

Detective refutes Mrs. Timol

Staff Reporter

THE allegation by Mrs. Hawa Timol that she had been told by a member of the Security Police, after the detention of her son, that she would not see him again was denied in the Regional Court, Johannesburg.

Detective Warrant Officer C. P. F. Jansen van Rensburg of the Security Police, giving evidence yesterday at the continuation of the inquest of Mr. Ahmed Timol, the Roodepoort school teacher who fell to his death from the tenth floor of John Vorster Square while being detained by the Security Police, denied he had said this to the aged Mrs. Timol.

Mrs. Timol had made the allegation in her evidence before Mr. J. J. L. de Villiers.

The detective also denied that he had told Mrs. Timol her son would get a hiding, but added he said to her that her son had been "naughty." He claimed he had told her — in an "educational context" — that she would not be crying if she had given him a hiding. He agreed that Mrs. Timol had been reported in a newspaper article as having said she had been told by the police that she would not see her son again.

"It was not true," he said. "I treated it with the contempt it deserved," he told the court.

The hearing continues today.

Staff Reporter

A NEWSPAPER report in which Mrs. Hawa Timol, mother of the dead detainee, Mr. Ahmed Timol, was reported to have said the police told her she would not see her son again, was handed in at the Johannesburg Regional Court at the continuation of the Timol inquest before Mr. J. J. L. de Villiers.

Detective Warrant-Officer C. P. F. Jansen van Rensburg told the court the allegation was not true and he treated the report "with the contempt it deserved."

Mr. I. A. Maisels, QC, for the Timol family, said Mrs. Timol had made a similar allegation in court.

The inquest on Mr. Timol, 30, who fell to his death from the 10th floor of John Vorster Square last October, while being detained by the Security Police, entered its second week yesterday.

When the hearing resumed yesterday Mrs. Timol faced further questioning.

A highlight of the proceedings was a change of interpreters when, while Mrs. Timol was speaking in Gujerati, it was claimed by defence counsel that the original interpreter was not interpreting properly.

The magistrate told Mrs. Timol it was quite clear she was trying to evade a question being put to her by counsel for the police.

Questioned by Mr. S. A. Cilliers (for the police) Mrs. Timol said she had said to Detective Warrant-Officer Van Rensburg, when the police visited her flat on October 26 that she wanted to see her son.

Mr. Cilliers: I put it to you the officer said "You cannot see him?"

Mrs. Timol: Yes, that is correct.

I put it to you that you said: "Why did you catch him?" — I did not say so.

Were you not curious to know why your son had been arrested? — No, I did not understand so I did not ask.

Were you not curious? — I was told my son required a hiding.

But were you not curious to know why your son had been

caught? — No, I was under the impression they caught others and that was why he was caught.

You did not know why? — No.

Did the officer say he was naughty (stout)? — I asked the officer, I wanted to see my son and the officer said my son was naughty and he needed a hiding.

Mr. De Villiers: He was naughty?

Mrs. Timol: When I asked the officer to see my son he said I cannot see my son, he needed a hiding. I said I did not give him a hiding, why should you.

Questioned further by Mr. De Villiers she said: "I do not remember all the words, but I remember being told my son needed a hiding."

"I was not told he was naughty. I was told he needed a hiding and I said 'Why should you give him a hiding?'"

Mr. G. Bizos (for the Timol family) interrupted and said he was instructed by Mr. Cachalia (the instructing attorney) that Mrs. Timol had not used the word "naughty". Mrs. Timol had tried to stop the interpreter, and she has denied she used the word.

Questioned further, Mrs. Timol said the officer came to her flat to look for a book, but they could not find the book they wanted.

Mr. Cilliers: Can you remember saying you could not remember every word said that afternoon? — I remember every word.

I put it to you that you said to the officer: "My child was never naughty?"—There were three officers and they talked among themselves and I asked them who told them about the book.

Mr. De Villiers: Mr. Cilliers put a certain question and it is quite clear she is trying to evade the question. A simple question is put to her and she evades the question. You (addressing Mrs. Timol) cannot evade the question, you must answer the questions.

Did you say your child was never naughty? — I wasn't asked that.

It's not a question to be

Security man denies allegation

asked, did you use those words? — I was told by the officer that I cannot see my son.

The question is, did you say your child was never naughty? — No.

Mr. Cilliers: Did you say to the officer, "I never gave him a hiding?" — Yes, I did.

In reply to what remark or what question did you say "I had never given him a hiding?" — I said I wanted to see my son. He said, "You cannot see your son, he needs a hiding." I said, "I did not give him a hiding."

Did the officer say the following: "Look, old mama, a child must get a hiding?" — Yes.

At this stage Mr. Cilliers said it appeared that counsel for the Timol family was not satisfied with the interpretation.

Mr. De Villiers said if there was any doubt about the interpretation the court would have to get another interpreter. He had to make an adjudication and the interpretation had to be satisfactory.

There was an adjournment so that another interpreter could be found.

Mr. Cilliers: I am putting it to you that the officer said to you, "Look old mama, a child must get a hiding?"

Mrs. Timol: I did not say that.

But did the officer say that to you? — I asked the officer if I could see my son, and the officer said I could not see my son.

Mr. De Villiers told her she should answer the questions. He would see that no unfair questions were put to her. The question put was simple and it was absolutely necessary.

Mr. De Villiers: When a

question is put to you, think and give an answer. Did any officer say to you, "Look old mama a child must get a hiding?" — I asked the officer about my son.

Do you understand the interpreter? — I do.

Are you speaking the same language? — Yes.

Did you understand the previous interpreter?—I did.

Why don't you answer the question? A question is put to you and you evade it and come up with something else? — I was not told that by the officer.

Mr. Cilliers: Did you understand the Afrikaans when I put the question? — What did you ask?

When I read the sentence, "Look old mama . . ." — The word, "A child" (in Afrikaans) I did not understand.

Is it possible that the officer did use the words but you cannot remember it today? — No "He must get a hiding" was distinctly said to me.

Did the officer say, "If you hit him at that time you would not be crying now?"—No.

Mr. Cilliers put it to her that her son, Ahmed, had told the police, and this was recorded by Captain Van Niekerk during questioning, that he had gone to a certain house, but he was drunk and could not recognise all the guests.

Mrs. Timol said her son never drank alcohol.

Questioned further, Mrs. Timol said she had been told by the police, when they visited her home, "You did not hit him (her son, Ahmed), therefore we hit him."

Mr. P. A. J. Kotze (leading the evidence): On the occasion when you and the police officer exchanged words about a hiding, were you crying or not?

— I was not crying, but my heart was very sore and I was crying inside.

Questioned by Mr. de Villiers, she said: "When I was told, I felt so much I just felt that I wanted to faint."

Mr. Kotze then called Mr. Yusuf Ahmed Timol, 65, the father of the deceased. He read out the statement Mr. Timol had made.

In this, Mr. Timol said he was a commercial photographer of Maree Street, Breyten. He said his son was a teacher at the Indian High School, Roodepoort. In 1966 his son left South Africa to go to Mecca and then went to England where he attended classes. He returned again in February, 1970.

He last saw his son alive late on the afternoon of October 22, 1971. At 3 am the next day three members of the Security Police came to the flat to ask where his son was, Mr. Timol said in his statement.

They searched the flat and removed a typewriter and documents. He was told that his son was under arrest at John Vorster Square.

The Security Police had visited the flat on about five occasions, he said.

His wife had asked one of the men when she would see their son again, and the man said they would not see the son.

On October 26, Mrs. Timol was told, and when the officer spoke to her in Afrikaans, she could understand, that their son "must get a hiding". His wife asked why and the officer replied, "You did not give him a hiding, that is why we must give him a hiding."

He identified the body of his son at the Government Mortuary on October 29. The body was released shortly afterwards for burial.

Questioned by Mr. Cilliers he said the detention of his son caused him great distress and he was upset when the police came around. He and his wife had been fasting.

Asked if he had a clear recollection of what had happened, or whether he could not remember because he was distressed, Mr. Timol said he could not remember everything, but what he said in his statement was correct.

Mr. Cilliers: Do you remember the exact words used by