

Homeless, hopeless and with nowhere to go

Zimbabwean migrants freed after spending weekend in cells

POLOKO TAU AND LOUISE FLANAGAN

STANDING among a visibly exhausted group of 57 of the first migrants released from Johannesburg Central police station yesterday, Zimbabwean Freedom Moyo had only one shoe on.

This 17-year-old youth leaned against a wall to enjoy the sunlight warming him after a weekend in the police cells on a charge of loitering - something he still doesn't understand.

Moyo was one of 360 destitute people, mostly Zimbabweans, arrested by Johannesburg police and the SAPS on Friday night outside the Central Methodist Church in Pritchard Street in the inner city. They spent the weekend in custody, and prosecutors yesterday withdrew charges of loitering against all of them.

"I was sleeping on the pavement with many others and all of a sudden there were loud screams of police officers pushing people around. I don't know what happened to my other shoe and I still don't know why I was arrested," said Moyo in a low voice, his head bowed.

"I was just sleeping. I did nothing wrong," he said repeatedly. He said he was kept in one cell with about 40 men. There were no blankets and his shirt was wet, although he had been released. He said he had been released, although it took this long," he said.

The first group walked out



BACK ON THE STREET: Released Zimbabwean refugees outside the Johannesburg Central police station. They were arrested on Friday for squatting and loitering in the city centre.

PICTURE: DUMISANI SIBEKO

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ing in the streets in this wintry weather."

Kwakwa said they would take individual statements from those arrested to decide if there was evidence for a civil case against the police for brutality and unlawful arrest.

"Some of them told me that police took their shoes and threw them in dustbins, and the majority lost their passports, asylum papers and other important documents," said Kwakwa.

On Sunday, MSF paid R300 admission of guilt fines for seven people who needed medical attention, to secure their

release. They included a pregnant woman, two men suffering from psychosis and a deaf and blind elderly woman.

Those in custody for the weekend included 12 teenagers aged 15 to 17, 17 aged 18, 21 aged 19 and five aged 20.

Processing the arrests took hours of officials' time. Representatives from LHR, MSF the Legal Resources Centre and the Aids Law Project spent hours at the Johannesburg Magistrate's Court negotiating with court officials over dropping the charges, and at the police station.

Lawyer Ian Small-Smith

"It is unacceptable that you can charge people for loitering when you actually found them sleeping in the street. How is that a criminal offence?" asked LHR lawyer Lesego Kwakwa.

"This is serious violation of human rights and being in jail does not mean that you are not protected by the law. The government needs to go deep into this issue and look into why these people are sleeping on the pavement and they will be coming back for us."

The group walked hesitantly with shoulders slumped. Many raised safety concerns with MSF officials. "I don't know where to go," said Moyo. "Just find us another place. We're going back to the pavement and they will be coming back for us."

helped LHR to secure the release of the group.

The arrests came while council officials have been trying to arrange emergency accommodation in council-owned buildings for the thousands of destitute people, mostly Zimbabweans, who flock to the church as a safe haven.

On Sunday council officials said about 300 had been accommodated and another 300 were due to get shelter when another building is ready within days. Prosecutors were concerned about releasing people unless they had somewhere to go.