

# PROTESTS OVER DETAINEE DEATH

## Pelser answers Mitchell on police

**Own Correspondent**  
**CAPE TOWN** — The police have the fullest right to use their own discretion to decide under which laws people who are suspect should be detained, according to the Minister of Justice, Mr Pelser.

In an interview with the Nationalist Press he said today that it was "nonsense" to say that he as Minister of Justice was shirking his duty by not seeing to it that preference was given to an act which lays down that detainees should appear before a judge within a fortnight.

Mr Pelser was reacting to a statement by Mr Mike Mitchell, MP, the United Party's chief spokesman on justice.

Mr Mitchell said it was unnecessary to detain people in urban areas under the stricter provisions of article 6 of the Terrorism Act of 1967. According to him they could have been detained under article 22 of the General Law Amendment Act of 1966.

Mr Mitchell was of the opinion that article 6 of the Terrorism Act was only meant to facilitate detention in remote border areas where judges would not be so easily available.

### "AN OLD STORY"

Mr Pelser said this was an old story from Mr Mitchell and he had already been answered in detail on this in Parliament.

The police were acting according to powers given to them in both articles. They had the right to use their discretion to decide which one they should use.

In Durban today Mr Mitchell charged that the Government had abdicated its responsibilities to the public and democracy in favour of the Security Police.

At the same time he bitterly denounced Mr Pelser for making a "disgraceful and preposterous" claim that it was up to the Security Police to decide under which laws detainees could be held.

Attacking both the Minister of Justice and the Prime Minister, Mr Vorster, Mr Mitchell said: "What the Government is saying is that the police can decide whether a person detained can be allowed access to the courts or to a judge of the Supreme Court."

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## 'GROWING'

PROTESTS over the death of the Indian detainee, Mr Ahmed Timol, is growing with reports of meetings being planned in Natal and the Cape.

A mass meeting is to be held in the Durban City Hall next week to allow people to show their disapproval of the events that have flowed from the nation-wide dawn raid by the Security Police last Sunday.

It is being arranged by the leader of the Progressive Party in Natal, Mr Leo Boyd, but it will not be party political.

Mr Boyd said the speakers would be the Roman Catholic Archbishop of Durban, the Most Rev Denis Hurley, the United Party MP, Mr Eric Winchester, the Natal University lecturer, Mrs Fatima Meer and himself.

"We want this meeting to give people of all political persuasions the chance to tell the Government unequivocally that this type of Security Police action is out of place in South Africa."

## TIMOL NOT ASSAULTED — GEN BUYS

AHMED TIMOL was not assaulted before his 10-storey plunge to death last Wednesday. Major General C. A. Buys, head of CID, was quoted as saying at the weekend.

According to a report in the Nationalist Sunday newspaper, Rapport, General Buys said the atmosphere on the 10th floor office of John Vorster Square was the "most relaxed atmosphere imaginable in such circumstances."

Ahmed Timol was sitting calmly on a chair. Security policemen were with him. Two of them walked out of the room at one stage.

"Timol then flew up suddenly and aimed for the door. One security policeman jumped up and ran to the door to thwart him. But the Indian then stormed to the window and jumped through it."

"Nobody frightened him or touched him. The post mortem examination will show this."

### Death rumours

nonsense — Buys

Pretoria Bureau RUMOURS that a further two detainees had died while in police custody, were described as "utter nonsense" today by the Chief of the CID, Major General C. A. Buys.

It had been rumoured that Mrs Amina Desai and Miss Fatima Waddee, both detained during the Security Police swoop last weekend, had died. Commenting on these rumours, General Buys said in Pretoria today:

"These rumours are as far from the truth as the nonsense that certain newspapers have been publishing about the Security Police's investigations since last weekend."

He was still negotiating with council officials for the hire of the hall and would announce the meeting as soon as a date could be fixed.

The convocation of the University of Natal has organised a protest meeting in the chemistry lecture theatre at the university at 8 tonight.

The speakers will be Mr Gordon Bond, Mr Fat Footvellingam, university lecturer Mr Colin Shum and Professor A. Mathews, head of the law faculty.

The secretary of the United Party in Natal, Mr Cyril Renton, said today that a large number of people had made their protests known to United Party MPs and MPCs in Natal.

"I have no doubt that it will form a major topic for discussion at our national congress in Bloemfontein next week."

Meanwhile the Natal Indian Congress has proclaimed November 10 "a national day of mourning" and has called on all business and professional men to close their offices and premises on that day.

Two protest meetings are to be held in Cape Town this week.

Tonight a meeting organised by the Civil Rights League will be held in the Rondebosch Town Hall.

The main speakers will be Sir Richard Luyt, principal of the University of Cape Town, Mr David Currie, deputy leader of the Labour Party and Mr Neville Curtis, president of NUSAS.

The Progressive Party is to have a lunch-hour meeting in the banquetting hall of the City Hall on Wednesday.

The speakers will be Mr Harry Lawrence, national chairman of the party and a former Minister of Justice, Mr J. Hamilton-Russell, a former MP and Professor Andre Hugo, professor of classics at UCT.

Mr Klaus Schwetering, senior lecturer in the faculty of law at the University of Stellenbosch, said today that he found the Timol incident "most alarming."

"The time has come for the atmosphere to be cleared by some judicial commission carrying out a thorough investigation of the entire system of detention and interrogation."

## Be frank, says Nat Press

TWO Johannesburg Nationalist newspapers have expressed concern at the official reaction to the death of the Indian detainee, Mr Ahmed Timol.

An editorial in Rapport says raids such as those which took place last week encouraged rumours and fears among a public which was — through the facts of our life — disposed to disquiet.

Apart from other considerations the authorities could in this instance have limited the political damage, here and overseas, by being as frank as possible with the public. This limits not only the results of damaging rumours and whipped-up emotions, but serves also as a corrective for possible misuse of authority, the editorial stated.

Referring specifically to Mr Timol's death fall from John Vorster Square, Rapport asks: "How do the Security Police guard their captives if the seventh (or, according to another count, the 10th) now commits suicide in captivity? And is it really not possible to practise a form of continuous

judicial supervision over the application of these extraordinary powers of the State?"

Rapport also asked why there was a silence at first over the death of Mr Timol. In the least this created an impression of callousness.

### ANNOUNCE

The best thing would have been to announce immediately, and with regret, that a detainee had died, and to give an assurance that a full and open judicial inquiry would take place as soon as possible.

Rapport urged a "new approach of open cards" with the public to lessen the effects of a damaging dispute over a necessary service.

The political columnist, Neils Nante, said in the Transvaler the authorities had a duty to see that when circumstances were such that information could be released immediately there should be no question of a confusing delay.

If information about the suicide of Mr Timol had been released on Wednesday night, the result of the "adverse propaganda" would at least have been halved.