

You may be excused. --- Thank you.

NO FURTHER QUESTIONS

MR ROUX: May I just have a word with the witness? Thank you My Lady, I call Mr Pistorius.

COURT: The witness may be sworn in.

OSCAR LEONARD CARL PISTORIUS: (d.s.s.)

EXAMINATION BY MR ROUX: Thank you. Mr Pistorius, when I explained to you that your evidence would be presented by dealing with your background and moving on, you mentioned that there is something
10 that you want to do first? --- Yes.

What is that Mr Pistorius? --- My Lady, if I may just please start off with my evidence by tendering an apology?

What is the apology that you want to tender Mr Pistorius? --- I would like to take this opportunity to apologise to... ...(witness very emotional)... Mrs and Mr (crying)... Mr and Mrs Steenkamp, to Reeve's family, to those of you who knew her, who are here today, family and friends ..[crying]...

COURT: Mr Pistorius, I do not like doing this to you, but I can hardly hear you. --- I... I... I beg your pardon My Lady, I will speak up. I
20 would like to apologise and say that there is a lot of moments and there has not been a moment since... since this tragedy happened that I have not thought about your family. I wake up every morning and you are the first people I think of, the first people I pray for. I cannot imagine the pain and the sorrow and the emptiness that I have caused you and your family. I was simply trying to protect Reeve. I can promise that when

she went to bed that night, she felt loved. I have tried to put my words on paper many, many times to write to you, but no words would ever suffice. ...(Crying)...

MR ROUX: ...(Pause)... Mr Pistorius, I know you want to face Ms Steenkamp when you apologise, but there is one difficulty and that is that the court must hear you, must be in a position to hear you, and the only way we can do it, is if you talk in the direction of Her Ladyship. Will it be possible to do that? --- (Whisper) Yes.

Mr Pistorius, are you on medication? --- Yes My Lady, I have
10 been on medication since last year about the third week of February. I have changed my medication over the course of the last... over the course of the last 14 months.

What medication do you use? --- I was put on an antidepressant called Supramil and in the beginning of last year, I started taking a sleeping sedative called Normison and later on my medicine changed, I got my medicine changed to a medicine called Cipralex and Dormonoct and Molipaxin, My Lady.

Do you have a difficulty in sleeping? --- I do, My Lady.
...[Pause]... I am scared to sleep... for several reasons, but I have... I
20 have terrible nightmares about things that happened that night, where I wake up and I smell... I can smell... I can smell blood and I wake up to be terrified. ...[Witness emotional]... If I hear a noise I wake up, just in a... in a complete state of terror, to a point that I would rather not sleep, then I fall asleep and wake up like that. So, for... for many weeks I did not sleep and I... in March, April last year I had lost a significant amount

of weight and was in the care of my family. I sought medical advice to start medication for sleeping.

You told me finding... getting into your cupboard. Can you tell the court about that? --- ...[Pause]... I cannot remember if it was towards the end of last year or the beginning of this year, I woke up in a panic and I... I am... I am blessed that my sister stays on the same property as I do, so I can phone her in the middle of the night, which I often do to come and sit by me, and on that particular night... I do not obviously ever want to handle a firearm again or be around a firearm, so
10 I have got a security guard that stands outside of my front door at night. But I woke up and I was terrified and I... I for some reason could not calm myself down, so I climbed into the cupboard and I phoned my sister to come and sit by me for a while which she did... My Lady.

Mr Pistorius, going to your background, when were you born? ---
My Lady, may I please be seated?

COURT: Yes. Please take a seat. --- ...[Pause]... I was born in... I was born on the 11th of... no, 22nd of November 1986, in Johannesburg.

MR ROUX: And your family situation, how many siblings or where do
20 you fit in? --- I am the middle child. I have... I have got two siblings. I have got a brother who is eighteen months older than I am and I have got a sister who is twenty four months younger than I am.

And the relationship between you and your brother and your sister? --- We have grown up very close, my family, so we are a tight knit family.

The situation with your parents? --- My parents... My parents separated when I was young and my mother passed away when I was 15.

How old were you when your mother passed away? --- I was 15, My Lady.

Now as a child, as a little child, could you explain and sketch to the court your situation at home? What was the relationship with your mother, what was the relationship with your father? --- I grew up in a loving home. My father was not often around. He works, he has always worked very... you know, away from home, so we grew up mostly with my mother and she was very caring. Soft heart natured person. She was a fantastic parent. When my parents got separated when I was young, we did not have... our financial means were very difficult, but with the help of my extended family, we were never made to feel like we needed anything. My mother worked at a government high school as a secretary, so we got the holidays with her. Throughout the period, from when I was in primary school, so six to high school, seven... Sorry. Seven to high school, we grew up with my mother. We moved around a fair deal and my mother got remarried when I was 14.

How old were you when your parents separated? --- I was six. Six years old.

We know about the difficulty with your legs. Could you explain to the court exactly what that is? --- ...[Pause]... I would not say there is a difficulty with my legs. I would say that I am... I have got prosthetic legs that allow me to... help me to overcome those disabilities or those

difficulties, yes a difficulty would be when I do not have my legs on. I do not have balance. I have very limited mobility.

Meaning? What I rather meant Mr Pistorius, when you were born, what was the situation? I mean, I know it is hearsay but we will come in from the point that you know. --- When I was born I had a missing, I was born with a born... with a birth defect, so I was born with missing fibula which is one of the two bones between the knee and ... the knee and the ankle and my ...[intervened]

Were you missing fibula on both sides? --- I was missing fibula
10 on both legs and my parents consulted with many medical practitioners and they thought that the best would be to amputate my legs, between... both my legs, between the ankle and the knee joints. They did so when I was eleven months old and when I was thirteen months old, I got my first prosthetic leg, which was a conical shape. It was not really a prosthetic leg with a foot, but I had learnt how to stand up with them and to move around and I walked when I was seventeen months old and then on a really... very regular intervals I had to get prosthetics made, because I was growing and the technology they in those days was not very good. So it did not allow... The prosthetic features were
20 not very comfortable, so I got them done fairly regularly.

What was your mother's approach to you not... with you, born with this disability? --- My mother was very supportive. She... I remember when my brother went to school, she said to me that she was not going to... she was a bit carefree, she said she was not going to do two trips, so I must find a sport to do. And she never made me feel any

different to the rest of the kids. She did not ever want me to see my disability as something that should hold me back. So she... she.. he just kind of allowed me to pursue sport and things and she did not chase after me. She, if I fell she left me to get up for myself and she did not baby me. She treated me exactly the same as my brother and my sister.

Where did you go to for primary school purposes? --- I attended primary school at Constantiakloof Primary School on the West Rand.

10 And during your time at the primary school, was there any difficulties with the disability? --- The prosthetic legs that I had then were very heavy so they did not really allow me to be as mobile as I was at later years when the technology got better, but it was, I guess it was difficult. You know, kids always, I think... they do not always know. It is not that they are just untainted when it comes to opinions and something that is different is not always, you know, that is not the norm as... seen as something that needs to be explored. So I think that was difficult for me to adapt. I have grown up, not thinking that I was any different and then met, you know, surroundings where I was treated
20 differently, but over time people's perceptions of me changed, because they saw how I viewed myself. So they did not... You know, they did not see me as being any different at times.

Did you encounter during primary school any difficulty with the other children? --- On a couple of occasions, but it was never ...[intervened]

Such as? --- No, there were just one or two occasions where I got bullied or pushed around, but my parents you know. they always taught me to stick up for myself and ...[intervened]

Meaning if you go home now and you tell your mother or your father that you were bullied that day by another child, what would their approach be, or your mother's approach be? --- My family always believed in standing up for yourself and for standing up for what you believe in. I come from a family where we were taught that we do not come, you know, and cry to our parents at the end of the day, so my
10 mother... there was... I remember a situation where my buttons got torn off my shirt and my mother sent me to school the next day and said to me that I must get my... you know, that if my shirt came back that way the next day, that I should send it home with the other kid's parents and it happened the next day and I got called into the headmaster's office for ...[intervened]

Why? What was wrong? --- I stood up for myself and I got into a physical altercation with this other kid and when I got called in, my mother arrived and she just basically said to the headmaster that she does not think that it is wrong for her kids to stand up for what they
20 believe in and for getting bullied and that, she would not be back and she gave the shirt to the kid's parent and told them to bring it back when it was repaired.

What type of sport did you participate in at primary school? --- My Lady I did most sports. I did not... I was not very good at any of them, but I tried most of them. I tried football and cricket and then I

started tennis when I was about ten and I played fairly well. I enjoyed, I just enjoyed many sports. We... So I did many sports outside of school. My brother and I did canoeing and wrestling and we were just taught to or, you know, my mother wanted us to be all-rounded and experienced, you know, get over my physical limitations by experiencing different sports.

Your mother, did she have any security concerns? --- Ja, my mother had a lot of security concerns. We obviously grew up in a family where my father was not around much, so my mother, she had a pistol
10 and she would often get scared at night and she would phone... phone the police. We did not stay in the best of suburbs and there was often crime in the area. On a couple of occasions, they did break into our home, but more than often or not, it was just her being scared and so she had come, you know, at night and call us to go and sit in her room and many times we would just wait for the police to arrive.

Mr Pistorius, can you speak up a little bit if possible please. Where did she keep her firearm? --- My Lady, she kept her firearm on her... on her... under her bed... under... in a... just under her pillow in a... in a padded... in a padded leather-type of bag.

20 You said something about pillow? I could not hear you? --- Sorry. She kept her firearm in a... in a... in a padded bag under her pillow.

And in your... Where did you go to high school? --- I went to boarding school at Pretoria Boys High.

How did that happen, that you went to boarding school? --- In

my standard five year I wanted to... I wanted to go to a boarding school and I had been with a friend of mine who was at Constantiakloof Primary with me to watch one of his older brothers play cricket, on a Saturday afternoon and I accompanied him and I fell in love with the school and what it had to offer and when I got home I discussed it with my mom and I said to her if I... could I... I would really like to go to that school, and she discussed it with family members of mine and the next year, the following year I went, I had started attending Pretoria Boys High and my brother moved schools and joined me there.

10 And at high school, what was your relationship with the other scholars? --- I had a mixed group of friends. Many of them, I still speak to today. I was not a part of any specific group. I had friends that were very talented in sport and other friends that were very gifted academically and I was pretty much just seen as one... as one of the... I guess, of the boys. I started sport fairly on and I was never really much of an academic, but I tried to do my best and I enjoyed the time I had there.

 What sport did you participate in? --- I did rugby and water polo and then at a later stage, I moved over to athletics. I did rugby and
20 water polo, My Lady and at a later point I moved over to athletics.

 When did you move over to athletics and how did it come about?
--- I had been playing a rugby game and in my form three year, which is Standard 8, and I had had a knee injury and part of my sport rehabilitation I was seeing a biokineticist at the University of Pretoria and he suggested to me that I meet with a coach at the university to

help with my fitness and so I met with him. It was in September 2003 about and we had a chat and in January 2004 I started training with him and I was supposed to train with him for four months and then go back to rugby and he asked me to participate in a disabled athletics meeting in Durban in the end of March and I had never participated in a disabled event before, so I was maybe a bit hesitant in the beginning. I did not know what to expect and I had not grown up with the feeling like I had a disability. I went down and I ran the event and I came back up and I started rugby and about two weeks in, this coach phoned me and he
10 said to me would I like to go run in America at a Paralympics event and I had never been overseas before, so I took up the opportunity and when I got back that same year in 2004, my name was on the South African team for the Paralympics and so I went to the Paralympics and I discovered Paralympics sport for the first time and I knew that that is, you know, one thing that I would really love to get involved in and I never went back to any other sport after that. I focussed on athletics and then in my metric year, I started the 400 metres and in that year I went to the able-bodied senior championships in Durban and I ran there and I ran fairly well and then it just progressed from thereon out.

20 Now you said that your mother passed away when you were 15. What effect did that have on you? If you could maybe just give more about your relationship with your mother and the effect of her passing.
--- My mother was a very important person to us, to my brother and sister and I. Although my parents got divorced when I was quite young, my father's family, they kept in close contact with her and they were...

she had a loving relationship with all of them and I mean, we spent all our time with her. Everything we learnt in life, I learnt from her and when she passed away it was very unexpected. It was... I had just started boarding school, she had just got married... remarried and we did not even... my brother and I did not even know she was sick. We were just informed, we had not been home for... Sometimes on the weekends as a boarder you stay in at the hostel. So we were not informed that she was sick and by the time we were, she was already in a coma and then for about a two week period I think, back and forth
10 there were some days where... where she got... where the doctors wanted us to go through, so we would leave school in the middle of the day and go through to Johannesburg where she was and we would sit by her and then the other day she got better and we would go back to school and I kind of carried on and then the one day they phoned us and said we must rush to Johannesburg and I think we were there for about ten minutes, before she passed.

After her passing, where did you reside? I know you attended boarding school, but what about weekends? --- On the weekends ...[intervened]

20 And school holidays? --- The weekends we all, my brother, sister and I, kind of... My sister was staying with my godmother, mom's sister, my aunt in Johannesburg. She finished school at Constantiakloof and she started attending a high school in Johannesburg, so my brother and I would kind of do our own thing on the weekends. We would stay at family or friends, we would stay with my dad's brother, my uncle or

my mom's sister in Johannesburg or we would stay with friends or stay in at hostel. We would not really stay anywhere in particular.

And during school holidays? --- In school holidays we would usually go to our families. To a family or a friend's house and spent time with them. Some holidays we would spend with my father and Christmas. We did not see much of him at that point. He had, after my mom's passing he had moved down to the Cape, so we saw him maybe once or twice a year, but we have got a close extended family and so if we were not with friends, we were with them.

10 Now when did you really become seriously involved in athletics?
--- I really enjoyed... I enjoyed athletics. I started in my first year I got a bursary at the University of Pretoria and I started running for the university. I got offered to run internationally for South Africa on a Paralympics level, but I was not making my classes. I was struggling to find time to balance academically and on the sporting front. It was pretty much in that year that I had to make a decision that, if I wanted to do this, I would have to make a living out of it and so I tried to turn professional at that point, but there was not much money in Paralympics sports at the time, so it was a bit of a struggle, but I carried on with it
20 and I would say that is more or less the point that I started taking it far more seriously.

At that point in time, did you only compete at the Paralympics level or at a disabled level or also an abled level? --- Since I started athletics, I mostly only competed on an able-body level. I participated in meetings which were regional meetings, Gauteng North meetings and

some provincial meetings and then, on the odd occasion when there were Paralympics or disabled meetings for athletes with amputees, I would participate with them. It just so happened that as my times got better every year and I was more and more diligent with my work ethic, that in 2007 I had the opportunity to run internationally for the first time abroad and that is when I started running the able-body races competitively, internationally.

And with regard to the prosthetic legs, was there any advancement there, any improvement? --- On the running prosthetics.
10 On the running prosthetic legs, the legs that I have started running with, they had been out for several years by the time I started using them, I think for about ten years and although there has been a lot of advancement in Paralympics sprinting, there is certain brands which you may use, but the one that I am with, there is no advancement or technology that they have improved upon there.

Now if you can take the court through the progress in your athletic career, when do you say that you really started to excel? --- My Lady, I think in 2009, probably. I ran in Athens, I ran in 2004 at the Paralympic games in Athens. In 2005 I came sixth in South Africa able
20 body at the senior championships. I was the sixth fastest or sixth highest rate athlete in the country, over the 400 metres. Then in 2006, I went to the world championships for athletes with disabilities in Assen in the Netherlands. I won multiple golds there. In 2007 I ran in the South African national championships again at the senior championships, able body championships in Durban and I finished

second and then in 2008 was a difficult year, because I was busy with a lot of the testing and I had a court case with the prosthetic legs that I ran on to prove that they did not provide any advantage. So I was busy for many months, not on the track as I would have liked to have been, but I missed the Olympic game qualification by ...[intervened]

Why? Why did you miss it? --- I just did not have enough time to train sir.

What was the problem with your legs? The prosthetic legs? --- I had started, although many Paralympic athletes had used the exact
10 same prosthetic legs for many years, there were none that ran the speeds that I ran and because I wanted to run internationally and qualify for the Olympics, there was a dispute between the International Athletic Federation that monitored our sport, that monitors our sport and myself, and I obliged and did testing which they asked me to do in Cologne, in November 2007 and they came back and they said that I had an advantage using the prosthetic legs that I ran on. We did two days of testing and there were no tests done on the actual prosthetic leg itself. So I decided to dispute it and in order to do so, I had to be the subject of a lot of testing and I had to spend many weeks in America during 2008
20 doing testing at Rice University, which is in Houston, and it was a joint effort with some scientists from around America and international scientists and with the information that was gathered, they found that I did not have an advantage using the prosthetic leg that I run on, and so we took it to the court of arbitration for sports in early 2008, and their finding was a unanimous decision that the prosthetic leg did not provide

an advantage, but at that point I only had about a month and a half left to qualify for Beijing. So, I missed the qualification by less than a quarter of a second, and it was a devastating time for me, because I really ... it was a goal of mine that I had really set myself on and I really started working considerably harder after that. Every year I was trying to find ways to improve myself, to be better, to be more focussed, to be lighter, to be stronger, but after 2008 I started from scratch. I got new training personnel. I kept the same coach since I begun athletics and I have still got him and I just started working harder and harder and then
10 in 2009 I ran some international able body races. In 2010 the same. In 2011 I represented South Africa at the world championships and we broke the 4 x 400 metre relay South African record. We got a silver in the final and personally, I got to the semi final and then in 2012, I ran, I represented South Africa in the Olympic and Paralympic games.

Did you experience any difficulties, physical difficulties in your running career? --- I think every athlete, or professional athlete has difficulties with injuries with travelling, with priorities. I guess, with the running with prosthetics there is often medical problems that come associated with fatigue of certain muscle groups. I had a lot of
20 problems with skin irritation inside of my prosthetic legs. You know, just there would be times that the skin on my stump would come off because of the amount of running we do, so I would run with like bandage that was just blooded and then I would just rewrap it but when you took it off, it would just pull the skin off again. So there were some,times difficulties with travelling and with those sort of things.

What difficulties with travelling? --- The prosthetic leg that I wear has got a high back, so if you sit in a confined space with your knee at an acute angle, it cuts off blood circulation from the back so you can get blood clotting which I got on several flights. Some of them involved hospitalisation on landing, but that was, you know, on rare occasions, but travelling is always, with having prosthetic legs, you know, if on long trips if I had been... had an evening flight, I would be wearing my prosthetic legs the entire day and at night I would want to take them off to let my stumps breathe, but if you are catching an
10 international flight, you have to be careful, because if something happens on the plane you know, I would not have the luxury of putting on my legs quick enough but having a prosthetic leg on, it does not breathe very well. So you just get skin irritation problems and things like that. So you have to be very careful with travelling as far as skin and health issues.

If you are on your stumps, what is your balance like? --- I do not have balance on my stumps. I can stand on my stumps, I cannot stand still on my stumps. I put my prosthetic legs next to my bed, when I wake up in the morning, I put them on. When I go to bed at night, I
20 take them off. So, I seldom do not... I seldom have time when I am not wearing my prosthetic legs. On the odd occasion I would, if I am in my room, I would not put them on. If I just wanted to stretch or if I wanted to fetch something in a close proximity, but I do not have very good balance. I do not have an ankle joint, so I do not have articulation of the ankle and I do not have balance as on a foot, on a heel to toe.

Is there a difference between your left leg and your right leg? ---

On my stumps?

The heel pad specifically? --- Yes, on my stumps, the operation that I had, the operations that I had as an infant, they removed my heel pad from my foot and they put it onto the bottom of my stump and as I have got older or as I grew, the bone below my knee grew and so the heel pad was supposed to stay at the bottom, but it has rotated as the bone has grown around the back and it is worse on the left side, to the point that I have spoken to my surgeon over the last couple of years to
10 redo the left stump, move the heel pad so that there is soft tissue on the bottom of the bones that I can walk on my stumps better. That I would not have time to take off of my career in order to do so, but it... the length is similar. The right stump is about a centimetre longer than the left, but because of the heel pad moving on the left stump, I cannot place weight on my left stump, so I have to rotate my entire leg, my knee joint out to the left when I walk without my prosthetic legs on.

And what does that do to your balance? --- It just throws my weight off completely. I do not have balance as such. If I have to stand without holding onto something without my... on my stumps, I have to
20 move around continuously. So I mean, my... if on a Saturday or Sunday morning I was lying in my room and my dog came into my room, then my dog could knock me over without my prosthetic legs on.

You, competing at the level that you did, did it bring you into contact with any charitable work and to what extent? --- In my athletic career I was in contact with a lot of charitable work. From 2004 I got

involved in a foundation initially run by rotary. It was in Mozambique. I went out and I spent some time with the people who had been maimed by landmines, who had lost their legs from landmines. We did some clinics up there and as a result we formed a foundation called The Soul of Africa and Mine Seeker. There were many patrons. or there were several patrons on both the foundations which included celebrities and presidents and things. Nelson Mandela was a patron of our foundation. The work that we did was to provide medical assistance to people that had lost their legs from landmines and one of the things that we found
10 was that many of the people that had lost their legs, had not lost it as a result of the war. They had lost it in the last couple of years. So there were teenagers and young adolescents that were not able to walk, who have never been involved in the war and through this, over the years, I started doing more and more projects. Initially I just go and I show the people that having a disability, you know you could still lead a normal life and lead a life where you could contribute in your society to subsistence [indistinct] farm in the very rural areas and then later on it was just about changing people's perceptions. In Mozambique, where I do most of my work, the people are embarrassed about having a
20 disability. So one day I went to the local radio station and I called for the fastest people in the town, it was in Vilanculos, to come and race me and we set out a piece of the road, we got the municipality to close off the road and I raced the fastest guys in the town and I won and all the people who had prosthetic legs all of a sudden were not ashamed of having prosthetic legs. They all started pulling up their pants and

showing everybody else that look: 'I have also got a prosthetic leg', and what started off there with being, you know,, a simple project turned into something that I found very important to myself and about three, four years ago, I approached the University of Glasgow. They got special materials department there which is one of the best in the world. They do a lot of aerospace work, and they allowed me pretty much full reign of their engineering departments and I came up, I designed and came up with a prosthetic foot for Africa. It is a foot that cannot melt. If somebody falls asleep next to a fire, which many times is the case in
10 Africa, a lot of the feet that were being built, they were very heavy, they were not durable, they cost a lot of money. So I wanted to... I had a criteria of things that I wanted to become by developing this foot and together with the university, we developed a foot and for that I received my ... an honorary doctorate last year. or the year before.

From? --- From the University of Strathclyde in Glasgow.

And that was for? --- For my work, my humanitarian work in the work in prosthetics and prosthetic developments.

Now becoming more involved in athletics, did it have any impact on your friendships? --- It definitely did. I mean I had less time to
20 spend with my friends. I was away from home for seven, eight months of the year. I think in 2012, I had just over 100 international flights between May and December. It had a huge effect on perceived friends. I started earning a decent amount of money. So it changed just a lot of the dynamics in a person's life. You obviously get to experience many amazing things that I am very blessed and very lucky for, but it is hard

to come back after not seeing people after five or six months and they are dating different partners or they are engaged or... and to bring them up to speed is sometimes not always easy. So it did change a lot of the friendships that I had.

Now you were also involved in a boating accident. When was that Mr Pistorius? --- My Lady, that was in 2009. I was, at the time I was injured, I had an athletics injury and on that day, on the Friday night I went down to watch some of my friends compete at athletic events in Port Elizabeth and I came back the following morning and I phoned a
10 friend of mine who was staying with me at the time and I asked him if he wanted to come with me to the Vaal river, and we arrived there mid afternoon and after struggling to get the boat into the water, we were on the water, I guess about just before six o' clock. We met some of my family and friends at another place on the water and on returning, there were a couple of people on my boat and some of them were in a rush to get back to the house to cook dinner and so my cousin was in another boat and I suggested that they go with him, as we were just trying to... we were just taking a leisure... like a leisurely cruise up the river and it was just my friend John and I in the boat and at a point we were just
20 chatting, sitting and chatting and at a point he stood up to, I think to light a cigarette or to make a phone call and at that point he shouted and I looked forward and I could not see anything. The Vaal river runs from east to west, and we were heading back west, so the sun was setting in front of us and I could only see the sun on the water, and a couple of seconds later, I just remember the sounds of the propeller, the boat, and

I hit the steering wheel and the propeller went into the air. I remember the sound of the engine. Then, when I woke up I felt... it was just hot, it was very warm in the boat. It was very dark where we were. It was, I remember my face was very hot and the boat was already half full with water and my friend John was in the front of the boat and he was busy picking up wallets and things, or phones and things and he asked me if I was okay, and as he turned around, I remember him looking at me and I could see that he was shocked. So my face was very hot and I grabbed my... kind of my face like this, there was like an itch sensation and at
10 that point I realised that most of my face had been smashed in from my nose down. It was pretty much just muscle tissue and cartilage and I phoned my cousin who was on the boat in front of us. I remember thinking that I needed to stay calm. I phoned him and his phone just rang, and I ended up phoning my uncle. He was not there at the time, but I remember thinking that if I... if the boat sinks or when the boat sinks, if my phone gets damaged, at least he could keep on phoning and I phoned him and he picked up and I said to him that I was in a boat accident and I needed help and I just remember the boat sinking. I was standing on the front of the boat and the boat went under and then I
20 remember my friend John swimming with me in the water. I remember the water was hot and cold around us from all the blood, and then I remember being dragged onto my cousin's boat. I remember people shouting and screaming in the back and then I remember when the boat... I do not remember getting off the boat, but I remember walking from the boat to a car. I do not remember much of the trip in the car

and then I remember climbing into an ambulance and my cousin was with us. One of my cousins was with us. She was a fifth year medical student at the time and she was telling the paramedic what to do and there was a lot of confusion and I remember he gave me some injection, but when I woke up I was pretty much drowning on the blood from my head injury, because they had strapped me down to a stretcher. So when I woke up, it was to revive me and there was a lot of muscle tissue and blood coming out of my mouth and my nose and then I do not remember anything after that. I remember waking up. I was in an
10 induced coma for several days and then I woke up in hospital and that is all I remember.

Was there any impact on you because of the boat accident? ---
There was a massive impact, My Lady. I think I was just a lot more vigilant of losing my life after that. I became a bit fearful, I became quite withdrawn. I remember reading in the media that I had been drinking at the time of the accident and people were joking about it and saying, you know, that I was drunk and this and this, but they did not understand that I nearly lost my life.

Were you drinking? --- No, I was not drinking, My Lady. No, I
20 just remember being more serious about wanting to take my sport seriously after that.

Did it keep you back at all, in your sport? --- That season I ran the same times as I was running when I was 17. So I ran, I had a terrible season. I went to Europe. This accident was at the end of February. My athletic season starts in May, but I had my jaw wide

closed for four or five weeks. So I have lost a lot of muscle and a lot of weight. I was not able to leave home for several weeks and I had a lot of stitches, I think I had about 170 stitches in my face. So I just started out of a physical standpoint, it just took a lot away from my athletic season and by the time that I got to Europe, I was not fit.

Mr Pistorius, when you take your prosthesis off, how do you treat them? What do you do with them? --- I keep them close by. I usually let them air at night. Most of the time I leave my pants on my prosthetic legs. So in other words I can take my trousers off to my ankles and I can take my prosthetic legs off thereafter and leave them on the ground with pants on them. I usually just keep them close by. I usually put them one on top of the other and when I am at training at the track, I usually put them next to my bag or I place my bag on top of them, or I place my tracksuit on top of them.

Why would you place your bag or your tracksuit on top of them? --- I think, it is just as an amputee, it is not an uncommon thing. It is a prosthetic limb or a wheelchair. In many disabled people, it is an extension of your body. I would not leave my prosthetic legs lying around. I do not really want to be seen without them or just, you know, having them lie around. So, I would leave them close to my bag or in a bag.

It is an opportune time My Lady?

COURT: What is your time?

MR ROUX: Two... One o' clock My Lady.

COURT: We shall take the lunch adjournment.

COURT ADJOURNS [12:58] ~ ~ ~ [14:03] COURT RESUMES

OSCAR LEONARD CARL PISTORIUS (s.u.o.)

COURT: Yes, Mr Roux?

EXAMINATION BY MR ROUX (Continued): Thank you, My Lady. Mr Pistorius, in competing away from home, would you say that it had any effect on you socially, friendship wise, family wise? --- It definitely has a massive effect, on any athlete.

COURT: You would have to speak a little louder. --- I am sorry, My Lady. It will have a big effect on any athlete, track and field athletes
10 we compete for five months of the year, away from home. Usually two competitions every two weeks, every two week cycle, so you are in many different countries and time zones are not always the same as South Africa, so finding time to speak to friends and family is extremely difficult and it changes, so schedules always change and it makes having friendships and relationships difficult at times.

I was also asking you about the covering of your legs. Could you just explain in what way you would to it? --- I beg your pardon My Lady? I did not hear that?

When you covered your legs, you said that you always used
20 something to cover your legs. How do you do it? --- My Lady, if I took my prosthetic legs off and I was at home, I would usually leave, if I had left pants on then I would just leave the trousers or pants that I was wearing, on the prosthetic legs and sometimes at night if there were not... if I had come back at night from a training session, then I would throw my clothing in the laundry and then usually if I took a item of

clothing off then I would leave it on top of my prosthetic legs or at my prosthetic legs, and if I needed to get dressed then I could put my clothes on at the same time and if I was not at home, if I was out at the training track where I have to take my everyday prosthetic legs off to put my running prosthetics on, then I would leave my walking prosthetics with either my tracksuit pants or a training type... tracksuit, training type on my prosthetic legs or I would put my prosthetic legs back into my bag, my training bag.

Why do you not put it next to the prosthetic legs? Why onto it?

10 --- I do not know, they are a part of my body. I see them as an extension of my body, I do not necessarily want to leave them where people can see them or take them, so I just leave them next to my bag and I usually cover them. I do not know, it is maybe just that I get shy about them or embarrassed about them when I do not have them on. When they are a part of me, it is different.

Mr Pistorius, let us talk about alcohol and drug use or abuse. Do you drink? --- I do drink My Lady.

20 Could you maybe expand on that? How often do you drink? --- Usually between... Our athletic season starts, our pre-season starts in November every year. So from November until Christmas time I do not usually drink at all, and then over Christmas to New Year's I usually go away with friends and family and then during that period, I drink and then from the beginning of January to September, I do not consume any alcohol. Then September and October, half of September and October is usually our off period, you know when I am doing sponsorship

commitments and travelling a lot and sort of thing, then you know, if I am on the plane I will have a drink or if I am with friends I will drink with them.

And if I may revert to the boating accident, any drinks on that day? --- I had. I had drunk on that day. We were only at the river for... at the place where I met my family for about half an hour, I remember having one drink and I was definitely not... I was not intoxicated on that day, but I had been drinking.

Substance use or abuse? --- In a month, or month and a half
10 that I had to break I would drink sometimes excessively.

But I mean, would you use drugs? --- No, sir. No, My Lady. When my mother passed away, when I was 15, I smoked dagga with a friend and besides on that occasion I have not. I have not consumed or taken or... I have not taken any substances since then.

In your sport, has there ever been a finding against you on account of illegal substances? --- No.

Or prohibited substances? --- I have never taken any sports enhancing drugs or anything that would give me an advantage over my competitors. I am very meticulous over the supplements I take, I only
20 take supplements that I know are safe and as far as substances in sports, I do not take anything that is not (*sic*) prohibited in my sport.

Have you ever been, and I want you to think back over the span of your lifetime, been exposed to crime? --- I think everybody in South Africa has been exposed to crime at some point, I think. When I grew up we were exposed to crime, with housebreakings with family

members being assaulted and hijacked and I mean, I can think of
...[intervened]

But could you give examples of when you were young and when
it was? --- We had many housebreakings. When I was growing up, we
had one at my father's home in Johannesburg when we were on
holiday, when we got back to the house, they had ransacked the entire
house and they had, one of the intruders or burglars had cut his hand I
think, and he had wiped the blood all over the wall and they had pulled
a safe out of the house, using a motor vehicle. They had cut all the
10 sofas open and all the mattresses open. We got back in the middle of
the holiday and basically the whole house had been... what was not
taken, was destroyed. Then living with my mother, we were broken into
on several occasions and they stole small items. We did not have
much, so they stole our TV sets and VCRs and things like that. My
father has been hijacked twice since I have been... or since I was a kid.
The last time was when I was in high school. My brother was in an
attempted hijacking. Many members of my family have been victims of
housebreakings and violent crime such as that.

Have you ever been a victim to crime? --- Yes, I have. I have
20 been.

Can you explain to the court? --- My home had been broken into,
in 2005. Once when I was away representing South Africa at an event
called the Paralympics World Cup in Manchester. I got a phone call
from my next door neighbour to tell me that my house had been broken
into and I could not leave to come back to South Africa, so when I came

back, I think it was about a week and a half later, I saw that my TV had been stolen and a laptop and my car's roof had been cut with an object, a knife or something and then in that same home, one night there was somebody in my garden and they kicked... I had a Jack Russell and they kicked the Jack Russell that it needed to go to the vet and get medical treatment. And I have been followed. I have been followed home, late at night. I have been shot at on the highway.

But could you... Well, let us start at being followed home. One incident or more than one? --- More than once.

10 Could you explain to the court and give some more detail? --- In the very limited time that I am at home, maybe three or four months of the year, I travel excessively and I probably do about 30 to 50 000km in those four months and a lot of my business engagements and sponsorship commitments and charity commitments require me to travel late at night. Many media have been to my house over the years to be interviews, many people know where I live. One occasion I was driving back from an interview in Johannesburg and a car came up behind me and it was going a lot faster than I was and I changed lanes and it came passed me and it slowed down a couple of car lengths in front of me
20 and I just saw a muzzle flash, it was dark and I saw the muzzle flash and I could hear the bang coming from the vehicle, it was just before Botha turn off in Pretoria, so I swerved across two, three lanes and I took the exit and I went under the highway and I looped back and I went to the Rhapsody's and I thought I would get to where a lot of people are and it was a week night so I just went there and I sat there for a while. I

do not recall who I phoned, but phoned a friend to take my car...or to take me home and I left my car there and picked it up the next day. Then with Ms Taylor, I was followed home one night. I saw in my rear view mirror that a car had been following me since Midrand and there were two occupants in the vehicle. I phoned the security gate at the estate that I stayed at and I told them that I was being followed and when I got to the gate, there is a circle maybe 50 metres from the entrance of our estate, so I sped up and I jumped out of the car and I distanced myself from the car and I had my firearm by my side. I did
10 not draw it but I had my hand on it, on my hip and the two gentlemen in the car sped off. There had been other occasions where similar cars, or the same looking car has followed me for a couple of days at a time and I was not sure of who it was or what it was, but I phoned my agent and informed him. So those are the instances that I can remember.

Have you ever assisted someone that was a victim of crime? ---
I have.

A serious incident, not just an everyday incident? --- I have.
There was a woman at Menlyn Square, in 2012, getting assaulted by two gentlemen early in the evening, in a parking lot. They had been
20 drinking and I was going to visit a friend, I was... sorry, I was going to have a meal with a friend at Menlyn Square and as I drove in, these two men were pulling the woman around and I got out the car and I told them to back up and leave her and I waited. There was a police patrolling car in the area and somebody, a bystander called the policeman. Then in January 2012... January 2013, about two

kilometres from my home, I was coming back from a training session mid one morning and I was parked at the robot and a Toyoto Corolla skipped the robot and shortly afterwards a taxi skipped the robot and the taxi pushed the Corolla up on the pavement and they started throwing bricks out of the window. I was parked at the robot at the time, I was bit taken aback and did not know what to do and then the two occupants and the driver got out the taxi and they started smashing the windscreen and the window, the driver's window of this taxi and they smashed the window and they dragged the guy out onto the street and
10 they started beating him with rocks in his face and on his head. At that point I jumped the light and I hooted until I pulled up. I drew my firearm and I pointed it at the three people and they jumped in the taxi and they sped off and this guy was... he was just bleeding profusely, he was bleeding out of his head, he was bleeding out of everywhere, he was trying to stand up and he was falling over. He had a taxi association sign on his car and I could see that there were papers all over the car and two of the wheels had burst on his car. But he was trying to stand up and every time he stood up, he fell out... over and every time he tried to he fell over, he was unable to put out his hand. So he was
20 hitting his head on the tar again. So I did not want to get blood, there was just blood everywhere so I took him by the collar of his neck and by his pants and I said to him: Sir, you need to sit down, you are going to... you are bleeding and he was not following what I was saying so I kind of picked him up and I dragged him so that... He could not walk to the kerb and I forced him to sit down. I called the Netcare. I phoned the police

and at this point maybe 30 people had come up from the shopping centre, which was just down the road from my house and they had started helping and I went to my car and I got a training towel and I gave it to the gentleman and another guy had started helping and I think it was one of the waiters for the Spur, from the Spur restaurant was starting to help this gentleman and they were communicating in their... in a native tongue. I do not know what language it was and the situation seemed to be contained, so I left. I got in my car and I left. Then in December 2012, I was assaulted at a get together, after I had received
10 threats from a person, I had been at a party and a gentleman I did not know came up to me and introduced himself and there was alcohol being consumed at the party and he started telling about this friend of his and how I should fear him and how my name was being mentioned in these circles and I said to him I... You know, I did not really want to entertain the conversation and I thanked him for what he was putting across as a heads up. Later in the evening I went to the bathroom and I heard the same gentleman talking on the phone outside the other side of the house, through the window, and I went around and I could hear he was on the phone and it was obviously the same gentleman that he
20 was warning me about earlier, and I went out the house and I asked if I could speak to this person and after being verbally assaulted by them for ten or longer than ten minutes, I decided to just put down the phone and not entertain them conversation further and shortly afterwards I got hit in the head and I ended up later that day receiving stitches in the back of my head and I had a black eye and two days later I reported the

incident to the hawks, the South African... a division of the South African police service and they scheduled a meeting whereby I went and I sat down for this meeting. They brought the party in that was concerned and they had put it on record. I did not want to get it into the media and I did not want to have a big thing out of it, because I had presumed that this was what these people were trying to do, that they wanted me to engage with them in the media. I had calls from several journalists which I just decided not to take and I did not give my side of the story across and I left it at that.

10 The estate that you live in, the name is? --- The estate that I resided in My Lady, is Silverwoods Estate.

 As a matter of interest, since that fateful day, have you ever been back to the estate? --- I have not been back, My Lady.

 And do you know of any crime at that estate? --- In 2007, I decided to invest in property in Pretoria. I decided that I wanted to make it my base for training and I had been at high school in Pretoria and I had a townhouse that I had so I decided to build a home on the outskirts of Pretoria and I chose that estate because it was further out of the city, it was in the mix of everything and when I built there were 300
20 stands that were allocated inside the estate, there were maybe 27 at the time, I remember the number, 27 that had been developed. So my house was one of the first homes and so over the course of... from 2008 when I move in to 2013, to February 2013, there was always constant developments going on in the estate and there were at times, crimes that were committed. I was aware that the building contractor

that was working on my house, in January, February of last year, Mr Menelaou, I was aware that he had been a victim of crime in our estate, whereby the own estate security had used a ladder to gain access to the second floor of his home and I was aware of a housekeeper being tied up. I think that was in 2012, during the day. One of the contractors came into the estate and on the way they gained access through the security, through the gate, but during the day on the way out there was an open garage and they went in and they tied the housekeeper up and they stole items of interest. Then there were one or two

10 housebreakings where we had increased the security of the estate, the home owners association. They had used Coke bottles to put around the electric wiring of the electric fencing to separate them. My brother lived next door to Silverwoods Estates at a Nature Conservation centre and they had often spoken about crime in the area of... of shoot outs in the area and I was aware that there were a lot of crimes that were being committed. On the night of the 13th, I was speaking to my cousin on the phone and he was telling me he was driving up from Port Elizabeth and he just got a new company car and he had purchased a VW Golf, a GTI Golf and I was telling him that he should not come up to Johannesburg,

20 because they are cars that get hijacked here extremely often and the reason I knew this was because I had been to the estate next door, which a friend of mine was developing and he told me that one of the workers had come to him with a bag and inside the bag they had found 34 different people that had been identified through driving licences and ID books and wallets and things, and they found this bag of contents in

one of the houses and he told me that it was a syndicate which specialised in stealing GTI Golfs and he was telling me the story of how the police had been there, but that the guy laughed at them when they arrived he told them that they did not know who he was and the police basically left and he had continued to operate out of that same venue, he would according to my friend, steal the cars and leave them there to see if anybody came to collect them and then if they did not, then he would take the cars away. So I said to my cousin that he should not come put to Pretoria, that he should rather fly up and I would rent him a
10 vehicle, or lease him or loan him a vehicle. So I was aware of the crime that we had in our area.

In that time of February 2013, we know that work was done at your house. --- That is correct, My Lady.

What was that all about? --- My Lady, in December 2012, I had been to look at a property in Johannesburg. My relationship with Reeva, I was kind of taken aback by her and just bowled over by how much I felt for her, so I thought about buying a house in Jo'burg and I had been for some time. So I was looking at properties and I went to look at a house in Johannesburg in December 2012. I liked it and I placed... I
20 put in an offer to purchase the house which was accepted and I realised that I had need to fix up certain things on my own home, in Pretoria, before I could sell it. There was some damp issues and there was... the house needed to be repainted, there was small things like the broken window downstairs. There were some carpenter... carpentry issues in the house. Just basic maintenance things, that I had not been able to

attend to, because I had been overseas for most of the year. So I got a building contractor in, in January and December... January and February to work on my home. There was a list of things that they needed to do. Some were maintenance and then others were improvements on the house which I thought would make it easier to sell.

When was this window broken? --- I am not too sure when the window was broken. I was throwing a cricket ball for my dog, we were playing in the garden and I threw the ball and I threw it skew and it went through the corner of the window.

10 Do you know when this window would have been fixed? --- It would have been fixed probably on the 14th or the 15th of February.

Why do you say that? --- I had given the building contractor a list of things to fix and he came with me to Builders Warehouse to get some of the small items. As he was a friend, I do not think he was going to charge me you know, to do it, and I enjoyed kind of DIY things, so we went to the Builders Warehouse and I had bought the piece of glass, it was at the house and it was already wrapped in brown paper and all that was needed was for them to fit it. So the glass was already at the house and they were busy with maintenance every day.

20 Who was the person that was going to do that for you? --- He was a friend of mine, a gentleman called Christo Menelaou.

Does he also live in the estate? --- He resides in the estate, My Lady.

Do you know if he was subject of any crime in the estate? --- He was the building contractor that I spoke of that whilst he stayed in

another home in the estate, his house was broken into by the security company which was doing the security in our estate. They gained access to the first floor of his home, using a ladder. His partner was also a victim of crime, he was hijacked in 2012 in Johannesburg, where they made him climb out of the car and walk up an old mine heap and I remember he was quite devastated about that as well.

You spoke about your dogs. Can you tell the court about them?

--- I got my first dog when I bought my first townhouse in 2005. I had a little Jack Russell. Two years later I got a bull terrier and I was... it was
10 after the event that they tried to break into my home and I decided that I would like a dog. I grew up with dogs and I decided I wanted a dog that was maybe a better watchdog or a better guard dog. I got a bull terrier then and then three years later, I rescued an American pit-bull, but they were very placid and they are loving dogs. They are quite calm, contrary to the names of the animals, my pit-bull and bull terrier I always leave around, you know, if I had friends over they would interact and if they would play with kids they were not at all aggressive.

You have in fact seen a video taken by the police of your house? --- I saw a video taken by a police officer in my garden.

20 Did you see the reaction of the dogs? --- Yes, the dogs were licking the police officer. They were not at all aggressive. The building contractors who they did not even know, were painting the house and the dogs would often just walk around. They were not vicious dogs. They were not trained to be attack dogs. They are very placid animals.

How did it come that you selected that specific dog? I think the

pit bull? --- I selected them because I thought that they would make good watchdogs, good security dogs. Whilst I had the Jack Russell they were better watchdogs, because the Jack Russell was a light sleeper and the two older... the two bigger dogs were... not older but the two bigger dogs the bull terrier and the pit-bull were... they are slightly deeper sleepers. They are not the most alert dogs, but my Jack Russell passed away in 2011 and my bull terrier and my pit bull were very placid. In the new house that I had built... was buying, purchasing in Johannesburg, I had spoken to the same building contractor, to
10 Mr Menelaou, he had come out to the premises with me. At that property the security would have been a lot better than... I had asked him to give me a quote on a guard house at the entrance of the home. The walls were not higher. The walls had electric fencing on and the garden was a lot bigger so there was always the possibility that I could have had another dog, or got another dog in the future.

You also in consultation explained the selection process of the dog when you went to buy it. --- Ja. The bull terrier I got imported from a very well known South African breeder. He was a very... he is basically a stud dog. He is extremely built and I thought he would make
20 a fantastic guard dog, although he is very protective over me, he follows me around the house or used to follow me around. He was very placid. If I stood in the shower, he would stand in the shower. If I went to the car, he would try and climb in the other door. He was not very... he was not very aggressive and then the pit-bull, I drove through to a breeder who was advised, somebody I knew told me they were a reputable

breeder and I drove through to Secunda to go and have a look at the dog and when I got there I realised that the breeder was not looking after the puppies, they were very terrified and scared. A friend of mine accompanied me on that trip and I decided just to buy the dog any way because it was evident that she had back problems. I think maybe she was abused. She was three months old and she had a... like a knob on her head and from the time I got her, she had to have a lot of medical attention. So she had ligament issues on her leg and she needed to have the blood on her head drained and she would not eat, if you went
10 near her. But after time she became a lovely dog and she would run with me in the afternoons. If I got home from training and I was tired, then I would just stand on the skateboard and she would pull me on my skateboard. So she was very placid and not at all a dog that engaged just... kind of just like a, she had like the temperament of a Labrador. She was not at all aggressive.

Mr Pistorius, your religion, is that important to you? --- Ja, my religion is very important to me.

Tell the court about that. --- My mother grew up in a Anglican, from an Anglican background. When I was born we were in a Methodist
20 Church. My mother sang in the choir on Sundays at the church for many many years. She also danced. She went to Israel on a tour when I was young, where she danced. It is like a religious kind of dancing with these long sheets of silk and they used to go and dance in the streets in Israel and my mother taught me that... you know... we grew up just knowing that religion is... God is you know our refuge and it does

not matter what may come of life, but you can always turn to the Lord. When my mom passed away I struggled a bit with my faith. But I always knew that the Lord was part of my life. I think travelling was difficult for me as well. I did not really get to attend church as often as I wanted to. Some countries we would go to, we would find churches like... which spoke a different language and we would just attend any way and most of the time people were extremely accommodating and we found it, you know an interesting cultural experience to do. And then in 2011/2012 my religion really started... I put a lot of faith in the Lord to
10 get where I wanted to be and then when I met Reeva, I think it was just a blessing. I have always wanted to have a partner that was a Christian. She was a very strong Christian. She would pray for me at night. We would pray about everything. Pray about my training. Pray about all the small things I had in my life. You know we would pray before we eat and ja, I mean... I think religion is maybe... or it definitely is, God is the thing that has got me through this last year. I mean there have been times that I have just been... just struggling a lot and my God is my God of refuge. So...

Mr Pistorius, during the lunch adjournment you spoke to me
20 about how you feel and the exhaustion and so on. Can you remember that? --- Yes. I think I am tired, I am very tired at the moment.

Did you sleep last night? --- No, sir. I am... I am just tired. I think it is just a very... there is a lot of things obviously going through my mind and... the weight of this is extremely overbearing so I think it is just a lot to think about.

My Lady, I was actually requested to seek an early adjournment at the lunch adjournment, but I thought that it would be used up time to push him as far as I could, but he asked me that at some point [intervenes]

COURT: Yes.

MR ROUX: If he could just... he says he is very exhausted. I do not want to go to a new topic. It might not be fair in the circumstances. I am sorry... I am really keen to use up time, but not at the expense of other emotions.

10 COURT: No, it is understandable. Mr Nel?

MR NEL: My Lady?

COURT: Do you object to an early adjournment?

MR NEL: Well, My Lady, I would like us to finalise the case. We have to get somewhere, but I have now heard what Mr Pistorius said. I hope it is not a daily occurrence, but if it is not a daily occurrence and we can start moving this case forward, I have no objection.

COURT: Well, he does look exhausted. He does sound exhausted.

MR NEL: Yes, My Lady.

COURT: So...

20 MR NEL: I was just concerned about that. I am in the hands of the court.

COURT: Yes. No, I will grant...

MR NEL: But I in fact went on longer than I was requested to.

COURT: Yes.

MR NEL: Trying to make up time.

COURT: We will adjourn until tomorrow at 09:30.

MATTER POSTPONED TO 8 APRIL 2014

COURT ADJOURNS

[14:41]

10

20