

## **EXTERNAL**

AI INDEX : EUR 23/18/95

22 September 1995

### **£GERMANY: @THE ALLEGED ILL-TREATMENT OF HIDAYET SECIL**

The information on this case is based on statements made by Hidayet Secil, his daughter Sevgi Secil and son Ismail Secil, in a criminal complaint to the Ulm prosecuting authorities on 4 July 1995; on an article in the *Neue Württembergische Zeitung* of 4 July 1995; and on a medical certificate issued by a doctor on 3 July 1995. Hidayet Secil is of Turkish nationality and has been living in Germany since 1969. He has been receiving an invalidity pension since 1979.

On the evening of Saturday, 1 July 1995, shortly after 7pm, two police officers, one male and one female, called at the Secil family's second-floor flat in the town of Göppingen. A neighbour who lives on the ground floor of the same building had rung the local police to complain about the noise coming from the Secil family's flat. After the officers had spoken to the neighbour they came up to the Secil family's flat and told them to be a bit quieter. Sevgi and Hidayet Secil explained to the officers that they were fed up with the neighbour complaining about them for no good reason. The officers then decided to leave. As they were going, the neighbour who had called them was heard to say to the officers that if necessary she would call them again in 10 minutes time. Ten minutes later the Secil family heard the same officers return. A police car also arrived and a total of four officers, two male and two female came up the stairs. Sevgi Secil states that through a window in the front door of the flat she asked the officers what they wanted. She was told that they had come to take Hidayet Secil with them to Christophsbad Psychiatric Hospital and that if the door was not opened it would be kicked in. Sevgi Secil opened the door and the four officers charged in and headed for the bathroom where Sevgi Secil had indicated her father was having a wash. Sevgi Secil and her mother stood between the officers and Hidayet Secil, seeking to protect him. One of the officers pulled Sevgi Secil away by the wrist, banging her head against the door-frame. Both Sevgi Secil and her mother were thrown out of the bathroom.

In the meantime Osman Secil, Sevgi's brother arrived and told the police that they could not take their father away for no reason. At this point the police called for reinforcements and a further four officers - one male and three female - arrived. Hidayet Secil alleges that one of the four officers who were in the small bathroom with him punched him four times in the face, causing his nose to bleed. Another struck him with his baton while the officer's three colleagues held him.

Hidayet Secil cried out for help, at which point Sevgi Secil heard an officer say: "In Germany we speak German" (*"In Deutschland wird Deutsch geredet"*). When she herself called out to her father, who in the meantime had fainted, the officers laughed and made fun of her.

At about this point Ismail Secil, who had been alerted by telephone to what had been going on, arrived home. He states that there was blood everywhere in the bathroom and that his father's face was also covered in blood. When one officer began to handcuff Hidayet Secil's hands behind his back, Ismail Secil tried to explain that his father's right arm was disabled and that he could not bend it properly.

Hidayet Secil was subsequently taken to a police station in nearby Eislingen and later taken to a hospital in Göppingen. From here he was taken to Christophsbad Psychiatric Hospital where he remained overnight. According to a medical certificate issued by a doctor on 4 July 1995, Hidayet Secil's injuries included: a broken nose; bruising to the upper lip and upper jaw; swelling and superficial cuts to the left arm; and seven weals on his back, approximately three centimetres wide and between four and 25 centimetres long.

In an interview with the *Neue Württembergische Zeitung* newspaper Peter Hartmann, Head of the Göppingen police, is quoted as saying that "This is, of course, an unpleasant story. However, nothing will be swept under the carpet" (*"Das ist natürlich eine unguete Geschichte. Es wird aber nichts unter den Teppich gekehrt"*). He added that according to the police incident report, the officers involved had had to use force against Hidayet Secil after he had offered them resistance. Two officers had suffered bruises and sprains. Hidayet Secil is currently the subject of an investigation for "resisting state authority" (*Widerstand gegen die Staatsgewalt*).

Amnesty International is urging the German authorities to investigate thoroughly, promptly and impartially the alleged ill-treatment of Hidayet Secil.