

Time codes key to photos, argues Roux

Images 'selected' to show court

SHAIN GERMANER

WARRANT Officer Barend van Staden, who was the crime scene photographer at Oscar Pistorius's home the night Reeva Steenkamp was killed, was grilled by defence advocate Barry Roux for the second day yesterday.

The officer had told the court that after being escorted upstairs to the shooting scene by investigator Hilton Botha, he had been left alone to photograph it.

Roux argued that time codes from Van Staden's images, as well as those of another investigator, Colonel HS Motha, showed the pair had been in the bathroom soon after 6am.

Van Staden denied this, as well as that vital evidence, including the firearm, two cellphones and cricket bat, had been moved before police had properly recorded the scene. The bat had moved slightly between two of Van Staden's pictures, while the bath mat that the gun had been lying on looked stretched out in one image, yet not in another.

He was unable to explain why the bat or certain items in the main bedroom appeared to have been moved, but did suggest the bath mat had been moved because a cellphone had been recovered from under it.

The mystery around the damage to the main bedroom door continued, as the court was told Van

Staden had taken a photo of the 4mm hole and other damage to the door a day after the investigation had begun. But neither the defence nor the State has told the court what its significance could be.

Van Staden also revealed that he and former witness Colonel Johan Vermeulen had been responsible for "selecting" the photos to be presented to the court on his tests of the bat against the bathroom door.

Pistorius tried to break through the bathroom door on the night of the shooting and Vermeulen has said the angles at which marks were made on the door suggested Pistorius had been on his stumps when attacking it – contradicting the athlete's version.

Dr Jackie de Wet, forensic criminologist and forensic psychologist at the University of KwaZulu-Natal, said Roux's cross-examination of Van Staden had been an attempt to establish time lines which he would then contrast against other evidence later. "There is a possibility that subsequent to this, they will then attempt to plug in other photos and maybe debunk certain aspects of testimony," he said.

De Wet said the defence's goal was not just to show that evidence might have been intentionally or unintentionally tampered with, but to try to make the evidence point towards Pistorius's version of events. "They want to show that the evidence doesn't point to an intentional, but an accidental killing."

QUOTES

"I object. It cannot be put."

– prosecutor Gerrie Nel after defence lawyer Barry Roux and police photographer Barend van Staden argued about which side was the front of the bat.

"To start with, you cannot argue with a witness... you cannot argue with a witness." – Judge Thokozile Masipa to Roux.

"Yes, but... but..." – Roux, before moving on to another line

of questioning.

"It's like showing a witness's statement to another witness... if he doesn't know anything about it, that's the end of it." – Nel.

"I did not see him." – Van Staden, on whether he saw another photographer in the bathroom at the crime scene.

"I use my own discretion on the crime scene." – Van Staden, replying to a question from Roux on why he did not take certain pictures. – Sapa