

The South Africa Coronavirus CivicActs Campaign (CCC) captures rumours and perceptions among communities to eliminate information gaps and debunk rumours before they can do more harm. In this Bulletin we have collected resources around your rights during the 21 day lock down with the help from colleagues from Lawyers for Human Rights.

During the lockdown, you're still afforded your constitutional rights, although these rights may be limited. Should you be arrested you have the right to:

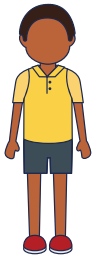
- Be brought before a court within 48 hours of arrest
- At the first court appearance, be charged or informed of the reason for continued detention
- Choose and consult with a lawyer
- Have a lawyer assigned to you by the State at its expense
- Challenge the lawfulness of the detention in person before a court and, if the detention is unlawful, to be released
- Have detention conditions that are consistent with human dignity
- Be released from detention if it is in the interests of justice

Rumours → Facts



Are police officers allowed to conduct arrests without a warrant?

Police officers are able to conduct arrests without a warrant if a person commits or attempts to commit any offence in the presence of an officer or if an officer reasonably suspects that a person has committed an offence.



Can a person be immediately arrested for hosting a gathering that does not comply with the lockdown rules?

Law enforcement must first try to break up the gathering and order such persons to return to their homes. If the persons refuse to do so, they may be arrested.



Can law enforcement test me for COVID-19 when conducting permitted travel?

Yes. Law enforcement can screen such a person for COVID-19 and ask them for an essential service permit.

Are employers obligated to pay salaries during the lockdown period if you're not working?

No, employees are not entitled to be paid during a lockdown period by law, if they are not working. Employers are also able to place employees on paid leave if the employee has paid leave available. Cash-strapped employers have assistance from the Covid-19 Temporary Relief Benefit fund from the government which will cover workers' salaries for a period of 3 months - contact covid19ters@labour.gov.za.

Sources: National Department of Labour, IOL, Business Insider

LOCKDOWN RIGHTS

Police and military action during the lockdown. What are your rights?

POLICE AND MILITARY DUTIES

- Check that gatherings don't go against the rules
- To stop interferences of the police and army when performing their duties.
- To arrest people intentionally exposing others to COVID-19
- To monitor movement of people to make sure they are sticking to the permitted travel rules



WHEN CAN ARRESTS BE MADE?

when people are traveling but are not:

- performing an essential service
- attempting to obtain an essential service/good
- seeking medical attention
- collecting a grant .

PROCEDURE

Once arrest takes place a person should:

- be taken to the police station as soon as possible
- be informed of their right to begin bail proceedings

Courts remain open for urgent applications, bail applications and appeals, matters relating to unlawful detention, maintenance and matters involving children.



CAN THE POLICE USE FORCE OR TORTURE?

- Police can only use force when a suspect resists or flees arrest, or when the use of force is the only way to ensure arrest, because the suspect is resisting and fleeing. In this case the use of force must be reasonably necessary and proportionate to the circumstances. Torture is outlawed.

NEED TO REPORT POLICE OR ARMY ABUSE?

Contact the legal hotline on + 27 66 076 8845

- Keep photos of videos of incident and any injuries
- Collect photos or videos of police vehicle registration numbers or badge names
- J88 if possible (legal document by doctor or nurse documenting injuries)
- Names and contact info of other witnesses



Reporting Police Abuse

**The Gender-Based Violence Command Centre
Contact the Independent Police Investigative Directorate**

Eastern Cape: 082592988

Free State: 0632256081

Gauteng: 0764555718

Limpopo: 0788714811

KwaZulu-Natal: 0798952741

Mpumalanga: 0728814196

Northern Cape: 0646248203

North West: 0781636874

Western Cape: 0738901269



Solidarity Fund 101

A Solidarity Fund has been established to help track the spread of Cov-19, care for the ill and support those whose lives have been disrupted. We hope this fund will show solidarity with vulnerable populations including refugees and migrants.

<https://www.solidarityfund.co.za/>

**Do you have any questions about
coronavirus? Have you heard any myths?**

**Reach out to us via WhatsApp on +27 63 311 8397 or
complete **this form** so we can address your
concerns.**

Designated Hospitals

Gauteng

Charlotte Maxeke Hospital, Parktown
Steve Biko Hospital, Pretoria
Tembisa Hospital, Tembisa

KwaZulu-Natal

Greys Hospital, Pietermaritzburg

Limpopo

Polokwane Hospital, Polokwane

Mpumalanga

Rob Ferreira Hospital, Nelspruit

Northern Cape

Kimberley Hospital, Kimberley

North West

Klerksdorp Hospital, Klerksdorp

Eastern Cape

Livingstone Hospital, Port Elizabeth

Free State

Pelonomi Hospital, Bloemfontein

Western

Cape

Tygerberg Hospital, Cape Town

Useful Numbers



- GBV Command Centre: 0800 428 428 / *120*7867#
- Persons with disabilities, SMS 'help' to 31531
- Women Abuse Helpline: 0800 150 150
- Child line: 0800 055 555SAPS
- Crime Stop: 0860 10111 / SMS Crime Line: 32211
- National AIDS Helpline: 0800 012 322
- Suicide Helpline: 0800 567 567
- National Department of Health:
[jhhttps://www.health.gov.za](https://www.health.gov.za)
- National Institute of Communicable Diseases:
<https://www.nicd.ac.za>
- Coronavirus Hotline: 0800 029 999
- No data no problem: <https://coronavirus.datafree.co>

Are **your**
rights being
violated during
the 21-day
lockdown?

ACCESS TO JUSTICE AND SA LOCKDOWN

ACCESS TO JUSTICE CONTINUES!

**CALL THE LEGAL
SUPPORT HOTLINE:**

+27 66 076 8845

Have you
observed a
rights violation
during the
lockdown?

CALS
Centre for Applied
Legal Studies

 **CENTRE FOR
CHILD LAW**

 **Centre for
Environmental Rights**
Advancing Environmental Rights in South Africa

**corruption
watch** 

EELC **EQUAL
EDUCATION
LAW CENTRE**

**LAWYERS FOR
HUMAN RIGHTS**

LRC
Legal Resources Centre

**NDIFUNA
UKWAZI**
DARE TO KNOW

 **ProBono.Org®**

+SECTION27
catalysts for social justice

SERI
socioeconomic rights institute
of south africa


WOMEN'S LEGAL CENTRE

A public interest law organisation may be available
to assist you, free of charge.