

South African Police Circular, 1978

Translated from Afrikaans to English

South African Police
Address correspondence to the Commissioner

Private bag} X91 Telegraphic address} Kompol

Reference S. 7/18/10/1 (Alg)
Enquiries Kolonel J A du Preez
Telephone 29281 x232

1978 - 03 - 20
[stamp unclear]

Head Office
Pretoria
1978 - 03 - 14

[handwritten comment - unclear]

- A. The Division Commander
 Security Branch
 All Departments: R S A, S W A, OSHAKATI, RUNDU, KATIMA MULILO
- B. All Division Commissioners
- C. The Commissioner of the
 South African Police
 Private Bag X94
 Pretoria

1978 - 03 - 15
Pretoria
[stamp unclear]

TREATMENT OF DETAINEES IN TERMS OF THE SECURITY LEGISLATION

1. The damage and absolute embarrassment that the Biko-incident caused, for not only the Force but especially for the Government and the country on an international platform is common knowledge and does not have to be stressed anymore. It is therefore imperative that the position with regards to detaining and conduct in relation to detainees once again be focused on.
2. The most important function of the Security Branch, specifically being maintenance of law and order and the ensuring of domestic safety, is on its own extensive and demanding. The Government thought it helpful that, over the years, certain helpful mechanisms, including the Right of Detention for Questioning, be entrusted to the police and this has to a large extent contributed to the successes achieved.
3. The detention powers, by their nature, are a convenient weapon in the hands of the enemies of the existing order. Deaths in detention and allegations of abuse and assault lend greater power to their propaganda. Therefore, it is to be understood that extraordinary (not only that of a reasonable man), good faith, insight,

[Various names are signed with the date of signature along the side of the first page]

reasonableness, attentiveness, and judgment, is owed to the Government and its people.

4. In order to try and limit the allegations of brutality, as well as the deaths in detention, including suicide, the following instructions and guidelines stipulated hereunder must, forthwith and scrupulously be adhered to.

A. Complaints and signs of illness of a detainee:

- (i) The services of a competent physician should be acquired without delay.
- (ii) The instructions of the physician must be executed but if the detainee needs to be removed from the prison hospital to another hospital for treatment and the opinion is that such a removal constitutes a safety risk, Head Office must first be consulted,
- (iii) The fact of any illness must, without delay and per typed telegram, be communicated to Head Office so that the Minister can be informed, if necessary.
- (iv) No ill detainee should be removed from one city or town to another city or town without the approval of Head Office.
- (v) Ill detainees should with regards to sleeping and eating facilities, enjoy special attention and must be visited more often than under normal circumstances.
- (vi) Except under special circumstances, for example where the disclosure of the fact of the detention of a terrorist would harm the investigation, the closest blood relative or related person must be informed of the condition of ill-health, if it is in anyway considered to be serious. Visits to the ill detainee should however not be allowed without the approval of Head Office.

B. Suicides

- (i) A tendency towards suicide is getting more and more common amongst detainees, a contingency that can be avoided. In order to successfully avoid this from happening, all items with which a detainee can either hang or strangle himself must be removed. Such items include of course clothing, bedding and the like but the removal of these items is not only undesirable but also the cause of great critique and cannot summarily be recommended. Ongoing attention to detainees is the only option.

- (ii) The use of hand- and feet-cuffs can only be allowed in the most extreme instances as even cuffs can be used for suicide purposes.
- (iii) During every lock-up, a member of the Security Branch must personally ensure that no item that can be used by the detainee for suicide or escape, be taken into his cell. Here we think of knives, sharp objects, ties, belts, shirts with long sleeves, shoelaces, long stockings, poisons, firearms etc. The Officer must forthwith sign a registrar, that is provided and kept for this purpose.
- (iv) Detainees who show any signs of suicidal tendencies or become exceptionally depressed or morbid must receive special attention.
- (v) Station commanders must be requested to visit detainees more often than other prisoners.
- (vi) Detainees must always be accompanied by a minimum of two able bodied officers when they are taken from one place to another.
- (vii) Questioning in buildings must, in circumstances where it does not take place on the ground floor, be held only in fortified offices.
- (viii) Everything possible must be done to prevent detainees from jumping out of buildings.
- (ix) Unnatural deaths of detainees must be investigated by an independent branch of the Force.

C. Assaults and Abuse

- (i) It is unnecessary to say that assaults on and abuse of detainees is illegal and punishable. Such allegations are made regularly and on an alarming scale, especially during criminal trials, which are, due to the nature of the case, difficult to refute, partly because the other party uses the opportunity for propaganda purposes in order to create penalty-free, unsubstantiated and sometimes untested statements that are sent out to the world as being the truth.

[Page 4 of the document is missing]