



MR. AHMED ESSOP TIMOL

TIMOL — TEARS AT FINDING OF SUICIDE

RAND DAILY MAIL, Friday, June 23, 1972.

14

RAND
Daily Mail

REAL QUESTIONS STILL REMAIN

NOW THAT the Timol inquest is over, we say it again: Nothing but a full-scale commission of inquiry into the methods of interrogation and detention employed by the Security Police will really allay public fears. An inquest is not a substitute for that. We said so after Mr. Timol's death in October last year. Having considered the evidence offered at the inquest in a context broader than the magistrate could allow himself, we repeat it now.

The central issue was never whether one man, one solitary individual, had been mistreated in detention. Distressing as that might be, it could happen anywhere, at any time. The concern was whether there was possibly a pattern of mistreatment that might account for the 17 reported deaths — ten of them reported suicides — which have taken place among detainees held by the Security Police, mostly in solitary confinement.

This concern had nothing to do with political point-scoring, as the Government chose to believe. Indeed, one of the most telling arguments for a comprehensive inquiry came from a Nationalist source — the Sunday newspaper, Rapport. This newspaper said in a leading article at the time: "The real questions are: How do the Security Police look after their prisoners to make possible the seventh (according to some counts, the tenth) detention suicide? And is it really impossible to apply a form of continuous judicial supervision over the application of these exceptional powers?"

Does anyone seriously consider that the Timol inquest provided an answer to either of those questions? And yet, as Rapport so properly pointed out, they are the *real* ones to be answered.

Now is the time

Consider the limitations of the inquest. The magistrate was required to regard Mr. Timol's death as a single incident occurring in a historical vacuum, as it were. He was not permitted to take cognisance of the fact that others have killed themselves while in Security Police hands. He could not seek evidence from other detainees on how they were treated. He could not inquire into why the State has made ex gratia payments to several former detainees and one widow of a man who died in detention without there being any public inquiry.

What the court could — and did — do was hear the evidence of policemen who were with Mr. Timol before he died and at the time of his death. They said he had been considerably treated, and that the police were actually "trying to win his confidence." Since, in terms of the Terrorism Act, no one else could visit or talk to him, this sort of evidence could hardly be contradicted.

Theories that his death was murder or accident were found by the court to be absurd. This is not surprising; few people could have entertained them seriously anyway. As to the motives for suicide, the court permitted itself some speculation. Inevitably, it must again have been based on what police witnesses had to say. No one else was there.

All in all, it might have been a thorough inquest but it was a less than satisfactory inquiry into Security Police activities. Doubts remain unsatisfied. Now would be an appropriate time for the Government to appoint the full-scale judicial inquiry that the public still needs.

Staff Reporter

THE TIMOL family's attorney, Mr. M. S. H. Cachalia, said yesterday he did not intend to bring review proceedings at this stage on the inquest findings.

At the end of the marathon inquest the Magistrate Mr. J. J. L. de Villiers, found that Mr. Ahmed Essop Timol, 30, had died last October 27 from serious brain injuries and loss of blood after he committed suicide by jumping from a window on the 10th floor of John Vorster Square.

Nobody was to blame. The magistrate said he was satisfied that the police witnesses had been honest, and that Mr. Timol had been decently treated in detention, and not assaulted.

And Mr. De Villiers recommended that in future people detained under the Terrorism Act should be examined as soon as possible by a district surgeon to establish any signs of assault.

This procedure could obviate long inquiries and "save the Police unnecessary embarrassment."

EMOTION

The air was charged with emotion when the court finally rose well after 1 pm.

Mr. Ahmed Timol's 65-year-old father, Mr. Yusuf Timol and his wife Hawa, 54, had sat stitically through the hearing, which stretched over a period of nearly seven months.

Mr. Timol left the court sobbing, shaking his bowed head.

"I can't believe it, I can't believe it," he muttered.

Mrs. Hawa Timol did not attempt to hide the tears. She was supported by one of her three remaining sons, Mohammed.

"We cannot believe our son committed suicide," the parents said.

ORDEAL

Later, Mr. Timol said: "We are all very sad. But can only turn to Allah — he knows better than anybody else who is right and who is wrong."

Mr. Timol said he wanted to thank all those, White and Non-White, who had stood by him.

He also wanted to thank the relatives who had assisted him with the huge financial burden of the inquest.

The family, and their legal representatives were unwilling to disclose the cost to the family, but it is understood that it amounts to approximately R14 000.

'No one is to blame' —
Page 10.