

CONTROL OF MEDIA OF COMMUNICATION

PUBLICATIONS AND ENTERTAINMENTS

Publications and Entertainments Act, No. 26 of 1963 as amended

Provision was made in this measure for the establishment of a Publications Control Board, with the following functions:

- (a) to examine any locally-produced publication if a member of the public requests it to do so, and to decide whether or not the publication is undesirable¹ (a "publication" is defined to include any documents made public, illustrations, sound recordings, etc., but to exclude newspapers published by members of the Newspaper Press Union, and articles in scientific and technical journals that are bona fide intended for the advancement of knowledge);
- (b) to examine imported publications or other goods, and to decide whether or not these are indecent, obscene, or on any ground objectionable;
- (c) to view cinematograph films intended for public exhibition and to decide whether or not they are undesirable in their entirety, or should be cut, or should be approved subject to exhibition only to persons of a particular racial or age group, or should be approved unconditionally;
- (d) to consider whether or not any public entertainment or proposed entertainment is undesirable, or whether conditions should be imposed for its arrangement.

The Board must have not fewer than nine members, all appointed by the Minister of the Interior, of whom at least six must be persons having special knowledge of art, language, literature, or the administration of justice. Two of these six persons are designated by the Minister as chairman and vice-chairman, respectively. In 1973 the Board had five full-time and seven part-time members.

The Board appoints committees to report to it on publications, films, or entertainments. Such a committee consists of a member

¹ The Act specifies that a publication or other object will be deemed undesirable, *inter alia*, if it, or any part of it, is deemed to be indecent, obscene, offensive, harmful to public morals, blasphemous, offensive to the religious convictions of any section of the population, brings any section of the population into ridicule or contempt, is harmful to the relations between any sections, or is prejudicial to the safety of the State, the general welfare, or peace and good order. It is an offence to publish, produce, distribute, or display a publication or other object that has been declared undesirable.

of the Board as chairman and at least two other persons selected from a panel of people designated by the Minister. In 1973 there were between 30 and 40 panel members. They are not required to have any special qualifications. Persons are at liberty to ask the Minister to appoint them.

The Board conducts its proceedings behind closed doors, is not required to hear evidence from interested parties, and announces no reasons for its decisions. (Aggrieved persons may, however, appear before a court of law if they appeal against a decision of the Board.)

A publication can be declared undesirable on the strength of a single paragraph it contains, marked by a reader selected from the panel, who reports to the Board. The nature and intent of the work as a whole need not be considered, and Board members are not themselves required to read it.

Committees are appointed to view cinematograph films. In cases of doubt, a film may be seen by more than one committee. Their recommendations are conveyed to the Board by the chairmen.

Persons who are aggrieved by a decision of the Board in regard to a publication or entertainment may, on payment of the prescribed fee, appeal within 30 days to the Supreme Court, which may vary or set aside the Board's decision. Further appeal lies to the Appellate Division. So far as cinematograph films are concerned, however, appeal lies only to the Minister of the Interior.

Further provisions enacted in 1973

Sections 26 to 28 inclusive of the General Laws Amendment Act, No. 62 of 1973, incorporated further provisions in the Publications and Entertainments Act. When introducing the Bill in the Assembly² the Minister said that doubt existed as to whether the Board might review, and, if necessary, alter its past decisions. The Minister was, consequently, to be empowered to direct the Board to review a decision it had previously made: he would do so if justifiable grounds existed, for example if circumstances had altered. When the Board received such a direction, it would invite any person who had a direct financial interest in the publication, object, entertainment, or film concerned to submit written representations.

The Board would not be asked to review any matters which had been decided by the courts (or by the Minister in the case of films), or in respect of which an appeal was pending, or matters which it had already reviewed.

Some decisions by the Board and appeals therefrom

Replying to questions in the Assembly on 15 February,³ the

² 6 June, Hansard 17 cols. 8325-6.

³ Hansard 2 cols. 96-7.

Minister said that during 1972 the Board banned 910 publications and 13 other objects. One appeal only was heard by the Supreme Court: it was against the prohibition of the issue of the magazine *Scope* for 5 May.

(*Scope* made another appeal in 1973. This was its eighth successful appeal against the banning of individual issues. A decision by the Board to ban all subsequent issues was also set aside during 1972⁴).

One of the books that was banned in 1973 was a collection of poems by two local black poets, James Mathews and Gladys Thomas, published by Spro-cas under the title *Cry Rage*.

During July, the Board ordered the closure of Pact's⁵ production of the play *Three Months Gone* in Johannesburg, after it had run for 35 performances, and with only five performances still due. No reason was given. There was considerable public protest.

In reply to another question,⁶ the Minister said in the Assembly that during 1972 the Board had made the following decisions in regard to full-length feature cinematograph films:

233 were approved unconditionally;

359 were approved subject to exhibition only to persons of a particular race or class;

285 were approved subject to the excision of specified portions;

79 were prohibited.

He said⁷ that in the same year 55 film distributors had appealed to him against decisions of the Board. He altered these decisions in 15 cases.

Answering another question, the Minister of Justice stated⁸ that between 1 July 1971 and 30 June 1972, 37 persons were charged with contraventions of the Publications and Entertainments Act. Of these, 29 were convicted.

Inter-Departmental Committee of Inquiry

The appointment and composition of an Inter-Departmental Committee of Inquiry into the application of the Publications and Entertainments Act were described on page 82 of last year's *Survey*. Its recommendations were published in *Government Gazette* No. 3743 of 22 December 1972.

Very briefly, it considered that the Act should be administered by the Minister of National Education instead of the Minister of the Interior. The Publications Control Board should be reduced in size, and its functions should be changed to those of organiza-

⁴ *Rand Daily Mail*, 10 August.

⁵ The Performing Arts Council of the Transvaal.

⁶ 9 March, Hansard 5 col. 388.

⁷ 19 February, Hansard 3, col. 133.

⁸ 6 April, Hansard 9 col. 615.

At the end of the Parliamentary Session the Select Committee was converted into a Commission of Inquiry, in terms of Government Notice 1219 of 13 July. It heard evidence from members of the Board and panel, considered a large number of memoranda, then invited widely representative persons to give evidence — people representative of the arts, the performing arts, film distributors and societies, writers, publishers, churches, cultural bodies, and interested State Departments. Members of the commission attended a sitting of the Board, and visited the customs house in Cape Town to ascertain how imported material was examined.

The evidence heard up to the time that the Select Committee was converted into a commission was published by the Government Printer in September. Considerable Press publicity was given to this. On 5 October, the Deputy Minister of the Interior stated⁹ that some of the evidence had been over-emphasized by the Press. Comment on the evidence, he said, might result in prejudicing, influencing, or anticipating the findings of the commission. For this reason, it had been recommended to the State President that, by proclamation, he should make regulations as envisaged in Section 1 of the Commissions Act of 1947.

Such regulations were gazetted in terms of Proclamation 233 of 5 October. They rendered it an offence for anyone to publish in any manner or to communicate to any other person any proceedings of the commission or any information furnished to the commission. It was also rendered an offence to insult or to disparage any member of the commission or to prejudice, influence, or anticipate the proceedings or findings of the commission. The maximum penalty for a contravention of these provisions was laid down as R200 or 6 months' imprisonment.

THE PRESS

Newspapers published by members of the S.A. Newspaper Press Union were excluded from the definition of a "publication" for the purposes of the Publications and Entertainments Act because in 1962 the Press Union drew up its own Press Code. Individual proprietors may decide whether or not to accept it. Some refused or accepted under protest.

A Board of Reference is provided for, composed of two managerial nominees under the chairmanship of a retired judge. Its function is to try to ensure that newspaper reports are accurate and not offensive to decency. Editors or journalists who are considered to have infringed the code may be reprimanded by the Board, and such reprimand will be published in other papers.

The final clause of the code states, "While the Press retains its traditional right of criticism, comment should take cognisance

⁹ e.g. *Rand Daily Mail*, 6 October.

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⁹ e.g. *Rand Daily Mail*, 6 October.

of the complex racial problems of South Africa, the general good and the safety of the country and its peoples."

Although newspapers are not censored, there are a number of laws which prohibit them from reporting on certain matters or from inciting racial unrest, for example the Official Secrets Act, the Suppression of Communism Act, the Defence Act, the Prisons Act, the Riotous Assemblies Act, and the Bantu Administration Act. The common law provides that libellous statements may not be published.

In a speech given at a seminar on journalism in February, Mr. Harry Oppenheimer pointed out¹ that the Afrikaans Press, which was formed and is largely controlled by the National Party, had the major objective of keeping this party in power. The easiest way to do this had always been to play on the sectional sentiments of Afrikaans-speaking people. In recent years, however, when it appeared that the grip of the Afrikaans section on political power was quite unshakable, the pro-Government Press had moved from uncritical support of the party to a more independent position in which, while continuing to support the party's principles with conviction, criticism in regard to methods and details was regarded as permissible.

The English-language Press gave broad support to the Opposition, Mr. Oppenheimer said, but felt no obligation to give unqualified approval of Opposition methods or tactics. It was more conscious than was the Afrikaans Press of developments and opinions in the world outside, and of the fact that the opinions of white South Africans were not necessarily those of all South Africans. Thus, the views it expressed were not universally popular. The English Press, with its much greater freedom and liveliness, was often charged with sensationalism and irresponsibility. "Perhaps in some cases that might occasionally be true, but I don't believe it to be true as a whole. . . . The South African Press is not perfect. What human institution is? But on the whole I think we are well served".

In the Senate on 2 March Senator Dr. J. H. Looek (N.P.) introduced a Private Member's Motion,² "That this House places on record its appreciation of the service rendered to the South African public by the Press in general, but nevertheless expresses its concern at the biased reporting and comment of a certain section of the Press in regard to racial matters, because such reporting endangers peace and security in South Africa".

During the debate the Minister of the Interior said³ that if the English-language Press wished to attack and to criticise the Government, this was no more than their right. It was, however, essential that reports should be fair and correct. There rested a

¹ *Rand Daily Mail*, 3 February.

² Senate Hansard 2 col. 648.

³ Cols. 702-22.

duty on all newspapers to ensure that they did not publish anything that could lead to friction between the various race groups, or that endangered State security, or that damaged the country's image abroad. The Government would take a fresh look at legislation affecting newspapers to see whether it should be amended to curb abuse of Press freedom. Nobody in South Africa wanted to curb Press freedom in any way, but then Press freedom must be linked inextricably to Press responsibility.

Speaking at a National Party congress in Bloemfontein on 18 September,⁴ the Prime Minister said that he had frequently "begged, pleaded, and threatened" in regard to the need for self-censorship by newspapers, to avoid the sowing of racial hatred that could lead to uprisings. But the *Rand Daily Mail*, he stated, was apparently seeking a confrontation. As an example, he read out a letter it had published from an African correspondent which, he said, contained "infamous lies".

The Prime Minister announced that legislation would be introduced in 1974 containing a clause that would prevent newspapers from appearing on the streets if they contained racial incitement. They knew when a statement was libellous and could not be published. The promotion of racial incitement should be treated in the same way.

In an interview with a Dutch newspaper, Mr. Vorster said⁵ that he had given the English Press until January to put their house in order. If they did not do so, he would not hesitate to impose a publication ban of one or more days.

TELEVISION

Full-scale TV broadcasts are scheduled to start in South Africa from January 1976, in colour, and at first on a single channel, using English and Afrikaans alternatively and equally. In a Press interview on 17 July, the S.A.B.C.'s director of information and public relations, Mr. Theo Greyling, said that the provision of special programmes for Africans was being investigated. An administrative centre was being built in Johannesburg, and courses of training were being conducted for operational and production workers.

The Minister of Economic Affairs announced in January⁶ that, because of special conditions in South Africa, it was desirable that TV sets should be manufactured locally. In view of the limited scope of the Republic's market, the Cabinet had decided that an economic industry could be developed only if the number of manufacturers was limited.

Five firms were selected to manufacture sets. They were informed later that they would have to establish the undertakings in border industrial areas.

⁴ *Rand Daily Mail*, 19 September.

⁵ *Ibid.*, 2 October.

⁶ Assembly Hansard 1, Question cols. 8-10.

JUSTICE

EXPENDITURE ON JUSTICE, POLICE, AND PRISONS

According to the official estimates of expenditure from Revenue Account and Loan Account for 1973-4¹ it is proposed to spend the following amounts on Justice, Police, and Prisons during that year:

| | <i>Revenue Account</i> | <i>Loan Account</i> |
|--|------------------------|---------------------|
| | R | R |
| Justice | 24 989 000 | 1 787 200 |
| Police | 118 980 000 | 6 698 250 |
| Prisons | 40 694 000 | 9 428 050 |
| | 184 663 000 | 17 913 500 |
| Totals | | |
| Percentage of estimated expenditure on all votes | 6 | 29 |

SOME CRIMINAL STATISTICS

According to the March issue of *Crime, Punishment, and Correction*, the journal of Nicro,² the daily average prison population for the year 1 July 1969 to 30 June 1970 per 100 000 population was:

| | |
|------------------|-----|
| Whites | 86 |
| Coloured | 791 |
| Asians | 80 |
| Africans | 476 |
| All races | 425 |

This meant that on an average, on any day of the year, those in prison were:

- 1 in every 126 Coloured;
- 1 in every 210 Africans;
- 1 in every 1 163 Whites;
- 1 in every 1 250 Asians.

According to the annual report of the Department of Prisons for the year 1 July 1971 to 30 June 1972,³ the daily average of sentenced and unsentenced prisoners who were admitted to prison during the year was 91 253. During the year, 440 922 sentenced

¹ R.P. 2/1973 and 3/1973.

² National Institute for Crime Prevention and the Rehabilitation of Offenders.

³ R.P. 91/1972 pages 5 and 9.

prisoners were admitted to prison, as follows:

| | | <i>Male</i> | <i>Female</i> | <i>Total</i> |
|----------|--------|-------------|---------------|--------------|
| Africans | | 301 368 | 69 442 | 370 810 |
| Coloured | | 47 928 | 11 264 | 59 192 |
| Whites | | 8 585 | 505 | 9 090 |
| Asians | | 1 708 | 122 | 1 830 |
| | | <hr/> | <hr/> | <hr/> |
| | | 359 589 | 81 333 | 440 922 |

Commenting on these figures,⁴ Mrs. Helen Suzman, M.P., said that, while the size of the prison population remained a sad reflection on society, the latest statistics, as compared with those for the previous year, showed a number of satisfactory trends. There had been a drop of about 33 000, of whom more than 32 000 were blacks, in the total number of people jailed.⁵ There was a decrease of 17 800, of whom 15 800 were blacks, in the number in jail for less than one month, as well as a drop of 13 000, almost all blacks, in the number of people jailed for up to four months. "One assumes that this is largely as a result of work of the aid centres in diverting from jail Africans arrested for pass offences," she said.

CAPITAL PUNISHMENT

It was stated in the report of the Department of Prisons, quoted above, that on 30 June 1971 there were 41 persons in custody who had been sentenced to death. During the next twelve months a further 91 condemned prisoners were admitted.

Of the total, 56 were executed, 21 had their sentences commuted, one was re-tried, and the remaining 41 were in custody at the end of the year. (These figures, too, show a drop: there were 80 executions during the previous year.)

CORPORAL PUNISHMENT

The Prisons report⁶ indicated that the number of offenders sentenced to corporal punishment in 1971-2 decreased by 891 (16.4 per cent) compared with the previous year. The numbers of offenders receiving such punishment were:

| | <i>Africans</i> | <i>Coloured</i> | <i>Whites</i> | <i>Asians</i> |
|-----------------------|-----------------|-----------------|---------------|---------------|
| 21 years and over ... | 2 895 | 405 | 33 | 3 |
| Under 21 years ... | 917 | 272 | 9 | 2 |

SOME COMMENT ON CRIME

In the Assembly on 9 March⁷ Mr. J. J. M. Stephens (U.P.) moved a Private Members motion, "That this House notes with

⁴ *Star*, 5 April.

⁵ See 1972 *Survey*, page 85.

⁶ R.P. 91/1972, page 10

⁷ Hansard 5 cols. 2350-9.

alarm the rising crime rate, particularly as a result of the increase in gang activities, and urgently requests the Government to take special measures in this connection."

Mr. L. E. D. Winchester (U.P.) said⁸ that over a weekend in Cape Town it was nothing to read of 300 stabbings, 11 murders, and 8 rapes. Cape Town was but an echo of other similar big centres. The crime rate increase was faster than the population increase. Only 50 per cent of robberies and 20 per cent of burglaries went to court for trial. This was no reflection on the police. Crime was caused largely by lack of education, poverty, poor housing, lack of opportunity, and general frustration. Such factors had brought about contempt for the law and contempt for the police to enforce the law.

The Deputy Minister of Police⁹ described measures that the police were taking to combat crime, including the establishment of a police division at Soweto, and new stations in developing townships.

During August the University of South Africa convened a criminology conference, held in Pretoria. One of the main objectives was the establishment of a criminological institute. Nicro welcomed this move. An editorial in a subsequent issue of its journal¹⁰ stated that, through extensive research, such an institute could create a more accurate picture of the nature and the extent of the crime problem. "Until we have valuable and reliable knowledge on the extent, causes, and consequences of crime, our efforts at its control and prevention are — what has been called — 'a shot in the dark'."

CRIMINAL PROCEDURE AMENDMENT BILL

This lengthy measure (350 clauses) was an attempt to overhaul and streamline South Africa's criminal procedure system. The General Council of the Bar, while welcoming some of the suggested changes, stated that others were fundamental and involved radical departures from long-accepted principles. Serious criticisms were made, too, by the Association of Law Societies and other bodies and individuals.

The second reading of the Bill was moved by the Minister of Justice in the Assembly on 10 April. On behalf of the United Party,¹¹ Mr. M. L. Mitchell moved that "the Order for the second reading of the . . . Bill be discharged and the subject of the Bill be referred to a Select Committee for inquiry and report, the Committee to have power to take evidence and call for papers and to have leave to bring up an amended Bill". Mrs. Helen

⁸ Cols. 2378-81.

⁹ Col. 2391.

¹⁰ *Rand Daily Mail* report, 8 August.

¹¹ Hansard 10 cols. 4476-95.

Suzman (Progressive Party) moved¹² that the Bill be read "this day six months".

The Bill reached the committee stage, during which it was considerably amended. Some fourteen amendments were moved by the Minister himself. This stage of the measure had not been concluded when Parliament adjourned.

SOUTH AFRICAN LAW COMMISSION ACT, NO. 19 OF 1973

This Act provides for the establishment of a South African Law Commission to do research with reference to all branches of the law of the Republic and to study and to investigate all such branches of the law, in order to make recommendations for the development, improvement, modernization, or reform thereof. The Commission will consist of the following members, appointed by the State President:

- (a) two judges of the Supreme Court, as chairman and vice-chairman respectively;
- (b) not less than two but not more than four persons who appear to the State President to be suitably qualified by the tenure of a judicial office or by experience as an advocate or attorney or as a professor of law at any university;
- (c) an officer in the service of the Department of Justice.

The State President may appoint one or more additional members if he deems it necessary for the consideration of any particular project.

The principles of the Bill received unanimous support in the Assembly.¹³

PRISONS

In reply to a question in the Assembly on 25 May,¹⁴ the Minister of Prisons gave a list of 238 prisons in the Republic and South West Africa, their names, and the average number of prisoners each accommodated.

The Transkeian Minister of Justice said during the 1973 Session of the territory's Legislative Assembly¹⁵ that sixteen prisons were being administered by his Government. The total daily average number of prisoners convicted or awaiting trial was 1 141.

Towards the end of 1972, the then president of the Methodist Church, the Rev. Stanley Pitts, and three other Methodist ministers were barred by the Department of Prisons from doing further prison ministry work.¹⁶

According to the Minister of Prisons,¹⁷ 357 inspections were

¹² Cols. 4578-87.

¹³ Hansard 2 cols. 651 *et seq.*

¹⁴ Hansard 15 cols. 926-30.

¹⁵ *Debates*, page 232.

¹⁶ *Rand Daily Mail*, 16 December 1972.

¹⁷ Assembly Hansard 17 col. 955.

carried out during 1972 into the housing, feeding, and working conditions of prisoners hired out as farm labourers.

The Minister said, earlier,¹⁸ that the fees payable by persons employing labourers from prisons varied from 15 cents to 65 cents per day, depending on factors such as the type of employment, area (rural or urban), and the employment or not of prison guards. No portion of this fee was payable to the prisoners. However, it was possible for prisoners to earn amounts varying from 50 cents to R30 per month by way of bonuses or gratuities (he did not state the nature of these).

CONDUCT OF THE POLICE

The Minister of Police did not provide information this year about policemen who were killed or wounded in the execution of their duties in 1972, nor about the number of complaints that had been received of assault against policemen committed by members of the public.

He said, however,¹⁹ that in 1972 the following numbers of members of the public were shot at and killed or wounded by the police in the execution of their duties:

| | <i>Shot at and killed</i> | | <i>Shot at and wounded</i> | |
|--------------|---------------------------|------------------|----------------------------|------------------|
| | <i>Adults</i> | <i>Juveniles</i> | <i>Adults</i> | <i>Juveniles</i> |
| Whites ... | 3 | — | 9 | 1 |
| Coloured ... | 12 | 2 | 49 | 3 |
| Asians ... | — | — | — | — |
| Africans ... | 76 | 1 | 227 | 10 |

Questioned on 20 February,²⁰ the Deputy Minister of Police replied that the numbers of policemen convicted during 1972 of certain crimes of violence were:

| | <i>White</i> | <i>Black</i> |
|--|--------------|--------------|
| Common assault | 68 | 98 |
| Assault with intent to do grievous bodily harm | 10 | 26 |
| Culpable homicide | 1 | 2 |

Of those found guilty of common assault, 20 had previous convictions, in seven cases also for common assault. Seven of the men were discharged from the Force.

Of those found guilty of aggravated assault, three had previous convictions for common assault (one on two counts), one for forgery, and one for having been absent without leave. Four of the convicted men were discharged from the Force.

Of those found guilty of culpable homicide, two had previous convictions (common assault and housebreaking with intent to commit a crime, respectively). Both were discharged from the Force.

¹⁸ Assembly Hansard 3 col. 136.

¹⁹ 9 March, Assembly Hansard 5 col. 392.

²⁰ Hansard 3 cols. 141-3.

A few days later²¹ the Minister added that, of the policemen who were convicted during 1972 but had no previous convictions, the following were discharged from the Force:

| <i>Convicted of:</i> | <i>White</i> | <i>Black</i> |
|---|--------------|--------------|
| Common assault | 18 | 21 |
| Assault with intent to do grievous bodily harm | — | 3 |
| Culpable homicide | — | 1 |

The report of the Controller and Auditor-General for 1971-2²² gave information about payments made that year by the Department of Police to members of the public, as follows:

| <i>Compensation payments</i> | <i>R</i> |
|--|----------|
| 12 cases of unlawful arrest | 8 290 |
| 34 cases of assault by the police | 23 161 |
| Miscellaneous payments | 2 505 |
| <i>Ex-gratia payments</i> | 20 598 |
| | R54 554 |

The ex-gratia payments included R5 000 to the widow of a detainee who died while in police custody, and R3 000 towards the maintenance of the family of an African who was incapacitated when shot at by the police. He took fright and was mistaken for a suspect. A disability allowance was awarded to him.

The Minister of Police was questioned about actions for damages brought against members of the Force.²³ He replied that, as at 4 February 1972, there were 108 actions pending. Two of these succeeded, the total amount paid in damages being R800, and 26 were settled out of court, a total sum of R17 986,67 being paid.

During the remainder of 1972, the Minister continued, a further 199 actions were brought against policemen. None succeeded, but 15 were settled out of court, for a sum amounting to R4 238,59. At the end of the year there were 108 actions pending.

In February, 18 policemen in Pretoria were convicted on various of 27 counts of housebreaking and theft, receiving sentences ranging from 20½ years' jail (certain sentences on individual counts to run concurrently) to fines plus suspended sentences. All were Whites except for three Africans.

An accused appearing before the Supreme Court in Cape Town claimed that he had been ill-treated by the police. According to the *Rand Daily Mail* of 19 October, the Acting Commissioner of Police said that he was appointing a senior man to investigate allegations of this nature.

²¹ 6 March, Hansard 5 col. 340.

²² R.P. 64/1972, Part II of report, page 244.

²³ Assembly Hansard 15 cols. 905-6.

LEGAL AID

The Institute of Race Relations published a report (RR. 105/1973) by Mrs. Felicia Kentridge on a Legal Aid Conference organized by Professor A. S. Mathews and held at the University of Natal, Durban, during July. Various of the papers presented, she said, described the growth and proliferation of legal aid services in the United Kingdom and United States. In contrast, the official scheme in South Africa had made very small progress.

The commencement of this scheme was described on page 79 of the *Survey* for 1971. According to information given at the conference, the Legal Aid Board from its inception had sat five times, while the Management Committee had met six times. The scheme was not widely publicised, neither its officials nor the legal profession seemed to take an energetic interest in its working, and, most important of all, the means test set was so low as to exclude practically anyone in employment.

The budget of the Legal Aid Board had been:

| | <i>General</i> | <i>Special allocation for South West Africa</i> |
|------------|----------------|---|
| | <i>R</i> | <i>R</i> |
| 1970-1 ... | 150 000 | — |
| 1971-2 ... | 150 000 | 20 000 |
| 1972-3 ... | 210 000 | 17 000 |
| 1973-4 ... | 210 000 | — |

The Board had accepted 4 312 cases over 23 months, as follows:

| | <i>White</i> | <i>Coloured</i> | <i>African</i> | <i>Total</i> |
|--------------------|--------------|-----------------|----------------|--------------|
| Civil cases ... | 2 237 | 1 253 | 631 | 4 121 |
| Criminal cases ... | 128 | 24 | 39 | 191 |

(According to an article by Mr. Sieg Hannig in *The Star* of 28 April, one reason for the very small number of Africans is that most of their civil cases are conducted in special Bantu Divorce or Bantu Commissioners' Courts, where court officials, not attorneys, draft the documents and the charges are low.)

The *Rand Daily Mail* reported on 22 January that, during the period referred to above, the Board conducted 6 641 interviews which were not referred to lawyers.

In the same article, an interview with Mrs. Pauline Lipson, director of the voluntary legal aid bureau in Johannesburg, was reported. It is a registered welfare organization, operating on an annual budget of about R10 000, derived from a municipal grant together with voluntary contributions. Attorneys to whom cases are referred do not charge for their services. There is a staff of five — a part-time lawyer, social worker, and typist, and two interpreters.

With these limited resources, the voluntary bureau conducted 11 112 case interviews during 1972. Many of these cases were handled directly by the bureau, some were referred to the Govern-

ment Legal Aid Board, and 222 cases were referred to Johannesburg attorneys. Of these, 125 were for African litigants or accused, 75 for Coloured, and 22 for Whites.

Mrs. Kentridge reported that, at the University of Natal conference, there was general consensus that student legal aid clinics, which had been operating at the Universities of the Witwatersrand, Cape Town, and Stellenbosch should be established, too, at other law schools.

During its 1973 Session the Transkeian Government passed an enactment providing for the setting up of a Legal Aid Board in its territory.