefully on the right channel it is perfectly clear that this sound is different from the laugh. -- Ek kan dit nie aanvaar nie.

At this stage when I was cross-examining you in relation to EXHIBIT ABD(7)2 you produced the photograph ABD(7)8 which as I understood it was produced in relation to ABD(7)1 with which I had already finished at that stage. Will you just look at the photographs and refresh your memory?

COURT : I wonder whether you have got the right number. ABD(7)8 and (7)7 are on the one page and at the bottom of that page it says "aanskakeling na rekord vir twee band-masjiene." They were put in to demonstrate the effect of a recording switch on a Philips and on a Sony machine.

MR YACOOB : That is so, but my recollection of the evidence is that although at that stage, dealing with ABD(7)2 the photograph ABD(7)8 was put in. There was a deviation in

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the evidence and the photograph ABD(7)8 was actually put in in relation to the beginning of the Claremont tape and the problems there which I dealt with in ABD(7)1.

COURT : Well,I cannot recall it but carry on.

MR YACOOB : If the witness says it is not so, then I will leave it, but my notes make it quite clear that it is so. -- Dit was gedoen - daardie twee foto's ABD(7)7 en (7)8, die primêre doel was om aan te dui dat by die aanskakeling na "record" of opneem, sommige bandmasjiene pulse veroorsaak by beide die opneemkop en die wiskop. Daar was ʼn sekondêre afleiding at gemaak kon word wat in verband gebring is met die verskynsel naby die begin van die Claremont band waar daar ʼn plek is waar die bandmasjien af en weer aangeskakel was.

This would be where the background sound stops and you hear the voice which is said to be that of Frank Chikane? -- Nee, ek is nie seker nie. Ja, dit is korrek.

That was a photograph and I am now talking about ABD(7)8 which demonstrated the position that would exist if you press the record button in first, wait for a while and then holding the record button down on the tape recorder depress the play button so that you properly get in the record mode. Am I right? Is that what ABD(7)8 relates to? -- Dit is heeltemal korrek, ja.

Was the purpose of putting in the photograph to express or to say that this was a possibility, in other words this could have happened at the beginning of the Claremont tape, there is this change over in background noise to what is said to be the speech of Frank Chikane? -- Ja, want op daardie punt op die Claremont band word daar ook gevind

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dat daar klank opgeneem word direk na die punt wanneer die puls kom wat ek sê is die aanskakelpuls deur die opneemkop veroorsaak.

When did you make the photograph ABD(7)8? -- Die foto ABD(7)8 is gemaak gedurende die tyd wat ek hier onder kruisverhoor gestaan het.

Is that when this possibility occurred to you? -- Om dit op dié manier in verband te bring met wat met die Claremont band gebeur, ja. Nie die moontlikheid dat dit is wat met die Claremont band gebeur het nie, maar die moontlikheid om hierdie foto te gebruik om dit ook te kan verwys na wat op die Claremont band gebeur het.

HOF : Ter illustrasie? -- Ter illustrasie, ja.

MR YACOOB : Does the witness say that he does not say that it is possible that that is what happened in the Claremont tape?

COURT : I understood him to say that this photo indicates something that you will also find on the Claremont tape.

MR YACOOB : You say that this photo shows that it could have happened in the Claremont tape at the point mentioned in ABD(7)1? -- Ja.

Do you accept that before you put in this photograph ABD(7)8 we were dealing with ABD(7)1 in some detail? You did not mention this possibility at all? -- Dit is korrek, ja.

Am I right in thinking therefore that the possibility occurred to you that this possibly happened on the tape only afterwards, after you had given evidence about ABD(7)1? -- Ja, ek dink dit is korrek dat ek na ek die foto geneem het besluit het dat die illustrasie in die verband so goed aanpas by wat op die Claremont band gesien word dat dit kan dien

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as ȟ illustrasie van wat moontlik in die Claremont geval kon gebeur het.

HOF : Ons maak ȟ nota beskuldigde nr. 1 is terug.

MR YACOOB : I just want to place on record that our position in relation to EXHIBIT 1 is the same as that which I placed on record in relation to EXHIBITS 14(1) and(2). I would like to go back please to deal with some of the circumstances in relation to EXHIBIT 7 which is the Krisch Rabillal tape. But before I do that, this National Panasonic which was in court, you have looked at it and you know how it operates, do you? How it works? -- Ja.

Do you agree that it is impossible in that machine to press the record button first, wait a while and then the play button? -- Ja, dit is korrek.

To go back to EXHIBIT 7 did you have discussions or consultations with Major Benjamin in relation to the making of EXHIBITS 7(2) and (2)? -- Ja, ek het sekere samesprekings met hom gehad.

These consultations, did they take place at your instance? -- Ja.

Did you make a specific appointment for him and I would imagine that it would have been arranged that he would see you on a particular day at a particular time? I do not expect you to remember the day and the time now? -- Ja, dit was die reëling.

And would you say that from your recollection that you were available when Major Benjamin came to see you after you had arranged to see him on a particular day at a particular time? -- Wat ek kan onthou is dat majoor Benjamin nie betyds opgedaag het vir die samesprekings wat gereël was nie.

Hy/...

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Hy het later wel opgedaag terwyl ek besig was met iets anders. Ek het op daardie dag ŉ bietjie met hom gepraat, maar ek het ook ongeveer ŉ week later hier in Delmas met hom gepraat.

Was there an occasion where you made an appointment with him and he came to Pretoria to see you and could not see you at all because you were not available at all to be seen? -- Ek onthou nie daarvan dat dit met majoor Benjamin gebeur het nie, maar ek onthou wel ŉ soortgelyke situasie met kaptein Soms.

I suppose that when you make an appointment you will note them in your diary and you would be available for them? -- ŉ Polisieman se tyd is nie altyd sy eie nie en alhoewel ŉ mens notas maak in jou dagboek gebeur dit dat ŉ mens uitgeroep word na ŉ hofsaak wat jy moet gaan bywoon, waarvan ŉ mens kennis gedra het, in my geval dra ek kennis van baie hofsake wat ek mee te doen het maar waar ek nie noodwendig geroep word vir getuienis nie. So, dit gebeur dikwels dat ek op kort kennisgewing uitgaan na hofsake in die omgewing.

Am I correct in saying that those situations would be so exceptional that you would remember them?

HOF : Dat u uitgeroep word na hofsake? Ek dink as dit na Delmas is, sal hy dit sekerlik onthou.

MR YACOOB : No, not that sort of situation. The situation where as a result of being called out you failed to meet an appointment. That situation. -- In sommige gevalle sal ek dit onthou, maar nie noodwendig altyd nie. Dit gebeur meer dikwels as wat ek sou verkies dat dit sou gebeur. Daarom is dit nie so uitsonderlik dat ek ŉ afspraak maak met iemand en dit dan nie kan nakom nie.

Can you recall the nature of the discussions you

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had with him on the first occasion you saw him?

COURT : Major Benjamin?

MR YACOOB : Major Benjamin. -- Nee, ek kan nie soos ek hier sit onthou presies wat by die eerste geleentheid oor gepraat is en wat met hom by die tweede geleentheid oor gepraat is nie. Ek het 'n standaard prosedure gevolg om met die mense te praat, want ek het verskeie van die mense wat die opnames gemaak het by my gehad en daar was sekere standaard reekse vrae wat ek hulle gevra het. Al wat ek sou kan sê is, ek weet wat die standaard reeks is, maar dat ek presies kan onthou waaroor of spesifiek elke ding waaroor ek met hulle gepraat het of met majoor Benjamin kan ek nie onthou nie.

I would like to ask you a few questions about ABD(3) please. Did you have - before I ask you that. When did you prepare ABD(3)? -- Ongeveer Meimaand 1986.

Did you have in mind the sort of problems which were going to be encountered in this case, the sort of problems you had come across on the tapes, when you made ABD(3) in order to give the Court a representative sample? -- Nee, ek het ABD(3) gemaak as ek reg onthou in hoofsaak voordat ek die analises gedoen het vir hierdie saak. So, dit was gebaseer op vorige ondervinding wat my daartoe gelei het om hierdie ABD(3) voor te berei.

I am going to suggest to the Court in argument that ABD(3) and the photographs attached thereto in particular, bears little resemblance to the sort of photographs that we have seen which showed the problems that were experienced in this particular case and that the fact that it shows such little resemblance,again indicates that you were lacking in system, lacking in scientific process. I just want you

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to comment on that. -- Daar is iets wat ek in my notas sien waarvan ek 'n nota gemaak het, iets wat ek op een of ander stadium net wil noem. Ek het miskien vergeet om dit in hoof te noem. Dit het te doen met die "tags" agter op die bande wat in hierdie saak voor die Hof dien as ek 'n geleentheid kan kry om miskien net iets te sê daaroor.

I think you can point that out to the Court and then I can repeat the qustion. -- Ek wil net noem dat die tyd toe ek die bande gekry het vir analise het ek gevind dat meeste van die bande, dit wil sê die kassetbande se lippies of "tags" wat uitgebreek kan word om te verhoed dat daar 'n opname bo-oor 'n vorige opname gemaak word, nog steeds in hulle was en ek en my assistent, luitenant Joubert, het persoonlik gesit op een stadium en al die lippies wat nog in was uitgebreek. Ek dink daar was van al die kassetbande twee wat reeds uitgebreek was, maar ek kan nie onthou watter twee dit was nie.

I will deal with the tag question first, before I repeat the other question. These would be tags, as I understand it, which would prevent one from ... (Court intervenes)

COURT : The witness has said that.

MR YACOOB : Did you think that that was an important part of your evidence, the fact that you had broken off the tags? -- Nie baie belangrik nie. Ek het dit net genoem om aan te dui dat sover dit die lippies aangaan, daar by meeste van die bande, voordat ek dit ontvang het, gerieflike moontlikheid sou wees om op daardie selfde bande opnames bo-oor 'n vorige opname te maak.

In your experience in the past few years is it correct that you have come across this problem of a recording being

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made over an existing recording very often and this sort of thing being done by accident? -- Ja, ek het dit al dikwels teëgekom.

And would you say that you came across it often over the period of the last four or five years? -- O, nee, dit is iets wat ek al baie lankal mee te doen het of teëgekom het. Dit is iets wat ek van tyd tot tyd teëkom. Ek sal nie sê dit is iets wat ek gereeld teëkom nie, maar van tyd tot tyd.

Would it have been an easy matter for you simply to advise ... (Court intervenes)

COURT : How does that advance this case?

MR YACOOB : It advances this case at the level that I would make the suggestion that it is very strange that policemen involved in recordings do not know that these little things can be taken off to prevent this sort of accident as a stepping stone to the submission that there may not be accidents.

COURT : You can take that one further and say that if a person has the knowledge and intentionally tampers with the tape, he would afterwards break out these little pieces to show that this tape was not tampered with. So, it goes both ways. Next question.

MR YACOOB : It is a matter of degree.

COURT : It is a matter of argument. The witness can take it no further. -- Ek kan miskien tog iets daarop antwoord, naamlik my ondervinding was dat die polisiebeamptes doelbewus nie die lippies uibreek nie, omdat dit standaard prosedure is om bande oor en oor te gebruik.

MR YACOOB : I want to go back to my original question.

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I am going to suggest to the court in argument that ABD(7)3 and in particular the majority of the photographs attached to it bear little resemblance to the kind of problems we have encountered in this case and the photographs we have seen in this case. On that basis I am going to suggest that the way in which ABD(7)3 was prepared demonstrates your lack of system and the fact that you lacked in a proper scientific approach. I would like you to comment on that, please. -- Ek het dit duidelik gemaak ten tye van hoofgetuienis waarom ek BEWYSSTUK ABD(7)3 ingevoeg het en dit is om te demonstreer hoe kragtig die ossilloskooptegniek is wat ek gebruik en hoe veel inligting ŉ mens daaruit kan haal. Dit is dus in die sin om my kundigheid aan te toon en my vermoë aan te toon en dit was nooit bedoel op enige stadium nie, ek het dit nooit gesê nie, ek sê dit nou ook nie, dat daardie foto's ŉ direkte verband hou met die bewysstukke in hierdie saak nie. Sover dit die afleiding aangaan dat dit op enige manier kan wys na ŉ gebrek aan wetenskaplikheid of sistematiek by my, ek vind dit nie eers die moeite werd om daarop te antwoord nie.

You have given us examples of photographs attached to ABD(3) which represent the end of a process of recording over an existing recording. -- Ja, dit is korrek.

You have not given us the beginning. Why is that? -- Ek het dit reeds gesê vroeër in my kruisverhoor, maar ek sal dit weer herhaal. Ek het gesê dat ek slegs dinge ingesit het wat konsekwent is, dinge wat by herhaling dieselfde patroon gee. Ek het gevind dat met daardie spesifieke bandmasjien onder dié omstandighede die beginpunt nie ŉ herhaalbare patroon gee nie en daarom het ek dit nie ingevoeg

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nie.

HERONDERVRAGING DEUR MNR. JACOBS : Kolonel, net in aansluiting by die laaste wat aan u gestel is, sê vir ons - kan u vir ons net sê oor die algemeen het ons nou baie gehoor van pulse en die ossilloskoop, oor al die ossilloskooppulse deur die bandmasjien veroorsaak, is dit betroubaar en bruikbaar om vas te stel wat op 'n band aangegaan het? -- Ja. Ek het nou al baie jare se ondervinding in die analise van bandopnames op ossilloskope en ek het gevind dat daar sekere verskynsels is wat wel herhaalbaar is en ek het 'n selfneergelegde beginsel dat wanneer ek analises doen van 'n bandopname en ek het nie die oorspronklike bandopnemer waarmee vergelykings gemaak kan word nie, dan maak ek nie gevolgtrekkings op grond van pulse wat ek waarneem nie,tensy dit in die een geval meer as een keer voorkom en dus duidelik herhaalbaar is of in die tweede geval sekere eienskappe bevat wat konstant bly vir alle bandopnemers, soos byvoorbeeld die ongeveer 0,5 sekondes tussen opneem en speelkop se effek. Ander pulse wat ek nie kan verklaar nie, kan ek ook nie gebruik om gevolgtrekkings op te baseer nie, maar ek het gevind dat na die jare se ondervinding daar maar bitter min pulse op 'n band is wat ek nie kan inpas by bekende verskynsels nie.

Dan net een aspek wat vir my nog 'n bietjie in die lug hang dat die verdediging het verwys na BEWYSSTUK 32 hier en dan gesê daar is 'n opuls wat hulle waarneem daar op en aangedui tussen die aankondiging wat dan op foto ABD(3) en die klank vir daardie foto. Is daar so 'n puls? Ek kan nie onthou of dit ooit opgeklaar is nie?

HOF : Stadig nou net 'n bietjie. ABD(3) is nie 'n foto nie.

ABD(3)/...

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ABD(3) het foto's in. Verwys u na een van daardie foto's? Ek twyfel want dit is ter illustrasie aangeheg.

MNR. JACOBS : Foto 6 op ABD(3).

HOF : Wat is die vraag? U sê die verdediging het ʼn puls uitgewys of gesê daar is ʼn puls op BEWYSSTUK 32.

MNR. JACOBS : Ja, net daar in die omgewing waar die aankondiging is en wat dan gaan oor foto ABD(3) foto 6. -- Ja, daar was duidelik gestel dat tussen die punt waar foto 6 aangekondig word op die band, dit wil sê op BEWYSSTUK 32 en die punt waar die klank van - die klank waarvan foto 6 gemaak is verskyn, dat daar ʼn puls is en dat dié puls ʼn aanduiding sou wees dat bandmasjiene vreeslik wisselvallig is ten opsigte van wanneer hulle pulse maak en wanneer hulle nie pulse maak nie en dit is aangesien die verdediging gesê het hulle kan nêrens anders op BEWYSSTUK 32 pulse hoor nie, behalwe op daardie een plek. Ek het geleentheid gehad om daardie deel van die band weer deeglik te ondersoek tussen die aankondiging van foto 6 en die klank vir foto 6 en gevind dat daar absoluut geen puls op daardie punt teenwoordig is nie. Ek het wel gevind dat die klank wat saamgaan met foto 6 baie skielik begin op die opname en wanneer klank so skielik begin, dan klink dit vir die oor asof daar ʼn klikgeluid of ʼn puls teenwoordig is terwyl daar in werklikheid geen teenwoordig is nie.

Dan wil ek nog net een vraag vra. Ons het nou heelwat gehoor wat u in hierdie aantal dae wat u hier gestaan het getuig het. Kan u vir ons sê kon u enige tekens hoegenaamd vind dat enige van hierdie bande, en ek gaan die woord vervals spesifiek gebruik - om aan te dui dat daar doelbewus gepeuter is met hierdie bande om getuienis vals voorgelê te laat

word/...

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word in hierdie hof? -- In my antwoord nou sluit ek spesifiek BEWYSSTUK 1 se sewe bande uit, met ander woorde dié wat te doen het met die National UDF Launch. Sover dit al die ander bandopnames aangaan sê ek dat ek hou steeds dat ek hou steeds by my oorspronklike mening en ten spyte daarvan dat ek nou weer sekere dele deeglik nagegaan het gedurende kruisondervraging en sommige addisionele foto's geneem het, is dit my mening dat die bande op geen manier sogenaamd vervals is nie. Daar is weliswaar plekke waar dit duidelik is dat daar 'n stukkie opname bo-oor 'n vorige opname is en op hierdie plekke kan ek sê dat ek geen aanduiding gevind het dat dit dui op doelbewuste verandering van die oorspronklike band nie.

GEEN VERDERE VRAE.

HOF VERDAAG TOT 8 SEPTEMBER 1986.

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