

FATHER'S EVIDENCE

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the police to your wife? — I cannot remember the exact words, but I remember the talk.

Mr. De Villiers: What you mean is that you remember the gist of the conversation? —

That is correct.

Mr. Gilliers: Can you remember any of the words used? — When my wife asked when she would see our son she was told she would not see our son.

Referring to the conversation in Afrikaans he said one of the policemen had said: "Your son needs a hiding." His wife had said they should not do this and she was told, "You did not give the hiding so we must give the hiding."

Mr. Timol said he knew his son had been detained, but he did not know the reason for this.

Mr. Gilliers: You had a good opportunity of trying to find out when the police visited you on the 26th? — I did not attempt to find out because I was frightened.

What were you frightened of? — The Security Police.

Did you have any particular reason to be frightened? —

When the Security Police came we were frightened that we may be arrested, too.

Had you done anything which would cause the Security Police to detain you? — No, but that was the fright we had.

His detention must have been a mystery to you? — Yes, it was.

Questioned by Mr. De Villiers, he said he knew the reasons today for his son's detention. He had heard this in court.

Under further cross-examination by Mr. Gilliers, he at first denied he had discussed the matter with his wife, but admitted that he had after Mr. De Villiers had said to him he need not be frightened.

"I can assure you that you will not be detained just for discussing the facts of this case," Mr. De Villiers told him.

Mr. Timol denied he had heard the police say his son had been naughty and that he should get a hiding.

When he last saw his son he was in good health and he did not complain of pain on the side of the body or anywhere else, he said in answer to questions put by Mr. Maisels.

The next witness called was

Detective Warrant-Officer Van Rensburg.

He said in evidence that he accompanied others to the Timol flat on October 26. They carried out a search and found nothing.

When they were leaving Mrs. Timol spoke to him and said:

"I want to see my son."

"I told her she could not see her son," he said. "She asked me, 'Why did you catch my son?' I said: 'because he was naughty'."

"She then said, 'My son was never naughty, it was never necessary for me to give him a hiding.' Then I said, 'Look, a child must get a hiding, if you gave him a hiding then you wouldn't be crying now.' Then I left."

Questioned by Mr. Koize he said he had addressed her as "old mama." He had had nothing to do with the questioning of Mr. Ahmed Timol.

Questioned by Mr. Maisels he said that at the time he had been involved in other searches, and had made about three house visits. He had also arrested one person, a Mrs. Desai.

On October 25 there was "a lot of investigating work to be done." There were people in custody. When he had arrested Mrs. Desai on the Saturday he had searched her house, and he had also helped in the search at the Timol home. When they visited the Timol home they were looking for an address list.

He could not remember the date on which he had been asked to make his statement, but the date would be shown on his statement. Either General Buys or Major Fick had asked him to make a statement.

Mr. Maisels interjected: "It is quite safe to say that because they are the investigating officers."

Mr. Maisels: Your attention was not drawn in any way to what it was said you said . . . what Mrs. Timol alleged you said on October 26 when you visited the flat? — At that stage I think it was common knowledge what Mrs. Timol had said.

What do you mean "general knowledge?" — It was in the Press. Can you perhaps help us in what Press? — In the Rand Daily Mail.

What was she supposed to have said? — I think the allegation was that she said the police or a policeman had said to her that the police were going to hit her son.

Anything else? — I did not memorise the report.

Questioned further, Detective-Warrant Officer van Rensburg said the newspaper report appeared the morning after Mr. Timol's death. He thought it related to him.

Mr. Maisels: But there was no conversation in which you said he would get a hiding? — Naturally not.

He said he gained the impression that Mrs. Timol had given the information out of context.

Mr. Maisels handed in a report of the Rand Daily Mail of October 29 in which Mrs. Timol claimed she had been told by the police, before her son's death, that she would not see her son again.

Detective Warrant-Officer Van Rensburg said the allegation was not true. "I treated it with the contempt it deserved," he said.

The hearing continues today.