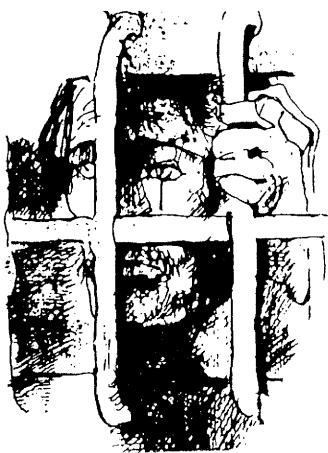


DETENTIONS

PACSA FACTSHEET

30



Detention without trial

This has been used by the South African government for many years. It featured first as 90 day detention in the early 1960's and later as 180 day detention. It eventually became indefinite detention under Section 6 of the Terrorism Act(1967).

Currently persons may be held indefinitely under Section 29 of the Internal Security Act, while other sections (28 and 31) also allow for preventive detention and detention of witnesses (see Factsheet 15).

Under the existing (4th) and previous (3rd) State of Emergency detained persons are controlled by the Public Safety Act of 1953 and regulations promulgated under this Act.

11 June 1987 saw the reimposition of the national State of Emergency. Although the new regulations do not essentially differ from those promulgated between June 1986 and June 1987, there are some notable differences.

Generally it would seem that the government has tightened up and extended the regulations. They have taken into account the decisions taken by the Supreme Court and ensured that the new regulations are more carefully phrased and clearly defined.

In rewriting the regulations, the state has extended the period of initial detention from 14 to 30 days in Section 3(1) while Section 3(3) allows for continued indefinite detention.

Detention without trial is totally unjust. It is also a form of torture and appears to be designed to keep persons out of circulation without bringing any charges against them.

It has been estimated that in 1986 over 25 000 persons were detained while in 1987 the number was in excess of 9 200; so far this year it has been estimated that there are 3 400 people held under emergency and security legislation.

In the greater Pietermaritzburg area almost 900 men, women and children have been detained between June 1987 and February 1988 and people are being detained almost daily.

Detention statistics in Pietermaritzburg

The following information on detainees reflects the situation up to 6 March 1988.

Total detained (including 14 redetentions)	883
Made up of:	
Students, scholars, teachers	24
Unionists, workers	25
Community workers	65
Clergy, Churchworkers	2
Other (unknown category)	767
	883

The majority of these people are being held under the State of Emergency.

Conditions in Detention

Several complaints about conditions in detention have been received from detainees and ex-detainees. These have been concerned both with actual conditions such as overcrowding, the poor quality of food and lack of exercise, as well as allegations of actual physical and psychological maltreatment.

An investigation by doctors belonging to the National Medical and Dental Association (NAMDA) into the physical and psychological treatment of a group of 131 ex-detainees found that:

* 32 percent had been in solitary confinement. Of these 84 percent were found to psychological symptoms such as anxiety, depression and sleeplessness.

* 51 percent were found to have been physically assaulted having bruises, lacerations, lesions consistent with being sjambokked, gunshot wounds, signs of having been electrically shocked, and perforated eardrums.

* 78 percent claimed mental abuse. Of these 35 percent claimed they had been threatened and 26 percent said they had been humiliated as in being forced to strip naked.

* Of the 26 percent of people who had asked to see a doctor, 62 percent said that this request had been refused. (Weekly Mail, 10 - 16 April 1987).

Detainees' Families

Many family members of detainees find themselves in situations of uncertainty and anxiety in not knowing what has become of detainees with some people being sent from one police station to another. Detainees are allowed one visit with one family member every two weeks. These must be conducted in English, Afrikaans or Zulu in Natal.



Conditions have been made considerably more difficult for many local families by the removal of about 150 detainees to Westville prison near Durban in late January 1988. This increases the distance many relatives have to travel.

A Christian Response

In contemplating the sufferings of those in detention, Christians are reminded of Jesus Christ who was unjustly accused, imprisoned, tortured and killed. In this he showed God's solidarity with humankind, particularly suffering humankind. As Christians we are called to do likewise. We are called to support detainees in prayer and action and to work for a society in which detentions do not occur.

"Remember those who are in prison, as though you were in prison with them. Remember those who suffer as though you were suffering with them." - Hebrews 13: 3.

The following are some of those currently in detention in the Pietermaritzburg area:

- * Siphiwe Khanyile
- * Sipho Gabela
- * Sobhuza Dlamini
- * Reggie Hadebe
- * Robbie Mkhize
- * Thami Mseleku
- * Mduduza Ndlovu
- * Skhumbuzo Ngwenya
- * Martin Wittenberg
- * Rodney Nyembe
- * Ndoda Mavimbela
- * Dumisani Phungula
- * Hloni Zondi
- * Alfred Ndlovu

- * Jabulani Shezi
- * Lucky Sishi
- * Thami Xuli
- * Dumisani Xaba

- * Lindi Boqo
- * Bheki Dladla
- * Bona Madlala
- * Jerome Khumalo

- * Dominic Mnguni
- * Daniel Mthembu
- * Themba Ndaba
- * Linos Ncwane

A Prayer for Detainees and Prisoners of Conscience

*Lighten their darkness, O Lord,
and protect them from harm and despair.
Deliver them from evil.
Strengthen them with your faith and hope.
May they know your presence with them.
Give them the inner comfort of your Holy Spirit,
that they might find life and victory in you
O, God, our creator and redeemer.
Amen.*