

**Report on the Death of
Shikati Calvin Keene Kamanakao
Paramount Chief of the Wayeyi tribe**

Date of Birth: March 1, 1961

Date of Death: May 6, 2003

Date of Installation as Chief: April 24, 1999

Hospital that certified the Death: Gaborone Private Hospital

Name of the Doctor: Dr. Keineetse

Activity Report

May 1 to 5, 2003

- May 1st - Shikati travelled with Lydia to Selibe Phikwe. They spend the night at Bosele Hotel.
- On the morning of May 2nd, they meet honourable Oliphant Mfa and Honourable Member of Parliament Mr. James Maruatona. Mr. Mfa had a private chart with Shikati. He disclosed the information to Lydia that, the amendment of Sections 77 to 79 will come to Parliament at the June session.
- On the afternoon of May 2nd they proceeded on their journey and spent the night at Nata Lodge.
- On May 3rd they arrived at Kasane at about 9:00 am and they checked in their luggage, had breakfast and proceeded to Kavimba to attend a friend's wedding, came back to the Lodge and spent the night.
- Morning of May 4th, they left Kasane, collected Mr. Kelebogile Shomana at Tonota and drove to Gaborone. As Calvin had forgotten his cell-phone, he finds 77 missed calls.
- May 5th, he was working and running his errands as usual. In the evening he went to some place he did not disclose to Lydia, came back on foot, claiming he had a left which dropped him at the Gantsi beef butchery and walked to Plot 17650, where he was staying with Lydia.

May 6, 2003

- About 8:30 - Shikati and Lydia left Plot 17650 to hear a judgment at the Magistrate's court in Gaborone. This was a case in which Shikati had reported a certain Mr. Lempadi to the Police for referring to him as a '*mokoba*' a derogatory term used by Batawana to refer to Wayeyi, especially during colonial times of slavery.
- 8:45 – They reach the Magistrate's court and are informed that the judgment will be read at 1400hours.
- They proceed to Lydia's office, where he makes three calls – one to Dorcas of ITS in South Africa, another to Mr. Duke Sarefo, Secretary to the Wayeyi Chieftainship Council, and another to someone at the CEDA office in Selibe Phikwe.

- About 9:30 – he left Lydia’s office and goes to run errands. In the process he goes to the CEDA office in Gaborone and meets with another Dorcas Galebowe at CEDA.
- About 10:00 he was at the Industrial Court, where his Company was doing some work for DABS. He meets with his younger brother Kapaletswe whom he sends tot Phikwe to deliver a cheque at the CEDA offices. While at the Industril Court, Kgalalelo Dikomang Kenewendo calls Calvin to her house (this is according to sworn statement of Bakhwi Simon).
- At bout 10:10 – Dorcas from ITS in South Africa calls Lydia. She informs her that Calvin would like her to give Dorcas a fax number where she (Dorcas) could fax a letter to Calvin. Lydia gives Docus her work fax number. Dorcas faxes the letter at 10:19.
- At about 10:30 – Lydia calls Calvin and asked him to come and sign the letter from Docus. He asks Lydia to sign on his behalf. He does not disclose to Lydia where he was at the time. According to Kgalalelo, Calvin was at her place by this time. Kgalalelo is not sure at what time she ate the watermelon. She admits that she ate it after she had been to the BBS mall and the post office. This means she could not have eaten it earlier than 9:00 am, as she woke up at around 8:00 am.
- At about 10:50 – Calvin talked to Bart Haselen – The general manager for Thukwi Holding, one of Calvin’s Companies at Selibe Phikwe
- At about 11:00 – Dorcas from ITS calls Lydia and informs her that Calvin is not answering his cellphone, so Lydia should get a message for him. Lydia writes down the Message.
- At 11:20 – Calvin arrives at the Gaborone Private Hospital unconscious – driven there by Kgalalelo. Dr. Keineetse attends to Calvin by trying to resuscitate him. Resuscitation fails and Dr. Keineetse certifies Calvin as dead at 12:00 noon. He identifies foam from that was coming from Calvin’s mouth and nothing else.
- At about 12:20 - Kgalalelo calls Lydia and informs her that Calvin is at the Private Hospital, she should come quickly.
- Lydia asks her Secretary – Mrs. Omondi to give her a ride to the Gaborone Private Hospital. They arrive at about 12:45. Lydia is taken to Dr. Keineetse’s office, where Kgalalelo narrates the story of what happened (see Lydia’s sworn in Police statement). Dr. Keineetse picks up the story from the point of arrival to the present. As Dr. Keineetse talks to Lydia, Kgalalelo uses Calvin’s cellphone to call Mamiki Kamanakao, ex-wife of Calvin. Who arrives in less than five minutes.
- Lydia goes to see Calvin while Mamiki cries and she is comforted by Kgalalelo in Dr. Keineetse’s office. Lydia observes swelling of the body of Calvin.
- Nurse Mary Lunga, informs Lydia that the mortuary at GPH can carry only three bodies. There is therefore need to find an alternative. She asks Lydia to wait for Calvin’s clothes – which were trousers, vest and underwear. Lydia wondered where the rest of the clothes were and the Dr. said that was all Calvin had on, as they wheeled him in. Lydia went to ask Kgalalelo where the clothes were and she said there were in the car. She showed Lydia where the car was.
- At about 1:15 Lydia left the hospital for her home for lunch. She meet her daughter another Kgalalelo Ramahobo and informed her about the sudden death

of Calvin. She took the clothes from the seat of the car and those from the doctor and put them in a plastic bag and put them in the wardrobe.

- At about 1: 20 Mr. Supang (Calvin's cousin) arrived at the Gaborone Private Hospital. He finds, Kgalalelo, Bakhwi Simon and Mamiki Kamanakao
- At about 1: 50 pm – Supang drives Kgalalelo to her place. Supang observes car tracks and a watermelon in Kgalalelo's place. Together they go to Block 5 where Mamiki stays with Calvin's children.
- At 1400hrs Lydia went to Lyn's Parlour to book the mortuary. She went back to the Private Hospital where she met Dr. Pilane who packs the body ready to go to Lyn's Funeral Parlour. Lydia request to see the body again. The bag is full because of the swelling, and the neck is not straight. She request Dr. Pilane to tear the bag so that the neck can be straight. Dr. Pilane and his Nursing Assistant do so and leave the head wrapped outside the bag.
- Lyn's Funeral Parlour collects the body about 3:30 and Lydia goes home.
- About 4:00 family members and relatives meet at Block 5- and they ask Kgalalelo to narrate what happens. Family relatives present include Mr. Supang and Mr. Sam Digwa. They viaew her story as incoherent and ask her to come and see them the following day (May 7th).
- At 1900 – family members go to Lydia's place to inform her about arrangements for prayer meetings.

May 7th 2003

- 7:00 am – there is a meeting of all CID officers at the office of the President – subject was Kamanakao's death, who should investigate and why.
- The Kamanakao Family wait for Kgalalelo Dikomang Kenewendo to come and brief them before they report the matter to the police. They call her and she tells them she is in South Africa. She does not turn up and eventually at about 4:00 pm they go to report at the Broadhurst Police Station. They are suspicious of her behaviour.
- Evening prayers are held, and Kgalalelo does not turn up to give more briefings to the family.

May 8th, 2003

- Inspector Kelapile calls Lydia and informs her that he is the investigating officer. Lydia tells him that they have the clothes and the car in which the deceased was driving. He did not comment
- Kgalalelo moves from plot 7679 (Ext. 27) to Metsimothabe.
- At bout 1500 hrs pm Lydia and Mocks call Police station to talk to Inspector Kelapile – he is not in. They wanted to see if they could submit the clothes.
- At about 2000hours, she informs the family that she has moved and she is not able to come and brief them.

May 9th, 2003.

- Mr. Kuturo, Mr. Otsile Kamanakao and Baganetsi Kamanakao pass by the Police station looking for Inspector Kelapile to inform him about Kgalalelo's move from the house and arrange for the clothes to be examined. He was not in.
- Kgalalelo comes to evening prayers but does not talk to family members.
- There is a quarrel at Mamiki's house – she was complaining that she is being left out of decision making process like the drawing of the program and the venue of the burial. She speaks to people in Motopi whom she asks to borrow money and come to lodge a case. She promised to repay the money and provide more transport back. The quarrel lends to Otsile Kamanakao and others to live Block 5 and stay with Mr. Supang at Metsimothabe.

May 11th 2003

- Relatives come from Motlopi and a meeting is held over the venue of the burial (see affidavits for details).

May 12th, 2003

- Mamiki and others lodge a court case to challenge the burial place for the late Chief.

May 13, 2003

- Autopsy is performed on the body of Calvin.

May 14th, 2003

- Court case served on Kamanakao Association and others as respondents
- Pathologist informs family members that the death was due to heart failure. Calvin was hypertensive and there was evidence of some activity on the heart. He also reported that the watermelon juice and seeds were found in the stomach and this has been taken for laboratory testing, including some tissues from the stomach.
- At this point Mr. Supang informs members that he had seen remnants of a watermelon at Kgalalelo's place on the 6th.

May 15th, 2003

- Lydia and Flora take clothes to Dr. Mutoka (family pathologist) for examination. He suggests they take them to the Botswana Police. He does not look at the clothes.
- They go to Police station to look for Inspector Kelapile he is not around.
- May 27th – Police refuse to accept clothes for forensic analysis

May 30th – Police (Inspector Kelapile and Lesope) give their final word that they are not interested in investigating the clothes.

June 20 – A news article in Mmegi newspaper about this reluctance to investigate – chief Tawana (the Tswana chief imposed on the Wayeyi) calls and threatens the reporter who wrote the story.

June 24th, meeting at Superintendent Tshupoeng's office. He stated that they are sorry that the Police have been refusing to investigate the clothes. They should and clothes should be brought in. In this meeting, the Police are asked to declare Kgalalelo Dikomang Kenewendo (the lady who brought Calvin to the Hospital) a suspect on the grounds that she has given contradicting stories, she first denied any information about the watermelon but later admitted that she had eaten a watermelon just before Calvin arrived. She denied that Calvin did not have any,

- and yet watermelon juice was found in his stomach. Further, there were a series of events, which provide motive for her to be involved with others in the act to poison Calvin. The police refused to declare her a suspect. This made the family suspicious of Police involvement in the matter.
- June 26th, - Clothes were brought to Inspector Tshupoeng's office. He inspects them and inquires about the reported soil on the shoulder of the jacket. He is shown the remaining dust. He selects the Jacket and Shirt, which were to stay in Police custody until samples are obtained. The rest of the clothes are returned to the family. The family and the Association request for samples as well, and were told to report at Officer Mogodiri's office at 9:00 for samples on June 27th.
- June 27th, - Inspector Kelapile comes at 9:30. Officer Mogodiri is not satisfied about Kelapile's letter of request for laboratory investigation, namely that it did not include the fact that the family needs samples as well. The clothes he brings have a wrong name label as well. He is asked to go back and bring a satisfactory letter. Sampling started at 11:30. Seven samples were taken as follows: **Jacket (brown in colour)**: Stain 1 – Right breast, Stain 2 –right side of the collar, Stain 3 –left shoulder, Stain 4 – lower back. **Shirt** (Thin blue and white stripes – main colour from a distance is blue with white collar and white wrists): Stain (a) collar, Stain (b) – front part and Stain (c) the wrist part.
- July 30, – the family and the association inquire about the result at the family pathologist Dr. Charles Mutoka- He reports that the report is being typed.
- August 1, Mr. Supang (deceased's cousin) is given a copy of the report by Police Officer Kelapile.
- August – 21, Family pathologist prepares his reports for the family. As it turned out he did not do any independent analyses. He simply interprets what the Police and Government laboratory found out. Indicating that the deceased was hypertensive and the cause of death is heart failure. The report also indicates the clothes had been washed before coming to the laboratory. However it further indicates that all the stains were due to blood, but stains had different colours. Stain © was described as pale yellowish while the other two analysed are described in the report as pale whitish. Only three of the seven samples were analysed. Clearly the family did not wash the clothes. They suspect the Police who have been refusing to do a laboratory investigation on the clothes may have washed the three samples they took for analysis.
- September 1, Family pathologist goes over the report with a member of the family Mr. Kapaletswe Kamanakao and a member of the Association, Professor Ramahobo.
- September 4, Kamanakao Association discusses the report and decide to share their observations with the police.
- September 16, Ramahobo submits observations on the report to Inspector Kelapile. He informs her that they have concluded their investigations and the file is with the Attorney General's Chambers.

The case has therefore been characterized by reluctance to investigate, ignoring evidence and destroying evidence. The reluctance could indicate the intolerance of the government to the Wayeyi and their chief for agitating for their rights. Kgalalelo stays in hiding and

would not talk to people she does not know. She does not talk to members of the Kamanakao family.

Novemebr 1, 2003 – meeting of the Wayeyi Chieftainship Council resolved to inform President Mogae about the death of their Chief and reluctance of the Police to investigate.