

JASA

Justice Alliance of South Africa

1 Ruskin Road, Bergvliet, Cape Town 7945
Tel/Fax: 021-713-3259



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Enquiries: John Smyth QC
083 653 8804

JASA PROPOSES VITAL NEW CLAUSE TO PROTECTION OF INFORMATION BILL TO ENSURE THE MEDIA AND OTHERS MAY HAVE AN INDEPENDENT RIGHT OF APPEAL IN RESPECT OF CLASSIFIED MATERIAL

In a written submission to the National Assembly, JASA has asked for the vital safeguard of an appeal procedure to a Tribunal totally independent of the State Executive.

As presently drafted the Bill provides for the State to be judge and jury in its own cause when an issue arises as to whether the classification of information is for bona fide reasons. The cloud of the arm's deal hanging over the nation makes it imperative that when in future a Minister wants to keep information out of the public domain, there must be a quick and efficient appeal procedure open to the media and anybody else.

JASA has proposed a clause setting up an independent Tribunal presided over by a Judge of Appeal with a final appeal to the Constitutional Court in exceptional cases. The Tribunal would of course have to sit in secret but its decisions would be made public without reasons, if the Tribunal were of the view that such reasons might prejudice the State.

Special Tribunals of this nature are commonly used in the western world to deal with State decisions in respect of the detention of suspected terrorists.

JASA's written submission may be found at www.justicealliance.org.za and www.jasa.za.net.

“Standing up for Justice in the public square”

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