

Buyys will not give evidence

SURPRISE AT TIMOL INQUEST

Staff Reporter

IT WAS A DAY of surprises at the marathon Timol inquest yesterday, capped by the announcement at the end of the day's proceedings that Major-General C. A. Buyys would not be able to give further evidence.

The hearing had been postponed for more than a month after Maj.-Gen. Buyys, the CID chief, collapsed in the witness box on May 4.

Mr. S. A. Cilliers, for the police, told the court that the specialist attending Maj.-Gen. Buyys, Dr. M. de Villiers, had advised him not to give evidence "in any court of law". He might reconsider the position in two months' time, he said.

The Timol family's counsel, Mr. I. A. Maisels, QC, said: "We would like to have him but we will have to accept realities."

Spectators have been benumbed for days by highly technical evidence.

When the Buyys announcement was made most spectators had left for the day — there were only a few members of the Timol family left in the public gallery.

Conflict

Earlier in the day Mr. Cilliers told the court that evidence given by the senior State pathologist, Dr. N. J. Schepers, was in conflict with the police case.

Mr. Cilliers had subjected both Dr. Schepers and Dr. J. Gluckman, a pathologist instructed by the Timol family, to extensive cross-examination regarding the age of bruises on Mr. Timol's body.

Both told the court they could establish the age of wounds no nearer than keeping to the classification of Dr. I. Robertson, of Australia, who placed them in the four-day categories.

"One cannot differentiate between four or five days in establishing age. These are very tenuous conceptions", Dr. Gluckman said.

Mr. Timol was in police custody for 4½ days.

He had found that Dr. Schepers's evidence was in part detrimental to the police and for this reason he then consulted Professor H. van P. Koch, of the University of Pretoria.

Prof. Koch would give evidence, Mr. Cilliers said, and it would emerge that there was serious conflict between his evidence and that of Dr. Schepers.

'Picture'

There were some lighter moments between all the technicalities, when Mr. Freck Swart, a reporter from the Afrikaans Sunday paper, Rapport, was called to give evidence about an interview he had had with Maj.-Gen. Buyys immediately after Mr. Timol's death.

Mr. Swart told the court that when he quoted a person in his newspaper this did not mean that the words quoted were actually used by the speaker. He used quotations to give "a better picture of the speaker," he said.

He admitted that words he had quoted Maj.-Gen. Buyys as saying were not actually used by him.

Mr. Swart's attitude to quotations was made even clearer when Mr. Cilliers read another report by Mr. Swart in which he had misquoted Shakespeare.

The magistrate, after consulting with counsel, said that he "accepted" that evidence in the inquest would be concluded by tomorrow, but Mr. Maisels said that he gave "no guarantee regarding the conclusion of cross-examination of medical witnesses."

The hearing continues today.