



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$0.80

WINDHOEK - 10 April 1997

No. 1535

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General Notice

No. 77

1997

NOTICE OF PUBLIC HEARINGS OF THE COMMISSION OF INQUIRY INTO LEGISLATION FOR THE MORE EFFECTIVE COMBATING OF CRIME IN NAMIBIA

Notice is hereby given in terms of section 6 of Proclamation 2 of 1996, that the Commission of Inquiry into Legislation for the more effective Combating of Crime will hold a two -day public hearing in Windhoek to hear evidence and/or representations relating to its terms of reference:

"To enquire into, make recommendations and where deemed by the Commission to be necessary and appropriate, to draft amendments to the Prisons Act, 1959 (Act 8 of 1959), its Regulations or any other related legislation with a view to ensuring that sentences imposed by Courts of Law are effective."

The Commission will in particular hear oral and/or written evidence on:

- (a) the administration of the prison system relating to its capacity to give effect to sentences imposed by Courts of Law;
- (b) the principles, regulations and administration of the remission and parole system and the role played by the Ministry of Prisons and Correctional Services in proposing, recommending, regulating, administering and giving effect to pardon or reprieve granted by His Excellency the President in accordance with Article 32(1)(d) of the Namibian Constitution;
- (c) the capacity of the Ministry of Prisons and Correctional Services to implement forms of punishment ordered by the Court such as:
 - (i) Periodical imprisonment;
 - (ii) Day parole;
 - (iii) Community service, inter alia in the form of productive labour, including what may be regarded as hard labour.
- (d) the present practice and facilities to give effect to the need:
 - (i) Generally for appropriate accommodation for prisoners;
 - (ii) The separation of prisoners who are ill, including those who are H.I.V. positive, from those who are not;
 - (iii) The separation of awaiting trial prisoners from those who have been convicted;
 - (iv) The separation of juveniles awaiting trial or even sentenced prisoners, from adult awaiting trial or sentenced prisoners;
 - (v) The separation of prisoners who are first offenders relating to less serious crimes or offences from hardened and dangerous criminals;
- (e) the facilities, procedures and practices relating to detention in police cells in relation to points (i) - (v) of subparagraph (d) supra; and
- (f) the methods used if any, whether in prisons or police cells, to protect prisoners, particularly awaiting trial prisoners, against assaults, including that amounting to raping or sodomising by fellow prisoners, which inter alia carries the risk of infecting a prisoner with Aids.

Persons wishing to make representations should contact the Secretary of the Commission at Telephone 061-239880 Ext. 2333 or 254087 at least two days before the hearing.

The hearing will take place at the following venue, date and time:

<u>TOWN</u>	<u>DATE</u>	<u>VENUE</u>	<u>TIME</u>
WINDHOEK	16 - 17 APRIL 1997	HIGH COURT BLD.	09.30 - 16.30

Any further enquiries must be directed to:

The Secretary
Commission of Inquiry into
Legislation for the more
effective Combating of
Crime in Namibia
Private Bag 13179
WINDHOEK

or

Room 2, High Court Building
Lüderitz Street, Windhoek

or

Tel. No.: 239880 Ext. 2333 or 254087
Fax No.: 221686

I.V.K. NDJOZE
SECRETARY: COMMISSION OF INQUIRY
INTO LEGISLATION FOR THE MORE
EFFECTIVE COMBATING OF CRIME
IN NAMIBIA

Windhoek