

EXTERNAL (for general distribution)

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**Further information on UA 374/90 (AFR 53/64/90, 18 September 1990) -
Legal concern/health concern**

**SOUTH AFRICA: Yusuf MAHOMED , aged 35, pharmacist
(please note corrected spelling)**

On 22 October 1990 Yusuf Mahomed was released without charge from detention under section 29 of the Internal Security Act. He had been arrested by police in Harding, Natal, on 19 August 1990. On 22 August he was admitted to Johannesburg Hospital suffering from severe depression as a consequence of his detention conditions and the recent death of his father. According to medical reports he attempted suicide on at least three occasions following his arrest. Hospital medical doctors regarded him as being gravely at risk were he to be further interrogated or returned to police cells.

On 4 October 1990 lawyers succeeded in gaining an interim injunction from the Supreme Court prohibiting the police from visiting or interrogating Yusuf Mahomed in hospital without the permission of the senior psychiatrist treating him. The judgment set a precedent which will have an impact on the rights of other detainees. Yusuf Mahomed remained in hospital under police guard and continued to be denied access to his lawyer. As a result of a settlement reached by the police legal counsel and counsel for the Mahomed family, the Supreme Court on 16 October ordered the police to charge or release the detainee within 10 days and extended the order restraining the police from interrogating or visiting Yusuf Mahomed without the permission of the doctors treating him.

Yusuf Mahomed was released unconditionally on 22 October 1990. He continued to receive treatment for psychological problems directly resulting from his detention. It was not possible to issue this follow-up before because clarification of the court ruling and further discussions with lawyers in the case were needed.

No further appeals are required. Thank you to all who appealed on his behalf.