

SURPRISE TURN AT TIMOT INQUEST

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Staff Reporters

SECTION SIX of the Terrorism Act was invoked by counsel for the South African Police in a dramatic turn at the inquest into the death of Mr. Ahmed Essop Timol in the Johannesburg Regional Court today.

In terms of section 6 no person other than the Minister or an authorised official will have access to any information about a detainee. The application was vigorously opposed by counsel for the Timol family, Mr. I. Maisels, QC.

He said if the police persisted in their attitude this would be a deliberate attempt to frustrate the inquiry and the proceedings would become a farce.

If counsel for the police or the Minister wished to take this attitude he could do so.

The magistrate, Mr. J. J. L. de Villiers, suggested that there should be a short adjournment so that Mr. S. A. Gilliers (for the police) could discuss the matter with Mr. Maisels.

Mr. Maisels replied that if Mr. Gilliers persisted in his attitude the court would be bound by the sections of the Act.

Mr. Maisels said: "We were told publicly by the Prime Minister that a full investigation would be made into the matter."

After a short adjournment Mr. Gilliers told the court he had discussed the matter with senior members of the police present in court.

"Their attitude is that it is of prime importance that the inquest reveals everything regarding the matter. This is in the public interest and Mr. Maisels can continue with his cross-examination without being burdened by the section of the Act," he said.

After arrest

During questioning of the first witness to be called, Sergeant Leonard Kleyn of Newlands police station, Mr. S. A. Gilliers (for the police) interjected and invoked section 6 of the Terrorism Act.

The witness was answering questions put to him by Mr. I. Maisels, concerning Mr. Timol's questioning after his arrest on October 22 last year.

Sergeant Kleyn said on October 22 he found two Indian men sitting in a small car. They were later identified as Mr. Timol and Mr. Mohamed Essop. The policeman asked them where they were going and they replied: "To a party."

Sergeant Kleyn then asked them to open the boot of the car and there he found the pamphlets of an unlawful organisation. The two men were taken to Newlands police station where they were questioned by police officers.

Questioned by Mr. Maisels, the witness said Mr. Timol was not assaulted while he was in his presence from 11.10 am on October 22 to 5.30 am the next morning.