Mr. Chairman, honoured guests, ladies and gentlemen

I am honoured to deliver this opening address at your conference and I wish to thank you, Mr. Chairman, for your kind words of welcome. I look forward to viewing the international exhibition at Milner Park, and I must also compliment your Association on the international status its conference assumes this year.

As you know, ladies and gentlemen, in modern society the demand for security is an ever increasing one, particularly in the light of the significant increase in acts of terrorism throughout the world.

The increasing demand for security, and the actions of those individuals or organisations which are calculated to disturb that measure of security that a particular community requires or demands, in its turn places an ever increasing burden on those who are responsible for providing and maintaining that desired measure of security.
I wish to deal with a number of aspects which I consider to be of general security interest because they fall within the ambit of my responsibilities.

In this country the South African Police as the national law enforcement agency is primarily concerned with security over the whole spectrum of its functions. Without going into detail, the main functions of the South African Police, as contained in section 5 of the Police Act, 1958, can be summarised as the preservation of the internal security of the Republic, the maintenance of law and order, and the investigation and prevention of crime. The bulk of police activities is therefore directed at those spheres where there is the greatest need to ensure a stable and tranquil society.

For the benefit of those who may not know, the South African Police is divided into three main branches, namely the uniform branch, the detective branch and the security branch. Although it may seem so to the uninformed, these branches are not divided into absolute watertight compartments, but are by and large members of the same team with, of course, a necessary measure of specialisation. While the security branch concentrates mainly on terrorism, subversion and the undermining of the authority of the State, the main concern of the other branches is crime and the protection of life and property.

If one looks at the crime situation, in for instance Johannesburg and other metropolitan areas, it certainly is not a pretty picture, but it is certainly also not as black as the public is sometimes led to believe. Generally speaking
the position in South Africa compares favourably with most overseas countries with more homogeneous and more developed population compositions. In the United States for instance crime increased by 38% over the period 1971 to 1981; in West Germany the increase was 47% over the same period, while we in South Africa can boast with a decrease of 4% in serious crimes. More recently in England, according to press reports, crime statistics released by Scotland Yard, which for the first time disclosed the involvement of blacks in crimes of violence, sent shock waves through the British capital. Figures released showed a 34% increase in 1981 over 1980 of robbery and other violent crimes in London. Robberies alone went up by 41% and snatch thefts by 19%.

Also very illuminating is a report concerning crime in New York, which appeared in the New York Times of 31 January this year. To illustrate my point I am quoting one paragraph from the report: "Nearly everyone seems to have a crime story to tell and if there is a shock it is how unshocking crime has become. New York City is not as Mayor Koch often pointed out the worst city in the country as far as the frequency of crime, at least reported crime, is concerned, but the public's perception of an increase in crime is supported by police statistics. While the city's population has been declining, the total number of serious crimes reported increased by nearly 25% from 1978 to 1980, the last year for which complete figures are available."

In South Africa, owing to concerted efforts by the police to contain the crime position, there was hardly what can be termed a general increase in the incidence of serious crimes during the 1980/81 report year.
While there were increases in the following crimes -

- murder - 7.64%
- rape - 0.60%
- house-breaking - 1.54%
- motor car theft - 6%

there was a 9.75% decrease in the number of armed robberies, and just less than a 1% decrease in stock thefts. During the 1980/81 report year there was an overall increase of only 0.18% in serious crime - something which we can be thankful for.

Today, the criminal is not only more educated and better organised, he is also younger, greedier, more reckless and more ruthless than his predecessor of ten, fifteen years ago. He utilizes every method of speedy transport and mechanical and technical aids to accomplish his illegal goal. By making more use of legal advice, the profession criminal has also become much more aware of how he can hamper or disrupt police investigations, or even unduly delay and sometimes frustrate the administration of justice.

Despite these hazards the percentage of cases solved by the South African Police vary from 13% in the case of motor car thefts to 94% in the case of serious assaults, which compares favourable with most other countries. In addition the South African Police is also experiencing an acute shortage of men especially in the major metropolitan areas where a shortage
of 40% amongst the other ranks at most stations on any given
day is not the exception, but in spite thereof they still manage
to provide an adequate service and to achieve outstanding successes
also in respect of the security of our country.

During the period 1 July 1981 to 30 June 1982 no less than
58 acts of sabotage were committed in South Africa, while 15
terrorists were arrested and 9 killed. Sixteen arms caches
were discovered and a considerable number of arms, ammunition
and explosives seized. The number of persons brought to trial
in security cases bears witness of the successes of the security
branch, and it can be justly claimed that 90% of these cases
have been solved. Some of the perpetrators have unfortunately
succeeded in escaping to neighbouring countries where they
will undoubtedly regroup for further attacks, but fortunately
most of them have been identified and we are waiting for them.

This brings me to a matter of current interest; the detention of
people for questioning in terms of security legislation, and the unfortunate deaths
in detention that occurred in South Africa over a number of years. At the outset I want to make is abundantly clear that I am not insensitive to these matters.
I have stated over and over again in public that I deeply regret the occurrence
of such incidents and that everything possible will be done to prevent recurrences.

Now, after the unfortunate death of Mr Diphale in a police cell
at John Vorster Square, I am day-by-day being taken to task by a section of the
press who apparently goes out of its way to create a detainee - psychosis. As
the acting Commissioner of Police, Gen Coetzee pointed out in his statement
after Mr Diphale's death, he was not a detainee in the sense that he had been
detained for questioning. He made a confession before a magistrate and had
already been charged when he was found hanged in his cell.

Incidentally, the cell in which he was placed was one of several that had been modified at a cost of almost R43 000 in an effort to make it virtually impossible for an inmate to commit suicide. Experts from the private sector were consulted in conjunction with officials from the Department of Community Development, and yet, although all reasonable precautions were taken, this unfortunate incident took place.

Other new measures include the following:

- Full time cell guards on each floor.
- No extra clothing is permitted.
- Only cell mats and blankets are supplied.
- Passage lights are kept switched on throughout the day and night.

I mention this to demonstrate that we in the South African Police are giving these matters our urgent attention and that we are doing everything within our power to prevent people in detention from inflicting death or injury on themselves.

I am also being accused of insensitivity or flippancy for saying that
I did not think much information would be obtained from a man held in a five star hotel, and with friends. This was in reply to a question why people are detained in police cells. Immediately this remark was seized upon to tell the world that I was insensitive to deaths in detention, notwithstanding the fact that I have in Parliament and outside, on more than one occasion emphasized that the safeguarding of detainees is a matter of the utmost importance and that existing measures are constantly being reviewed and adapted. But this does not seem to satisfy certain sections of the Press.

After it had become known that the deceased had been charged in terms of the Internal Security Act, he was immediately labelled as another detainee, although, as I have said, he had already been charged when he was found hanged. One gets the impression from certain highly critical press reports that there are people bent on sowing suspicion about our whole security system at all costs. Any death of a person in police custody or in a prison is a serious matter which must be considered in balanced perspective.

A number of people accused and/or convicted of ordinary crimes die yearly in custody but hardly a word is ever published about these cases. There was the recent case where a very wellknown priest was found brutally murdered and two men arrested in connection therewith. One of them made a confession before a magistrate and shortly afterwards committed suicide, but this hardly caused a stir in the Press.

During the period January - July 1982, 26 people died in police custody in South Africa of which 11 committed suicide and 15 died from natural and other causes. But it is not only in South Africa that deaths in police custody or in prison occur. I should like to quote some statistics recently received from official sources abroad and in doing so it is not my intention to justify an unfortunate occurrence or to embarass any of the countries concerned. I am merely doing so to put these matters into perspective.
In Canadian prisons with an average annual prison population of 22,894, 76 deaths occurred during 1979/80, of which 21 committed suicide.

For 1980/81 the figures are as follows:

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Prison population</td>
<td></td>
<td>23,560</td>
</tr>
<tr>
<td>Number of deaths</td>
<td></td>
<td>70</td>
</tr>
<tr>
<td>Number of suicides</td>
<td></td>
<td>30</td>
</tr>
</tbody>
</table>

Statistics relating to deaths in police custody could unfortunately not be obtained.

In the United States the position was as follows:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Suicides during detention</td>
<td>148</td>
<td>86</td>
<td>75</td>
</tr>
<tr>
<td>Other deaths during detention</td>
<td>12</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Suicides in State and Federal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>penitentiaries</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Other deaths in State and Federal penitentiaries:

<table>
<thead>
<tr>
<th>Year</th>
<th>Deaths</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980</td>
<td>670</td>
</tr>
<tr>
<td>1981</td>
<td>731</td>
</tr>
</tbody>
</table>

In England the following deaths occurred in prisons:

<table>
<thead>
<tr>
<th>Year</th>
<th>Deaths</th>
<th>Suicides</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980</td>
<td>65</td>
<td>21</td>
</tr>
<tr>
<td>1981</td>
<td>58</td>
<td>15</td>
</tr>
</tbody>
</table>

In 1981, 214 inmates of prisons were involved in 226 incidents of self-injury with apparent suicidal intent. In 1980 this figure was 271 in 288 incidents with apparent suicidal intent.

The number of deaths in police detention in England in 1980 and 1981 respectively was as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Deaths</th>
<th>Suicide Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980</td>
<td>63</td>
<td>8 (suicide)</td>
</tr>
<tr>
<td>1981</td>
<td>49</td>
<td>4 (suicide: 2 by hanging, 1 by suffocating himself with a plastic bag, 1 by overdose of drugs)</td>
</tr>
</tbody>
</table>

I do not quote these statistics to justify deaths in detention but to illustrate that it is not a phenomenon peculiar to South Africa.

Another aspect which I would like to mention is the prominence given by sections of the media to so-called police brutality, irrespective of whether the allegations made have been proved or not. Hardly any case in terms of security legislation comes before a court or an allegation of assault or other form of so-called police brutality is made, which receives publicity. This strategy goes back for as long as can be remembered, but in recent years it seems to have been revitalized. A distinct
pattern is discernable since the APDUSA trial in Pietermaritzburg in 1973 when
the presiding judge explicitly rejected the allegations as false and branded the
accusers as liars. In later trials such allegations seemed to multiply and again
and again found to be false or unfounded. In the most recent case in the Pretoria
Supreme Court at the trial of the three ANC terrorists who were sentenced to
death on account of their murderous attack on inter alia the Wonderboompoort
police station, Mr Justice Curlewis examined their allegations of assault and
concluded that no assault ever took place. He described one of them as an
"unmitigated liar" and another as a "shrewed" person. These remarks by the
Judge never made the headlines.

It has often been said, but I would like to repeat it today:

The ANC and the Communist Party of South Africa instruct their members to
follow the line of accusing the police of all sorts of conduct. In its publication
"Current tasks in our struggle" ANC members are specifically instructed to "dis-
credit the police in the eyes of the people". All aspects of detention, interrogation
and conduct during trial are dealt with in detail. In other confiscated documents
the message is clear that "claims of torture, killings and brutal assaults by the
murderous Security Branch, whether true or false, must receive the maximum
publicity". From a not so recent document entitled "Communist Plot against
the Free World Police" I would like to quote the following: "Fiction is to be
used with the obvious design of holding the police up to ridicule and to undermine
the respect of the people". Are we not experiencing these very tactics today?
It would perhaps be apt to quote what Mr Justice Howard said in 1975 after he
had examined allegations of assault, ill-treatment and torture by detainees. He found that they "generally exaggerated, distorted and invented facts to vilify the Police".

As you are probably aware the Commission of Inquiry into security legislation (the Rabie Commission) was appointed during 1979 to inquire into the necessity, adequacy, fairness and efficacy of our security legislation.

In regard to the question of the necessity for security legislation the Rabie Commission stated, and I quote from the Commission's report "that there can be no doubt as to the necessity for security legislation, considering ........ the terrorism and sabotage committed in the Republic during the past few years, the likelihood that these activities will continue to increase in the foreseeable future, the fact that these activities are planned and committed by the supporters of organisations whose aim is to overthrow by violence the existing order in the Republic, the fact that in their activities to achieve this aim these organisations receive the support and assistance of communist countries, and the fact that activities are carried on from territories bordering the Republic".

Although this was the specific finding of the Commission the question is often asked in some newspapers as to whether security legislation in South Africa is necessary and whether the system is not open to abuse, thereby bringing necessary measures into disrepute.
In this regard I would like to refer to a recent newspaper report according to which the President of the Association of Law Societies, Mr Monty Knoll, with reference to the death of Mr Diphale, stated that the Government had utterly ignored representations to introduce safeguards for detainees.

Reference is also made in this report to the reaction of the Law Societies to the Rabie-report earlier this year when it was stated that the public no longer believes that detainees are not maltreated and that the "most disturbing omission" was that the Rabie Commission made no recommendations to prevent the death or injury of detainees nor had any adequate explanation been given of the number of suicides.

What the newspaper report fails to mention is that the original proposals of the Association of Law Societies were duly considered by the Rabie Commission and where the Commission considered it necessary it advanced fully motivated reasons why the proposals of the Association could not be accepted.

After the Commission's report became available the Association of Law Societies, together with other interested persons and bodies were given the opportunity to comment on the recommendations of the Commission. As the Minister who handled the legislation in Parliament, I, together with my senior advisers, gave due consideration to the Association's suggestions as well as all other representations that were received, and where expedient, amendments in the draft legislation were brought about.
During the course of the debate on the legislation in Parliament the memorandum of the Association of Law Societies was also made available by the Association to members of Parliament. Opposition members made use of this memorandum during the relevant debates and most aspects raised by the Association of Law Societies were fully debated in Parliament and, as the responsible Minister, I indicated the Government's view in regard to these matters.

Regarding the matter of people detained for questioning, the Internal Security Act, 1982, provides that persons so detained shall be held in accordance with such directions as the Commissioner of the South African Police may, subject to the directions of the Minister of Law and Order, from time to time issue.

During the Third Reading of the Internal Security Bill in Parliament I clearly stated that I, in consultation with the Commissioner of the South African Police and the Director of Security Legislation, would investigate the existing orders and instructions issued to the Police regarding the terms of detention and interrogation of detainees and issue new directions to the Police in this regard. It speaks for itself that proposals made by the Association of Law Societies, as well as those of other persons and bodies will be taken into consideration when framing the relevant instructions.

Since the adoption of the new legislation, urgent attention has been given to the matter. What is envisaged is not a statutory code but a set of rules or directions which will be binding on all concerned and will augment the
instructions already issued by the Commissioner of Police in regard to the conditions of detention. These instructions issued by me will be made known by way of a policy statement. I also gave the undertaking that in all cases of detention notices will be served on the detainee informing him of his rights, including his right to make written representations to me and to inform him of the procedure to be followed in this regard. This has already been done.

Allegations are also made that persons detained for questioning are kept "incommunicado" and that they can just disappear without anybody knowing what happened to them. The truth of the matter is that in terms of the provisions of the new Internal Security Act persons detained for questioning have to be visited at least once a fortnight by a magistrate as well as a district surgeon. The Act also makes provision

that the detainee must be visited as frequently as possible by an inspector of detainees, appointed by the Minister of Justice, who must satisfy himself as to the well-being of the detainee. In practice therefore detainees are visited about every four to five days by persons other than members of the police. The relatives of the detainee are also informed of his detention. Where a person has not been released from detention at the expiration of a period of six months from the date of his arrest, the Police have to adduce reasons before a board of review, which functions under the chairmanship of a judge of the Supreme Court, as to why the said person should not be released and if he is not released thereafter his case must again be considered by the board of review at intervals of not less than three months.
I have referred to these matters with the view to affirm that the Government in the application of security measures and also in regard to the treatment of persons detained in terms of the relevant legislation always endeavours to be as fair and humane as is possible. On the other hand it must be realised that we are faced with a serious security situation which cannot be overemphasised.

Mr. Chairman, ladies and gentlemen, I wish to assure you that I have great appreciation for the work that SASA is doing in the field of security. Your efforts alleviate to a large extent the heavy burden which rests on the shoulders of the police. It is essential that everybody should become more security conscious, and your Association is doing much in this respect.

And now, ladies and gentlemen, it is my privilege to declare this 16th annual conference officially open. I wish you all a very successful conference and trust that your deliberations will be fruitful. It is also trusted that your international exhibition at Milner Park will equally be a great success and that it will enjoy wide interest.

Thank you.