

# Murder verdict revives Pistorius suicide fears

Facing a long jail term for killing his girlfriend, 'the Bladerunner' is likely to retreat into despair, says **John Carlin**, who is close to the athlete's family

*John Carlin* Published: 6 December 2015

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Oscar

Pistorius faces many years in jail (Kim Ludbrook)

OSCAR PISTORIUS'S greatest victory took place not on a running track but in a Pretoria courtroom on September 11 last year.

On that day he learnt that he had been found guilty of culpable homicide, or manslaughter — the best outcome he could have wished for at the end of a trial in which he

had been charged with the pre-meditated murder of his girlfriend, the model Reeva Steenkamp.

Last week, the Olympic and Paralympic athlete suffered his worst defeat. On Thursday, South Africa's highest court of appeal overturned the trial verdict and found that when Pistorius fired four bullets into a closed bathroom, killing Steenkamp, he had committed murder. A jail sentence of at least 15 years awaits him.

I was with Pistorius at a party in the home of his lawyer, Barry Roux, on the night of September 11, 2014, hours after Judge Thokozile Masipa had made it evident in court that the verdict of manslaughter was what he could expect and that she would formally deliver her sentence the next day.

He would then be going straight to prison, but at that party Pistorius wore the calm, satisfied look of a man who felt he had been vindicated by the justice system and believed his honour had been saved. "I don't give a shit about the sentence," he told Roux. "I am not a murderer."

He knew he should expect a five-year sentence but appeared untroubled by the prospect as he chatted politely with guests and took turns to flip steaks and boerewors sausages on the barbecue.

It was a boozy party, but Pistorius did not drink alcohol and left early. The last thing he told me before driving home was that for the first time in a long time — since he had shot and killed Steenkamp a year and a half earlier, on Valentine's Day — he had found some peace.

“I think I may finally have a decent night’s sleep,” he said.



The prison cell in Pretoria occupied by Pistorius for a year (AP)

Not as good a night’s sleep, presumably, as the athlete had on October 19 this year, when he was released from jail into house arrest after serving barely a year of the sentence Masipa had given him.

His relief proved short-lived, however: the appeal court ruling declared him to be a murderer after all. If there is any possible consolation for Pistorius, it is that the judgment did not find him guilty of intentionally killing Steenkamp.

The new conviction is for a lower category of murder known in South African legal language as *dolus eventualis*. It means that Pistorius had to have foreseen that firing four bullets into a bathroom door, knowing that behind it

there was a human being, would lead to that human being's death. The appeal court judgment did not dispute Pistorius's contention all along that he believed he was shooting not at his girlfriend but at an intruder; but it did find that "whoever" his victim had been, he had shot to kill.

Therefore he had acted not with fearful recklessness, as the judge in the original trial had chosen to believe, but with the intention to murder.

The latest judgment, written by judge Eric Leach, said that to be found guilty of this category of murder it "does not mean that a perpetrator must know or appreciate the identity of the victim". Pistorius was guilty of murder in the same way as a person who opens fire and kills someone unknown during "a wild shootout" in the course of an armed robbery.

"A person who causes a bomb to explode in a crowded place will probably be ignorant of the identity of his or her victims, but will nevertheless have the intention to kill those who might die in the resultant explosion."

STEENKAMP's mother June welcomed the verdict as a sign of respect for her daughter.

"I see this as the truth. And the success is due to the justice system and God," she said.



The athlete shot and killed his girlfriend Reeva Steenkamp in February 2013 (Stimulii/AP)

Pistorius, who will feel that the justice system and God have failed him, may be extracting some crumbs of comfort from the knowledge that he will never now be found guilty by a court of law of deliberately killing the woman he has always said he loved.

Though he will also know that the court of public opinion will beg to differ, with millions around the world convinced that if, as the appeal court judgment said, this was a tragedy “of Shakespearean proportions” — Pistorius playing Othello to Steenkamp’s Desdemona — he must have known he was killing her and not the intruder of his imagination.

Yet, short of a shock confession by Pistorius, we will never know for sure whether he was telling the truth or not.

What one can be certain of is that right now, as he faces the imminent prospect of arrest prior to a new and lengthy sentence being passed in the new year, he is devastated.

That is how his agent, Peet van Zyl, has described his state of mind to the media. I have seen Pistorius devastated in court, where he would howl and weep and retch as the images stormed back into his mind of the night he killed Steenkamp, and also in private, at the vast and heavily fortified home of his uncle in Pretoria, where he has lived, when he has not been in jail, since the killing.

We had just met for the first time and he sat across from me in his uncle's study on a long leather sofa with his head resting on his aunt's shoulder.

Pale and thin, a pitiful shadow of the "Bladerunner" who had triumphed in the London Olympic and Paralympic Games of 2012, he looked and sounded like a five-year-old boy whose puppy had just died.

As he responded in a quivering, high-pitched voice to my attempts to make conversation, it felt as if at any moment he would collapse onto his aunt's bosom and break down sobbing.

The athlete's uncle, Arnold Pistorius, revealed to me later that his and his family's biggest fear during that limbo period before the trial was that "Ozzie" would commit suicide. Arnold Pistorius had read that in America, in cases where people had killed a person they loved and later regretted it, 20% ended up taking their own lives. In his nephew he saw signs for alarm.

That scene I had witnessed was by no means unusual and it was clear to his family, who saw him burst into tears all the time, that the future he foresaw for himself was filled

with terrors and little prospect of joy or earthly redemption. He had always prayed a lot and read his Bible, but now he questioned his faith in God.

Arnold Pistorius sat him down one day and asked him if he saw any purpose in life. Pistorius responded as his uncle hoped he would. With God's help, he said, he would strive to see a point in carrying on living.

Twenty-nine years old now — the same age as Steenkamp was when he ended her life — he will be asking himself why God has not helped him in his hour of greatest need. And he will be wondering again, possibly in a more despairing mood than ever, whether his own life is still worth living.

Pistorius's physical freedom and the moral comfort he thought he had found in that first verdict of manslaughter have both been snatched away.

Once a hero to millions, he must endure the unending shame of knowing that for many the world over, not least Steenkamp's family, he has finally received the punishment that fits the crime.

*John Carlin is the author of Chase Your Shadow: The trials of Oscar Pistorius*