

# Punishment for Marikana cops unclear

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Rustenburg - It is unclear if policemen found guilty of ignoring official crowd-control guidelines in Marikana would lose their jobs, the Farlam Commission of Inquiry heard on Friday.

Queried on the matter, national police commissioner **Riah** Phiyega would only say that "an appropriate penalty will be taken".

She was testifying at the commission's public hearings in Rustenburg into the 16 August 2012, police shootings in which 34 striking miners died at Marikana.

Dali Mpofu, for injured and arrested Marikana miners, asked Phiyega whether "heads would roll" if officers of any hierarchy were found to have acted unlawfully.

Phiyega dismissed the term "rolling heads" and said: "Relevant remedial... and an appropriate penalty will be taken."

The commission wrapped up for the week and is due to continue on 16 April when Mpofu is expected to continue with his cross-examination of Phiyega.

The proceedings ended early on Friday as some of the key people in the commission had to be excused.

The chairperson, retired judge **Ian Farlam**, said a possible relocation of the commission from Rustenburg to Johannesburg or Pretoria would be first on the agenda when the commission resumed.

Advocate **George Bizos**, for the Legal Resources Centre and the Bench Marks Foundation, accused Phiyega earlier in the week of being an unhelpful witness who avoided taking accountability.

He accused her of protecting the police who shot dead striking mineworkers in the wage-related strike.

### **Discrepancies in Phiyega's affidavits**

Advocate Schalk Burger, for Lonmin, focused on discrepancies in two of Phiyega's sworn affidavits.

After numerous questions on the differences, Phiyega admitted that she had not read the statement she had taken an oath to.

She said the final version of her affidavit was incorrect and she thought changes she had ordered to be made had been done.

The documents also differed in accounts of Phiyega's communication with Police Minister **Nathi Mthethwa** on the incident.

On Thursday, Phiyega declined to voice an opinion on how the police plan to contain the Marikana situation had failed.

She said she would leave it to the people who were there to give comment.

Mpofu told her this showed she did not have the details.

On Friday, he criticised police for removing and possibly incorrectly replacing weapons on the dead miners.

While Phiyega submitted that the weapons were moved to ensure the security of medical personnel, Mpofu said the arms were removed for reasons other than the paramedics' safety.

He also accused police of disrespecting the miners by removing and replacing the weapons.