

BANTU Steven Biko was a healthy man when he was detained by Port Elizabeth Security Police on August 18 1977. Twenty six days later he died a miserable and lonely death on a mat on a cold stone floor.

In March, almost eight years after Biko's death, the SA Medical and Dental Council (SAMDC) is once again due to inquire into the conduct of two of the doctors who treated Biko during his detention. This follows a Supreme Court order by Mr Justice W G Boshoff, who ruled this week there was *prima facie* evidence of improper or disgraceful conduct on the part of Dr Ivor Lang and Dr Benjamin Tucker.

What sort of medical care did Biko get during his detention? During the inquest into his death detailed evidence was led highlighting the medical treatment the black consciousness leader received during the last week of his life.

Biko was first seen by Dr Lang, the district surgeon, on September 7 after Colonel Goosen of the Security Police suspected Biko had suffered a stroke.

After examining Biko, Dr Lang issued a certificate stating he had found nothing

# Biko: Countdown to a miserable death

Once again the spotlight has fallen on the death of Steve Biko. BRUCE COHEN looks at those fateful 26 days in detention

wrong. This was contradicted in a later report he wrote in which he said on his first examination Biko had "a cut lip, bruise on the sternum, an inability to move the limbs, swollen hands and feet, and slurred speech".

Dr Lang admitted at the inquest his original certificate was misleading. He said he thought Biko was pretending.

After Colonel Goosen again expressed concern at Biko's condition, Dr Lang returned to the Walmer cells with Dr Benjamin Tucker, Chief District Surgeon of Port Elizabeth.

Dr Lang admitted that though the two doctors found Biko lying handcuffed on the floor on blankets wet with his urine, no attempt was made to alleviate his condition. The doctors found signs of brain damage, but did not ask Biko about his head injuries, or question Colonel Goosen about them.

They arranged for Biko to be

transferred to Sydenham Prison Hospital for examination by Dr Colin Hersch, a private physician. At this stage Biko was virtually unable to walk.

On Friday September 9, a lumbar puncture was performed which indicated possible brain damage.

Dr Hersch did not specifically mention this in his report, but he told Colonel Goosen that Biko had symptoms of brain damage. Biko was still not taken to a proper hospital. At the inquest, Dr Hersch said: "Unfortunately this was not in our hands."

Dr Lang visited Biko the next day, September 10, and was told Biko had been found in a bath with his clothes on, soaking wet. Dr Lang did not examine Biko, saying he did not want to disturb him as he felt Biko's condition was improving. His suggestion that Biko be sent to Livingstone Hospital was refused by Colonel Goosen.

Dr Lang contacted a neurosurgeon, Dr R J Keely, who agreed that the diagnosis was brain damage and instructed the doctors to keep Biko under hourly observation. This was not done, and Biko was seen only later that day. Dr Lang wrote a note saying that both he and Dr Hersch could find no pathology and that the lumbar puncture was normal, both untrue.

With Dr Lang's agreement, Biko was returned to the Walmer Police Station.

The next day, Colonel Goosen phoned Dr Tucker to say Biko had collapsed. Dr Tucker found him in a dazed condition, frothing at the mouth. After a quick examination he suggested Biko be re-admitted to hospital but Colonel Goosen insisted on a prison hospital.

Dr Tucker felt Biko was fit enough to travel by road to prison hospital in Pretoria. He told the inquest he did not think he could override the decision

of a police officer. He also said he felt Biko might be faking.

Although Dr Tucker was aware of the results of the lumbar puncture which indicated brain damage, he did not object to the fact that Biko was sent naked, without medical supervision in the back of a van for 1 000 km to Pretoria.

Neither doctor sent any information with Biko to medical personnel in Pretoria. Biko died six hours after arriving in Pretoria from his head injuries.

Advocate Sidney Kentridge, counsel for the Biko family, described his end as a "miserable and lonely death on a mat on a stone floor".

Mr Kentridge asked one of the doctors who attended Biko: "In terms of the Hippocratic Oath are not the interests of your patient paramount?"

"Yes."

"But in this instance they were subordinated to the interests of the Security Police?"

"Yes."

The magistrate referred the inquest proceedings to the SAMDC for possible further action. Meanwhile, the Biko family sued the State and won an out of court settlement of R65 000.

A preliminary committee of the SAMDC sat in April 1980 and found there was no "prima facie evidence of improper or disgraceful conduct on the part of the practitioners". Its finding was endorsed by the SAMDC.

Numerous questions were raised about the functioning of the committee:

- It did not release the evidence upon which its finding was based;
- It refused to reveal the names of the experts consulted for advice;
- Most of the committee members were government-appointed.

On June 18 1980 the Medical

Association of South Africa (MASA) was called upon to investigate the conduct of Dr Tucker, the only doctor involved in treating Biko who was a member. The Cape Midlands branch found that a charge of unethical conduct against Dr Tucker could not be sustained.

But Biko's ghost could not be buried that easily. Concerted efforts by a group of doctors ensured this. In February 1982 they called for a new inquiry by the SAMDC. A year later the council met behind closed doors and refused to re-open the case.

Undeterred, the group of doctors mustered one of the most formidable legal teams yet assembled in the country.

The result of their efforts was this week's ruling by Mr Justice Boshoff which will see the SAMDC open its inquiry once again.

