

Mpofu: Cops failed to respect the dead

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Rustenburg - Police officers showed disrespect for the bodies of the 34 miners shot dead at Marikana last year, the Farlam Commission heard on Friday.

Advocate Dali Mpofu, for the arrested and injured Marikana miners, said the actions of police officers who claimed to have removed and later replaced weapons from the dead miners, showed cultural disrespect.

He said families of the deceased miners were left with negative images, some of which might have been false, of their loved ones.

National police commissioner **Riah Phiyega**, who is under cross-examination by Mpofu at the commission's hearings in Rustenburg, refused to comment on that aspect.

"That is an emotion-laden question... Let's stick to the facts," she said.

Phiyega said police had removed the weapons because paramedics needed to access the scene to assist the wounded.

They needed to ensure the scene was safe for the paramedics.

A total of 34 miners were shot dead by police during strike-related unrest on 16 August 2012, at Lonmin Platinum's Marikana operations.

Pictures of some of the miners killed were shown to the commission earlier in the morning.

Before the pictures were shown, retired judge **Ian Farlam** requested that relatives and people, who might be distressed by seeing the pictures temporarily, excuse themselves from the auditorium.

In some pictures taken of the scene on the day, some miners were seen without weapons.

Pictures of the same miners, taken later in the evening, showed the earlier unarmed miners now in possession of weapons.

A statement made by a warrant officer who was on the scene was read to the commission.

The officer from the canine unit said he had removed the weapons earlier and was later instructed by another man, whom he assumed was an officer, to replace the weapons.

"This warrant officer took instructions from a privately dressed man whom he assumed was a police officer. He had no idea that when he took them away in the first place that he'd be ordered to put them back [several] hours later," said Mpofu.

The warrant officer said he had tried to replace the weapons more-or-less in the same positions he thought they could have been.

He said there might have been mistakes in the accuracy of the replaced weapons.

Police's main concern

Phiyega said the police's main concern at the time was the safety of the paramedics.

"The spirit of doing that was saving a life," said Phiyega.

The commission should be aware that not all police detectives wore uniform and the warrant officer who carried out the instructions obviously sensed authority from this non-uniformed man.

Mpofu said he would submit that the arms were removed for reasons other than the paramedics' safety.

According to some witness statements and video evidence, the medics had not yet arrived when the arms were removed, he said.

In the absence of a plausible explanation, he would submit that placing the weapons was possibly an after-thought.

Phiyega said she accepted the report and the reasons provided for police removing and replacing the weapons.

Mpofu criticised her, saying: "A reasonable, rational commissioner like yourself presented with this kind of information should not have accepted this," said Mpofu.

"You shouldn't have accepted this wishy-washy report..."

He said the explanation depended greatly on the credibility of the people questioned.

Mpofu said it showed flaws in the way Phiyega conducted her duties.

The cross-examination continues.