

## **ANNEXURE A**

### **OTHER RELEVANT INFORMATION TO BE CONSIDERED BEFORE THE DRUG TESTING DEVICE MAY BE USED**

#### **1. INTRODUCTION**

The Constitution of the Republic of South Africa, 1996, provides for a Bill of Rights. The following rights are relevant to random search and seizure and drug testing at schools:

Human dignity (section 10)

Privacy (section 14)

Property (section 25)

Random search and seizure and drug testing would obviously infringe on these rights. However, the Constitution itself provides that no right is absolute, given that any right in the Bill of Rights may be limited in terms of section 36. Section 36(1) of the Constitution provides, "The rights in the Bill of Rights may be limited only in terms of law of general application to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom".

Section 8A of the South African Schools Act, 1996, is a law of general application in that it applies to all schools and is aimed at safeguarding the interest of learners with regard to their right to education, which must take place in an environment free of drugs and dangerous objects. Given that section 8A limits certain rights conferred in the Bill of Rights, it must be implemented with due regard to human dignity, privacy and the right to property of the learners concerned.

#### **2. SIGNS AND SYMPTOMS THAT MIGHT POINT TO POSSIBLE DRUG USE**

##### **2.1 Physical indicators**

- (a) Changes in level of activity – periods of lethargy (common with dagga, alcohol, sedatives, cocaine and heroin) or periods of hyperactivity (common with dagga, stimulants and alcohol).
- (b) Drastic increase or decrease in appetite.
- (c) Unexplained increase or decrease in weight.
- (d) Lack of coordination, staggering or slow movements, dropping of objects, clumsiness and falling.
- (e) Altered speech patterns: slurred or garbled speech, expressionless speech, abnormally fast speech, forgetting of thoughts and ideas, incomplete sentences and incoherent conversations.
- (f) Unusual shortness of breath, persistent cough, strange odour to breath and clothes (often with dagga and inhalants).
- (g) Red-rimmed, bloodshot or watery eyes, drooping eyelids.

- (h) Little sores around the mouth and unexplained chapped or cracked lips (inherent users).
- (i) Yellow or brown stains on hands.
- (j) Continuously runny nose and constant fidgeting with nose.
- (k) Unexplained bleeding of nose.
- (l) Increased susceptibility to infections and colds.
- (m) Changes in sleeping habits: staying up all night but sleepy all day, or restless sleep.
- (n) Changes in physical appearance: drastic changes in style of clothes, less concerned about appearance, which may become sloppy and unkempt.
- (o) Severe agitation, lack of concentration.
- (p) Unexplained shaking, tremors, nausea, vomiting and sweats or chills (may be an early withdrawal symptom).
- (q) Distortion of perception of time.
- (r) Reaction time slower; child becomes sluggish.
- (s) Needle marks made by intravenous injection of drugs. If a child has such marks, he or she may start wearing long-sleeved shirts even in hot weather.
- (t) Unexplained and ongoing headaches.
- (u) Drowsiness, especially during the day.
- (v) Unusually dreamy, absent demeanour.
- (w) Unusually or constantly dry mouth, or exaggerated or constant thirst.

## 2.2 Behavioural indicators

- (a) Sudden aggressive and violent behaviour, unexplained outbursts of anger.
- (b) Unexplained restlessness.
- (c) Destructive behaviour, e.g. punching walls, swearing, fighting.
- (d) Unexplained irritability.
- (e) Lack of motivation – sudden loss of interest in hobbies or sport previously enjoyed.
- (f) Ongoing episodes of unexplained giggling.
- (g) Sudden apathy towards life in general.

## 2.3 Emotional indicators

- (a) Sudden unexplained and ongoing nervousness.
- (b) Low self-esteem.
- (c) Decreased sense of responsibility.
- (d) Sudden feelings of depression, despondency and hopelessness.
- (e) Severe mood alterations, or mood swings, from euphoria to sudden anxiety and depression, and sudden hypersensitivity.
- (f) Alterations in thought patterns – strange and bizarre thinking, hallucinations, paranoid delusions, abnormal suspiciousness, depressed thoughts, suicidal thoughts.

**2.4 Social indicators**

- (a) Sudden withdrawal from family and friends.
- (b) Sudden secretiveness, deviousness, vagueness, lies and deceit.
- (c) Sudden change in friends, with the new friends usually older and/or suspected of using drugs, and a reluctance to introduce friends to family.
- (d) Drop in school performance – overall lack of motivation with regard to schoolwork.
- (e) Regular truancy, especially on Mondays – school attendance register can be utilised to obtain an overall view of absenteeism.
- (f) Resentment towards all authority and disregard of all rules (at school, home, etc.).
- (g) Disappearing for periods of time without being able to account for that time, e.g. coming home late at night or missing classes at school.
- (h) Unusual interest in money.
- (i) “Lost” clothes or equipment, or money that cannot be accounted for.