



PROMOTING CULTURE FOR DEVELOPMENT

P.O Box 502490
Gaborone
Botswana
Telephone 356910/373454

October 27, 2003

Dr. CK Mutoka
Senior Consultant Pathologist
Plot 685 Gaborone Road
PO Box 257
Gaborone

Attention: Dr. Mutoka

RE: Comments on the Forensic Laboratory Report

Affidavit A.10
Station: Broadhurst – Tel: 267 317 0946
Inquest No. 6/03
Lab No. T12/03
Calibrator for Drager Alcotest: Mr. Modise Molale
Report dated: 23/07/03

Dear Dr. Mutoka,

1. Your comments on our observations on the Forensic Laboratory Report dated September 9th, 2003 have been received. We are glad that you share most our sentiments expressed on the report of the Government Chemist mentioned above.
2. We are also cognisance of your comments relating to Paragraphs 4, 6, 8-10 and your last paragraph. Our response is as follows”
 - a. Paragraph 4: You had informed us that the watermelon juice and tissues were taken for analysis. What you did not tell us was that the watermelon was taken by the Government Laboratory, while the tissues were taken by you and Dr. Odesanmi. You also made it clear that you did not carry out any independent analysis, but relied on Police reports as you did not think they (the Police) had any interest in the matter. This explained why you gave us no reports for almost three months, until the Government’s report came out. We were of course surprised by this turn of events. If we had known you were totally dependent on the Police for the analysis of the watermelon juice, then we would not have engaged a private pathologist. Now because we did not receive your report on the tissues until 21 days after the government report was made available to us, we assumed they

were both from the Government Laboratory. We appreciate your explanation on this matter.

- b. Paragraph 6: we do agree that analyses seeks to screen primarily for harmful/toxic substances. However, we do note that in this case ibuprofen which is not harmful was found and recorded. The question is, were there any other non-harmful materials that were found but not recorded? As you will note, we are mainly concerned about the report's deliberate avoidance to specify the watermelon as the main sample in which ibuprofen was found.
- c. Paragraphs 8,9,10: can only be contested by Inspector Tshupoeng and Mr. Mogodiri. If you spoke to them in my absence and they indicated that they disagree then you sought for an unbalanced opinion. We needed to be together. They both impressed me as people with dignity and all I am stating there is fact, and not opinion. Please note that the washing of clothes is stated in the report and not coming from us.
- d. Yes, Inspector Kelapile went on leave the same week the case was reported. He as assigned the case and granted leave immediately. That was interesting. He refused to declare the lady a suspect saying he needs evidence, despite numerous reasons brought forward. From all the information we got, one does not need evidence to declare a suspect, all that is necessary is a lead to the suspect, especially that she was the person who brought Mr. Kamanakao to the hospital already dead, told conflicting stories, denied knowledge about the watermelon, then later admitted. Once there is evidence, then the individual can no longer be said to be a suspect but a villain. Normally, a suspect is declared so that evidence can be obtained from him/her through interrogation. In this case, they wanted evidence first, which is rather unusual.
- e. We are not asking for an analysis of the effect of watermelon on ibuprofen. That would not help as ibuprofen is non-toxic. We want an experimentation of the effect of watermelon juice on toxic materials, e.g. poisonous African plants and so on. There is a theory that watermelon and milk can neutralise some toxic materials so that they are not detectable. It is possible that the stain on the shirt, described in the report as pale yellowish may have been poisonous as it was green on the day he died, while the rest of the stains were of the same colour pinkish. He may have been forced to drink the watermelon so as to make the poison non-detectable. Please note that one of the things we are questioning is that the stains are described as different colours and yet the results show they are all due to blood. This cannot be true. Just for information, Mr. Kamanakao took ibuprofen while he was at home with me. He was complaining of muscular strain on his shoulders, which he attributed to the long distance drive he had done over the weekend to Kasane.

We greatly appreciate your assistance and should we need it again, we shall not hesitate to call upon you.

Yours Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'L' followed by a 'Y' and a 'R' that are connected together.

Lydia Nyati Ramahobo
Coordinator, Kamanakao Association

Cc: Superintendent Tshupoeng