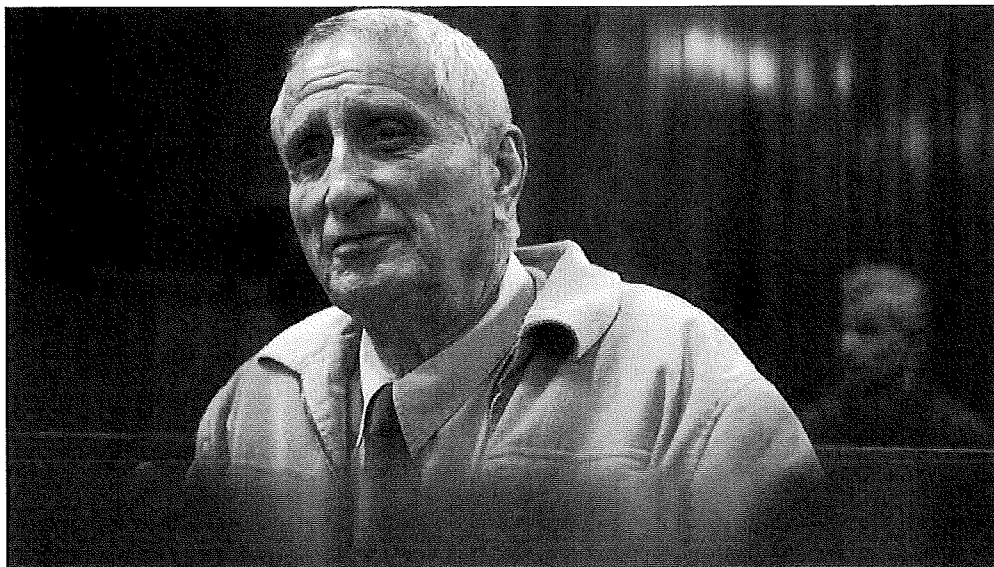


# Apartheid cop accused of 'delay tactics' to avoid murder trial

Ra'eesa Pather 15 Oct 2018 13:50



(Anthony Schultz)

The trial of former Security Branch cop João 'Jan' Rodrigues, who is accused of murdering anti-apartheid activist Ahmed Timol in 1971, was delayed on Monday after Rodrigues' legal team formally indicated that they would apply for a permanent stay of proceedings.

Lawyers representing Rodrigues were ordered by Judge Ramarumo Monama in a pre-trial hearing at the Johannesburg high court, to file the application for a permanent stay by the end of day on Friday.

But, Monama gave a stern warning in his order.

"I'm not going to allow piecemeal delay tactics to delay the commencement of this trial," the judge said.

Rodrigues, now 79-years-old, was 32 at the time Timol was killed.

He claims to be the last known person to have seen Timol alive, but has maintained his innocence for over four decades.

The septuagenarian appeared in court on Monday in a light brown jacket with a crutch at his side to aid his mobility. His age has brought even more urgency that the trial should begin soon.

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“He’s 79. His age and time is not in our favour. It has been a year since October 12, when the court said he should be charged. He’s had three court appearances and yet the process has not moved,” said Imtiaz Cajee, Timol’s nephew, outside the court.

Cajee has been instrumental in the family’s persistent battle to seek justice for his uncle. Timol — a South African Communist Party activist — died after being pushed from either the 10th floor or the roof of John Vorster Square, now known as Johannesburg central police station.

The Pretoria high court last year found that he had been brutally tortured before he fell to his death.

The team of prosecutors, from the National Prosecuting Authority, are led by Advocate Sifiso Khumalo. The NPA’s spokesperson Phindi Louw reacted to the postponement of the trial on Monday, saying that the Timol family deserved to finally have justice.

“This is a matter that happened a long time ago, so the family needs closure and really these postponements are unnecessary,” said Louw.

“As a state, we want this trial dealt with speedily so that the family can get closure. Whether the accused wishes to bring delaying tactics it will really just be bringing postponements of the inevitable,” Louw said.

Rodrigues’ claims at the 1972 inquest in Timol’s death — where he testified that Timol had committed suicide and had not been tortured — were proven to be false at the reopened inquest in 2018. Rodrigues again testified at that inquest that Timol had jumped to his death, but his statement was refuted by medical experts who studied Timool’s autopsy report.

Medical experts testified that the wounds on Timol’s body were the result of brutal torture and inconsistent with Rodrigues account that Timol jumped as he would have been too weak to make the jump.

<https://mg.co.za/article/2018-10-15-apartheid-cop-accused-of-delay-tactics-to-avoid-murder-trial>

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