

AJ30



AT 30

DETENTION

CUSA condemns the detention of all trade unionists and persons detained under the Internal Security Act. 42 trade unionists have been detained since the beginning of 1984 and 19 are still in detention under Section 29 of the Internal Security Act.

No degree of harassment and intimidation will stop the growth of the working class. It may retard it for a while - but the struggle of the working class will continue.

Section 29 under which any police officer of the rank of lieutenant-colonel and up, can order the detention of a person for an indefinite period for the "purposes of interrogation"

GROUNDS:

- (a) If in the Minister's opinion "there is reason to apprehend that the person will commit" a security offence,
- (b) "If he is satisfied that the person engages in," promotes or is likely to promote activities endangering State security or maintenance of law and order.
- (c) If he has reason to suspect that a person previously convicted of a security offence engages or is likely to engage in activities as in (b).

DETENTION ORDER:

By means of a written notice, signed by the Minister and addressed to the member of the Prisons Services who is in charge of the prison specified. A copy of this notice tendered by a police officer to the person concerned serves as a warrant for his arrest. The notice delivered to the person concerned must also be accompanied by a written statement from the Minister "setting forth the reasons for the detention And so much of the information which induced the Minister to issue the notice ... as can, in the opinion of the Minister, be disclosed without detriment to the public interest"

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PERIOD OF DETENTION:

For the period during which the notice is in force," that is the detention period is stipulated on the Minister's notice. The Minister may also withdraw the detention notice at any time. Thus the length of detention is totally at the whim of the Minister of Law and Order.

ACCESS TO DETAINEES:

No person may have access to the detainee or the official information relating to the detainee, except :

- * The Minister of Law and Order
- * The Director of Security Legislation
- * A judge of the Supreme Court
- * Chairman of a board of review
- Any official in the service of the State.

However, other persons may have access to the detainee "with the consent of and subject to such conditions as may be determined by the Minister of Police".

In addition, a non-listed lawyer may have access to the detainee within the first 14 days for the sole purpose of assisting him in making representations.



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