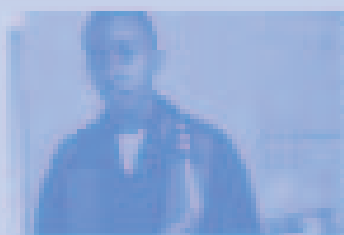


Ukwazi nokuthathela
kuwe ilungelo lakho
lokufumana ukuty

BULLETIN

Article 40



*Developing a
child justice system
through judicial process*

Outsourcing
Municipal
Services

ESR REVIEW

Editorial
Book Review

W... and state of the ESR Review...

...discussing the impact of...

Comments

...discussing the impact of...

Article 19
Promoting a human
rights culture
disciplining children appropriately

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- *Heléne Combrinck (Gender Project)*
- *Prof. Nico Steytler (Local Government Project)*
- *Sibonile Khoza (Socio-Economic Rights Project)*

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Children's Rights Project: *Jacqui Gallinetti (co-ordinator), Prof. Julia Sloth-Nielsen (research fellow), Daksha Kassin, Raygaanah Barday (until January 2005), Godfrey Odongo (doctoral intern), Janine Demas (administrator)*
Local Government Project: *Prof. Nico Steytler (co-ordinator), Dr. Jaap de Visser (research fellow from April 2005), Reuben Baatjies, Janis Jordan (research assistant from July 2005), Yonatan Tesfaye Fessha (doctoral intern), Cristin Peel (Canadian intern until March 2005), Coel Kirkby (Canadian intern from September 2005), Valma Hendricks (administrator)*
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Socio-Economic Rights Project: *Sibonile Khoza (co-ordinator), Dr. Lilian Chenwi (from July 2005), Christopher Mbazira (doctoral intern), Bryge Wachipa (research assistant from May 2005), Gaynor Arie (administrator)*
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CONTENTS

	PAGE
About the Community Law Centre	3
Chapter 1: Director's overview	4 – 5
Chapter 2: Research	6 – 8
Chapter 3: Commissioned Research	9 – 10
Chapter 4: Informing Public Debate on Law Reform	11
Chapter 5: Education, Training & Information Sharing	12 – 15
Chapter 6: Other Activities	16 – 17
Chapter 7: Finances	18 – 19
Chapter 8: Staff Activities	20 - 24

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.

Focus areas

The Centre's areas of focus are organised in five main projects:

- The *Children's Rights Project* works on recognising and protecting children's rights in all spheres of society, with particular focus on child justice.
- The *Civil Society Prison Reform Initiative* focuses on prisons and corrections to improve human rights in South African prisons.
- The *Gender Project* works to achieve substantive gender equality and realistic women's rights.
- The *Local Government Project* assists local government to give effect to its constitutional mandate of promoting accountable and democratic governance, and socio-economic development.
- The *Socio-Economic Rights Project* focuses on realising socio-economic rights of vulnerable groups and communities living in poverty.

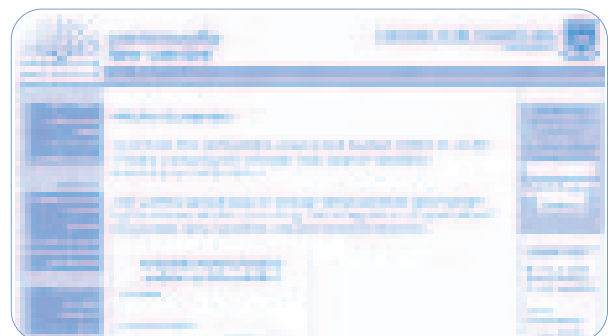
Nature of our work

The Centre's core activities are:

- Conducting high quality and cutting-edge research and developing jurisprudence;
- Assisting in developing policies and legislation for organs of state, such as state departments, provincial and local government, the South African Human Rights Commission (SAHRC), the Commission on Gender Equality and the South African Law Reform Commission (hereafter the 'Law Reform Commission');
- Informing public debate on law reform;
- Education and training of state officials, members of civil society and students;
- Building capacity in organs of state and civil society by disseminating accessible materials and hosting a website;
- Intervening in court cases on key issues relevant to the Centre's work; and
- Collaborating with international organisations and bodies to further common aims and objectives, and with human rights organisations in Africa to advance the realisation of human rights and democracy on the continent.

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 and socio-economic rights, intergovernmental relations, and general human rights issues. The Documentation Centre also holds a substantial collection of books on international law and international human rights law, helped by sustained support from the Raoul Wallenberg Institute at the University of Lund in Sweden. 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 2005 has been a very productive year for the Centre. Not only have a number of accredited publications been produced, but the Projects were engaged in a number of research projects, including the privatisation of municipal services, prison reform, the use of children by adults in the commission of crime and the intergovernmental relations at provincial and municipal level.

Given the expertise of the Centre, Projects have won several tenders to perform research for a variety of state departments at both national and provincial level. Notable in this regard was the large contract the Gender Project was awarded in investigating the application of the *Domestic Violence Act* in the Eastern Cape. This commissioned research has also become vital for the economic sustainability of the Centre. The past year has shown that the Projects can successfully compete on the open market. The research expertise has also been applied across the borders of the country, in Swaziland and the Democratic Republic of the Congo.

The expertise has also been brought to bear on the public domain by informing Parliament on issues of intergovernmental relations, children's rights and social security. Submissions were also made to the South African Law Reform Commission on the trafficking of children.

The research work of the Centre has effectively been communicated also to the public at large through our flagship lay journals *Article 40*, *Article 19*, *ESR Review* and the *Local Government Bulletin*. Collectively they have a distribution network of nearly 20 000 copies.

Organisation of the Centre

The Centre's policy is to increase collaboration between its projects, thus strengthening its institutional capacity and enabling it to explore cross-cutting themes. Increasingly, projects have worked together. The *Socio-Economic Rights and Local Government Projects*, for example, joined forces in investigating the privatisation of municipal services in respect of local government's duty to promote socio-economic rights. Similarly, the *Gender* and *Children's Rights Projects* collaborated on a commissioned survey of the implementation of the *Domestic Violence Act* in the Eastern Cape.

Important developments

The year was also marked by two important developments:

Observer Status at the African Commission on Human and Peoples' Rights

The Centre applied for Observer Status at the African Commission on Human and Peoples' Rights. The application was heard at the 38th Session of the Commission in the Gambia on November 2005, and Observer Status was granted. This gives the Centre the right to participate in all the Commission's activities, including: attending its sessions, making statements at the sessions, engaging with the Commission in its promotional activities, filing complaints before the Commission alleging violation of any right(s) protected in the African Charter on Human and Peoples' Rights and accessing all documents of the Commission, such as reports of its activities.

Civil Society Prison Reform Initiative

The *Civil Society Prison Reform Initiative (CSPRI)*, launched in 2003 and initially located at NICRO, moved wholly to the Centre in July 2005. The project was smoothly integrated with the Centre's activities, as the research focus of the Centre well suited the CSPRI model of informing public debate based on solid information, research and analysis.

CSPRI has established itself, within a fairly short period of time, as one of the foremost authorities on penal issues, criminal justice and the prison system in South Africa. Its expertise in this area can only deepen with time.

Research standing

The Centre was proud to see the first of its doctoral research students receiving their degrees. Jaap de Visser, who commenced his doctoral studies at the Centre, received an LLD from Utrecht University. Danwood Chirwa, former research assistant in the *Socio-Economic Rights Project* was awarded an LLD in September and Godfrey Odongo, of the *Children's Rights Project*, was capped with an LLD in March 2006.

Staff

In the *Local Government Project*, Reuben Baatjies was appointed as researcher, Yonatan Fessha as doctoral intern and Janis Jordan as research assistant. Dr. Jaap de Visser, a former staff member, was appointed as a research fellow in the *Local Government Project*. Dr. Lilian Chenwi was appointed as researcher, with Bryge Wachipa as a research assistant in the *Socio-Economic Rights Project*.

The Board said farewell to Ms Rhoda Kadalie who, after a decade, did not avail herself for re-election. Rhoda served the Board, and its management committee, with much enthusiasm and commitment, providing an invaluable critical perspective on the Centre's activities and direction.

Second Dullah Omar Memorial Lecture

The Second Dullah Omar Memorial Lecture was presented by the Minister of Justice and Constitutional Development, Ms Brigitte Mabandla, who, as one of the founding members of the Centre, worked closely with Dullah Omar. She spoke on the transformation of child justice, a topic close to her heart ever since she established the *Children's Rights Project* at the Centre in 1992.

Donors

The Centre continued to enjoy donor support and wishes to thank all its donors for supporting the work of its projects. Particular acknowledgment goes to the Ford Foundation for generously providing both core funding for administration and project-based funding. Support was also received from the University of the Western Cape in the form of office space, utilities, information and communication technology assistance and human and financial management services.

Conclusion

The Community Law Centre had a good year in 2005, producing high quality research, developing important policy papers for government, informing public debate on issues of contention, extending its training and education activities, and disseminating information to a broad range of decision-makers.



In attendance at the Second Dullah Omar Memorial Lecture were from left to right: Prof. Brian O'Connell (Rector of UWC), Prof. Nico Steytler (Director of CLC), Hon. Minister Brigitte Mabandla (Keynote speaker and Minister of Justice & Constitutional Development), Mr Arthur James (partner of Webber Wentzel Bowens) and Mrs Farieda Omar (Wife of the late Adv. Dullah Omar).

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

In 2005, the *Children's Rights Project* undertook extensive research on children used by adults or other older children to commit crime (CUBAC). The Children's Rights Project undertook this work for *Towards the Elimination of the worst forms of Child Labour* (TECL), a technical assistance project to the Department of Labour (DoL) and executing agency for the Child Labour Action Programme (CLAP). This executing agency has been adopted by a wide range of South African government departments, such as those responsible for justice, social development, labour, education, safety and security and local government.

TECL contracted a number of consultants, including the *Children's Rights Project* (for CUBAC), to investigate and design three pilot projects, aimed at addressing activities of children that are likely to adversely affect their development. These pilot projects address the following three issues that have been identified as worst forms of child labour in South Africa:

- Commercial sexual exploitation of children and child trafficking;
- Children delivering water to households far away from safe sources of water; and
- Children used by adults in the commission of offences (CUBAC).

The Project's CUBAC research was divided into three phases. *First*, an initial assessment of the nature, causes and extent of CUBAC and four potential pilot sites for the following phases of the projects were identified. *Second*, a baseline survey was conducted at the four identified potential pilot sites to inform the design of the pilot projects, as well as to finalise the selection of two pilot sites, namely Mamelodi (Gauteng) and Mitchell's Plain (Western Cape). *Third*, the project design phase involved the actual design of programmes and interventions aimed at addressing the relevant issues affecting CUBAC at the two pilot sites.

The next stage of the overall programme, aimed at combating and eliminating CUBAC as a worst form of child labour, is actually implementing the pilot programmes at Mamelodi and Mitchell's Plain to test their success, and to identify and address problems. This will take place during 2006. After the pilots are completed, the project should be rolled out in other areas of South Africa, as part of the larger CLAP, and policy proposals mainstreamed according to lessons learnt.

The *Children's Rights Project* continues to co-ordinate the Child Justice Alliance. In 2005, it played a key role in the design of a baseline research study to be undertaken at three magisterial districts (Wynberg, Pietermaritzburg and Pretoria) in order to examine the current status of the child justice system. This research, which studies various children-related aspects of the criminal justice system, such as diversion, assessments and detention awaiting trial, will be the yardstick to measure future research on monitoring how the Child Justice Bill (once passed) is implemented.

Civil Society Prison Reform Initiative (CSPRI)

Several in-depth research papers were prepared and released in 2005. These included:

- A study of the meaning and implications of offender reintegration;
- A study on best practice in prison governance in South Africa;



- A paper explaining the implications of ratification of the Convention against Torture for South Africa and proposing how torture could be criminalised in this country; and
- A chapter on children in prison in Africa.

In addition several past papers were updated and published, such as the founding policy review completed in 2003; this chapter and other previous research papers were published as a special volume in the UWC's Law Faculty Journal, *Law Democracy and Development*, Vol. 1 (2005).

Gender

During 2005, research conducted by the *Gender Project* focused predominantly on women's right to freedom from violence. The Project published a paper on the development of this right in South African jurisprudence since 1994 in the 2005 edition of *Acta Juridica*.

The Project also produced a section on sexual assault for inclusion in a forthcoming text book on gender, justice and equality, co-authored with Lillian Artz of the *Gender, Health and Justice Research Unit* at UCT. The chapter aims to gain an understanding of the profile of sexual assault in South Africa (including frequency and extent), and provides an overview of how such assault is treated by the criminal justice. It takes a closer look at the definition of rape/sexual assault as it is currently developing in South African law concluding with an examination of sentencing in sexual assault cases.

Furthermore, the *Gender Project* commenced new research on the implementation of the *Firearms Control Act* in relation to domestic violence. The key objective of this initiative is to reduce firearm-related incidents of domestic violence by limiting lawful possession of firearms by known or identifiable perpetrators of domestic violence where appropriate, and thus to ultimately contribute to the safety of domestic violence victims. The first component of this project consisted of research aimed at establishing the extent of (non-fatal) firearm-related domestic violence in the Western Cape. A second component, scheduled for 2006, will look more closely at the implementation of the *Firearms Control Act* by criminal justice officials.

Local Government

The *Local Government Project* commenced an 18-month research project on Managing Concurrency of Powers and Functions through Cooperative Government. Research papers were completed on the following three focus areas:

- (a) The appropriate allocation of powers and functions between provincial and local government, and between district and local municipalities;
- (b) The effective management of concurrency through the political processes of the intergovernmental relations (IGR) forums provided by the Intergovernmental Relations Framework Act 13 of 2005 (IRFA); and
- (c) The settlement of intergovernmental disputes through the IRFA dispute settlement mechanisms and procedures.

The second main research area of the Project was on the outsourcing of municipal services. An associate researcher researched the outsourcing of municipal services from a policy perspective. She analysed municipal service contracts to assess how effectively they translated the objectives of outsourcing into binding contract terms. Her research culminated in the production of a guide, *Outsourcing Municipal Services: a Guide for Councillors and Communities*, which deals with the key drivers and dangers of outsourcing municipal services.

A researcher also looked at the communalisation of municipal services. He investigated the viability of including community-based organisations in service delivery. The researcher culminated in the submission of a research paper for his LL.M degree.

A researcher participated in an international project on the emerging relationship between federal governments and municipalities. This multi-national study included case studies of Canada, the USA, Germany, Switzerland, Australia, Mexico, Spain, South Africa and (as a centralised state) France. A researcher was responsible for the South African case study.

Following the hosting in 2004 of the International Association of Centres for Federal Studies Conference on the role and place of local government in federal systems, the Project completed editing the papers and finalised the publication.

Socio-Economic Rights

In 2005, the *Socio-Economic Rights Project* continued to work in the following research areas:

- Privatisation and basic services;
- Right to sufficient food;
- Right to adequate housing; and
- Right to social security and assistance

The Constitutional Court handed down judgment in the case of *President of the Republic of South Africa and Others v Modderklip Boerdery (Pty) Ltd* (2005 (8) BCLR 786 (CC)) in which the Project was involved as *amicus curiae* ('friends of the court'). The judgment vindicates the constitutional rights of both private landowners and unlawful occupiers, while at the same time underscoring the State's duty to provide alternative accommodation to unlawful occupiers faced with eviction. The findings of the Constitutional Court were generally in line with the content of the Centre's submissions to the court. A draft research paper entitled, 'Enforcing the Modderklip order pertaining to the occupiers: Challenges and prospects', was produced analysing the steps that government intends to take, and their broader consequences, to implement this judgment.

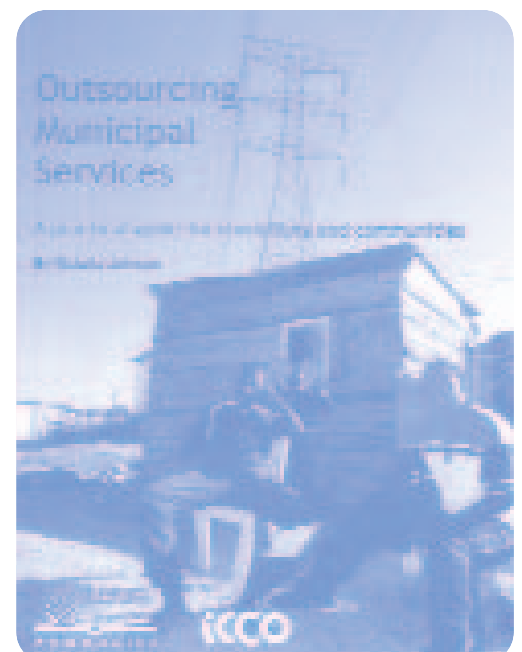
Other research papers produced were:

- 'Introducing socio-economic rights', a draft chapter for the book entitled *Socio-economic rights in South Africa: A resource book* (2nd edition, forthcoming in 2006);
- 'Human resource development for the promotion and protection of the right to adequate food and nutrition';
- 'Review of mandatory socio-economic rights report processes'; and
- 'Democracy and institutional competence concerns in the enforcement of socio-economic rights'.

The Project, together with the Centre for Human Rights (University of Pretoria) and the Human Rights Institute of South Africa, prepared a shadow report on South Africa's first periodic report on the African Charter on Human and People's Rights, which was presented at the 38th session of the African Commission of Human and People's Rights.

Privatisation of municipal services

The *Local Government and Socio-Economic Rights Projects* conducted a joint research project: '*The Impact of Privatisation on Democracy and the Enjoyment of Basic Services as Human Rights*'. The Local Government Project focused on the outsourcing of municipal services at the municipal level, while the Socio-Economic Rights Project looked at the duties of non-state actors to realise socio-economic rights. This focus area culminated in the publications of several research papers and the completion of an LLD on the subject by the former Socio-Economic Rights Project researcher, Dr. Danwood Chirwa, as well as masters degrees by associate researcher Victoria Johnson and researcher Reuben Baatjies. The Project also focused on the impact of privatisation on the enjoyment of the right of access to sufficient water. Following a case study in the Lukhanji and Amahlati municipalities in the Eastern Cape, a research paper was produced entitled, 'The impact of privatisation on the enjoyment of the right of access to sufficient water in Lukhanji and Amahlati'.



CHAPTER 3: COMMISSIONED 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 2005, 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 contracted by Save the Children Swaziland to prepare an issue paper should Swaziland enact new child legislation to ensure compliance with the country's commitments to the United Nations Convention on the Rights of the Child. In November, the Project was also requested to present the research to a working group tasked with deciding the content of the new law. The Project has been requested to continue its involvement in the legislative drafting process next year by assisting in compiling a set of recommendations based on inputs from the issue paper.

The Project was also contracted by NICRO, on behalf of the Civil Society Prison Reform Initiative (before it moved to the Community Law Centre), to compile a research paper on minimum standards of detention for children in South African prisons. This research involved a review of South Africa's international obligations relating to minimum standards and how these have been translated into the provisions of the Correctional Services Act of 1998.

Gender

The *Gender Project* was awarded a tender by the South African Police Service (SAPS) to conduct a survey in the Eastern Cape to establish current levels of police compliance with the duties set out in the *Domestic Violence Act* and relevant provisions of the *Child Care Act* at 29 priority police stations. This survey, carried out in association with the *Centre's Children's Rights Project* and the *Gender, Health and Justice Research Unit* at UCT, formed part of a broader programme aimed at providing support to the policing of crimes against women and children in the Eastern Cape Province.

The study entailed interviews with police officials, both in management positions and those dealing with domestic violence on a day-to-day basis, and an in-depth examination of police records (including 1,457 case files) at the 29 police stations across the province. In addition, researchers conducted interviews with officials at selected children's courts and studied these courts' records. Members of the SAPS Family Violence, Child Protection and Sexual Offences Units and the Independent Complaints Directorate were also interviewed.

The *Children's Rights Project* examined whether SAPS complied with provisions in the *Domestic Violence Act* that specifically concern children. The Project also examined compliance with their duties in the *Child Care Act* of 1983.

This project resulted in an extensive report setting out the research findings, with constructive recommendations aimed at improving the shortcomings identified by researchers, as well as indicators to measure compliance with the relevant statutory provisions. Emphasis was also placed on the 'promising practices' in implementing the *Domestic Violence Act* initiated at certain of the police stations.

Local Government

The Project was contracted by the KwaZulu-Natal (KZN) government to provide expertise in the area of local government and intergovernmental relations. For the Premier's Office, the Project assisted in the establishment of the first all-inclusive Premier's Coordinating Forum (PCF). Based on policy documents the Project had prepared in 2004, the Project drafted the protocol for the establishment of the PCF, bringing together the provincial executive and the mayors of the metropolitan and district municipalities. The protocol prefigured the requirements of the *Intergovernmental Framework Act* that only came into operation in August 2005. A protocol was also drafted for the District Intergovernmental Forums. The Project also drafted a manual for the settlement of disputes between the province and municipalities in KZN, which will become a protocol of the PCF.

A major study was undertaken for the KZN Department of Local Government and Traditional Affairs on local-provincial relations. The study analysed the legislative relationship between the provincial and local spheres of government covering both national and provincial legislation impacting the relationship. This analysis served to establish a uniform and coherent system of intergovernmental and intersectoral cooperation between the various provincial departments and municipalities within the KZN province.

This Department also awarded the Project a tender to review the procedures of the KZN province when it intervenes in a municipality in terms of section 139 of the Constitution.

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. Parliamentary committees and the South African Law Reform Commission requested its comment on draft legislation in 2005.

Children's Rights

The *Children's Rights Project* made a submission to the South African Law Reform Commission on the trafficking of children in response to a call for submissions following the release of the Issue Paper on Trafficking of Persons.

The Project also made written and oral submissions to the National Council of Province's Select Committee of Social Services on clause 55 of the Children's Bill, namely the legal representation of children in children's court proceedings. The *Department of Justice and Constitutional Development* to the Select Committee then recommended removing provisions in the Children's Bill allowing for clerks of the children's court and child friendly courts (including access for disabled children). The Project made urgent supplementary submissions to the Select Committee and then to the National Assembly Portfolio Committee on Social Development, which ultimately decided not to remove the provisions.

The *Children's Rights Project* was also requested by the International Labour Organisation (ILO) to attend the *Swazi Sexual Offences Bill* Working Group meetings in Swaziland. This group was tasked with determining the content of new Swazi Sexual Offences legislation. The *Children's Rights Project* made both written and oral input to this process.

CSPRI

The *CSPRI* staff continues to build fruitful networking connections with, for example, the Inspecting Judge of Prisons, universities and NGOs. Many radio and television appearances have taken place and a researcher gave lengthy expert evidence before the Jali Commission of Inquiry, which handed its report to the President on 15 December 2005. A submission was also made to the National Assembly Portfolio Committee on Correctional Services on the use of alternatives to imprisonment.

Gender

The *Gender Project* remained concerned about the delays in finalising the *Sexual Offences Bill* (tabled in Parliament in 2003, with no further developments apparent beyond February 2004), and accordingly submitted letters to the Deputy Minister of Justice and Constitutional Development and the Commission on Gender Equality to question this lack of progress. The Project also conducted media interviews arguing for the speedy finalisation of the Bill.

Local Government

The Project was invited by the National Assembly Portfolio Committee on Provincial and Local Government to make presentations at the public hearings on the *Intergovernmental Relations Bill* during March. The Project submitted that the *Bill* did not accurately reflect the spirit of the cooperative government of the Constitution and suggested some textual amendments, some of which found favour with the Committee.

Privatisation of Municipal Services

The *Local Government Project* submitted its research results to the various local, provincial and national departments responsible for the policy and implementation of outsourcing municipal services. The submission indicated both the lacuna in the current legal framework and practical difficulties of implementing the Municipal Finance Management Act of 2003.

Socio-Economic Rights

The *Socio-Economic Rights Project* made submissions on the impact of privatising water services on the right to sufficient water to the National Assembly Portfolio Committee for Provincial and Local Government and the Department of Water Affairs. A submission on the right of access to adequate housing was also presented to the Joint *Ad Hoc* Committee on Democracy and Good Political Governance of the African Peer Review Mechanism Process.

CHAPTER 5: EDUCATION, TRAINING & INFORMATION SHARING

One of the Centre's core activities is its outreach initiatives. The objective 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. The Module consisted of courses on:

- children's rights;
- criminal justice and the Constitution;
- socio-economic rights;
- intergovernmental relations;
- gender equality and women's rights; 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. During the first semester, the Centre presented modules to the students in Pretoria on democratisation in Africa and an introduction to the *South African Bill of Rights*. 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, with its extensive collection on national and international materials, was the students' primary legal resource during the LLM programme.

Lay Journals:

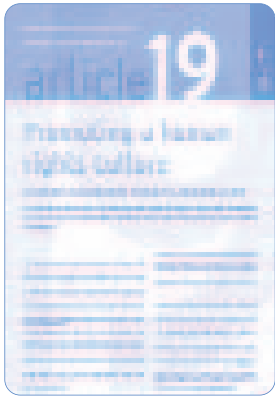
The Centre produced a number of journals that communicated the Centre's research results to a wider audience.



Article 40

Article 40, a lay journal, is in its seventh year of circulation and continues to be a valuable resource containing information on policy and legal developments in child justice in South Africa and other parts of Africa. This publication has examples of good practices and successful interventions for children in trouble with the law. It is the only publication of its kind dedicated to strengthening awareness-raising and information dissemination around the South African criminal justice system as it pertains to children.

In addition to the 3 500 copies printed for each issue, the *Children's Rights Project's* webpage contains an archive of all the *Article 40* issues thus far. Ongoing positive feedback was received on the publication and the Project's aim is to make it available to all practitioners in the child justice sphere as it is highly beneficial to their work.



Article 19

The *Children's Rights Project* produced a new lay journal entitled *Article 19*. Its aim is to promote the elimination of all forms of corporal punishment and support positive means of discipline. In the three editions published in 2005, it has achieved its aim of providing a comprehensive collection of writings on the issue of corporal punishment.

The publication has been widely distributed and well-received. Numerous compliments on the publication were received when workshops were held with magistrates across South Africa. In addition, Supreme Court of Appeal Judge Mohammed Navsa congratulated the Project on the publication, noting that it was high time more attention was given to violence committed against women and children.

Local Government Bulletin

Five editions of the *Local Government Bulletin* were produced and distributed to 9 000 councillors and a further 1000 national and provincial government institutions, various NGOs and other subscribers. The distribution was expanded to include local government associations in 28 countries in Africa, as well as countries in North America, Europe and India. The value that the *Bulletin* has for local government is evident from the fact that three quarters of the South African municipalities are paid up subscribers. This has made the *Bulletin* self-financing as far as production costs are concerned.



ESR Review

The *Socio-Economic Rights Project* produced four issues of the *ESR Review* in 2005. 3000 copies of each issue have been distributed to a wide range of international and national human rights experts and activists.

CSPRI Newsletter

The *CSPRI* produced a number of electronic newsletters during 2005, which are circulated to an increasing email list of 335 interested subscribers. Themes included:

- an analysis of the Correctional Services Budget;
- an assessment from the private prisons on the impact of HIV/AIDS amongst prisoners;
- a focus on the functioning of the new parole system with reference to reported cases; and
- women in prison in South Africa.



Other Lay Publications:

The *Local Government Project* produced a guide for councillors and communities on the drivers and dangers of outsourcing municipal services. It gives a comprehensive overview of how a municipality should proceed when deciding to outsource municipal services.



The *Socio-Economic Rights Project* translated a booklet entitled, *Knowing and Claiming Your Rights to Food* into three of South Africa's official languages: IsiZulu, Afrikaans and IsiXhosa. 3 000 copies of each language version are being distributed widely to, among others, community-based organisations, paralegal offices, libraries, public institutions and NGOs.

Furthermore, the *Socio-Economic Rights Project* has commenced with the production of the second edition of the resource book, entitled *Socio-Economic Rights in South Africa*.

Workshops and training programmes:

The Centre hosted a number of workshops and presented a number of training programmes.

Children's Rights

A researcher from the *Children's Rights Project* presented two training modules on corporal punishment of children in the home to magistrates for Justice Training College.

The *Children's Rights Project* designed and hosted training for educators, social workers, community workers and diversion service providers on the *CUBAC* diversion and prevention programmes. These training sessions were conducted in Mitchell's Plain and Mamelodi and were attended by over 150 participants.

Researchers from the *Children's Rights Project* were also commissioned by the *Department of Justice and Constitutional Development* to conduct training with magistrates in all nine provinces on the restorative justice provisions that are contained in the *Children's Bill and Child Justice Bill*. Over 200 magistrates attended these training sessions.

CSPRI

Three CSPRI papers were presented at the first national conference on prison overcrowding that was convened by Justice Training College, the Department of Correctional Services, the Department of Justice and other role players. The CSPRI speakers were given a prominent role in the opening plenary and have been invited to serve on the overcrowding steering committee convened to ensure follow up and implementation of recommendations.

Local Government

A workshop was held in January to launch Dr. Jaap de Visser's book, *Developmental Local Government: A Case Study of South Africa*. The Western Cape MEC for Local Government at the time, Mr Marius Fransman, gave a keynote address on developmental local government. Dr. de Visser is a research fellow of the Project and the book was the culmination of his doctoral thesis.



*In attendance at the launch of the book, **Developmental Local Government: A Case Study of South Africa**, were from left to right: Prof. Nico Steytler (Director of CLC), Dr. Jaap de Visser (Author), Mr Marius Fransman (Keynote speaker, MEC of Local Government at the time) and Rev. Courtney Sampson (Provincial Electoral Officer of the IEC).*

Privatisation of municipal services

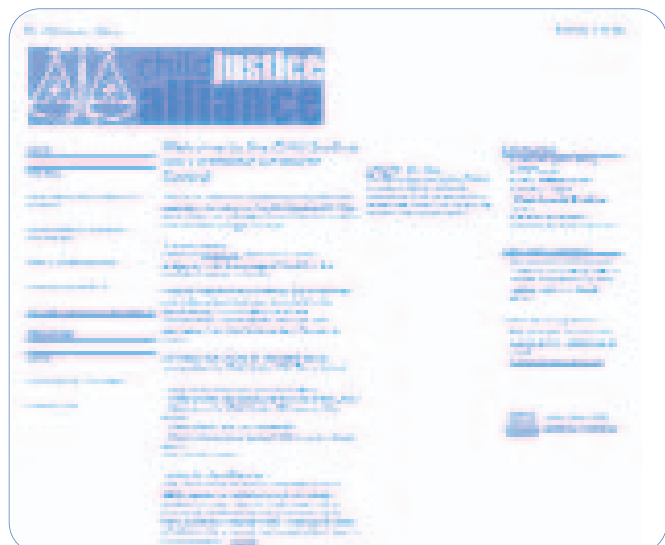
The *Local Government and Socio-Economic Rights Projects*, in collaboration with the University of Utrecht, hosted an international seminar on 'Water Delivery in South Africa and the Netherlands: Public or Private?'. This seminar was held in Utrecht, The Netherlands in March. In attendance were academics and government officials from the Netherlands, as well as a delegation from the Community Law Centre.

The two Projects hosted the Privatisation Seminar in Cape Town, '*Delivering municipal services: socio-economic rights and outsourcing options*' in November. It brought together government officials from the Department of Water and Forestry, the National Treasury, the Department of Provincial and Local Government, the Finance and Fiscal Commission, trade unions, NGOs and academics to discuss the nature of the legal framework regarding the outsourcing of municipal services.

Websites:

The Centre's website informs users about what the different projects are doing and disseminates their publications. Through this medium, the Centre plays a critical role in educating its cyber users on issues relating to democracy and human rights in the country.

The *Children's Rights Project* continues to host the *Child Justice Alliance's* website (www.childjustice.org.za) that contains information on a wide range of child justice matters in order to ensure that there is accurate information relating to such issues.



CHAPTER 6: OTHER ACTIVITIES

Working with State Institutions:

Children's Rights

The Children's Rights Project was invited to attend the meetings of the Inter-Sectoral Committee on Child Justice in order to report on and discuss the *CUBAC* research and pilot project design. Flowing from this, the Project has been working closely with the Western Cape and Gauteng provincial departments of Justice and Social Development, SAPS and the provincial Directorates of Public Prosecutions (DPP) on their roles in the pilot programmes for Mitchell's Plain and Mamelodi.

The Children's Rights Project continues to serve on the *Western Cape Child Justice Forum*, which is a provincial monitoring body that manages child justice issues in the Western Cape. It is run by the Department of Social Development and its other members include the Departments of Justice, Education and Correctional Services, SAPS and the DPP.

Local Government

Project members worked with a number of state institutions in the area of local government. A researcher was co-opted as a member of the Salga Western Cape's Task Team on Intergovernmental Relations, as well as a similar national structure. He also prepared a legal compliance framework for the Nelson Mandela Metropolitan Municipality. A researcher provided advice to the Limpopo Provincial Treasury on provincial/local relations and served on the Western Cape's Advisory Committee on Project Consolidate.

At the national level a researcher was involved in the drafting of a pocket size booklet on the Intergovernmental Relations Framework Act for the Department of Provincial and Local Government (DPLG). He is also a member of a Reference Group for the drafting of DPLG's Practitioners' Guide on Intergovernmental Relations.

A researcher and a doctoral intern were invited by the DPLG to form part of a Task Team, established in terms of a bi-lateral agreement between South Africa and the Democratic Republic of Congo (DRC), to provide assistance on developing decentralisation in that country. The doctoral intern was part of the Task Team that visited DRC in December and made a presentation on the international approach to decentralisation.

Socio-Economic Rights

The Project conducted research on '*The role of the courts in the implementation of socio-economic rights*' for Justice Ngcobo of the Constitutional Court.

Working with non-governmental organisations:

The Children's Rights Project continued to serve on the Children's Bill Working Group, a group of non-governmental organisations that focus on the Children's Bill and the dissemination of accurate information of children's issues.

The Gender Project continued its partnership with the Saartjie Baartman Centre for Women and Children in the form of the Legal Advice and Training Project. This initiative is aimed at improving access to justice for women experiencing gender-based violence through the provision of individual legal advice and assistance, combined with training and public information activities.

The Gender Project, with the Gender, Health and Justice Research Unit (UCT), presented two training workshops on the Domestic Violence Act for SAPS members and health care workers in Phuthaditjaba, QwaQwa. These training workshops were arranged in association with the Thusanang Advice Centre, based in Phuthaditjaba. The Project also held a presentation on the intersections between gender-based violence and HIV/AIDS in the SADC region at an evaluation and planning workshop for the *Gender Programme* of the *Heinrich Boell Foundation*.

A researcher from the *Local Government Project* was invited to become a member of the Provincial Municipal Community Partnership Forum of the Foundation for Contemporary Research. His paper on municipal community partnerships formed an integral part of the Forum's position paper on this topic.

The Socio-Economic Rights Project continues to participate in the meetings and activities of the Basic Income Grant Coalition. Sibonile Khoza was elected as chairperson of the Coalition for the period July 2005 - June 2006.

International assistance and collaboration:

Children's Rights

Staff members from the Project have maintained close ties with other African countries on the issue of children's rights. Some of the activities undertaken included:

- Travelling to Sudan to examine their law reform process and assisting in the drafting of the Sudanese Constitution in relation to children's rights;
- Research on the issue of corporal punishment in Zambia;
- Serving on the task team that was drafting Swaziland's new Sexual Offences Bill;
- Drafting an Issue Paper for the new child law that Swaziland is looking to enact; and
- Hosting a workshop on the new *Child Law Issue Paper* in Swaziland.

Local Government

The Local Government Project has developed close ties with the United Cities and Local Governments in Africa (UCLGA) and has begun distributing its Local Government Bulletin to the members of the UCLGA.

Prof. Nico Steytler has been asked by the Forum of Federations to be the theme editor of Volume 6 of the Global Dialogue series on Federalism. The theme of this volume is local government and metropolitan regions in federal countries. This editorship will entail providing a template for a comparative research project covering 12 decentralised countries around the world, the management of country workshops in each country and an international conference on the topic in 2006.

Socio-Economic Rights

The *Socio-Economic Rights Project* endorsed a press statement prepared by the Centre for Housing Rights and Evictions (COHRE) condemning the June/July evictions in Zimbabwe, which left thousands of people homeless. It also endorsed a joint NGO appeal to African Leaders to address the Human Rights abuse in Zimbabwe. Initiated by COHRE, this appeal was sent to President Thabo Mbeki and copied to the South African Minister of Foreign Affairs.

Litigation:

The *Gender Project* commented informally on draft heads of argument prepared by counsel for the accused in *S v Engelbrecht* [reported at 2005 (2) SACR 41 (W)]. The accused in this matter was a woman who had killed her abusive husband and was subsequently charged with murder. Apart from an insightful general analysis of domestic violence and its impact on women, this judgment is important for its consideration of the common law principles of criminal liability against the background of the constitutional value system.

The Centre intervened in the *Modderklip case as amicus curiae in 2004*. The Constitutional Court handed down judgment in the case on 13 May 2005. Following the judgment, the *Socio-Economic Rights Project* of the Centre met with the Modderklip community on 21 July 2005. The aim of the visit was to establish ties with the community to find out the role the Centre can play in enforcing the Court's order. The community was informed of the Centre's readiness to assist, if possible, should they require further assistance.

CHAPTER 7: FINANCES

Core funding and project activities

Children's Rights Project:

Child Justice Alliance
Article 40
Article 19
Children's Bill Advocacy
CUBAC Project
CSPRI

Gender Project:

Firearms Control Act and Domestic Violence

Local Government Project:

Privatisation Project

Socio-Economic Rights Project:

Right to Food Project

LLM in Human Rights & Democratisation in Africa

Dullah Omar Memorial Lecture

DONORS

Ford Foundation

Open Society Foundation
SDC
Save the Children Sweden
Save the Children Sweden
International Labour Organisation
Open Society Foundation
Rockefeller Brothers Foundation
Idasa Pact/USAID

AusAID

MOTT Foundation
Conflict and Governance Facility of the EU and
National Treasury (CAGE)

Interchurch Organisation for Development
Cooperation (ICCO)

Atlantic Philanthropies
Norwegian Agency for Development
Co-operation, and Norwegian Centre

Centre for Human Rights
(University of Pretoria)

Webber Wentzel Bowens

FINANCIAL STATEMENTS

The Centre's funds are administered by the University's Finance Department. As part of the University's accounts, they are audited during the University's general external audit

	31 December 05	31 December 04
	R	R
INCOME		
Atlantic Philanthropies	849,500.00	
Save the Children Sweden	434,984.00	
North South Institute (Austrian Development Co- op)	248,000.00	
Ford Foundation	650,434.90	
Swiss Development Corporation	128,703.39	
Centre for Human Rights (UP)	283,672.00	
Open Society Foundation	175,000.00	
Stitching (ICCO)	321,634.56	
USAID - CREA SA	630,173.70	
Australian Aid	125,000.00	
Conflict & Governance Facility - CAGE	561,818.40	
International Labour Organisation	561,814.71	
Rockefeller Brothers Fund	330,500.00	
Norwegian Centre for Human Rights (University of Oslo)	385,605.52	
Commissioned Research	2,918,961.90	
Consultancies	119,893.53	
TOTAL INCOME	8,477,696.61	5,996,491.24
EXPENDITURE		
Salaries	2,876,518.32	2,705,915.30
Stationery	77,866.77	83,233.85
Advertising	33,215.72	9,195.00
Bank Charges	25,063.36	0
Photocopying & Postage	111,924.12	129,020.41
Telephone	74,902.80	74,332.58
Travelling	584,696.46	621,895.59
Conferences & Seminars	95,666.40	193,882.34
Subscriptions & Books	61,393.06	69,203.56
Audit Fees	34,790.00	34,490.00
Equipment	23,664.80	11,709.85
Consultation Fees	408,030.65	702,520.22
Partner Activities	202,752.67	180,116.81
Sundry Expense	3,209.74	19,626.44
Publications	751,637.32	941,904.45
Website	31,556.50	28,507.88
Staff Development	62,247.00	1,710.00
Post-Graduate Bursaries	240,168.96	294,774.59
Litigation	0.00	31,438.79
Computer Equipment	68,862.54	32,386.26
Functions	10,759.56	42,986.47
Returned to Funder	90,350.86	
TOTAL EXPENDITURE	5,869,277.61	6,208,850.39
CLOSING BALANCE YEAR	2,608,419.00	212,359.15
Surplus carried forward from previous year	2,055,367.56	2,267,726.71
Prior Year Adjustment	128 480.04	
NET CLOSING BALANCE	4,792,266.60	2,055,367.56

CHAPTER 8: STAFF ACTIVITIES

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- De Visser, Jaap.** *Developmental local government: A case study of South Africa*. Antwerp: Intersentia, 2005.
- Gallinetti, Jacqui.** Accessing the child's voice: Methods used in South Africa. In *Researching Conflict in Africa: Insights and Experiences* by E Porter, G Robinson, M Smyth, A Schnabel and E Osaghae (eds).Tokyo: United Nations University Press, 2005, pp 110-123.
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- Steytler, Nico.** The powers of local government in decentralized systems of government: Managing the curse of common competencies. 38(2) (2005) *Comparative and International Law Journal of Southern Africa*, pp 271-284.
- Steytler, Nico.** Socio-economic rights and the process of privatising basic municipal services. 8(2) (2004) *Law, Democracy and Development*, pp 67-87.
- Steytler, Nico.** Republic of South Africa. In *Constitutional Origins, Structure, and Change in Federal Countries* by J Kincaid and A Tarr (eds). Montreal & Kingston: McGill-Queen's University Press, 2005, pp 311-346.
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- Chenwi, Lilian.** The right to have access to adequate housing. Written submission to the joint Ad Hoc Committee on Democracy and Good Political Governance, African Peer Review Mechanism process.
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- Gallinetti, Jacqui with Odongo, Godfrey.** The treatment of children in South African prisons: Report on the applicable domestic and international minimum standards. Research Report for the Civil Society Prison Reform Initiative.
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Gallinetti, Jacqui. Child justice advocacy initiatives in South Africa, Southern and Eastern Africa. Paper presented at the Conference, *No kids behind bars*, Defence for Children International, Palestine, 30 June-2 July.

Kassan, Daksha. How the voice of the child can be adequately heard in family law proceedings. Paper presented at the Conference, *4th World Congress on Family Law and Children's Rights*, Cape Town, 22 March.

Kassan, Daksha. Corporal punishment of children: An overview of recent developments in Africa. Paper presented at the International Conference, *100 Years of Child Protection*, Amsterdam, The Netherlands, 28 November.

Khoza, Sibonile. The obligations of non-state actors in relation to socio-economic rights. Paper presented at the Seminar, *Water delivery in South Africa and The Netherlands: Public or private?*, Utrecht University, Utrecht, Netherlands, 7-8 March.

Khoza, Sibonile. Human resource development for the promotion and protection of the right to adequate food and nutrition. Paper presented at the Nutrition Congress, International Convention Centre, Durban, 22 September.

Khoza, Sibonile. Review of mandatory socio-economic rights report processes. Paper presented at the Colloquium, *Good Governance and the Constitution*, North West University, Potchefstroom, 2 – 3 November.

Mbazira, Christopher. The legal implications of privatisation of water services on the enjoyment of the right of access to water. Paper presented at a Seminar, *Water Delivery in South Africa and the Netherlands: Public or Private*, Utrecht University, Utrecht, The Netherlands, 7- 8 March.

Mbazira, Christopher. Democracy and institutional competence concern in the enforcement of socio-economic rights. Paper presented at Rulci Colloquium, University of Cape Town, Cape Town, 20 – 21 October.

Muntingh, Lukas. Alternative sentencing in Africa. Paper presented at the International Human Rights Academy, a joint project of the University of Western Cape, the University of Ghent, Utrecht University and the International Federation of Health and Human Rights Organisations (IFHHRO), Cape Town, October.

Muntingh, Lukas. The scope of prison overcrowding in South Africa. Paper presented at the Conference, *Strategies to Address Prison Overcrowding in South Africa*, organised by the South African Department of Justice and Constitutional Development, the Justice College and NICRO, Pretoria Country Club, Pretoria, 14-16 September.

Odongo, Godfrey. The South African Child Justice Bill and its proposals in relation to the imprisonment of children. Paper presented at the Conference, *Strategies to Address Prison Overcrowding in South Africa*, organised by the South African Department of Justice and Constitutional Development, the Justice College and NICRO, Pretoria Country Club, Pretoria, 14-16 September.

Sloth-Nielsen, Julia. Let not the sins of the fathers (and their uncles and brothers and tjommiies...). Paper presented at the Conference, *4th World Congress on Family Law and Children's Rights*, Cape Town, 22 March.

Sloth-Nielsen, Julia. Exploring the interface between child protection and ILO Convention 182. Paper presented at the International Conference, *100 Years of Child Protection*, Amsterdam, The Netherlands, 28 November.

Sloth-Nielsen, Julia. Minimum and mandatory sentences. Paper presented at the Conference, *Strategies to Address Prison Overcrowding in South Africa*, organised by the South African Department of Justice and Constitutional Development, the Justice College and NICRO, Pretoria Country Club, Pretoria, 14-16 September.

Sloth-Nielsen, Julia. Born free: Children in prison in Africa. Paper presented at the symposium *Prisons in Africa*, Faculty of Law, UWC, October.

Steytler, Nico. South Africa: local government's relations with the national government. Paper presented at the research seminar, *Institute of Intergovernmental Relations*, Queen's University, Toronto, Canada, 14 October.

Steytler, Nico. Judicial neutrality in the face of ineptitude: The Constitutional Court and multi-level government in South Africa. Paper presented at IACFS Conference, Menaggio, Italy, 9 October.

Other presentations, lectures and workshops

Baatjies, Reuben. Presentation at the National Local Government Conference hosted by the Democracy Development Programme & the University of KwaZulu-Natal, Holiday Inn Elangeni Durban, October.

Combrinck, Heléne. Presentation on expert evidence in a rape trial held at a training meeting for regional court prosecutors at Wynberg Magistrates Court. Wynberg, March.

Combrinck, Heléne. Presentation on gender-based violence and HIV/AIDS in the SADC region at Evaluation and Planning Workshop for the Gender Programme, Heinrich Boell Foundation. Johannesburg, April.

Combrinck, Heléne. Presentation on the Domestic Violence Act at training workshops for SAPS members and healthcare workers (with the Gender, Health and Justice Research Group, UCT and Thusanang Advice Centre). Phuthaditjaba, QwaQwa, April.

Combrinck, Heléne. Presentation on firearms and domestic violence at roundtable discussion hosted by Gun Free South Africa and the Commission on Gender Equality. Cape Town, November.

Combrinck, Heléne. Presentation on legal reform as a strategy to address the human rights violations experienced by adult commercial sex workers at a conference held by Sisonke and SWEAT, Gordons Bay, November.

Fessha, Yonatan. Presentation on Comparative approaches to decentralization to the DPLG task team for orientation and planning session for DRC study tour, Department of Provincial and Local Government, Pretoria, December.

Gallinetti, Jacqui. Panelist on Restorative Justice at the ALRAESA (Association of Law Reform Agencies of Eastern and Southern Africa) Conference, Cape Town. March.

Gallinetti, Jacqui. Briefing on Child Justice on Children used by Adults to Commit Crime (CUBAC) to Inter-sectoral Committee. Pretoria, July.

Gallinetti, Jacqui. Presentation on Children used by Adults to Commit Crime (CUBAC) to Gauteng Provincial Workshop, Pretoria, July .

Gallinetti, Jacqui. Presentation on Children used by Adults to Commit Crime (CUBAC) to Western Cape Provincial Workshop. UWC, Bellville, August.

Gallinetti, Jacqui. Presentation on the Legal Provisions relating to Corporal Punishment in Swaziland. Save the Children Swaziland End Corporal Punishment Workshop. Swaziland, September.

Gallinetti, Jacqui with Sloth-Nielsen, Julia. Training on Restorative Justice in The Child Justice Bill and the Children's Bill to Magistrates. Western Cape, Eastern Cape, Kwa Zulu-Natal, Free state, Gauteng, Mpumalanga, Limpopo and North-West Province. September – November.

Gallinetti, Jacqui. Briefing on Child Justice on Children used by Adults to Commit Crime (CUBAC) to Inter-sectoral Committee. Pretoria, October.

Gallinetti, Jacqui. Briefing on Children used by Adults to Commit Crime (CUBAC) to Gauteng Provincial Action Committee. Johannesburg, October.

Gallinetti, Jacqui with Frank, Carol. Training on CUBAC diversion and prevention programmes for service providers and educators. Mitchell's Plain and Pretoria, November.

Gallinetti, Jacqui. Briefing on Children used by Adults to Commit Crime (CUBAC) to Magistrates from Pretoria North. Pretoria, November.

Gallinetti, Jacqui. Hosting and facilitating workshop on the Issue Paper on a new Child Law for the Kingdom of Swaziland. Swaziland, November.

Kassan, Daksha. Panelist on the restorative justice panel at the Association of Law Reform Agencies of Eastern and Southern Africa Conference, Newlands, Cape Town, March.

Kassan, Daksha. Presentation on the Child Justice Bill Monitoring Research project to field researchers who attended a training session on how to monitor the implementation of the Child Justice Bill hosted by the Community Law Centre, UWC, April.

Kassan, Daksha. Presentation on Domestic Corporal Punishment and the Constitution to magistrates attending a training session hosted by Justice College. Pretoria, April.

Kassan, Daksha. Trained field researchers on how to apply research templates at Mitchell's Plain and Khayelitsha magistrates courts in order to gather quantitative data on children who are used by adults to commit crime, UWC, Bellville, May.

Kassan, Daksha. Presentation on the findings of the baseline study in children used by adults to commit crime to study participants, Gauteng, July.

Kassan, Daksha. Presentation on the findings of the baseline study in children used by adults to commit crime to study participants, Western Cape, August.

Kassan, Daksha. Radio interview on the Child Justice Alliance with Bush Radio, Salt River, August.

Kassan, Daksha. Presentation on Domestic Corporal Punishment and the Constitution to magistrates attending a training session hosted by Justice College. East London, September.

Kassan, Daksha. Lecture on corporal punishment of children in LLM module on Children's Rights, UWC, Bellville, September.

Kassan, Daksha. Presentation on the preparation and implementation of the Children Used by Adults to Commit Crime pilot programme to the Western Cape Child Justice Forum, Cape Town, October.

Kassan, Daksha. Presentation on the Children Used by Adults to Commit Crime project to the Mitchell's Plain Community Safety Forum, Mitchell's Plain, November.

Khoza, Sibonile. Presentation on A nationwide challenge: The case of integrated nutrition and human rights training activities in South Africa at the 32 Session of the UN Standing Committee on Nutrition, Brasilia, Brazil, 18 March.

Khoza, Sibonile. Presentation on the implementation of socio-economic rights at the local government level: Practical case studies at the Socio-Economic Rights Training for Local Councillors hosted by HURISA held in Cape Town, 13 April.

Khoza, Sibonile. Lecture on the right to health in international law and under the South African Constitution, presented to the first year students of the Health Sciences Department of the University of Cape Town, Cape Town, 26 April.

Khoza, Sibonile. Lecture on the right to food, presented to LLM module on Socio-Economic Rights, UWC, Bellville, 3 October.

Mbazira, Christopher. Presentation on the realisation of the right to sufficient water: Problems and recommendations to the Department of Water Affairs and Forestry and the Parliamentary Portfolio Committee on Water and Forestry, June.

Mbazira, Christopher, with HURISA. Prepared advocacy statement on the improvement of the NGO Forum preceding the sessions of the African Commission on Human and Peoples' Rights. Statement was presented at the NGO Forum preceding the 37th Session of the African Commission on Human and Peoples' Rights, in Banjul, The Gambia

Mbazira, Christopher. Prepared and submitted an application for Observer Status by the Community Law Centre before the African Commission on Human and Peoples' Rights. Status was granted at the 38th Session of the African Commission on Human and Peoples' Rights, November

Mbazira, Christopher, with the Centre for Human Rights, University of Pretoria and the Human Rights Institute of South Africa. Prepared schedule report to South Africa's periodic report presented to the 38th Session of the African Commission on Human and Peoples' Rights, 24 November.

Muntingh, Lukas. Presentation on offender reintegration, hosted by the Centre for the Study of Violence and Reconciliation, Johannesburg, September.

Muntingh, Lukas. Presentation on alternative sentencing to the Parliamentary Portfolio Committee on Correctional Services, Parliament, Cape Town, November.

Sloth-Nielsen, Julia, with Muntingh, Lukas. Presentation on Prison Overcrowding, Judges of the Eastern Cape Division, Grahamstown, September.

Sloth-Nielsen, Julia. Presentation on the results of the Children used by adults to commit offences study at the intersectoral child justice steering committee meeting on child justice.

Sloth-Nielsen, Julia. Presentation on parental rights and responsibilities at an expert meeting of the Portfolio Committee on Social Development, Parliament, Cape Town.

Sloth-Nielsen, Julia. Chaired a session on prison reform in Africa at the Association of Law reform Agencies of eastern and southern Africa conference, Cape Town, April.

Sloth-Nielsen, Julia. Briefing on Children Used by Adults to Commit Offences, the Western Cape Provincial Dept of Community Safety.

Sloth-Nielsen, Julia. Lectured on the African Charter on Children's Rights, the Optional Protocols to the Convention on the Rights of the Child, the ILO Convention 182, and The Hague Conventions at the International Human Rights Academy, Sea Point.

Sloth-Nielsen, Julia. Chaired session on Children and the criminal justice system at the CSVIR/ISS Conference on 10 years of democracy and the criminal justice system, Pretoria, 7- 8 February.

Steytler, Nico. Patterns of change in municipal-provincial-federal relations, Conference of Institute of Intergovernmental Relations, Queen's University and University of Western Ontario, Toronto, Canada.

Steytler, Nico. Towards cooperative government in KwaZulu-Natal: the Premier's Coordinating Forum, Premier's Coordinating Forum, Pietermaritzburg, KZN.

Steytler, Nico, with Baatjies, Reuben. Submission and presentation on the Intergovernmental Relations Framework Bill of 2005 to Portfolio Committee on Provincial and Local Government, March.

Membership of bodies and other activities

Baatjies, Reuben

Member, Western Cape Provincial Municipal Community Partnership Forum
 Managing Editor, *Local Government Bulletin*

Chenwi, Lilian

Co-editor, *ESR Review* 6(3) and 6(4)
 External Examiner, 2 LLM theses (University of Pretoria)

Combrinck, Heléne

Member, International Association of Prosecutors
 Chairperson of Management Board, Sex Worker Education and Advocacy Taskforce (SWEAT)
 External examiner, University of Cape Town (Women and the Law)

De Visser, Jaap

Member, *European Group of Public Law*
Contributing Editor, *Local Government Bulletin*

Gallinetti, Jacqui

External examiner, Civil Procedure (University of Cape Town)
External examiner, Legal Aid (University of Cape Town)
External examiner, LLM thesis (University of Cape Town)
External examiner, MA thesis (University of the Western Cape)
External examiner, 2 LLM mini theses (University of the Western Cape)
Internal examiner, LLD (University of the Western Cape)
Editor, *Article 40*
Co-editor, *Article 19*
Editorial board member, *Child and Youth Care*, a NACCW journal

Kassan, Daksha

Co-editor, *Article 19*

Kirkby, Coel

Contributing Editor, *Local Government Bulletin*

Khoza, Sibonile

Chairperson, Basic Income Grant Coalition
Editor, *Knowing and claiming your right to food*, a booklet originally written in English, and translated into IsiZulu, Afrikaans and IsiXhosa
Editor, *ESR Review* 6(1), (2), (3) and (4)
Board Member, Rapcan
Board Member, Street Law Inc.

Muntingh, Lukas

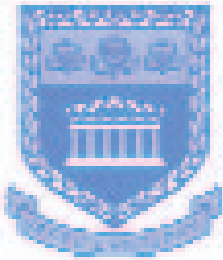
Editor, *CSPRI newsletter*
Editorial board member, *Article 40*
Member of the Advisory Board, Restorative Justice Centre, Pretoria

Sloth-Nielsen, Julia

Member of the Board, Restorative Justice Centre, Pretoria
Member, International Network on Juvenile Justice (Geneva)
Member, the International Society of Family Law
Member of the editorial board, *Article 40*
Member of the editorial board, *Article 19*
Member of the editorial board, *International Journal on Children's Rights*
Member of the editorial board, *Law Democracy and Development*
External examiner, M Soc Sci, LLM theses (University of Cape Town)
External examiner, 2 LLM theses (University of KwaZulu Natal)
External examiner, 2 LLM theses (University of Pretoria)
Supervisor, LLD thesis (University of the Western Cape)
Supervisor, 2 LLM theses (University of the Western Cape)

Steytler, Nico

Member, Municipal Demarcation Board (MDB) and member of the Executive Committee of MDB and Chairperson of the Powers and Functions Committee of MDB
Member, Senior Advisory Committee on the Political Party Finance, National Democratic Institute for International Affairs, Washington DC
Vice-President, International Association of Centres for Federal Studies
Expert Reviewer, Mainstreaming HIV/AIDS Oversight at the Gauteng Legislature, Centre of Human Rights and Centre for Study of AIDS, University of Pretoria
Referee, National Research Foundation
Referee, on publications, Law School, University of the Witwatersrand
Referee, *Publius: The Journal of Federalism*
Co-editor, *Law Democracy and Development*
Editor-in-chief, *Local Government Bulletin*
Contributing editor, *South African Journal of Criminal Justice*
Member, Scientific Committee, *Schriftenreihe Recht und Verfassung in Sudafrika*, Nomos Verlagsgesellschaft
Member, Western Cape Department of Local Government and Housing, Provincial Advisory Group on Project Consolidate
Member, Provincial Working Group on Intergovernmental Relations and Governance, Salga Western Cape
Member, Task Team on Decentralization in Democratic Republic of the Congo, Department of Provincial and Local Government
Member, Reference Group on the Practitioners' Guide to Intergovernmental Relations, Department of Provincial and Local Government
Trustee, Association of University Legal Aid Institutions Trust
Chairperson, University of the Western Cape's Council Appeal Committee of Student Disciplinary Court
Member, Investigation Committee of Council, for staff discipline
Member, Senate Higher Degrees Committee, University of the Western Cape
Chairperson, Faculty of Law Higher Degrees Committee
Member, Advisory Board of the Legal Aid Clinic, University of the Western Cape
Lecturer, LLM module on Democracy, University of Pretoria
External examiner, LLB (University of Namibia)
External examiner, LLD (University of Northwest)
Supervisor, 2 LLD theses (University of the Western Cape)
Co-supervisor, Ph D thesis (University of Cape Town)
Co-supervisor, LLD thesis (University of Pretoria)
Co-supervisor, LLD thesis (University of Utrecht)



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