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IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION

Case number: I01/2017

In the matter of:

**REOPENED INQUEST: LATE AHMED TIMOL**

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**AFFIDAVIT OF HANIF MOHAMED VALLY**

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I the undersigned,

**HANIF VALLY**

do hereby make oath and say:

1. I am an adult male resident in Johannesburg. I am the Deputy Director of the Foundation for Human Rights in Johannesburg.
2. The contents of this affidavit are within my personal knowledge and are both true and correct.
3. I was born in Johannesburg on 29 December 1955. I attended Lenasia High School and I Matriculated in 1973. I then attended the University of Durban Westville where I completed a BA degree. In 1977 I attended the University of the Witwatersrand where I enrolled for a LLB.
4. In 1977 I was detained in terms of the Internal Security Act and held in the Modderbee Prison in Benoni for 9 months. My detention coincided with the banning

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of the newspapers such as The World and Voice and other Black Consciousness organisations.

5. As a result of my detention my studies were interrupted and I could not complete my degree in normal time. After my release, I taught at Alpha Primary School in Lenasia for a few months and I went back to University to complete my degree. I graduated in 1980.
6. I completed my articles with Andrew, Lister and Tucker and also Priscilla Jana and Associates. I practised law with last mentioned firm for a few years. I then joined the Council of Unions of South Africa. I re-joined Attorney Priscilla Jana working primarily on the Delmas trial. I then went into practice on my own account and thereafter worked as an attorney with the Legal Resources Centre. I was appointed the National Legal Officer at the Truth and Reconciliation Commission in 1995 and worked there until January 1999.
7. I then moved to London where I was the head of Human Rights at the Commonwealth Secretariat for 6 years. In 2005 I joined the Foundation of Human Rights when I returned to South Africa. I still work for this Foundation.
8. During my legal career I sought to promote a free and democratic South Africa and I fought for social justice.

## **ASSAULT IN DETENTION**

9. During or about April and May 1980 there were protests against unequal education by High School Students and University Students. I was an activist during these protests.
10. I was arrested at my flat in town by two policemen Billings (Coloured) and Harripersad (Indian) who work with Sons at the Security Branch in this period. They took me to John Vorster Square. Later accompanied by more police, including Sons, I was taken back to my flat where they searched my flat and my car.
11. I was then taken back to John Vorster Square where I was detained for two weeks.



12. During my detention at John Vorster Square I was interrogated a number of times. Sons was part of the team in the first session of the interrogation to which I was subjected.
- 12.1 I was stripped naked in that first session. Paul Erasmus was present. I distinctly remember Sons taking off my spectacles and as I was looking at him, other police started slapping and kicking me.
- 12.2 There was also a policeman called Smit (white) present. I do not recall anything specifically that Sons did as I was rather shocked and confused as the assaults were gratuitous in the beginning and not linked to any questioning.
13. I do not distinctly recall Sons being part of any further interrogations. During my period of my detention, I was taken to the isolation cells at night and kept in solitary confinement. I was taken to the 10<sup>th</sup> floor of John Square for interrogation every morning.
14. I was charged under the Riotous Assemblies Act in relation to a peaceful demonstration against unequal education by high school students. I was convicted and sentenced to four months imprisonment suspended for five years.



**HANIF MOHAMED VALLY**

The Deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and affirmed before me at ROSEBANK on this the 17 day of 5 AUGUST 2017, the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.

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*[Handwritten signature]*

**COMMISSIONER OF OATHS**

SABHO BONKHOSI NDALANE FULL NAMES:  
CONSIABLE  
15 STURDEE AVENUE DESIGNATION:  
ROSEBANK ADDRESS:

