

# 'I cannot find that any unlawful act caused Aggett to take his life'

NOBODY was responsible for the death in detention of Dr Neil Aggett, a Johannesburg inquest court found yesterday.

The inquest magistrate, Mr P A J Kotze, found that the trade unionist died on February 5 this year of suicide by hanging.

"I cannot find, beyond any reasonable doubt, that any unlawful or negligent acts caused Dr Aggett to take his life," Mr Kotze said.

The police officers responsible for Dr Aggett's wellbeing could not have foreseen that Dr Aggett would take his life, he added.

They could also not have been aware of any change in the condition and attitude of Dr Aggett that may have suggested the trade unionist intended taking his life.

Moral responsibility for the suicide could possibly be laid on Dr Aggett's fellow detainee and friend, Mr Auret van Heerden, but such responsibility was not valid in law, Mr Kotze said.

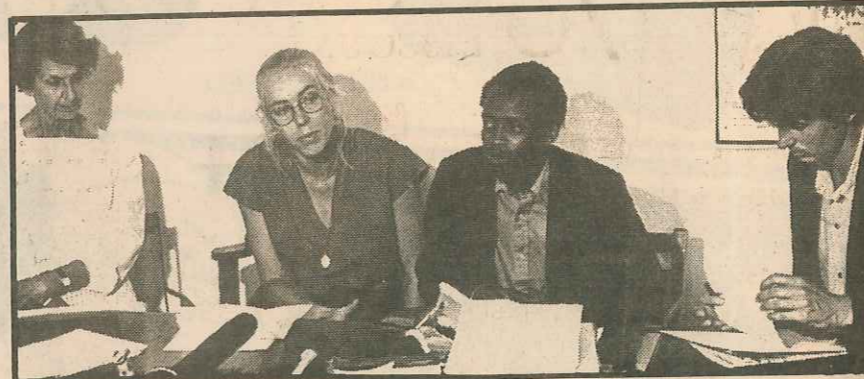
Mr Van Heerden had said he realised Dr Aggett was suicidal on February 4, but had raised no alarm, Mr Kotze said.

"Is it possible that a man with earnest and honourable motives behaved like this? It is fairly hard to believe that Mr Van Heerden did not feel free to mention Dr Aggett's condition to the Security Police."

The magistrate said he could not find beyond any reasonable doubt that Dr Aggett had been deprived of sleep without his consent or that he had been assaulted by the police "in any unlawful manner".

Evidence presented by Mr George Bizos, SC, counsel for the Aggett family, was that Dr Aggett had been assaulted during interrogation and that he had been deprived of sleep for 62 hours.

Mr Kotze indicated in his finding that there were factors which could have contributed to



Dr Liz Floyd, second from left, and friends face the Press at a conference after the inquest on her boyfriend, Dr Neil Aggett, ended yesterday.

Dr Aggett's suicide.

- The trade unionist was a man devoted to hard work and was deprived of the opportunity to pursue his ideals while in detention;

- During his detention, Dr Aggett had disclosed the names and particulars of the activities of some of his associates. These disclosures brought about a sense of uncertainty in Dr Aggett about his future, as well as a sense of betrayal of his associates; and

- Dr Aggett had to face his associates after his release and there was a chance they would reject him.

Psychiatric evidence had shown that such pressures, even in people as strongly willed as Dr Aggett, could produce suicidal tendencies, Mr Kotze said.

Mr Kotze said he was satisfied that evidence of assaults and ill-treatment of Dr Aggett was unreliable.

He could not find beyond reasonable doubt that Dr Aggett had been treated in the man-

ner described by a fellow detainee, Mr Maurice Smithers. Evidence was that Mr Smithers had watched through a frosted glass door in John Vorster Square as Dr Aggett was made to strip and do exercises while a policeman hit him with a rolled up newspaper or belt.

Counsel for the Aggett family had made a number of further allegations, Mr Kotze said. The allegation that Dr Aggett could have been strangled and then hanged in his cell was "without any factual base".

Evidence heard by the court contradicted the allegation that detainees were not given the necessary medical attention, Mr Kotze said.

He was satisfied that, although the degree of competency of Dr Aggett's interrogators was a matter of individual opinion, a more competent interrogator would not have had any effect on the issue.

No reliable evidence had been presented to

corroborate counsel for the Aggett family's claim that the function of the Security Police during Dr Aggett's detention had been one of intimidation, the magistrate said.

There was also no reason to believe that more visits to Dr Aggett by the warden on duty would have prevented the hanging.

Evidence heard by the court contradicted the allegation that detainees were not given the necessary medical attention, Mr Kotze said.

Although there was no evidence to suggest that Sergeant Aletta Blom deliberately delayed attending to Dr Aggett's complaint of assault, the magistrate said he believed the claim should have been dealt with earlier.

Counsel for the Aggett family's allegation that the interrogating officer, Lieutenant Steven Whitehead, was an "immature, vicious person" had not been justified, Mr Kotze said.

There had been different views on Dr Aggett's condition while in detention, especially during the 14 days prior to his death.

The police had not noticed a change in the trade unionist's behaviour and, while some detainees had, their versions of his condition differed from one to another, the magistrate said.

Mr Kotze found that reliable medical witnesses had discovered only one of the scars Dr Aggett claimed to have sustained during assaults. Their evidence had been that the scar could have been anything up to three months old, he added.

After drawing a capacity crowd yesterday, the inquest was attended by only a smattering of spectators and journalists early this morning.

However, as the hearing progressed, the tiny court filled with spectators and newsmen until there was standing room only as Mr Kotze announced his finding. — Sapa.

Mail Correspondent  
PORT ELIZABETH — Dr  
Andre van der Merwe has  
joined his wife, Dr Sandra  
van der Merwe — whose  
name was linked with Bar-  
clays Bank managing direc-  
tor Mr Bob Aldworth — at  
Hospital, Pretoria, where he was treated  
three weeks in intensive care in 1 Military  
NORTHERN Transvaal rugby player Deon  
Coetzee is home and on the mend after  
Mail Reporter  
on the mend