

# Detainees: Bar worry

STAFF REPORTERS

THE Johannesburg and Free State Bar Councils both voiced their concern yesterday over the workings of the Terrorism Act, following similar statements made this week by the Cape Bar Council and the Society of Advocates of Natal.

The Johannesburg Bar Council said the Terrorism Act and other similar legislation constituted a "very serious inroad" upon the Rule of Law and was the type of legislation that was "subversive of the proper administration of justice in South Africa."

In Bloemfontein, the Free State Bar declared its support for the Cape Bar Council's statement calling for a judicial inquiry into the treatment of detainees.

The Johannesburg statement said: "In view of the present public debate as to the detention of persons without recourse to the courts or legal advisers, the Johannesburg Bar Council wishes to reiterate the concern which the Bar has often expressed at this type of legislation."

## INROAD

"A general meeting of the Johannesburg Bar was called in May, 1970. The concluding paragraphs of the Bar's statement were as follows: 'The Terrorism Act and other legislation containing similar features, and

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## BAR COUNCILS CONCERNED OVER TERRORISM ACT

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the application of such legislation in practice, constitutes a very serious inroad upon the Rule of Law, and in the view of the Johannesburg Bar this type of legislation is subversive to the proper administration of justice in South Africa."

"The Johannesburg Bar further urges the Government at the earliest opportunity to

introduce legislation to restore the courts to their traditional role as guardians of the liberty of the subject."

The Cape statement said: "The Cape Bar Council reiterates its aversion to terrorism and similar action against the safety of the State. Despite this the council feels that it is duty bound to express deep concern at the deaths of a number of people who apparently died while being detained by the Security Police.

"In the circumstances the Bar Council is of the opinion that a judicial inquiry should be held into the treatment of such detainees."

Also yesterday, the Financial Mail, in a leading article, said the fears and anxieties about the increasing tension in South Africa could both damage confidence in the Government and harm South Africa's image abroad.

Cabinet Ministers should

stop threatening newspapers, give South Africa the truth about the alarming events of the past few weeks and be perfectly frank in all dealings with the public, said the article.

"It is absolutely vital that South Africa's image be safeguarded at a time when the country has to rely on a huge inflow of foreign capital to maintain its solvency," the Financial Mail said.

"South Africa is in a jam and there is no use denying it. The

sooner Pretoria plays it straight, the sooner everyone will be able to knuckle down to getting the country out of it."

The article began by saying that the last few weeks had seen a sharp drop in Pretoria's credibility rate by being less than frank in attempts to explain the Caprivi incident, the dawn raids, the death in detention of Ahmed Timol, and the hospitalisation of Mahomed Essop, the Government had broadcast to the world that it thought it had a good deal to hide.

## Suzman to meet families of those detained

Staff Reporter

MRS. HELEN SUZMAN, MP, will today meet family representatives of Indian detainees held under the Terrorism Act.

She confirmed this last night. There are still 19 persons being detained under the Terrorism Act after arrests by the Security Police in the past three weeks.

They include two Britons, an Australian, a Malay woman and 15 Indian men and women. All are believed to be in detention in Johannesburg, Pretoria and Durban.

A Durban student, Mr. David Davis was the first detainee to be brought to court. He was charged in Durban on Thursday under the Suppression of Communism Act and the Customs Act and released on R100 bail.

Three Indians and a German also detained under the Act were released in the past 10 days.

Security Police headquarters in Pretoria have not yet confirmed whether Mr. Dennis Naik, 25, a Roodepoort upholsterer who was arrested on Thursday, is being detained under the Terrorism Act.

British Consulate and Australian Embassy officials said yesterday they had no information as to when the two Britons, Mr. Quentin Jacobson and Mr. David Smith and the Australian Mr. Martin Cohen, would be brought to trial or released.

13th November, 1971.