

# Media Articles: Re-Opening of Ahmed Timol Inquest - 28<sup>th</sup> June 2017

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## **'He didn't jump' - Salim Essop recounts Timol's last painful moments**

*28 June, 12:44 PM*

<http://www.news24.com/Video/SouthAfrica/News/he-didnt-jump-salim-essop-recounts-timols-last-painful-moments-20170628>

The man who was arrested alongside late anti-apartheid activist Ahmed Timol in 1971, took centre stage at the High Court in Johannesburg on Monday and Tuesday during the first sitting of the inquest into his death.

Salim Essop recounted painful memories of the torture he endured in the hands of the apartheid security police, after he and his friend Timol were held in custody.

On Tuesday Essop took the court back to 1971 when he relived his experience of being detained at John Vorster Square on Commissioner Street. The High Court in Johannesburg conducted an inspection in loco at the police station, where detainees were allegedly tortured and "died mysteriously" in custody in the hands of apartheid police. Watch above for more.

Timol's death was ruled a suicide in 1972. However, a private investigation launched by Timol's family uncovered new evidence, which it presented to the National Prosecuting Authority, asking for the inquest to be reopened. The NPA agreed.

## **Security police, medical practitioners and judiciary were against justice – Bizos**

Amanda Khoza, News24 2017-06-28 20:02

<http://www.news24.com/SouthAfrica/News/security-police-medical-practitioners-and-judiciary-were-against-justice-bizos-20170628>

Johannesburg - Human Rights lawyer George Bizos on Wednesday laid bare how security police, the judiciary and some individuals from the medical profession worked together during apartheid to prevent the administration of justice.

"Unfortunately, the security police were a law unto themselves, they actually decided which magistrate would take which case. Unfortunately there were security policemen; there were prosecutors and senior prosecutors that did the bidding of the security police. There was nothing that we could do about it," said Bizos.

The frail soft spoken struggle stalwart testified on day three of the Ahmed Timol inquest which is currently sitting at the South Gauteng High Court in Johannesburg.

The inquest was reopened after the family found new evidence that proved that Timol did not commit suicide, but instead died in police custody in 1971.

Lawyers for the Timol family, Howard Varney, told Bizos that he was well-placed to assist the court in establishing the context of what really took place in the Timol case because he appeared in cases dealing with the abuse, torture and deaths of detainees.

### **Evidence**

Varney asked Bizos to consider some of the cases he had been involved in and point out the most important commonalities in all the cases, particularly with the Steve Biko case.

Bizos opened his testimony by saying: "You know, nobody in this world can do alone the things that have happened in South Africa."

He said he was fortunate to have been a junior counsel, led by some of South Africa's finest lawyers, in both the Timol and Steve Biko matters.

"We, together with attorneys - can't mention them all - held their hand. We believed that not all policemen were liars. We actually persuaded some of them to tell part of the truth."

On the Timol matter, Bizos said together with his legal team, they consulted with the family and prepared to appear at the inquest in 1972.

The inquest ruled that Timol jumped out of the 10th floor at what was then known as John Vorster Square, now Johannesburg Central Police Station.

"A colleague - an Afrikaner - came to us and said that he had a piece of paper written by the Communist Party in which it was said that people if they are caught, should commit suicide rather than betray their comrades."

He said the document was never presented as evidence.

Having listened to Salim Essop, who was arrested with Timol, and who testified on Monday and Tuesday, Bizos said information was kept away from detainees.

He said: "The young man was comatose three or four days after the Timol's death. He didn't know. Did he know that a doctor came and examined him? He didn't."

### **Concerned mother**

He said people like Essop found themselves in those situations because justice did not mean anything to the security police.

"They were the bosses. They were going to arrest; they were going to detain and they were going to beat up [detainees]... Over 70 people died in the detention of the security police, [and] showed that they thought that the field is ours, we will do what we want to do and we do not have to report to anybody... "

Bizos said Timol's mother was concerned about him and always asked: "Where is my son? How is my son?" And: "Please do not hit him. I am his mother and I have never hit him."

The police responded saying it was her fault that Timol was in jail because had she hit him, he would not be what he was.

"They joked about it."

He said: "Unfortunately, there were people in the administration of justice who did not do what was expected of them..."

"One has to be frank and not be shy to say I am sorry but you did not perform your duty. Your duty was actually not to torture people and if they were tortured and you saw it, especially if you were a person administering justice, you shouldn't have the title unless you do what you have to do.

"Most of our judges, most of our magistrates... thought that their so called patriotism to the apartheid regime was more important than justice and truth."

### **Lying doctors**

Bizos also testified that some doctors worked with the security police and often lied about cases.

"There were two doctors in the Eastern Cape who did not see any injuries on [Steve] Biko; they had no explanation [in terms of] how they [did nothing] to deal with the injuries that he had, that led to his death.

"They lied. The medical profession, years later, couldn't accept that the two doctors that saw Biko did their duties as doctors. The finding was [that no-one was to blame].

"But the medical profession applied to set proceedings in order to examine whether these doctors lied or not. The legal profession appointed a commission and they were both bound guilty of not looking after their patient and they were struck off the roll."

Bizos said some doctors were willing to lie under oath to assist the security police.

"The security police, during the period, particularly from the mid-70s, until almost three years before the release of Mr Nelson Mandela when things started changing, they thought that the magistrate was one of us: 'He will accept what we always say,' and it happened. That was the terrible reputation that the administration of justice under the apartheid regime accepted."

He said he did not want to generalise.

"We had judges, proportionately less in number than magistrates, we had Afrikaner prosecutors who would actually not take the nonsense of the investigating officers, they would tell them to tell the truth."

### **'Strong minority'**

He said some paid the price for doing what was right.

"You were not likely applauded by some of your friends, politicians and I think that there was a sufficiently strong minority."

Judge Billy Mothle thanked Bizos for testifying.

The inquest is expected to be heard from June 26 and June 30, and will then resume between July 24 and August 4, and August 10 and 11.

### **Adv George Bizos testified in #AhmedTimol's inquest**

News | 28 June 2017, 11:48am KHAYA KOKO

<http://www.iol.co.za/the-star/news/adv-george-bizos-testified-in-ahmedtimols-inquest-10007683>

Advocate George Bizos began his testimony in the Ahmed Timol inquest on Wednesday morning by revealing that a document that played a key role in the initial findings was not even placed on record.

Held at the high court in Joburg, the inquest seeks to overturn a June 1972 ruling, which said that Timol committed suicide by jumping out of the old John Vorster Square police station in 1971.

The document in question, titled Inkululeko/Freedom 2 and purportedly written by the SACP, is said to implore all apartheid resisters to commit suicide when they were caught by police. However, Bizos said the lawyer who appeared for the police at the time, Fanie Cilliers, refused to place the document on record during the 1972 inquest as they were anomalies to it. One of which was that the document was dated February 1972; four months after Timol's death in October 1971.

"We thought the document would at least be shelved when Fanie said he was not prepared to use it," Bizos told the court.

Magistrate JL De Villiers relied heavily on the document; even though it was not put on the court's records.

Timol - a teacher, member of the SA Communist Party and anti-apartheid activist - died, allegedly at the hands of security police at John Vorster Square in Joburg.

Days of alleged torture and threats culminated in an incident where Timol was seemingly thrown from a 10th floor window. The inquest that followed was described as a farce by Timol's family after De Villiers ruled that Timol had committed suicide by jumping out of the 10th floor of the notorious John Vorster Square building - currently known as Johannesburg Police Station.

Despite medical evidence presented of gruesome torture, the magistrate found that the security police had treated Timol compassionately, and no one was responsible for his death. After a private investigation launched by the Timol family and human rights activists, the evidence uncovered was presented to the NPA which reopened the case.

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### **Timol 'an inspiration to freedom fighters'**

The Star | 28 June 2017, 1:34pm

Khaya Koko

<http://www.iol.co.za/the-star/timol-an-inspiration-to-freedom-fighters-10009418>

Making another emotional return to the place where his uncle Ahmed Timol died tragically, Imtiaz Cajee is adamant about one thing: "My uncle is not a victim!"

Cajee was speaking to The Star yesterday on the 10th floor of the Johannesburg Central police station - formerly known as John Vorster Square - where Timol plunged 10 storeys in October 1971 while being held in detention by apartheid police.

Cajee was on an on-sight visit to the police station led by Judge J Mothle for the reopening of the inquest into his uncle's death, which was ruled a suicide by magistrate JL de Villiers in June 1972.

Cajee contended that Timol and his friend Dr Salim Essop played a small but important role in trying to revive the anti-apartheid Struggle by distributing then banned SACP and ANC literature. Essop was arrested with Timol with the banned literature in a car in which they were travelling.

“They were not victims, but freedom fighters. The apartheid regime had thought they had crushed all forms of opposition following Sharpeville. And here comes a cell distributing political literature. If the security branch thought they had crushed all forms of opposition, they were mistaken because it (Timol’s death) inspired a new generation of freedom fighters,” Cajee stressed.

Essop was also at the on-sight visit, where he took the inquest’s presiding officer, Judge Mothle, to room 1013, where he said he was “brutally” tortured for roughly four days following his arrest, and room 1026, where Timol allegedly jumped to his death.

Essop also demonstrated to the judge what he said were Timol’s movements the last time he saw him alive.

He remembered seeing him dragging his feet past room 1013 with a hood over his head and two police officers on either side of him. Essop said his comrade had looked severely injured and in pain.

Cajee said it was painful to hear this, and painful to return to a building in which his uncle had been subject to such brutality.

“Every time one comes here, it doesn’t get any easier - it becomes more difficult and painful.”

PAC activist and former trade unionist Phillip Dhlamini revealed it was his sixth time at the police station - and the first without shackles.

Dhlamini said he was also familiar with the notorious vault in room 1013, which he said was referred to as Die Waarkamer (The Truth Room).

“There is the money bag, which they will put over your head and pour water over it,” he remembered.

## **Apartheid security police a law unto themselves – Bizos**

News | 28 June 2017, 10:55pm

Khaya Koko

<http://www.iol.co.za/capetimes/news/apartheid-security-police-a-law-unto-themselves--bizos-10015841>

Apartheid's security police were a law unto themselves, who got magistrates, prosecutors and senior prosecutors to help the security police conceal their evil deeds; going as far as fabricating evidence.

This is the view of human rights lawyer George Bizos, who revealed what he felt was a deliberate cover-up by the apartheid state in hiding the truth surrounding activist Ahmed Timol's death in October 1971. The renowned lawyer represented the Timol family, alongside legendary human rights lawyer, Issy Maisels, in the 1972 inquest.

Bizos was testifying yesterday at the reopened inquest into Timol's death, held at the high court in Joburg. The case was brought by his family in a bid to overturn a ruling by magistrate JL de Villiers, that he had committed suicide by jumping from the 10th floor of the infamous John Vorster Square police station.

A bone of contention for Bizos was an "invented" document by police - titled Inkululeko - Freedom, February 1972, no. 2 - which he said they received from the police's lawyer, Fanie de Villiers. The document appeared to have been written by the SACP and implored its comrades to "rather commit suicide than betray the organisation".

Bizos told the court yesterday that this document was not part of the formal exhibit list. "The magistrate readily used it to base his finding that there was a political motive of communist ideology behind Timol's supposed suicide

"I have no doubt that this document was fabricated by the police for the consumption of the court," Bizos said in his court affidavit.

De Villiers said in his findings that Timol was involved in distributing this document.

But Bizos was derisive of these findings, asserting: “Unless this date (February 1972) is incorrect, then it appears that this document was only published months after Timol’s death, which means he had no sight of it let alone being involved in its distribution.

“This is an indication of the carelessness, or worse, of the magistrate.”

The legal representative for the Timol family, advocate Howard Varney, told the court that the non-inclusion of this document meant Bizos and Maisels were deprived of an opportunity to ask related questions.

Varney then asked Bizos to comment on his view, to which Bizos responded: “Well, I can only say that, unfortunately, the security police were a law unto themselves.

“And they actually decided which magistrate would take which case. Unfortunately, there were security policemen, there were prosecutors, there were senior prosecutors that did the bidding of the security police - and there was nothing we could do about it.”

The inquest continues today, with Timol’s younger brother, Mohammed, expected to testify.

## **I would never commit suicide, you’d have to kill me — Essop at Timol inquest**

*Avantika Seeth* 2017-06-28 00:06

<http://city-press.news24.com/News/i-would-never-commit-suicide-youd-have-to-kill-me-essop-at-timol-inquest-20170627>

Day two of the inquest into the death of freedom fighter and anti-apartheid activist Ahmed Timol continued today at the South Gauteng High Court, where Dr Saleem Essop resumed his testimony.

A pivotal moment from today’s proceedings was when Essop was asked by the lawyer representing the Timol family, advocate Howard Varney, if he had the physical capacity to commit suicide while he was being held at John Vorster Square, given the torturous conditions he underwent.

“No, I don’t think I would have had the physical capacity at all,” Essop replied immediately.

He explained that he was never left alone, and the only place where he could have attempted suicide was by jumping from the window of an office he was hardly ever in.

“But mentally, did that thought pass through in your mind,” Judge Billy Mothle asked him.

“For me, life has been one long process of survival. I don’t see myself as a victim, ever. Under any circumstances. I see myself as a survivor. I see myself as protesting right through. That whoever tried to kill me, I would, you know, try to prevent that happening. Mentally, I don’t have any disposition to ever contemplate suicide,” Essop said firmly, as members of the court room listened to him intently.

‘Timol would have been proud of free SA’

Essop was arrested along with Timol on the evening of October 22 1971, when Timol was just 30 years old. Four days later Timol died after he had allegedly jumped to his death from the 10th floor of the police station known then as John Vorster Square.

His family, however, disputed this and the ruling by apartheid magistrate JJ de Villiers, and after much convincing managed to get the National Prosecuting Authority to reopen the case in order to establish the true reason behind his death.

Yesterday Essop, who now resides in the United Kingdom, described in detail his friendship with Timol, saying that Timol would have been “proud of the free South Africa” we have today.

Today, various high-profile figures were in attendance including Nkosinathi Biko, son of Steve Biko, and George Bizos, prominent human rights lawyer.

Essop recounted in detail the torture he had experienced by the apartheid police, saying that he was tortured for four days before being hospitalised. Some of the various torture

methods that he endured include being suffocated with a plastic bag and being slapped and kicked.

The afternoon proceedings saw an inspection of John Vorster Square (now the Johannesburg Central Police Station) where Timol had died, Judge Mothle requesting Essop to accompany the inquest into the inspection. Proceedings are set to continue tomorrow at 10am.

### **A comatose Essop had no idea that Ahmed Timol had died – Bizos**

*Avantika Seeth* 2017-06-28 18:04

<http://city-press.news24.com/News/a-comatose-essop-had-no-idea-that-ahmed-timol-had-died-bizos-20170628>

As day three of the inquest into the death of apartheid activist Ahmed Timol continued this morning, famed human rights lawyer George Bizos took to the stand, and gave his first-hand testimony into the case.

Bizos was a junior lawyer who was on the legal team that represented the Timol family at the time of his death, and also represented Dr Saleem Essop, who was arrested with Timol.

In today's sitting, Bizos explained to Judge Billy Mathle that when Timol had died, Essop was in a comatose state, unaware of what was going on around him.

This was as a result of severe torture from the state police.

"I spoke to him. Did you know that you were comatose? No I didn't know that. Did he know that a doctor came and examined him? I didn't know that any doctor came to examine me.

"Did you know that your father made an application through us about you being in a hospital in Pretoria? And no, I didn't know that I was in a hospital," Bizos explained.

He went on to explain that an application had to be made in order to locate Essop and to ensure that his parents could see him.

Bizos was also asked to comment on the treatment of detainees by the police based on the testimony of a Colonel Greyling, whom Bizos had quoted in his affidavit. Greyling was part of the security branch.

“When Greyling gave evidence, he said that the detainees were not ill-treated. That the allegations of torture were an invention of the communist and liberal press.

"He and his fellow police officers regarded people like Essop as their ‘children’,” advocate Howard Varney read.

“It is a very bad lie. We have a person who was comatose and didn’t know what happened for days in his life. Is this what you do with a child?” Bizos replied.

Bizos also spoke about the failure of the doctors who oversaw the injuries of Timol, and their eventual dismissal from the medical doctors’ roll for their failure to look after him.

Court resumes tomorrow morning where Ahmed Timol’s brother will be taking the stand.

## **George Bizos tells of security police and torture at Ahmed Timol inquest**

SOUTH AFRICA

Wednesday 28 June 2017 - 2:24pm

<http://www.enca.com/south-africa/bizos-testifies-to-security-police-dirty-tricks-in-timol-trial>

JOHANNESBURG - George Bizos spent most of his life defending anti-apartheid activists.

Now, at the age of 88 he's still determined to stand for the truth.

He was the junior counsel in the first inquest into the death of anti-apartheid activist Ahmed Timol and has written about how he believes the law was defeated in this matter.

Bizos told the inquest into the death of anti-apartheid activist Ahmed Timol, of a document the original magistrate used to rule his death a suicide.

Speaking at the South Gauteng High Court on Wednesday the veteran human rights lawyer said the document had not been entered as evidence, so the family's legal team was unable to interrogate it.

In 1971, Timol died while in police custody at the then John Vorster Square.

The family is challenging a ruling that Timol committed suicide in detention.

Bizos said the magistrate based his decision on a document that allegedly came from the Communist Party.

The document instructed members to commit suicide rather than betray their comrades.

He also says Magistrate de Villiers who agreed that Timol committed suicide in 1972, ignored pathology reports of two doctors who had said Timol sustained his injuries during his detention.

Instead the magistrate went with a doctor's report that he was wounded before being arrested on the October 22, 1971.

Bizos says it was normal at the time for police to choose doctors who'd back their claims.

"I can only say that unfortunately, the security police were a law unto themselves," Bizos told the inquest.

"And they actually decided which magistrate would take which case. Unfortunately there were security policemen, there were prosecutors, there were senior prosecutors that did the bidding of the security police and there was nothing we could do about it," he said.

Bizos also told the court about the callous treatment of relatives of detainees by security police during the apartheid era.

Security police claimed that reports of the torture of detainees, were an invention of the communist party and the liberal press.

They said they could never hurt detainees as they saw them as their children.

Bizos remembers hearing Ahmed Timol's mother ask security police about her son.

He said she asked "Where is my son, are you treating him well? Please do not hit him. I am his mother. I never hit him."

He continued: "And what is his answer to this mother? It is your fault your son is in jail, because you didn't hit him. If you had hit him he wouldn't be what he is and by implication we hit him for what he is. They joked about it."

### **Court hears that Ahmed Timol was not suicidal**

SOUTH AFRICA

Wednesday 28 June 2017 - 6:25am

<https://www.enca.com/south-africa/court-hears-that-ahmed-timol-was-not-suicidal>

JOHANNESBURG – Anti-apartheid activist Ahmed Timol was not suicidal an inquest into his death -- sitting in the South Gauteng High Court -- heard on Tuesday.

“Ahmed never wanted to die, he loved life like me. Even Ahmed’s girlfriend never knew that he anticipated to take his own life or he was suicidal,” Dr Salim Essop said during the inquest into Timol’s death.

Timol’s death was ruled as suicide by jumping out of the 10th floor of the infamous John Vorster Square, currently known as the Johannesburg Central police station.

Timol’s family believes that he was killed by apartheid police and he was never suicidal.

The inquest, brought by Timol’s family, aims to overturn a June 1972 ruling by magistrate JL de Villiers that Timol had committed suicide.

Essop was arrested with Ahmed in 1971 after a car they were travelling in was stopped by apartheid police. Banned South African Communist Party (SACP) and African National Congress (ANC) literature was found in the car.

Essop told the court about a range of torture tactics he said were meted out against him, including being tied with a plastic bag around his head to a point where he said he felt like he was suffocating, being kicked repeatedly in a method known as “mule kickers”, and being subjected to electric shocks that caused him “excruciating pain”.

He told the court that he was in a state of near death when he was taken to hospital after four agonising days of torture.

“My memory is a bit hazy, I don’t recall all the details but I remember when I arrived in a hospital a nurse said this guy is not going to make it,” he said.

The presiding judge appointed to oversee the inquest, Billy Mothle, asked Essop if he would be able to identify the officer who assaulted him while he was incarcerated.

“I would be able to recognise them, some of their pictures I still have them which I took from newspapers.”

Torie Pretorius for the National Prosecuting Authority asked Essop about the injuries on Timol which did not appear to have been caused by the fall. Police initially said that the injuries were caused by a brawl he was in before his arrest.

“I don’t recall Ahmed engaging in a fight if it’s anything Ahmed was never a type who would engage in a brawl, he was mild and would have handled the situation.”

The court adjourned and went to the Johannesburg Central police station to conduct an in loco inspection of the scene where Timol plunged to his death.

The inquest is expected to continue with more witnesses on Wednesday.

African News Agency