

**IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF
GAUTENG, HELD AT RANDBURG**

CASE NO: RC376/2016

DATE: 2018/01/19

THE STATE

versus

PAUL O' SULLIVAN and ANOTHER Accused

RECORD OF PROCEEDINGS

BEFORE: MS SETHUSHA

ON BEHALF OF THE STATE: MR MOLOTSHWA

ON BEHALF OF THE DEFENCE: MR VERMEULEN

INTERPRETER: MR MOTAUNG

CHARGE: (SEE CHARGE SHEET)

PLEA: (SEE CHARGE SHEET)

VOL 1 (Page 1 - 25)

DIGITAL AUDIO

RECORDING TRANSCRIPTIONS

P.O. Box 6449, Pretoria, 0001

e-mail: dart@lantic.net Tel.: (012) 333 4780

info@digitalaudio.co.za Fax: 086 589 1028

Menlyn

15

Ms Van der Merwe the complainant, she gave a single evidence on material parts of evidence, as such her evidence has to be approached with caution. Her testimony under evidence in chief as well as under cross-examination in which she was subjected over several days by advocate Pansegrouw, I do not hesitate to state that it was not 20 persuasive. She is found to have been in consistent and evasive in answering questions from the defence. For instance, she testified that she at first denied to have sent out e-mails during the interview at the Bobroff's offices. And it is further from her testimony that she later admitted to have send those privileged e-mails out. She however in 25 RC376/2016-sdj 17 ADDRESS 2018/01/19

court did not play open cards to this court and gave reason of her actions during the interview by denying it first then later admitting. It is her testimony that she sent out those e-mails without the knowledge of the Borbroff or the office in which she worked in order to protect herself against the wrongdoings by the office considering her status as being 5 the office, costing officer. What worries this court about her actions is that a journalist is not a relevant authority to deal with protective disclosure. I therefore found that her actions in sending office information without the consent or knowledge of the office tantamount to malicious 10 actions and it is unlawful. Further the complainant is found to have contradicted herself in most material aspects. To an extent that it raises a concern about the reliability and honesty of her story.