

Evidence of injuries before Timol death

Staff Reporter

A SENIOR Police Officer who had assisted with the investigations into the death of Mr. Ahmed Timol, a Security Police detainee who fell to his death at John Vorster Square, agreed in the Johannesburg Regional Court yesterday that the State Pathologist's histological report indicated that injuries were received by Mr. Timol before death.

Major J. F. C. Fick, who had assisted the chief of the CID, Major-General C. A. Buys, with his investigations after the death of the Roodepoort school teacher, was facing cross examination by Mr. I. A. Maisels QC, appearing for the Timol family.

COLLAPSE

Major Fick said he had thought Mr. Timol may have been assaulted in the time he was in police custody, and as a result all those involved were questioned.

Mr. Maisels had referred to a report by the senior State Pathologist, Dr. Scheepers, and asked Major Fick if this showed that injuries were received by Mr. Timol ante-mortem, in some cases between five and six days and in one case between four and six days. Major Fick said it did.

When the hearing resumed yesterday morning, proceedings had to be adjourned within 10 minutes when Major-General Buys collapsed in the witness box.

Major-General Buys was



MAJOR FICK

being questioned by Mr. Maisels when he suddenly leaned over the side of the witness box and then collapsed. Police officers, including Major Fick, rushed to his assistance and took him from the warm courtroom to the verandah outside.

Major-General Buys seemed to recover quickly and left the building about 20 minutes later. First reports were that he was to be examined by a doctor.

When the hearing was resumed Major Fick was called.

Mr. Timol, 30, died when he fell from a 10th floor room at John Vorster Square on October 27. He was being detained under Section 6 of the Terrorism Act and, according to evidence, had been interrogated.

He fell moments after a "Mr. X" had entered the room and said the Whites "involved in the case" had been identified and the name of Quentin Jacobsen was mentioned.

The two officers in the room left and Sergeant Joao Rodrigues remained alone with Mr. Timol.

VERBAL

When the hearing resumed yesterday Mr. Maisels asked Major-General Buys if he had seen Captain Gloy before he had spoken to the reporter of the Sunday newspaper Rapport. Major-General Buys said he had.

He said he had also spoken to Captain Van Niekerk and both officers had made verbal reports to him. At this stage Maj-Gen. Buys said he had no objection to the police investigation diary being handed in.

Immediately after this Maj-Gen. Buys collapsed.

Major Fick was called and the statement he made was read out. In this Major Fick said the spot where Mr. Timol had landed was pointed out to him. He had seen the shrub which was damaged and from which branches were broken.

He said in his statement: "According to the investigations, no foul play is suspected."

Cross-examined by Mr. Maisels he agreed he had made

most of the entries in the diary. These entries were made on the date specified.

Mr. Maisels said that according to the investigation diary Brigadier Pattle had said there was no reason to believe there had been foul play. Major Fick said this was correct.

He asked Major Fick if he had approached the matter initially with the idea that foul play was not suspected. Major Fick said that at that stage he was concerned with the collecting of all the information he could for the purposes of the inquest.

Mr. Maisels: Was your initial approach to the matter along the lines that there was no foul play? — I had no reason to believe there was foul play.

Major Fick said he did not ask Brigadier Pattle what Sergeant Rodrigues had told him although he had seen the brigadier before he saw Sergeant Rodrigues.

PHOTOGRAPHS

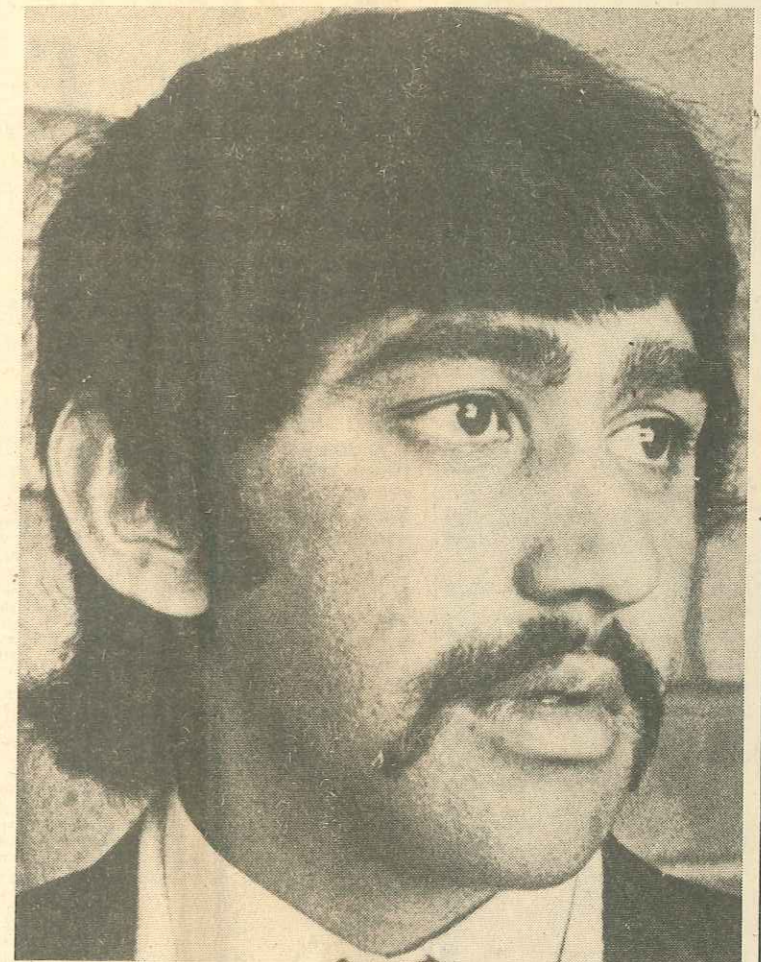
Major Fick said he had received a number of photographs but he had not questioned anyone about them.

He did not ask Brigadier Pattle about the photographs showing Sergeant Rodrigues standing in office 1026 near the open window.

He had read the statement Brigadier Pattle had made in which Brigadier Pattle talked about the photographs.

Mr. Maisels: Did you not think you ought to ask him for some explanation with regard to the photographs? — No, I did not think it necessary because he would give evidence in court.

Mr. Maisels: By that time



MR. AHMED TIMOL . . . fell to his death.

there had been a great deal in the English and Afrikaans newspapers? — Correct.

Mr. Maisels: And there had been criticism not only in the English but in the Afrikaans Press about the police and the lack of information by the police? — Correct.

Major Fick said that in his report Brigadier Pattle had said that Sergeant Rodrigues had made a full report to him of what had happened. Major Fick said he did not ask Brigadier Pattle what Sergeant Rodrigues's report was.

Mr. Maisels: Why not? — I

believed I knew what the report was, and I did not ask him.

Mr. Maisels: Has it happened in your experience that witnesses sometimes give inconsistent statements? — Yes.

Mr. Maisels: Has it happened that even policemen give inconsistent statements? — Yes.

Mr. Maisels: Regrettably it happens from time to time? — Quite often.

Major Fick agreed that an

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In the true Witzenberg tradition

