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COMMUNITY LAW CENTRE



ANNUAL REPORT

2007

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- Jacqui Gallinetti (Children's Rights Project)
- Lukas Muntingh (Civil Society Prison Reform Initiative)
- Heléne Combrinck (Gender Project)
- Dr Jaap de Visser (Local Government Project)
- Sibonile Khoza (Socio-Economic Rights Project)

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Socio-Economic Rights Project: Sibonile Khoza (co-ordinator), Dr. Lilian Chenwi (senior researcher), Siyambonga Heleba (researcher since April), Christopher Mbazira (doctoral intern), Unathi Mila (administrator until June), Renchia du Plessis (administrator since August)

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ABOUT THE COMMUNITY LAW CENTRE

Mission Statement

The Community Law Centre at the University of the Western Cape ('the Centre'), established in 1990, works to realise the democratic values and human rights enshrined in South Africa's Constitution. It is founded on the belief that our constitutional order must promote good governance, socio-economic development and the protection of the rights of vulnerable and disadvantaged groups. Given the need for regional integration to encourage development in Africa, the Centre also seeks to advance human rights and democracy in this broader context. Based on high quality research, the Centre engages in policy development, advocacy and educational initiatives, focusing on areas critical to the realisation of human rights and democracy in South Africa and Africa in general.

Projects

The Centre's Projects are:

- The *Children's Rights Project*, which works towards the recognition and protection of children's rights in all spheres of society with a particular focus on child justice.
- The *Civil Society Prison Reform Initiative*, which focuses on prisons and corrections to improve human rights in South African prisons through increased oversight by civil society.
- The *Gender Project*, which works towards the achievement of substantive gender equality and the realisation of women's rights.
- The *Local Government Project*, which assists local government to give effect to its constitutional mandate and promotes accountable and democratic governance and socio-economic development.
- The *Socio-Economic Rights Project*, which focuses on the realisation of the socio-economic rights of groups and communities living in poverty.

During 2007, these objectives were pursued by means of four interrelated activities: research, informing public debate, teaching, training and education, and, to a limited extent, test case litigation.

- **Research and publication:** The central focus of the Centre and the basis for informing public debate, teaching and training activities and litigation, is quality research in areas highly relevant to the development of human rights and democracy. Research was conducted at both a theoretical and empirical level.
- **Informing public debate:** On the strength of its quality research, the Centre sought to play a role in informing public debate about human rights and democracy. Information sharing was effected through conferences, seminars, publications, submissions to relevant bodies, contributions in the media and providing advice.
- **Teaching, training, education:** The Centre presented workshops and seminars to public officers and officials in the three spheres of government, the judiciary, civic groups and students. Popular

publications were produced to educate both government and civil society on their rights and obligations.

- **Litigation:** On the basis of its research, the Centre participated, to a limited extent, in test-case constitutional litigation as *amicus curiae*.

The activities were executed by a staff of 16 researchers (including three doctoral research interns and one research assistant) and six administrative personnel (which included an office manager, financial manager and information manager). The Director of the Centre, Professor Nico Steytler, managed the various activities.

Resources

The Centre houses the Documentation Centre, which has a specialised collection of material on gender equality and women's rights, as well as children's rights and socio-economic rights, intergovernmental relations, and general human rights publications. The Documentation Centre also holds a substantial collection of books on international law and international human rights law, built up by sustained support from the Raoul Wallenberg Institute at the University of Lund in Sweden. This support is currently in its eleventh year of cooperation. The Centre has an accessible and user-friendly website (<http://www.communitylawcentre.org.za>) including a searchable database of the Documentation Centre's unique collection.

CHAPTER 1: DIRECTOR'S OVERVIEW

The year 2007 marked a significant phase of the work of the Centre in that a number of long-term research programmes came to completion. First, the Socio-Economic Rights Project celebrated its 10th anniversary as a project, looking back at major achievements in the development of jurisprudence and making socio-economic rights more accessible to the poor, which included the publication of the second edition of the *Socio-Economic Rights in South Africa: a resource book*. Second, 2007 also saw the culmination of research into two doctorates. Christopher Mbazira was awarded his LLD on judicial remedies for socio-economic rights and Jacqui Gallinetti submitted her LLD thesis on the use of children in the commission of crimes (and was awarded the doctorate in March 2008). A loose-leaf legal textbook on all institutional aspects of local government, authored by Nico Steytler and Jaap de Visser, was published in December. The consolidation of numerous research projects into substantive publications confirmed the quality and enduring value of our research.

A second feature was the establishment of the Civil Society Prison Reform Initiative as a fully-fledged Project of the Centre bringing much needed focus on prison reform and punishment in the criminal justice system.

A third feature has been the changing of funding sources of the Centre. Since donor funding is becoming more difficult to access, the Centre has been compelled to rely increasingly on competitive bids to secure government research contracts. A quarter of the R9 million was raised in this way. On the one hand, this source of income is important to secure the viability of the Centre, but on the other hand, such contracts often dictate the direction of the research. A careful balance should thus be struck between these competing demands.

Finally, quality research work sustained over the years has allowed the Centre to play a meaningful role when openings occur in the policy domain. In the case of the Children's Rights Project, it was influential in the South African National Child Labour Programme of Action through its work on the use of children to commit crime as a worst form of child labour. When the government announced a policy review of provincial and local government this year, the Local Government Project and its researchers were requested by the Department of Provincial and Local Government to conduct research in key areas.

Staff

In the *Civil Society Prison Reform Initiative* Lukas Muntingh was appointed as co-ordinator and senior researcher and Jamil Mujuzi as doctoral intern. In the *Socio-Economic Rights Project*, Siyambonga Heleba joined the Project as a researcher in April and Renchia du Plessis as the administrator in August. Annette Christmas returned to the Centre as a researcher in the *Local Government Project*. Dr Jaap de Visser was also promoted to Associate Professor from 1 January 2008.

Fourth Dullah Omar Memorial Lecture

The keynote speaker for the Fourth Dullah Omar Memorial Lecture was Minister of Finance Trevor Manuel, on 20 March, the eve of Human Rights Day. The Honourable Minister spoke on the culture of human rights in the context of continuity and change. The Lecture was published in the journal, *Law Democracy and Development*.

Finances

The Centre maintained sound financial management. Apart from the overall audit of the university's books, three quarters of the Centre's donor agreements were further externally audited and all of them received an unqualified audit. The Centre wishes to thank all its donors for supporting the work of its projects. Particular acknowledgement goes to the Ford Foundation for generously providing both core funding for administration and project-based funding. Support was also received from the University in the form of office space, utilities, information and communication technology assistance and human and financial management services.

CHAPTER 2: RESEARCH

In-depth and cutting-edge research is the basis of the Centre's activities, since it informs and guides our outreach programmes. As a university-based institution, our goal is also to publish our research results in peer-reviewed publications. In this section the broad focus areas of research are set out, as well as specific research projects.

Children's Rights

The Children's Rights Project focused on two major research projects during 2007. Firstly, following from their work in children used by adults to commit crime (CUBAC) for the International Labour Organisation in 2005, the Project embarked on two pilot projects relating to CUBAC in 2006. The pilot programmes ran from April 2006 to June 2007. The overall goal of the pilot programme was to contribute to the elimination of child labour in the form of the instrumental use of children in illicit activities in South Africa. The pilots therefore comprised of a range of activities and interventions, which included programmatic interventions, working with police, prosecutors and probation officers, as well as local site co-ordination and ensuring CUBAC become an issue that received ongoing attention at the sites.

The major outcomes of the pilot programme implementation consisted of the following:

- amended actions steps relating to children used in the commission of crime in the South African National Child Labour Programme of Action Draft 2, adopted by government in 2007;
- the successful completion of the CUBAC diversion programme by 433 children across both pilot sites;
- the successful completion of the CUBAC prevention programme by 2000 children across both pilot sites;
- the incorporation of CUBAC training materials into the Justice College curriculum;
- the incorporation of CUBAC into departmental planning by the Gauteng Provincial Department of Social Development;
- the incorporation of CUBAC as an issue in the Western Cape Assessment form for children who come into conflict with the law; and
- the finalisation of five CUBAC publications and a poster that was distributed to all magistrates' courts in South Africa.

The pilot programme highlighted certain challenges in the management of children who are used by adults to commit crime and these included:

- the insufficiency of evidence to prosecute adults;
- the reluctance of children to admit to criminal justice officials that they had been used by adults to commit crime; and
- the need for inter-sectoral training on the issue to be incorporated into departmental training initiatives.

Secondly, as co-ordinators of the Child Justice Alliance, the Project managed the second baseline study into the criminal justice system and how it treats children in three magisterial districts – Pietermaritzburg, Wynberg and Pretoria. This was done in partnership with the CSIR, the Campus Law Clinic of the University of KwaZulu-Natal and the Institute for Criminology at the University of Cape Town. The findings of this research were compiled in a research report available on the Child Justice Alliance website, www.childjustice.org.za. These findings, as well as the findings from the first baseline study, were combined into a separate research report entitled, *Child Justice Alliance: A baseline study of children in the criminal justice system in 3 magisterial districts*. The research produced a snapshot of the treatment of children at the three courts, looking at, *inter alia*, the detention of children, delays, diversion and sentencing. This report was presented to the Inter-Sectoral Committee on Child Justice, an inter-departmental monitoring body on child justice, co-ordinated by the Department of Justice, and was welcomed as adding value to knowledge on child justice issues in South Africa. This research will be used at a later stage as baseline data against which the implementation of the Child Justice Bill (when passed) can be measured and monitored.

The Child Justice Alliance also produced a second research report entitled *Child Justice Alliance: A quantitative overview of children in the criminal justice system: 2007*. This report examined the available statistics on children in conflict with the law; identified the gaps and shortcomings and highlighted the need for comprehensive and reliable data collection of statistics according to internationally accepted data indicators.

Civil Society Prison Reform Initiative

Civil Society Prison Reform Initiative's (CSPRI) research focused on promoting good governance, the prevention and combating of torture, sentencing reform, offender reintegration and general prisoners' rights. Of a more general nature was research on prisoner disenfranchisement, which formed part of a book, reviewing the international situation on this issue. In November 2006, the final 1800-page report of the Jali Commission of Inquiry into prison corruption was released. In order to make this more accessible, a plain language summary was prepared and released at a seminar on 4 June in Cape Town. The seminar was well attended and received significant media attention.

Since the late 1990s South Africa's sentencing legislation has become increasingly punitive. During 2007 research was conducted on the use of life imprisonment in South Africa in an effort to better understand the rapid increase of this category of prisoners since 1995; from 400 to over 7500 prisoners. This research was also supported by other initiatives, such as participation in a colloquium on punishment and incarceration, hosted by the WITS Institute for Social and Economic Research (WISER).

During the year CSPRI conducted a survey of civil society organisations working in the offender reintegration field. More than 20 organisations participated. The survey found that significant advances have been made in this field, but that conceptual and theoretical challenges remain.

The constitutional position of prisoners in South Africa remains a contested terrain. Continuing litigation by prisoners, and on behalf of prisoners, are indicative of this. In an effort to reach a deeper understanding of this, research was undertaken to critically examine the role and purpose of the prison system in South Africa's constitutional democracy. The findings were made available in a report entitled, *Prisons in South Africa's Constitutional Democracy* jointly published by CSPRI and the Centre for the Study of Violence and Reconciliation (CSVR).

It is regrettable that South Africa has done very little to meet its obligations under the UN Convention against Torture, Cruel, Inhuman or Degrading Treatment or Punishment (CAT). Research efforts on a broad front were undertaken resulting in an in-depth description of the current legal and regulatory shortcomings with regard to places of detention. Work on a more accessible text on CAT and the Optional Protocol to the CAT has also commenced.

Desktop research was undertaken assessing interventions aimed at preventing and addressing HIV/AIDS in prisons in Africa. A paper on this was delivered at the All Africa Symposium on Corrections in Swaziland. CSPRI continued and completed its work on the impact of HIV/AIDS on prison governance and the final report was submitted to the Department of Correctional Services for comment.

A literature research was also undertaken assessing the Special Court for Sierra Leone's justification of punishment in cases of serious violations of international humanitarian law and human rights law. A paper on this was published in the *African Yearbook on International Humanitarian Law* (2007). Desktop research was also carried out on life imprisonment in Uganda as well as the right to a fair trial in Kenya and the findings will hopefully be published in two accredited law journals before the end of 2008.

Gender

The Gender Project conducted research examining sub-regional policy frameworks aimed at addressing gender-based violence and HIV/AIDS in the Southern African context (for example, the SADC Strategic Framework on HIV/AIDS 2003-2007), and to establish to which extent these frameworks acknowledge each other and are interlinked.

Local Government

The Department of Provincial and Local Government initiated a policy review of the system of provincial and local government. This policy review provided an important context for much of the Local Government Project's work in 2007 and the Project sought to maximise engagement with and contribution to this policy review through its various activities.

The publication of *Local Government Law of South Africa* represents an important milestone in the Project's first decade of existence. This comprehensive textbook on local government law, written by Nico Steytler and Jaap de Visser, was the product of many years of research and writing and the fruit of a decade of involvement in local government matters. This loose-leaf

publication will be updated annually and undoubtedly become a flagship of the Project. The two authors also submitted the first draft of a chapter, containing a discussion of local government from a constitutional perspective, to *Constitutional Law of South Africa*, which is due to be published in 2008.

The Project participated in “A Global Dialogue on Federalism”, a prestigious world-wide research programme, organised by the Forum of Federations and the International Association of Centres for Federal Studies. The programme entails a series of country reports in a peer-reviewed publication, due to be published by McGill Queen’s University Press in 2008. Nico Steytler is the editor of the volume on “Local Governments and Metropolitan Regions in Federal Systems”, editing all the country reports for this publication, including the country report on South Africa, produced by Jaap de Visser. As part of the research towards the country report, the Project hosted a Roundtable on Local Government in February. A select group of key thinkers on local government in South Africa came together to discuss pivotal local government issues. The international roundtable, which is the international event linked to the Global Dialogue was also hosted by the Project. The event took place in April and brought together local government practitioners from across the world. The experts also participated in the Global City Region – Forms and Models of City Region Governance Conference, which was hosted by the Province of Gauteng on 20 April at the Sandton Convention Centre, in association with the Project and the Forum of Federations.

The delivery of basic services to impoverished communities and particularly the chequered record of delivery at local government level prompted the Local Government Project to analyse the role of municipalities in the broader government machinery. Research was conducted on a normative model for the distribution of responsibilities between national, provincial and local government, the role and function of district municipalities and on specific institutional requirements of urban municipalities. All three themes were identified in the policy review as key impediments to municipalities fulfilling the promise of developmental local government.

In July, the Local Government Project assembled a group of local government practitioners, government officials, politicians and analysts to discuss the findings of the research. This Roundtable conference coincided with the commencement of the policy review of provincial and local government and provided a welcome opportunity to establish networks for contributing to and engaging with the review.

The role of local government in encouraging communities and citizens to participate in matters of governance, service delivery and development is another of the Project’s research areas. Two project members were involved in an international research project on the role of municipalities in facilitating access to government for disadvantaged groups. Nico Steytler drafted a background paper that guided the project globally, while Reuben Baatjies produced a paper on the South African experience. The papers were presented at the Fourth International Conference on Federalism held in New Delhi and hosted by the Inter-State Council of India in conjunction with the Forum of Federations.

The Project furthermore engaged in research on the functionality of the legal framework for community participation with specific reference to the recent spate of community protests against poor service delivery and the conflicts over municipal renaming initiatives. The Project also conducted research on the role definition of municipal speakers and mayors.

Socio-Economic Rights

The Socio-Economic Rights Project continues to conduct research aimed at ensuring the effective implementation, monitoring and enforcement of socio-economic rights in South Africa. The Project also engages in advocacy activities aimed at enhancing the promotion and protection of these rights in international human rights law.

The Project conducted research on several aspects including, housing rights (including protection against evictions); obligations of local government in realising socio-economic rights; social security and food (including nutrition) rights; as well as the role of judicial remedies in socio-economic rights cases. The Project produced at least six comprehensive research papers, three of which have already been published in peer reviewed journals and others have been submitted for publication.

A doctoral intern, Christopher Mbazira, completed his PhD thesis, entitled *Enforcing the economic, social and cultural rights in the South African Constitution as justiciable rights: The role of judicial remedies*. The thesis analyses the notion of judicial remedies from the corrective and distributive justice perspectives. The shorter version of the thesis will be published by PULP in 2008.

Collaboration between projects

Gender and Socio-Economic Rights

The Gender and Socio-Economic Projects (in partnership with the Saartjie Baartman Centre for Women and Children in Manenberg) finalised its project on the role of informal community structures in access to housing for women experiencing domestic violence. The research findings and recommendations of the project was published in a popular publication, entitled *The role of informal community structures in ensuring women's right to have access to adequate housing*.

Local Government and Socio-Economic Rights

The Socio-Economic Rights and Local Government Projects continued with their research on the Enjoyment of Basic Services as Human Rights. The projects focused on delineating the obligations of local government in realising socio-economic rights and the importance of public participation at the local government level. Two draft research papers have been produced and will be finalised during the first quarter of 2008.

CHAPTER 3: APPLIED RESEARCH

Based on its reputation for high quality research, the Centre is frequently requested and commissioned to undertake applied research for various government departments and non-governmental bodies. Through this work, the Centre and its staff not only make a major contribution to policy formulation, but also are placed at the coalface of the key challenges confronting government and civil society. In 2007, the Centre and staff members were engaged in the development of policies and draft legislation for national departments, provinces, municipalities and international organisations.

Children's Rights

The Children's Rights Project was again requested by Save the Children Swaziland to assist them in their child law reform efforts. This required the Project to draft a Discussion Paper incorporating recommendations on the content of the new child law. This Discussion Paper was based on the outcome of consultative workshops held during 2006 in order to elicit information on what the new child law should contain. These workshops were held with prosecutors, policy makers within government and judicial officers. The Discussion Paper was then presented by the Project to the Working Group on the new child law in Swaziland during April and was met with approval. This will now form the basis for the drafting of a new Children's Bill for Swaziland, which is currently underway.

Civil Society Prison Reform Initiative

Civil Society Prison Reform Initiative is managing, on behalf of the University of the Western Cape (UWC), a three-year project to monitor the implementation of the Correctional Services Act. The project was commissioned by the Open Society Foundation (SA) and is the result of a partnership agreement between the Foundation and the Department of Correctional Services. A multi-disciplinary team of senior researchers from UWC was assembled for the project to monitor the six identified themes:

- conditions of incarceration;
- protection of human rights;
- health;
- parole administration;
- offender reintegration; and
- management.

In 2007, the second year of the project, fieldwork was completed at six correctional centres when a comprehensive monitoring tool was tested.

Gender

The Gender Project completed a research report on bail and HIV/AIDS for the Law, Race and Gender Research Unit at UCT. This report, as well as a report on domestic violence and HIV/AIDS, completed in 2006, formed the basis of training materials developed by the Project on the topics of HIV/AIDS and domestic violence and bail respectively. The training materials will be included in the Law,

Race and Gender Research Unit's training manual for magistrates on HIV/AIDS and the Law.

Local Government

The Department of Provincial and Local Government policy review of provincial and local government provided the Local Government Project with an opportunity to engage with law and policy reform on quite a number of levels. Jaap de Visser assisted the Department with the initial conceptualisation of the review and with the drafting of a baseline paper on local government. He also drafted a specific theme paper, outlining the main challenges in local government and assisted with the consolidation of a series of theme papers into a first draft discussion paper on local government. Project members drafted a chapter for the provincial white paper process on provincial legislatures and provincial executives and also drafted a chapter with respect to the local government discussion document on the institutions of local government. Furthermore, Reuben Baatjies and Annette Christmas assisted the Department in conducting and processing a series of high level interviews with, amongst others, cabinet members, director-generals, premiers, mayors and municipal managers in support of the review process.

Also, many of the articles in the *Local Government Bulletin* were located within the ongoing review process. The Project commenced a specific research programme on the review process, aimed at a more detailed analysis of some of the key themes emerging from it.

Jaap de Visser wrote a Practitioners' Guide on Intergovernmental Relations for the Department of Provincial and Local Government, which was launched as part of the Department's "Intergovernmental Relations Toolkit" at the National Council of Provinces' 10 Year Anniversary Summit on the 2nd May. The toolkit further contained a manual on interventions into local government and a guide on dispute resolutions, produced by the Project.

Socio-Economic Rights

Sibonile Khoza was commissioned by the World Bank to conduct a study on the impact of human rights, with the specific focus on health care and housing rights, on social policy provision and entitlements in South Africa. The South African case study contributes to a larger comparative work that addresses some key experiences with social policy provision that build on a human rights perspective. It focuses specifically on entitlements that are essential for building poor people's capacity to engage with the state as citizens with rights and responsibilities. The key question it addresses is whether, and under what conditions, human rights norms, standards and approaches can strengthen the institutional framework for delivering social policy outcomes.

CHAPTER 4: INFORMING PUBLIC DEBATE ON LAW REFORM

On the basis of its research, the Centre informs public debate on key issues of law reform. On a number of occasions, parliamentary committees requested its comment on draft legislation in 2007.

Children's Rights

Submissions were ongoing regarding corporal punishment in the section 76 version of the Children's Act, i.e. the Children's Amendment Bill 19B of 2006. In this regard the Children's Rights Project made written and oral submissions to the Western Cape Provincial Legislature. The Project stressed that, in order for South Africa to comply with both their international and constitutional obligations towards protecting children from all forms of violence, the Bill needed to include a total prohibition of all forms of corporal punishment against children, including that which is imposed by parents. The Project continued to inform public opinion on this issue and made a further written submission to the National Council of Provinces. This submission centered on the fact that, while the Bill now contained a complete prohibition on corporal punishment, it nevertheless contained a clause that required a prosecution of a parent if the punishment meted out amounted to "abuse", thus sending out the message that some level of "legalised physical punishment" was still allowed. The Bill was passed in November and, to the disappointment of civil society, is completely silent on the issue of corporal punishment of children in the home and thus the common law situation allowing parents to reasonably chastise their child still prevails. The Project continues to serve on a working group that is devising further advocacy strategies to address law reform to ensure that all forms of corporal punishment are eventually prohibited.

In addition, the Project made a written and oral submission to the Portfolio Committee on Justice and Constitutional Development on the Criminal Law (Sentencing) Amendment Bill 15 of 2007. The Bill sought to impose minimum sentences on children aged 16 and 17 years who were found guilty of certain scheduled offences. The Project submitted that this move was not only unconstitutional but contrary to South Africa's international obligations in terms of the United Nations Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. The Bill was passed into law at the end of 2007, with some changes effected to the proposed clause dealing with children but essentially still allows for minimum sentences for 16 and 17 year olds.

Civil Society Prison Reform Initiative

Promoting the UN Convention against Torture, Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the Optional Protocol to the CAT (OPCAT) require significant effort as government has been slow in taking the lead in respect of these two instruments. To this end, Civil Society Prison Reform Initiative (CSPRI) participated in a two-day workshop, and held follow-up meetings with local NGO partners, as well as an international NGO to strategise on the promotion of OPCAT. The workshop was hosted by the South African Human Rights Commission (SAHRC) and the Centre for the Study of Violence

and Reconciliation. Presentations were made on the prospects of OPCAT and the criminalisation of torture under South African law. CSPRI is also now a member of the SAHRC Section 5 Committee on Torture.

Interaction with Parliament remains an important component of CSPRI's work and a number of written and oral submissions were made to the relevant parliamentary portfolio committees. These submissions dealt with the Correctional Services budget vote, Correctional Services Amendment Bill, Criminal Law Amendment Bill (Sentencing), Correctional Services Annual Report and the Children's Amendment Bill. A submission was also made to the Department of Justice and Constitutional Development on proposed services mandated by the Victim's Charter. Furthermore, a submission was made to the panel appointed by the Speaker of Parliament to assess the work of Parliament. The submission dealt with CSPRI's experiences of Parliament in recent years.

Other actions aimed at informing public debate included a presentation on HIV/AIDS and prison governance; a presentation on the impact of sentencing on the size of the prison population at the launch of three reports commissioned by the Open Society Foundation (SA), and the release of CSPRI's plain language summary of the Jali Commission's final report.

Gender

The Gender Project again focused its attention on the Criminal Law (Sexual Offences and Related Matters) Amendment Bill B50-2003 (revised version dated 19 June 2006). At the end of 2006, the Speaker had referred the Bill back to the National Assembly Portfolio Committee on Justice and Constitutional Development to consider whether the Bill had been correctly dealt with in terms of section 75 of the Constitution. Concerned about additional delays that might arise from the "retagging" of all or certain provisions of the Bill, the Gender Project made a written submission to the Speaker, arguing for the finalisation of the Bill in terms of section 75. When progress in finalising the Bill again seemed to lag for unknown reasons, the Project conducted media interviews questioning these delays. Finally, the Project made a joint submission (with the Gender, Health & Justice Research Unit at UCT, Rape Crisis, and Women's Legal Centre) to the National Council of Provinces on the Bill. The Bill was finally passed in November 2007.

The Gender Project made a written submission to the UN Special Rapporteur on Adequate Housing on the outcomes of the project examining the role of informal community structures in access to housing for women experiencing domestic violence. Helene Combrinck also made an oral submission during the meeting of the Special Rapporteur with representatives from civil society organisations. The oral submission focused mainly on the lack of accommodation for women vulnerable to domestic violence, and the need for government to urgently develop policies to prioritise women experiencing domestic violence, persons with disabilities and other vulnerable groups in terms of housing allocation.

Local Government

The focus of Parliament's Joint Constitutional Review Committee this year was the distribution of responsibilities between the three spheres of government, which provided an ideal opportunity for the Project to make a submission to Parliament on this topic.

As stated previously, the *Local Government Bulletin* provided an ideal platform for the dissemination of information on the review of provincial and local government as well as for discussion on opinion pieces on topics such as district governance, community participation and ward committees.

Socio-Economic Rights

The Socio-Economic Rights Project continues to actively engage in law reform and general developments pertaining to socio-economic rights. The Project made several submissions to various national and international institutions. It made two submissions to the National Department of Housing on The Prevention of Illegal Eviction from and Unlawful Occupation of Land Amendment Bill (2006) and The Rental Housing Amendment Bill (2006). It also made a submission to the parliamentary *ad hoc* Committee on the Review of State Institutions Supporting Constitutional Democracy on the mandate of the South African Human Rights Commission to monitor socio-economic rights and compiled periodic reports.

CHAPTER 5: EDUCATION, TRAINING & INFORMATION SHARING

One of the Centre's core activities is to disseminate the Centre's expertise and research results to the broader community through education programmes, training workshops, publications and the website.

Education Programmes:

The Centre, once again, presented the bulk of the LLM Module on Constitutional Litigation at the University of the Western Cape. The Module consisted of courses on:

- children's rights;
- criminal justice and the Constitution;
- socio-economic rights;
- intergovernmental relations; and
- constitutional law practice.

The Centre continued its partnership with the Universities of Pretoria, Makerere, Ghana, Cameroon, the American University in Cairo and the Eduardo Mondlane University in Maputo to present the LLM in Human Rights and Democratisation in Africa for students from across the continent. In the second semester, it hosted six students who attended the LLM courses offered by the University of the Western Cape and completed their dissertations with the Centre. The Documentation Centre and its extensive collection on national and international materials, was the students' primary legal resource during the LLM programme.

Staff offered expert knowledge as guest lecturers.

Civil Society Prison Reform Initiative

A number of lectures on prison reform, prison corruption and the investigation of prison corruption were presented to post-graduate and under-graduate students. Civil Society Prison Reform Initiative also featured in the media on several occasions, including print, radio and television. There is little doubt that the media has taken a keen interest in prison related matters in the past four years.

Gender

A Gender Project researcher presented a guest lecture on "The international protection of women's rights" as part of an LLM module on "International Protection of Human Rights" at UCT.

Socio-Economic Rights

Project members delivered several guest lectures and talks on judicial enforcement of socio-economic rights in South Africa, health care and food rights as well as the protection accorded by the African human rights systems to these rights. A project member also went on a radio interview, as part of a radio show organised for the benefit of poor communities, on the progress made and the challenges faced in realising socio-economic rights in South Africa.

Information sharing: Popular publications

The Centre produced a number of journals that communicated the Centre's research results to a wider audience.

Article 40

The Children's Rights Project has produced a popular journal entitled *Article 40* on a quarterly basis dedicated to child justice issues since 1999. Its contents address legal development, case law and innovations in child justice development in South Africa and some articles have also had a regional focus on particular African countries. The publication is now widely distributed both to South African and international audiences. In addition, some of the articles appearing in *Article 40* have been reproduced in international publications and relied upon by reported High Court judgments. In the eight years of publication, *Article 40's* readership has increased and it has been quoted at conferences and in research articles. It is favourably received by magistrates, judges, prosecutors, police, probation officers, academics and NGOs. It highlights best practices in juvenile justice in South Africa and is the only source of current news on juvenile justice that is disseminated country-wide.

The target groups at which the publication is aimed include justice officials (prosecutors, magistrates and judges), probation officers, police, correctional services officials and programme service providers such as NICRO. In addition, the publication has been placed on the Community Law Centre's website (www.communitylawcentre.org.za) and the Project receives many queries regarding child justice due to the exposure created by *Article 40* being available electronically. This also means that the publication is available to a far greater readership than the 3500 potential recipients of the hard copy version.

Article 19

The Children's Rights Project also produces *Article 19*. This popular journal is dedicated to disseminating diverse and relevant information advocating for a prohibition on corporal punishment to South African stakeholders in order to change mindsets and create an environment committed to eradicating corporal punishment of children.

In 2007 *Article 19* was in its third year of publication. It has featured standard articles on, for instance, developments in Africa and quotes from children. In addition it featured articles such as:

- The Status of Corporal Punishment in the South African Children's Amendment Bill Law Reform Process – by Samantha Waterhouse
- Religions, the Promotion of Positive Discipline and the Abolition of Corporal Punishment – by Christy Hemstreet and Keith Vermeulen

The publication is distributed to teachers, social workers, commissioners of child welfare, parliamentarians, NGOs, places of safety and children's homes and regional and international organisations. At present, 3000 hard copies per issue

are disseminated to interested parties. All the issues are also available on the Project's website.

CSPRI Newsletter and CSPRI 30 Days/Dae/Izinsuku

Placing prisons, prison reform and the prevention of torture on the national agenda are important foci for Civil Society Prison Reform Initiative (CSPRI). To this end CSPRI publishes two electronic newsletters, being *CSPRI Newsletter* and *CSPRI 30 Days/Dae/Izinsuku*. During 2007 five issues of *CSPRI Newsletter* were published focusing on the following prison related topics: the use of mechanical restraints, the Correctional Services budget, the use of the African Commission in protecting prisoners' rights, medical parole, and the quality of prison oversight.

CSPRI 30 Days/Dae/Izinsuku is a review of media reporting on prison related issues in South Africa and Africa and the first issue was circulated in April and monthly issues were subsequently published. This has proven to be an invaluable source for tracking events and trends in media reporting on prison issues. The two newsletters are now being circulated to a subscriber list of more than 600 clients.

Maintenance Update

The Gender Project (in partnership with the Saartjie Baartman Legal Advice and Training Project) continued the publication of *Maintenance Update*, which is distributed to magistrates' courts and civil society organisations working in the area of child maintenance in the Western Cape. The Project has also concluded a partnership with Justice for Women, an organisation focusing on maintenance in Pietermaritzburg, KwaZulu-Natal, which will see the *Maintenance Update* being distributed more broadly in that province as well. Currently, the *Maintenance Update* has a circulation of 250 copies per issue.

Iminyango

The Gender Project published two editions of its newsletter focusing on the intersections between gender-based violence and HIV/AIDS in Southern Africa. Feature articles examined how the African Protocol on Women's Rights deals with the issues of gender-based violence and HIV/AIDS and summarised information from the 2007 UNAIDS & WHO AIDS Epidemic Update. *Iminyango* has a circulation of 1 000 copies per issue.

The Gender Project launched a website aimed at providing information and resources on the intersections between gender-based violence and HIV/AIDS in southern Africa, located at www.gbv hiv.org.za. The objective of the website is to complement the newsletter *Iminyango* and to eventually form the platform for the establishment of a sub-regional network of civil society organisations working in these sectors.

Local Government Bulletin

The Project produced and disseminated five editions of the *Local Government Bulletin*. The *Bulletin* continues to show an upward trend in terms of quality,

quantity and interest. Not only did the number of pages per edition go up from 20 to 28 but three quarters of municipalities purchased bulk subscriptions to the *Bulletin*, which bears testimony to the quality of the publication and the value that local government sees in it. Aside from servicing municipalities, the *Bulletin* continues to provide quality information to national and provincial government departments and civil society. The circulation of the *Bulletin* stood at 12 000 copies per edition.

ESR Review

The Socio-Economic Rights Project produced four issues of the *ESR Review*. Two of these were special issues: the first contained presentations made at the Project's 10th anniversary celebration and the second focused on the 6th report of the South African Human Rights Commission. More than 2 500 copies of each of the four issues have been widely distributed nationally and internationally. This popular journal is also available electronically on the Project's website.

Other Popular Publications:

Children's Rights

As a result of the research conducted on behalf of the Child Justice Alliance, the Children's Rights Project produced two publications that summarised the research findings. These publications were as follows:

- Gallinetti, Jacqui and Kassan, Daksha, *Child Justice Alliance: A baseline study of children in the criminal justice system in 3 magisterial districts*; and
- Muntingh, Lukas, *Child Justice Alliance: A quantitative overview of children in the criminal justice system: 2007*.

These publications are both available on www.communitylawcentre.org.za

Socio-Economic Rights

The long overdue second edition of the resource book entitled *Socio-Economic Rights in South Africa: A Resource Book* was launched at the celebration of the 10th anniversary of the Project. More than 2 500 copies have been distributed widely to a range of organisations and institutions that work on issues related to socio-economic rights. While the second edition retains much of the first edition's structure, it contains a significant amount of updated content.

Gender and Socio-Economic Rights

The Gender and Socio-Economic Rights Projects published its research findings on *The role of informal community structures in ensuring women's rights to have access to adequate housing in Langa, Manenberg and Mfuleni*. The report sets out the results of a one year project aimed at investigating and strengthening the role of informal community structures (for example, street communities) in determining access to housing for women at risk of gender based violence and HIV/AIDS in three communities in Cape Town. Based on the findings, the report concludes with recommendations for strengthening the current capacity of informal community structures to give effect to the rights of women to have

access to adequate housing as a means of reducing their vulnerability to violence and HIV/AIDS.

Workshops and training programmes:

Children's Rights

The Children's Rights Project held a number of workshops. Firstly, various training and information sharing workshops were held in relation to the CUBAC project. These included training workshops on the diversion and prevention programmes for probation officers and service providers in Gauteng. This was organised by the Provincial Department of Social Development in Gauteng and educators in Mitchell's Plain and Mamelodi.

Secondly, the Project facilitated a workshop for the provincial Department of Justice in KwaZulu-Natal on the research findings of the Child Justice Alliance Baseline Study research. The findings and recommendations of the research were well-received and the participants of the workshop made recommendations urging further research to be undertaken in regional courts.

In addition, the Project has also been involved in the ongoing training of magistrates at the request of Justice College in Pretoria and again assisted in training magistrates on various aspects of children's rights and the law.

Furthermore, the Project's researchers facilitated consultative workshops on the drafting of regulations to the Children's Act, 38 of 2005 in the Western Cape, Northern Cape, Limpopo, Eastern Cape and Mpumalanga provinces.

Finally, the Children's Rights Project convened and hosted a National Workshop on the use of children to commit crime and the CUBAC pilot programmes conducted in Mamelodi and Mitchell's Plain. This workshop was well-attended by civil society and all relevant government departments in the criminal justice system. The outcomes and recommendations of the workshop influenced the new draft of the South African National Child Labour Programme of Action.

Civil Society Prison Reform Initiative

Three training workshops with civil society organisations were held during July and August in Port Elizabeth, Bloemfontein and Durban. The workshops focused on prisoners' rights, parole, the prevention of torture and dealing with prison corruption. The workshops involved approximately 60 participants from civil society. These workshops were important to link organisations at local level with research and advocacy initiatives at national level.

Gender

A Gender Project researcher and the Saartjie Baartman legal advisor attended a workshop convened by the International Centre on Research for Women for grantees in the small grants programme entitled "*Reducing Women's and Girls'*

Vulnerability to HIV/AIDS by Ensuring their Property and Inheritance Rights” in Nairobi, Kenya. Together with the Community Law Centre, grantees included organisations from Zimbabwe, Malawi, Zambia and Rwanda. The Gender Project researcher did a presentation on the provisional research results of the project examining the role of informal community structures in access to housing for women experiencing domestic violence.

A researcher from the Gender Project presented sessions on the Sexual Offences Bill, harmful HIV-related behaviour and HIV/AIDS as consideration in bail and sentencing as part of a training workshop on “Adjudication of Sexual Offences and HIV/AIDS” held by the Law, Race and Gender Research Unit (UCT) for regional court magistrates. This workshop was piloted in Cape Town and repeated in Gauteng and Bloemfontein.

The Gender and Children’s Rights Project jointly presented a seminar on the Convention on the Rights of Persons with Disabilities and the right to education of disabled children in South Africa, with internationally renowned disability law expert and Extraordinary Professor at the UWC Law Faculty, Prof Theresia Degener, as one of the speakers.

A Gender Project researcher participated in an international meeting entitled *Challenges and Responses Towards Violence Against Women: The Role of the State and Civil Society*’ convened by CEPIA in Rio de Janeiro, Brazil, and presented a paper on “Policies on Violence Against Women in South Africa: The Role of Civil Society”.

The Gender Project did a presentation on the results of its research on the extent of non-fatal firearm-related domestic violence in the Western Cape at a workshop held by Gun Free SA.

A Gender Project member attended a dissemination workshop held by the International Centre for Research on Women in Kampala, Uganda, and presented a summary of the project jointly completed with the Socio-Economic Rights Project on the role of informal community structures in ensuring women’s rights to have access to adequate housing.

Local Government

Project members made various presentations to a workshop on intergovernmental relations, organised by the National Council of Provinces for its members. The presentations focused on the implementation of the Intergovernmental Relations Framework Act 13 of 2005.

The Project co-facilitated a training workshop, hosted by the Department of Provincial and Local Government for senior officials of the nine provinces. The workshop aimed at training the officials on the use of the “Intergovernmental Relations Toolkit”.

Socio-Economic Rights

The Socio-Economic Rights Project organised two workshops. First, it co-hosted an information sharing workshop, together with Black Sash and the South African Council of Churches, on the comprehensive social security and the basic income grant. The workshop aimed to discuss some of the proposed social security reforms which were announced by President Thabo Mbeki during his 2007 State of the Nation Address and the Minister of Finance, Trevor Manuel's Budget Speech.

Secondly, the Project organised a seminar in which its Project member, Christopher Mbazira, presented the findings and recommendations of his PhD thesis to more than 30 people.

Joint Project Workshops

The Gender Project, with the Socio-Economic Rights Project, held workshops in Langa, Manenberg and Mfuleni to present provisional research findings to information community structures and to develop community strategies to address "burning issues" identified as a result of the research. The workshop proceedings were minuted and included in the final research report.

CHAPTER 6: OTHER ACTIVITIES

Socio-Economic Rights

The main highlight of the Socio-Economic Rights Project was its celebration of the 10th anniversary. More than 70 people from civil society, judiciary, academia, government and the legal practice came to embrace the momentous occasion. There were a number of celebratory speeches. To mark the beginning of a new decade for the Project, the Rector of the University of the Western Cape, Prof. Brian O'Connell and the chairman of the CLC Board, Prof. Renfrew Christie, unveiled the Project's banner and logo entitled 'ensuring rights make real change'.

The celebration was blended with intellectual debate. A panel discussion was held on the question of whether socio-economic rights are fulfilling their potential ten years after the Bill of Rights came into effect. The panelists examined the parts played by different actors in this regard. They were Prof Sandra Liebenberg who discussed the role played by academic and civil society communities, Adv Geoff Budlender analysed the role of courts, Tseliso Thiphanyane examined the role of the South African Human Rights Commission, and Vusi Madonsela focused on the challenges facing the government in realising socio-economic rights. Judge Albie Sachs made concluding remarks and paid tribute to the Project, in particular its founder, Sandra Liebenberg.

International Assistance and Collaboration

Children's Rights

The Children's Rights Project's Research Fellow was active internationally. Prof Sloth-Nielsen and the doctoral intern were requested to brief the 10th ordinary meeting of the African Committee of Experts on the African Charter on the Rights and Welfare of the Child. They presented a paper entitled: *A dutiful child: The implications of Article 31 of the African Children's Charter*.

They were also asked by Save the Children Sweden to examine the right to education in Africa and produced a report entitled: *Free education is a right for me: A report on the right to free and compulsory primary education*.

In addition, they attended a seminar hosted by the African Child Policy Forum on the harmonisation of child laws in Eastern and Southern Africa and presented various papers.

The Research Fellow also headed a consortium and prepared a submission to the United Nations Committee on the Rights of the Child General Day of Discussion on available resources for children's rights. She followed this with an oral submission to the Committee in Geneva during September.

The Children's Rights Project attended the 9th ordinary meeting of the African Committee of Experts on the African Charter on the Rights and Welfare of the Child.

Civil Society Prison Reform Initiative

Civil Society Prison Reform Initiative (CSPRI) attended a conference in Bristol (UK) hosted by the University of Bristol (Faculty of Law) and a paper was delivered on South African oversight mechanisms in respect of detained and imprisoned people. A submission was also made to the UN Committee against Torture in respect to the list of issues to be raised with the South African government when its next report is considered by the Committee. CSPRI also raised its concerns in respect of CAT in a joint CLC submission to the UN Human Rights Council in view of South Africa's assessment under the Universal Periodic Review in April 2008.

Contact and mutual assistance with the Association for the Prevention of Torture was maintained throughout 2007. CSPRI also participated in the 7th Human Rights Colloquium hosted by Conectas SUR in Sao Paulo, Brazil. On the African front, CSPRI participated in the All Africa symposium on Corrections in Africa.

Local Government

Jaap de Visser assisted the Ethiopian Ministry of Federal Affairs in its efforts to explore the notion of intergovernmental relations in Ethiopia and participated as the international expert in a three day workshop, attended by representatives of the federal government and the nation states.

Assistance was also provided to the Democratic Republic of the Congo (DRC) in its process towards adopting an organic law on decentralisation. The Project prepared comments on early drafts of the Organic Law that were submitted, on behalf of the South African Department of Provincial and Local Government, to the lawmakers in the DRC.

The Project also drafted a research paper on the South African experience of establishing a local government system. The paper was presented and circulated at a conference on decentralisation in the DRC. The conference was organised by the DRC's Department of the Interior. The Project's participation is part of South Africa's bilateral support to the DRC and channeled through the Department of Provincial and Local Government.

Socio-Economic Rights

Project members participated in, and made presentations at, a number of international and national conferences relevant to their research areas. They also participated in guest research programmes. A project member attended an Advanced Course on the International Protection of Human Rights organised by the Institute for Human Rights, Abo Akademi University, Finland and was a guest researcher at the same institution. The same member participated in the guest research programme at the Norwegian Centre for Human Rights (Oslo).

At the international level, the Project made submissions to the United Nations' Special Rapporteur on Adequate Housing and a joint submission with the Gender Project to the Open Ended Working Group for an Optional Protocol to the

International Covenant on Economic, Social and Cultural Rights. Through the membership of Dr Lilian Chenwi on the Steering Committee of the NGO Coalition for an Optional Protocol, the Project has been actively involved in the drafting process of the Optional Protocol. The Project's participation in this process is motivated by the need to ensure that those whose socio-economic rights have been violated have access to justice not just at the domestic level but also in the international arena as well.

Furthermore, as part of its endeavour to ensure the effective protection of socio-economic rights, the Project, together with the Centre for Housing Rights and Evictions (COHRE), embarked on a campaign for the ratification of the International Covenant on Economic, Social and Cultural Rights by the South African government. It wrote letters to the presidency, the relevant ministries and parliamentary portfolio committees requesting reasons for the delay in the ratification of the premier instrument on socio-economic rights. The Project awaits responses from these structures. It also wrote to the Human Rights Council, UN High Commissioner for Human Rights and the UN Special Rapporteur on Adequate Housing in which it raised concerns about South Africa's non-ratification of the Covenant.

***Amicus Curiae* Litigation**

Socio-Economic Rights

The Project continues to contribute to the development of jurisprudence on socio-economic rights that is responsive to the needs of the poor and the marginalised groups in South Africa. During 2007, it intervened in two court cases as *amici curiae*. In the first case, the Project, in partnership with COHRE, intervened in both the Supreme Court of Appeal and the Constitutional Court cases between the *City of Johannesburg and Rand Properties (Pty) Ltd and others*. This case was about the eviction by the city authorities of the people from dilapidated buildings in the inner city of Johannesburg. The Project's main aim in intervening in this case was to protect the principle that eviction orders may only be granted after due consideration of all relevant circumstances of the case affecting both parties.

The Supreme Court of Appeal upheld the city's right to evict the residents of the bad buildings in question. It thus held that the residents were interdicted from occupying the property and gave them one month to vacate. It also ordered the city to provide, to those residents who are desperately in need of housing assistance, temporary settlement in accordance with the emergency housing programme of the National Housing Code. The residents appealed against the SCA judgment to the Constitutional Court which only heard the case and issued an interim order compelling parties to consult one another with the view to finding solutions to the problem. The judgment was reserved.

In the second case, the Project together with the Centre for Applied Legal Studies intervened in the Pretoria High Court case of the *Christian Roberts and Others v Minister of Social Development and Others* (2005). This case concerns the constitutional challenge of section 10 of the Social Assistance Act 2004 and the relevant regulations which prescribes the eligibility for accessing pension at

60 for women and 65 for men. The applicants (older men) argue that the differential eligibility criteria violate their constitutionally guaranteed rights to equality and social assistance. By intervening, the Project aims to ensure the equalisation of the pension age for men and women without taking away existing women's entitlement to pension at 60. The case was heard in September and judgment was reserved.

Working with State Institutions

Children's Rights

The Project has continued to serve on the Western Cape Child Justice Forum, a provincial forum that focuses on issues relating to children in trouble with the law in the Western Cape.

In addition, the Project has continued to serve as a civil society representative on the Inter-Sectoral Committee on Child Justice, a national forum that monitors child justice across the country and is responsible for the development of policy and protocols relating to child justice.

The Project has maintained good working relations with the Justice College and the Department of Justice as far as training is concerned.

Civil Society Prison Reform Initiative

Civil Society Prison Reform Initiative has maintained good and productive relations with the South African Human Rights Commission, the Judicial Inspectorate of Prisons, the Portfolio Committee on Correctional Services and the Department of Correctional Services.

Local Government

A project member was commissioned to review a municipal rates policy for compliance with the Municipal Property Rates Act of 2004. Advice was also sought from the Project by the City of Cape Town in preparation of its response to the review of local government by the national government.

A Project member assisted the Greater Tubatse Municipality in Limpopo with the drafting of essential governance instruments such as a System of Delegations and Rules of Order.

As part of its role in supporting municipalities, the Project hosts a helpdesk where local government practitioners who subscribe to the *Local Government Bulletin* can turn to for *ad hoc* legal advice. Numerous requests for advice were received and honoured and some of the answers were published in the *Bulletin* for the benefit of other municipalities.

The Project assisted the Western Cape Department of Local Government and Housing with opinions on the legal framework for local government.

When the national Department of Housing hosted a workshop with its provincial counterparts on the issue of accreditation of municipalities to administer housing projects, two Project members made presentations to the workshop.

In preparing its submission to the review of local government, the South African Local Government Association (SALGA) was assisted by the Project, working in concert with the Palmer Development Group. Assistance was also provided, through the same configuration, on SALGA's internal organisation and its response to questions, raised by the President at SALGA's 2007 Conference.

Working with non-governmental organisations

Children's Rights

The Child Justice Alliance was formed in February 2001. Since 2003, the work of the Alliance concentrated primarily on research projects and awareness raising activities around the content of the law, implementation of the Child Justice Act and monitoring such implementation.

The Child Justice Alliance consists of over 400 members and friends, who are either civil society organisations or concerned individuals. The Alliance is run by a driver group that was formed with core organisations. The selection of these organisations is based on their expertise and experience in the field of children's rights, available resources, and shared interests. However, primary responsibility for the execution of the Child Justice Alliance has rested with the CLC who has housed the Programme Co-ordinator, and implemented the various work components of the Alliance including the management of the present study.

Civil Society Prison Reform Initiative

Civil Society Prison Reform Initiative had a number of joint projects with the Centre for the Study of Violence and Reconciliation and the Institute of Security Studies. The training workshops with civil society organisations, reported on above, also strengthened the project's link with local organisations.

Gender

The Gender Project, working in partnership with the Gender, Health & Justice Research Unit at UCT, completed a module on sexual assault for the Medical Research Council training manual for health care practitioners.

Local Government

A project member drafted an opinion for Sustainable Energy Africa on the feasibility of municipalities making solar water heating panels compulsory for new buildings.

As an active member of the Good Governance Learning Network, a network of NGOs active in local governance, the Project participated in the preparation of a submission to the Department of Provincial and Local Government on the review of provincial and local government.

A project member facilitated a workshop for the Southern Cape Land Committee, focusing on the role of local government in service delivery.

CHAPTER 7:

FUNDERS

Core funding and project activities

Children's Rights Project:

Child Justice Alliance
Article 40

Article 19
Children's Bill Advocacy
CUBAC Project

Civil Society Prison Reform Initiative:

Gender Project:

HIV/AIDS and Gender-based Violence

Local Government Project:

Socio-Economic Rights Project:

Implementing socio-economic rights in SA

Joint Projects:

Housing Project (Gender and
Socio-Economic Rights Projects)

Privatisation Project (Local Government
and Socio-Economic Rights Project)

LLM in Human Rights & Democratisation in Africa

Dullah Omar Memorial Lecture

DONORS

Ford Foundation

Open Society Foundation of SA
SIDA and Open Society Foundation
of SA

Save the Children Sweden
Save the Children Sweden
International Labour Organisation

Open Society Foundation of SA
Rockefeller Brothers Foundation

Heinrich Boell Stiftung

Austrian Development Co-operation
MOTT Foundation
Conflict and Governance Facility of
the EU (CAGE)
Conference, Workshop and Cultural
Initiative (CWCI) Fund

Atlantic Philanthropies
Norwegian Centre for Human
Rights, University of Oslo

International Centre for Research on
Women (through UNAIDS)

Dutch Interchurch Organisation for
Development Cooperation (ICCO)

Centre for Human Rights
(University of Pretoria)

Webber Wentzel Bowens

CHAPTER 8: STAFF ACTIVITIES

1. Books, Chapters in Books and Articles

Books:

- Chenwi, Lilian. 2007. *Towards the Abolition of the Death Penalty in Africa: A Human Rights Perspective*. Pretoria: Pretoria University Law Press. pp. 261.
- Khoza, Sibonile (ed) 2007. *Socio-Economic Rights in South Africa: A Resource Book*. Bellville: Community Law Centre, University of the Western Cape. pp. 454.
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Chapters in books:

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- Kassan, Daksha & Jacqui Gallinetti. 'Children Used by Adults to Commit Crime (CUBAC): Final Report on Pilot Programme Implementation'. Report for the International Labour Organisation.
- Kassan, Daksha & Jacqui Gallinetti. 'Discussion Paper for the new Swazi Child Law.' Report for Save the Children Swaziland.
- Kassan, Daksha & Jacqui Gallinetti. 'Regulations on Trafficking of Children: Chapter 18 of the Children's Act 38 of 2005'. Regulations drafted for the Department of Social Development.
- Khoza, Sibonile. 'Rights, Entitlement and Social Policy in South Africa'. Research paper commissioned by the World Bank.
- Khoza Sibonile. 'The South Africa Human Rights Commission and its Monitoring of Socio-Economic Rights through Compiling Periodic Reports'. A submission to the parliamentary *Ad Hoc* Committee on the Review of State Institutions Supporting Constitutional Democracy.
- Mujuzi, Jamil. 'The Use of Life Imprisonment in South Africa'. CSPRI Research Report No. 14, for Civil Society Prison Reform Initiative.
- Muntingh, Lukas. *Prisons in a Constitutional Democracy*. Report commissioned by the Centre for the Study of Violence and Reconciliation.
- Muntingh, Lukas. *A Quantitative Overview of Children in the Criminal Justice System – 2007*. Report commissioned by the Child Justice Alliance, Cape Town, pp 36.
- Muntingh, Lukas. *Preventing and Combating Torture in South Africa – a Framework for Action under CAT and OPCAT*. Booklet commissioned by the Centre for the Study of Violence and Reconciliation, pp 23.
- Sloth-Nielsen, Julia; Benyam Mezmur, et al. 'Resources for the Rights of the Child: An African Perspective'. Prepared to the CRC Committee for their General Day of Discussion on Article 4 of the CRC on 'Resources for the Rights of the Child (published online at www.crin.org)
- Sloth-Nielsen Julia; Benyam Mezmur, et al. 'Good Practices on Child Friendly Laws in Africa'. Research report commissioned by the African Child Policy Forum.
- Sloth-Nielsen, Julia & Benyam Mezmur. *Free for Me: Implementing the Right to Free and Compulsory Primary Education in Southern Sudan*. Sweden: Save the Children, Sweden, Southern and Eastern Africa office, pp 60.
- Steytler, Nico & Laurence Boulle. *Intergovernmental Dispute Prevention and Settlement: Practice Guide - Guidelines for Effective Conflict Management*, Department of Provincial and Local Government, 2007, pp 25.
- Steytler, Nico & Jaap de Visser. *Intervening in Provinces and Municipalities: Guidelines for the Application of Sections 100 and 139 of the Constitution*, Department of Provincial and Local Government, 2007, pp 53.
- Steytler, Nico, Reuben Baatjies & Yonatan Fessha. 'Redefining the Role and Place of District Municipalities'. Research paper for Community Law Centre, UWC.
- Steytler, Nico. 'Single Tier Local Government in Major Urban Areas'. Research paper for Community Law Centre, UWC.

- Steytler, Nico, Jaap De Visser & Yonatan Fessha. 'Establishing Local Government: The South African Experience'. Paper submitted to an International Conference on Decentralisation in the Democratic Republic of Congo.
- Van Den Berg, Anthea. 2007. 'Plain Language Summary of the Jali Commission final report'. CSPRI Research Report No. 13.
- Tapscott, Chris. 'The Impact of HIV/AIDS on Prison Governance'. CSPRI Research Report (Confidential).

3. Articles in Popular Publications and Newsletters

- Baatjies, Reuben. 'Community Participation - The Cornerstone of (Local) Participatory Democracy'. *Local Government Bulletin* 9(1): 6.
- Baatjies, Reuben & Jaap de Visser. 'Facilitating Public Participation – A Niche Role for the Speaker'. *Local Government Bulletin* 9(5): 3-5.
- Chenwi, Lilian. 'First Reading of the Draft Optional Protocol to the International Covenant on Economic, Social and Cultural Rights'. *ESR Review* 8 (4): 22.
- Chenwi, Lilian. 'The Right to Adequate Housing'. *ESR Review* 8(2): 21.
- Chenwi, Lilian. 'Celebrating Ten Years of Translating Socio-Economic Rights into Reality: Socio-Economic Rights Project of the Community Law Centre'. *ESR Review* 8(1): 29.
- Christmas, Annette. 'Service Delivery Protests- Failure to Deliver or Failure to Communicate?' *Local Government Bulletin* 9 (5): 6-7.
- Christmas, Annette. 'Name Changing of Towns- Public Participation at the Forefront once more'. *Local Government Bulletin* 9(3): 22-24.
- Combrinck, Heléne. 'The Power of Property? Reflections from South Africa'. *Perspectives on Prevention* No 6(1):1.
- De Visser, Jaap & Annette Christmas. 'The Housing Dilemma- Reviewing Local Government Functions'. *Local Government Bulletin* 9(3): 13-15.
- De Visser, Jaap; Annette Christmas & Reuben Baatjies. 'Local Government under the Spotlight: DPLG's Policy Review Process'. *Local Government Bulletin* 9(3): 3-5.
- De Visser, Jaap & Reuben Baatjies. 'Community Participation: the Cornerstone of (local) Participatory Democracy'. *Local Government Bulletin* 9(1): 6-9.
- De Visser, Jaap. 'A Secret Ballot?' *Local Government Bulletin* 9(1): 20-21.
- De Visser, Jaap. 2007. 'Service Delivery and Budget Implementation Plan: Common Sense rather than mere Compliance'. *Local Government Bulletin* 9(2): 10-11.
- De Visser, Jaap; Annette Christmas & Reuben Baatjies.' DPLG's Policy Review Process: Local Government under the Spotlight'. *Local Government Bulletin* 9(3): 3-5.
- De Visser, Jaap & Annette Christmas. 'Reviewing Local Government Functions: the Housing Dilemma'. *Local Government Bulletin* 9(3): 13-15.
- De Visser, Jaap. 'The Functioning of Ward Committees: Challenges and Prospects'. *Local Government Bulletin* 9(5) 6-7.
- Fessha, Yonatan. 'SA's Mazy Route through the Province of Ethnicity', *Business Day*, 6 December.
- Fessha, Yonatan. 'The Emergence of Local Government in Ethiopia'. *Local Government Bulletin* 9(5): 25-28.
- Fessha, Yonatan. 'The Wind of Change is Blowing: Local Government gaining Momentum'. *Local Government Bulletin* 9(1):26-28.
- Gallinetti, Jacqui. 'Submissions on Minimum Sentences'. *Article 40* 9(2):1.
- Gallinetti, Jacqui. 'Constitutional Rights Strengthen the Case for going to Court in South Africa'. *CRIN Review* November 2007:18.
- Heleba, Siyambonga. 'Right to Land'. *ESR Review* 8(2):17.
- Heleba, Siyambonga. 'Towards Equalizing the Age for Accessing Pensions'. *ESR Review* 8(4):14.

- Kassan, Daksha. 'Unicef's The State of the World's Children 2007: Women and Children – The Double Dividend of Gender Equality'. *Article 19* 3(1): 10.
- Kassan, Daksha. 'The National Council of Provinces Prohibits all forms of Corporal Punishment'. *Article 19* 3(2): 9.
- Khoza Sibonile. 'Review of the Sixth Report of the South Africa Human Rights Commission: An Introduction'. *ESR Review* 8(2): 15 – 17.
- Khoza Sibonile. 'Strengthening the Institutional Mechanisms for Monitoring Socio-Economic Rights: The *Ad Hoc* Committee report'. *ESR Review* 8(4): 6 – 11.
- Mezmur, Benyam. 'Prevention is Better than Cure: The Child Rights Act of Nigeria and Juvenile Justice'. *Article 40* 9(2):10-11.
- Mezmur, Benyam. 'It takes a Village to Raise a Child: Diversion of Children in Conflict with the Law in Uganda'. *Article 40* 9(1): 8-9.
- Mujuzi, Jamil. 'Reflecting on Medical Parole in South Africa'. *CSPRI Newsletter* 23.
- Mujuzi, Jamil. 'Protecting Prisoners' Rights before the African Commission on Human and Peoples' Rights: The Role of Civil Society'. *CSPRI Newsletter* 22.
- Mujuzi, Jamil. 'The Role of Civil Society in Protecting and Promoting Prisoners' Rights before the African Commission on Human Rights'. *International Journal of Civil Society Law*, 5(3): 18 – 28.
- Mujuzi, Jamil. 'Uganda Human Rights and the Promotion and Protection of the Right to Freedom from Torture (1997-2006)'. *International Journal of Civil Society Law* 5 (3) 97-114.
- Mujuzi, Jamil. 'Uganda is Enjoined to Prevent and Punish Torture'. *Daily Monitor* (Uganda), 19 May 2007.
- Mujuzi, Jamil. 'How to address Congestion in Prisons', *The New Vision* (Uganda), 3 May 2007.
- Muntingh, Lukas. 'The Correctional Services Budget 2007/8'. *CSPRI Newsletter* 21.
- Muntingh, Lukas. 'Has Prison Oversight come of age in South Africa? Reflections on the Judicial Inspectorate of Prisons and the Portfolio Committee on Correctional Services'. *CSPRI Newsletter* 24.
- Sloth-Nielsen, Julia, V. Mathiti & S. Woodward. 'South Africa, the Arts and Youth in Conflict with the Law'. *International Journal of Community Music* 1: 69-88.
- Sloth-Nielsen, Julia. 'Developing a Child Justice System through Judicial Practice'. *Article 40* 9(2): 1-4.
- Sloth-Nielsen, Julia. 'A New Vision for Child Justice in International Law'. *Article 40* 9(1): 1-4.
- Steytler, Nico. 'Municipalities' Share of the National Pie'. *Local Government Bulletin* 9(1):13-5.
- Steytler, Nico. 'Global City Regions: International Perspectives'. *Local Government Bulletin* 9(2):3-5.
- Steytler, Nico, Reuben Baatjies & Yonatan Fessha. 'Where to now with District Municipalities? Redefining their Role and Application'. *Local Government Bulletin* 9(3):6-8.
- Steytler, Nico. 'The Challenges of Urbanization: Single Tier Local Government for Urban Areas'. *Local Government Bulletin* 9(3):9-11.
- Steytler, Nico. 'Levying Property Rates: A new dispensation'. *Local Government Bulletin* 9(4):16-17.

4. Conference Papers Delivered

- Baatjies, Reuben. 'Local Government Leading the Empowerment of Disadvantaged Groups: the examples of India and South Africa'. Paper presented at the 4th International Conference on Federalism entitled *Unity in Diversity – Learning from Each Other*, New Delhi, India, November.

- Baatjies, Reuben. 'Local Government Leading the Empowerment of Disadvantaged Groups: a South African perspective'. Paper presented at a regional roundtable in preparation for the 4th International Conference on Federalism entitled *Unity in Diversity – Learning from Each Other*, held in Addis Ababa, Ethiopia, August.
- Baatjies, Reuben. 'Redefining the Role and Application of District Municipalities'. Paper presented at a Local Government Roundtable on *Reconfiguration of the State in Order to Achieve a Rational Model for Service Delivery and Development*, Stellenbosch, June.
- Chenwi, Lilian. 'Celebrating 10 years of Translating Socio-Economic Rights into Reality'. Paper presented at the 10th Anniversary of the Socio-Economic Rights Project, Community Law Centre, UWC, Bellville, April.
- Chenwi, Lilian. 'Strengthening the Legal Status of Economic, Social and Cultural Rights in the Constitution and National Legal System: Possibilities and Challenges - An Overview of the South African Experience'. Paper presented at the workshop on *Economic, Social and Cultural Rights*, Yogyakarta, Indonesia, April.
- Chenwi, Lilian. 'National Standards and Indicators in Fulfilling Economic, Social and Cultural Rights: Sources, Strategies and Challenges - Monitoring the Fulfillment Socio-Economic Rights in South Africa'. Paper presented at the workshop on *Economic, Social and Cultural Rights* Yogyakarta, Indonesia, April.
- Combrinck, Heléne. 'Policies on Violence against Women in South Africa: The Role of Civil Society'. Paper presented at conference on *Challenges and Responses Towards Violence Against Women: The Role of the State and Civil Society* convened by CEPIA in Rio de Janeiro, Brazil, June.
- De Visser, Jaap. 'Developmental Local Government: Determining Appropriate Functions and Powers'. Paper presented at the *Roundtable on Local Government*, Stellenbosch, July.
- Khoza, Sibonile. 'Promoting the Right to Food in South Africa: Challenges and Prospects'. Paper presented at the *Health and Human Rights* seminar hosted by Institutions of Higher Learning in the Western Cape, held at the Library Auditorium, UWC, March.
- Khoza, Sibonile. 'Protecting and Promoting the Right to Adequate Food in South Africa'. Paper presented at the *First Federation of African Nutrition Societies (FANUS)*, Quarzazate, Morocco, May.
- Khoza, Sibonile. 'Attention to the Human Right to Adequate Food in the African region: An Overview of Current State of Affairs and Future Needs'. A presentation at the symposium, *Marking World Food Day 2007: The Human Rights to Adequate Food in Africa – How to make it happen?* Oslo (Norway), December.
- Mezmur, Benyam. 'What is in a Number: Defining a Child'. Paper presented at the symposium on *Harmonization of Children's Laws in Eastern and Southern Africa*, Nairobi, Kenya, 9-10 May.
- Mezmur, Benyam. 'Good Practice on Child Friendly Laws in Africa'. Paper presented at a *Technical Meeting of Experts on the Africa Report on Child Rights*, organised by the African Child Policy Forum, Addis Ababa Ethiopia, 18 December.
- Mezmur, Benyam. 'Children's Involvement in Armed Conflict: A Comparative Analysis of the Provisions of the African Charter on the Rights and Welfare of the Child and the Convention on the Rights of the Child'. Paper presented at the seminar *Strengthening the African Union Framework for the Protection of Children Affected by Armed Conflict* in Johannesburg, 17-19 April.
- Mezmur, Benyam. 'Victims of our Time: Recent Developments in the International Legal Framework surrounding Child Victims and Witnesses'. Paper presented at the *First ANPPCAN International Conference on Child Sexual Abuse*, Nairobi, Kenya, September.
- Muntingh, Lukas. 'Overview of OPCAT and Emerging Issues'. Paper presented at *VII International Human Rights Colloquium*, Sao Paulo, Brazil, November.

- Muntingh, Lukas. 'HIV and AIDS in African Prisons'. Paper presented at *All Africa Symposium on Corrections*, Swaziland, August.
- Muntingh, Lukas. 'Punishment in South Africa'. Paper presented on *Punishment and Incarceration* at Wits Institute for Social and Economic Research (WISER) colloquium, Johannesburg, August.
- Sloth-Nielsen, Julia. 'The First Child Abuse Register in Africa: The South African Experience'. Paper presented at the *First ANPPCAN International Conference on Child Sexual Abuse*, Nairobi, Kenya, September.
- Sloth-Nielsen, Julia. 'A Research Agenda on Children's Rights in Africa'. Paper presented at an expert roundtable in Lagos, Nigeria, February.
- Sloth-Nielsen, Julia. 'New International Standards on Juvenile Justice and their relevance for Africa'. Paper presented at the symposium on *Harmonization of Children's Laws in Eastern and Southern Africa*, Nairobi, Kenya, 9-10 May.
- Steytler, Nico. 'Intergovernmental Relations in South Africa: Watts the way forward?' Paper presented at a conference honouring Ronald L Watts, Institute of Intergovernmental Relations, Queen's University, Kingston, Canada, October.
- Steytler, Nico. 'Towards a Coherent Governance Model for the Delivery of Basic Services'. Paper presented at a CAGE Research conference, Pretoria, November.

5. Other Presentations, Lectures and Workshops

- Baatjies, Reuben. Presentation delivered on 'The Legal Context of Service Delivery Options and the Challenges to Municipal Community Partnerships', hosted by the Foundation for Contemporary Research, Paarl, November.
- Baatjies, Reuben. Presentation delivered on the 'Legal Context of Service Delivery Options, Community Participation and Land-Use Planning at the Local Government Level', to Southern Cape Land Committee members, George, June.
- Chenwi, Lilian. Presentation on the 'Death Penalty in Africa: A Human Rights Perspective at the Symposium on Crime', organised by SA Akademie, Pretoria, South Africa, June.
- Chenwi, Lilian. Presentations on 'Article 4 and 5 of the draft Optional Protocol to the International Covenant on Economic, Social and Cultural Rights at the Fourth Session of the Open-Ended Working Group on an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights', Geneva, Switzerland, July.
- Chenwi, Lilian. Presentation delivered on 'The South African Judicial Enforcement of the Right to Adequate Housing of those subject to Evictions at the Advanced Course on the International Protection of Human Rights', organised by the Institute for Human Rights, Åbo Akademi University, Finland, August.
- Chenwi, Lilian. Presentation delivered on 'Urban Evictions in South Africa: The Rand Properties case, at a seminar on The Limits of Law or the Poverty of Politics? Evictions and Tenure Security in Modern South Africa', organised by the Norwegian Centre for Human Rights at the University of Oslo, Norway, November.
- Chenwi, Lilian. Presentation delivered on 'The Status of the Death Penalty in Africa' at the Norwegian Centre for Human Rights at the University of Oslo, Norway, December.
- Christmas, Annette. Discussant at seminar on 'Mixed Cities and Disputed Areas in Iraq: Local Approaches to Federal Democracy' in Venice, Italy, 18-22 December.
- Christmas, Annette. Interview with Radio Vallei. The show, examined community participation in local government and followed a talk-show format with members of the public calling in to contribute to the discussion on 7 November.
- Christmas, Annette. Discussant at a public participation meeting at the Cape Winelands District Municipality, Worcester, 23 October. The meeting was broadcast by the Radio Vallei radio station.

- Christmas, Annette. Discussant at a gender policy framework workshop for the Winelands District Municipality, Rawsonville, 29 May.
- Christmas, Annette. Presentation of a summarisation of the concept paper co-authored by Christmas, Annette and Akintan, Omolabake, 'Intergovernmental Dispute Resolution in Focus: The Cape Storm', at a conference, *The Intergovernmental Relations Framework Act of 2005 and the NCOP* at the Lord Charles Hotel, Somerset West, 24 January.
- De Visser, Jaap. Presentation delivered on a discussion document on 'Local Government', at workshop on initiating a review of provincial and local government, hosted by the Department of Provincial and Local Government. Pretoria, June.
- De Visser, Jaap. Presentation delivered on 'District Intergovernmental Forums', at a workshop on Intergovernmental Relations hosted by the National Council of Provinces. Cape Town, January.
- De Visser, Jaap. Presentation delivered on 'Intergovernmental Relations: Practitioners' guide and Delegations Framework', at a workshop on intergovernmental relations hosted by the Department of Provincial and Local Government. Pretoria, November.
- De Visser, Jaap. Presentation delivered on 'Devolution of Powers and Functions to Local Government', at a workshop on Housing Accreditation hosted by the National Department of Housing, Johannesburg, August.
- De Visser, Jaap. Presentation delivered on a 'Delegations Policy for the Greater Tubatse Municipality', at a workshop, hosted by Greater Tubatse Municipality, Blydepoort, March.
- De Visser, Jaap. Presentation delivered on 'The Rules of Order for the Greater Tubatse Municipality', at a workshop hosted by Greater Tubatse Municipality, Blydepoort, September.
- De Visser, Jaap. Presentation delivered on 'The Rules of Order for the Greater Tubatse Municipality', at a workshop, hosted by Greater Tubatse Municipality, Swadini, November.
- De Visser, Jaap. Presentation delivered on 'Exploring IGR in Ethiopia', a workshop hosted by the Ethiopian Ministry of Federal Affairs, Nazareth, April.
- Fessha, Yonatan. Presentation delivered on 'Marrying Federalism with Ethnicity: The case of Ethiopia', at 19th session of Summer School in Federalism, Constitutionalism and Democratic Governance in Multicultural and Multinational Societies, at the Institute of Federalism Fribourg, Switzerland, August.
- Gallinetti, Jacqui. Chaired a panel discussion on 'Child Law Reform in Africa' at the 2007 Miller du Toit and UWC Faculty of Law Family Law Conference, Cape Town, January.
- Gallinetti, Jacqui. Presentation delivered on 'The Challenges and Successes of the CUBAC Pilot Programme Implementation', at the CUBAC National Workshop hosted by the hosted by the Community Law Centre, Pretoria, February.
- Gallinetti, Jacqui. Presentation delivered on 'The Findings of the First Monitoring Baseline Study on the Criminal Justice System', hosted by the Provincial Department of Justice, KwaZulu-Natal, Durban, March.
- Gallinetti, Jacqui. Lecture on the 'Child Justice Bill' for the Youth Justice course offered by the Institute of Criminology, UCT, March.
- Gallinetti, Jacqui. Training on 'Alternative Sentences and Child Labour' to Department of Justice's Justice College in Pretoria, March.
- Gallinetti, Jacqui. Presentation delivered on 'The CUBAC Pilot Programme Implementation', for the Department of Labour Western Cape Provincial Workshop, Cape Town, April.
- Gallinetti, Jacqui. Presentation delivered on 'The Discussion Paper for a New Swazi Child Law', at a workshop organised by Save the Children Swaziland. Swaziland. April.

Gallinetti, Jacqui. Presentation on 'Children's Courts in the Children's Act', for workshops on the Children's Act for the Social Work Departments at the University of Stellenbosch, UWC and Huguenot College, May.

Gallinetti, Jacqui. Training on 'Draft Regulations to the Children's Act 38 of 2005' in Polokwane and Cape Town, May.

Gallinetti, Jacqui and Daksha Kassan. Training workshop on the 'CUBAC Prevention Programme' for the Gauteng Provincial Department of Social Development, Johannesburg, June.

Gallinetti, Jacqui. Presentation delivered on 'Children's Rights' to UWC's School of Public Health, Winter School, June.

Gallinetti, Jacqui. Presentation delivered for the keynote address on Child Justice for the Gauteng Provincial Department of Social Development Diversion Indaba, July.

Gallinetti, Jacqui. Presentation delivered on 'An Assessment of the Significance of the ILO's Convention 182 in South Africa with Specific Reference to the Instrumental Use of Children in the Commission of Offences as a Worst Form of Child Labour', to the UNICEF Innocenti Research Centre, Florence, Italy, October.

Kassan, Daksha. Presentation delivered on 'The Background to the CUBAC Pilot Programme Implementation at the CUBAC National Workshop' hosted by the Community Law Centre, Pretoria, February.

Kassan, Daksha. Presentation delivered on 'The Children's Amendment Bill' to the Western Cape Provincial Legislature, Khayalitsha, February.

Kassan, Daksha. Presentation on 'The Methodology Employed and Recommendations Emanating from the findings of the First Monitoring Baseline Study on the Criminal Justice System', hosted by the Provincial Department of Justice, KwaZulu-Natal, Durban, March.

Kassan, Daksha. Training on 'Draft Regulations to the Children's Act 38 of 2005' in Eastern Cape, Mpumalanga and Northern Cape, May.

Kassan, Daksha. Presentation on 'The South African Experience of Building a National Alliance against Corporal Punishment', at the Southern African Network Regional meeting hosted by Save the Children Sweden, Pretoria, May.

Kassan Daksha and Jacqui Gallinetti. Training workshop on the CUBAC Prevention Programme for the Gauteng Provincial Department of Social Development, Johannesburg, June.

Kassan, Daksha. Presentation on 'How Certain Countries have effected a Legal Prohibition on All Forms of Corporal Punishment', at UNICEF Innocenti Research Centre, Florence, Italy, October.

Kassan, Daksha. Presentation on 'The International Legal Framework calling for a Total Ban on the Corporal Punishment of Children' at the Child Rights Symposium hosted by the South African Council of Churches and Save the Children Sweden, Cape Town, November.

Khoza Sibonile. An Introductory Note of the Minister of Finance, Mr Trevor Manuel, for the Dullah Omar Lecture, held at the Library Auditorium, UWC, March.

Khoza, Sibonile, Lectured on 'The Right to Health and Food' to LLM and other students participating in the Good Governance and Socio-Economic Rights Course of the Centre for Human Rights at the University of Pretoria, Pretoria, February.

Khoza, Sibonile, Lectured on 'The Judicial Enforcement of Socio-Economic Rights in South Africa', to 3rd year law students at the University of KwaZulu Natal, August.

Mbazira, Christopher. VII World Congress of the International Association of Constitutional Law *Rethinking the boundaries of constitutional law*, Athens, Greece, 11 – 15 June.

Mbazira, Christopher. *Workshop for Young Scholars from the Global South* organised by the Graduate Institute of International Studies in Geneva, Switzerland, 5 – 9 November.

Mujuzi, Jamil. Presentations on 'Prison Reform' in a series of three provincial workshops hosted by the Civil Society Prison Reform Initiative, Port Elizabeth, Durban and Bloemfontein, July – August.

Muntingh, Lukas. Presentation on 'An Assessment of OPCAT in Relation to the Criminalisation of Torture in South Africa' at a workshop hosted by the South African Human Rights Commission, Johannesburg, February.

Muntingh, Lukas. Presentations on 'Prison Reform' in a series of three provincial workshops hosted by the Civil Society Prison Reform Initiative, Port Elizabeth, Durban and Bloemfontein, July – August.

Muntingh, Lukas. Lecture on 'Prison Corruption and Investigation Thereof' to LLM students hosted by the Department of Criminal Law, University of Cape Town, Cape Town, April, October.

Muntingh, Lukas. Lecture on 'Prison Reform' to group of visiting students from the University of San Diego, hosted by the University of Cape Town, June.

Muntingh, Lukas. Lecture on 'Prison Reform' to group of Open Society Institute staff hosted by Open Society Foundation (SA), Cape Town, June.

Muntingh, Lukas. Presentation on 'Offender Reintegration in South Africa', at a conference of The International Awards Programme, Midrand, August.

Muntingh, Lukas. Submission to the Department of Justice and Constitutional Development on 'Planned Services to give Effect to the Victim's Charter', August.

Muntingh, Lukas. Submission to the Parliamentary Portfolio Committee on Social Development on the Children's Amendment Bill, August.

Muntingh, Lukas. Submission to the UN Committee against Torture on the list of issues to be raised with the South African government, March.

Muntingh, Lukas. Presentation delivered on 'Media Monitoring in respect of Prisons'. Workshop hosted by the Media and the Law Research Initiative (UWC), Cape Town, May.

Muntingh, Lukas. Submission to the Parliamentary Portfolio Committee on Correctional Services on the Correctional Services Amendment Bill - General, September.

Muntingh, Lukas. Submission to the UN Human Rights Council on South Africa on the 1st Universal Periodic Review, November.

Muntingh, Lukas. Presentation on 'Prisoners' Rights', Seminar hosted by Community Correction and Care Organisation (OCCC), Cape Town, October.

Muntingh, Lukas. Presentation on 'Prisons in a Constitutional Democracy', Seminar hosted by the Centre for the Study of Violence and Reconciliation, Johannesburg, November.

Sloth-Nielsen, Julia. Teaching course in Advanced Comparative Criminal Justice (UWC LLB with the University of Missouri), June

Sloth-Nielsen, Julia. Submission to the Portfolio Committee on Correctional Services on the Correctional Services Amendment Bill – Parole, September.

Sloth-Nielsen, Julia. Presentations on 'Prison Reform' in a series of three provincial workshops hosted by the Civil Society Prison Reform Initiative, Port Elizabeth, Durban and Bloemfontein, July – August.

Steytler, Nico. Presentation on 'The Role of the Expert in the Formulation of policy on Federalism issues', at the Privy Council Office seminar, Queen's University, Kingston, 18 October.

Steytler, Nico. Presentation on 'The Settlement of Intergovernmental Disputes', NCOP workshop on Intergovernmental Relations, Somerset West, January.

Steytler, Nico. Presentation on 'The Powers and Functions of Municipalities', National Department of Housing seminar, Kempton Park, 16 August.

Steytler, Nico. Analytical commentator, "To what Extent should Local Governments lead in the Empowerment of Disadvantaged Groups" and 'Are Local Governments really enhancing Participatory Decision-making', 4th International Conference, Interstate Council in conjunction with the Forum of Federations, New Delhi, India, November.

Steytler, Nico. Panelist, on 'Beyond 10 years: Positioning the National Council of Provinces for the Consolidation of Democracy in the Second Decade of the freedom', NCOP's 10th Anniversary Institutional Memory Project, Centre of the Book, Cape Town, 20 November.

Steytler, Nico. Presentations delivered on 'Supervision of Local Government', and 'Settlement of Intergovernmental Disputes', for the Department of Provincial and Local Government, Intergovernmental Relations workshop, Midrand, 14 November.

Steytler, Nico. Panelist, 'Municipal finances', Intergovernmental fiscal relations seminar, Konrad Adenauer Stiftung, Cape Town, October.

6. Membership of Bodies and Other Activities

Baatjies, Reuben

Member, Western Cape Provincial Municipal Community Partnership Forum

Managing editor, *Local Government Bulletin*

De Visser, Jaap

Editor, *Local Government Bulletin*

Member, European Group of Public Law

Member, Reference Group of the Good Governance Learning Network

Referee, *Law, Democracy and Development* and *Stellenbosch Law Review*

Co-Teaching, LLM Module on Intergovernmental Relations

Chenwi, Lilian

Member, Steering Committee, NGO Coalition for an Optional protocol to the International Covenant on Economic, Social and Cultural Rights

Co-Editor, *ESR Review 8(3)*

Referee, *Malawi Human Rights Law Journal*

Combrinck, Helene

Chairperson, Management Board, SWEAT (Sex Worker Education and Advocacy Taskforce) – until November

Member, governing body, Alpha School for Learners with Autism, Woodstock

Gallinetti, Jacqui

Editor, *Article 40*

Co-editor, *Article 19*

Editorial board member, *Child and Youth Care*, a NACCW journal

External Examiner, M. Phil thesis, UCT

Internal Examiner, LLM thesis, UWC

Heleba, Siyambonga

Co-editor, *ESR Review 8(3)*

Kassan, Daksha

Co -editor, *Article 19*

Khoza, Sibonile

Board of Trustees, Impumelelo Innovation Award Trust

Board of Directors, Street Law Incorporated

Board of Directors, Rapcan

Mujuzi, Jamil

Editorial Board Member, *CSPRI Newsletter*

Editorial Board Member, *CSPRI 30 Days/Dae/Izinsuku*

Muntingh, Lukas

Member: Section 5 Committee of the SA Human Rights Committee on Torture
Editorial Board Member, *Article 40*
Editor, *CSPRI Newsletter*
Editor, *CSPRI 30 Days/Dae/Izinsuku*
Board Member (Treasurer): Substance Misuse: Advocacy, Research & Training (SMART)
Board Member, Community Connections

Sloth-Nielsen, Julia

Editorial Board Member, *Article 40*
Editor, *CSPRI Newsletter*
Board Member, Restorative Justice Centre
Board Member, RAPCAN
External examiner, LLM thesis, UCT (prison law and policy)
External Examiner, LLM thesis, UCT, women in prison
External Examiner, LLM thesis, UKZN, Correctional supervision as a sentence for juvenile offenders

Steytler, Nico

International theme coordinator and editor for Global Dialogue on Federalism “Local Government and metropolitan regions in federal countries”, Forum of Federations, Ottawa, Canada
Teaching, LL M module Law of Intergovernmental Relations, LLM module Criminal Justice and the Constitution, LL M module Constitutional Law Practice
Supervisor, three completed LL M theses
Supervisor, two LL D theses
Member, Municipal Demarcation Board (MDB) and member of the Executive Committee of MDB and chairperson of the Powers and Functions Committee of MDB
Vice-President, International Association of Centres for Federal Studies
Member, advisory editorial board, Global Dialogue on Federalism, Forum of Federations
Panel member, Advisory Board on National Research Foundation Research Chairs
Panel member, Evaluation Panel for Law, National Research Foundation
Co-editor, *Law, Democracy and Development*
Editor-in-chief *Local Government Bulletin*
Contributing editor, *South African Journal of Criminal Justice*
Referee, Global Dialogue on Federalism, Forum of Federations
Trustee, Association of University Legal Aid Institutions Trust
Chairperson, University of the Western Cape’s Council Appeal Committee of Student Disciplinary Court
Chairperson, Investigation Committee of Council for staff discipline, UWC
Member, Senate Higher Degrees Committee, UWC
Chairperson, Faculty of Law Higher Degrees Committee