

(b) in the case of a person who is outside of that locality, there is reasonable ground to suspect that the person is, or has been, or is about to be, involved in the commission of a criminal offence in the locality.

(2) Where any person is arrested or detained pursuant to the powers conferred by section 50B(4), that person shall-

(a) immediately be told the reason for his arrest or detention;

(b) forthwith be taken before a Justice of the Peace who shall determine whether or not there is reasonable ground-

(i) for the arrest or detention; and

(ii) in the case of a person who is arrested or detained outside of the locality in relation to which action is taken under section 50B, there is reasonable ground to suspect that the person is, or has been, or is about to be, involved in the commission of a criminal offence in the locality.

(3) If a Justice of the Peace is satisfied that the arrest or detention of any person is reasonably required in the interest of justice he may, having regard to such further investigations as may be necessary, order that the person-

(a) notwithstanding the provisions of section 22 of the Bail Act, be remanded in custody for a period not exceeding seventy-two hours; and

(b) at the expiration of the period of remand ordered under paragraph (a), be taken before a Resident Magistrate.

(4) Notwithstanding subsection (3)(b), where it is intended to hold an identification parade in respect of the person so arrested or detained, the provisions of section 63A of the Judicature (Resident Magistrates) Act shall apply.

(5) Where a Justice of the Peace makes an order pursuant to subsection (3) in respect of any person so arrested or detained, the person shall be taken to a police station or lock-up without delay, and an entry shall be made in accordance with the Prisons (Lock-ups) Regulations, 1980.

(6) Where a Justice of the Peace is not satisfied that the arrest or detention of any person is reasonably required in the interest of justice, he shall order that the person be released forthwith."

MEMORANDUM OF OBJECTS AND REASONS

Part IIA of the Constabulary Force Act sets out special powers for preventing or detecting crime, including the power of the Commissioner of Police to establish a cordon, and impose a curfew, in any locality where it appears to him that there is reasonable ground to believe that, in the interest of public safety or public order, or for the purpose of detecting crime, it is necessary so to do.

Because of the current level of crime, a decision has been taken to temporarily extend (for a period of one year) the provisions of sections 50B and 50F of the Constabulary Force Act so as to

(a) provide for the arrest and detention of a person outside of the locality in which the special cordon and curfew powers are being exercised, if a Divisional Commander or a member of the Force not below the rank of Assistant Commissioner is satisfied that there is reasonable ground for suspecting that the person is, or has been, or is about to be, involved in the commission of a criminal offence in the locality; and

(b) increase, from twenty-four to seventy-two hours, the period for which a Justice of the Peace may, if satisfied that the detention or arrest of any person is reasonably required in the interest of justice, order that

person, notwithstanding the provisions of section 22 of the Bail Act, to be remanded in custody before being released or taken before a Resident Magistrate. This Bill seeks to give effect to that decision and is a companion to other proposed legislation aimed at reducing crime.

The Bill expires after one year from the date of its commencement.

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Minister of National Security.