

Judge asks for probe on detainee

Pretoria Bureau

A FULL INVESTIGATION into the case of Mr. Mohamed Essop, the detained student, should be held, Mr Justice Margo said in the Supreme Court in Pretoria yesterday.

Mr Justice Margo said the respondents should be entitled to vindicate themselves and the fears of the public should be set at rest.

The judge was presiding at the hearing of an urgent application in which Mr Ismail Essop, the student's father, sought relief for his son from the Commissioner of Police, the first respondent, and Colonel Greyling of the Security Police, the second respondent. Mr Mohamed Essop was arrested by the Security Police last Friday.

The judge granted a temporary interdict restraining the police from assaulting, interrogating in any manner other than that prescribed by the law, or from exerting any undue pressure on Mr Essop.

He further ordered that the interdict serve as a rule nisi returnable on December 7. On that day the matron in charge of the Cassim Adam ward at Pretoria's H. F. Verwoerd Hospital must be at the hearing.

The matron, according to papers before the court, denied to Mr Ismail Essop that his son was in the ward while, in fact, he was there.

Both parties are also entitled to call further witnesses on December 7, provided they file adequate intention of doing so.

The judge stressed that his judgment represented no finding of facts for or against the applicant, but was merely a procedural step which would preserve the rights of the individual pending an investigation.

Before he reached this conclusion, the judge said, from the conflicting affidavits before the court he could not determine what the origins of the matter were or the substance of the fears expressed by the applicant.

He pointed out that there was prima facie evidence of injuries to the student which had been strongly refuted.

What had impressed him, however, was the evidence of the actions of the matron of the Cassim Adam ward. It was an elementary matter of decency for her to tell Mr Essop, senior, that his son was in the ward, to explain she was unable to give him any further information, and then to refer him to the proper authorities. Instead she had denied the student was in the ward.

"That by itself is sufficient to indicate that all is not well," the judge said.

'No one can see Essop'

THE Commissioner of Police, General Gideon Joubert, confirmed today that no outsider would be permitted to see Mr Mohamed Essop, the Security Police detainee, in the Pretoria prison hospital.

Asked whether any independent doctors would be allowed to examine the detainee, as suggested by Mr Justice Margo in the Pretoria Supreme Court on Friday, General Joubert said: "For the present nobody will be permitted to see him."

He added that Mr Essop was free to lay charges against the Security Police, but had not done so.

"I have no evidence whatever that Mr Essop was treated unreasonably or was assaulted. But if he submits a charge of assault, this will be dealt with in the customary manner and presented to the Attorney General or his representative."

As far as he was concerned, there was "nothing the matter" with Mr Essop apart from what emerged from medical evidence which was placed before Mr Justice Margo on Friday.

INQUEST

About the investigation into the circumstances surrounding the death of Mr Ahmed Timol, General Joubert said: "The investigation is being expedited to allow an inquest at the earliest opportunity."

He confirmed that the head of the CID, Major General C. A. Buys, was in charge of the investigation, but would not say what facts had emerged so far.

Mr Essop's father, Mr Ismail Essop, today pleaded for the authorities to show mercy. Mr Essop's daughter, Fatima (28), was arrested the day after her brother. "I do not know where my children are or if Mohammed is getting proper treatment. I simply hope the authorities will show mercy," he said.

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