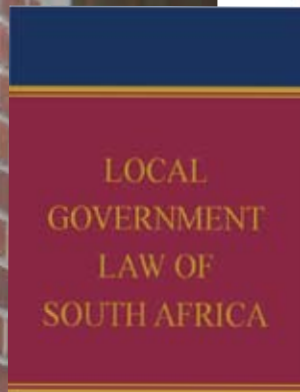


COMMUNITY LAW CENTRE

ANNUAL REPORT 2008



An Assessment of the Impact of HIV/AIDS on Correctional System governance with Special Emphasis on Correctional Services Staff



Steytler
De Visser



Editorial

This is the second issue of the ESR Review for 2009.

Fighting poverty, racism and the entry of the South African government's face. But one of the most significant developments...

The extent to which the South African government has met its constitutional obligation to take steps to address the needs of the poor... has been made a...

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csPRI

CHRIS TAPSCOTT

article 19

Global progress in gaining faith-based support for law reform

Article 40

The Duration of Faith-based Support for the Rights of the Child in South Africa



Article 37 (b)
The State shall be bound to the child's welfare and shall take special care of the child in the exercise of his or her rights...

Minimum sentences legislation for child offenders found unconstitutional

Centre for Child Law v Minister of Justice and Constitutional Development and Others (11234/08 TPB)

On 12 September 2008 the Pretoria High Court heard an application by the Centre for Child Law against the Minister of Justice and Constitutional Development, the Minister of Education and the South African Police Service, challenging the constitutionality of sections 71(1), 71(2), 71(3), 71(4) and 71(5) of the Criminal Law Amendment Act 1997 of 1997 (the "mandatory act"). The Minister of Justice and Constitutional Development and the Minister of Education and the South African Police Service argued that the application was premature.

The court found that the mandatory act was unconstitutional, and that the application was premature. The court also found that the application was premature.



The makings of a metro
MSUNDUZI, WANGANI AND BUFFALO CITY JOIN THE RANKS



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Professor Jaap de Visser (Local Government Project)
Sibonile Khoza (Socio-Economic Rights Project, until February)
Dr Lilian Chenwi (Socio-Economic Rights Project, from March)

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Socio-Economic Rights Project: Sibonile Khoza (co-ordinator until February), Dr Lilian Chenwi (senior researcher, co-ordinator from March), Dr Christopher Mbazira (research fellow), Siyambonga Heleba (researcher), Rebecca Amollo (doctoral intern), Renchia du Plessis (administrator)

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DIRECTOR'S OVERVIEW

A prominent feature of a very successful 2008 was the international profile that the Community Law Centre and its researchers gained through their participation in the activities of international organisations.

The Centre played a major role in bringing the South African jurisprudence and practice on socio-economic rights to the international arena. The Socio-Economic Rights Project made submissions, jointly with the NGO Coalition for an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, to the Open-Ended Working Group dealing with that matter. Through membership of the steering committee of the NGO Coalition, Dr Lilian Chenwi was involved in the process of drafting the Optional Protocol.

The Children's Rights Project attended the 11th and 12th sessions of the African Committee of Experts on the Rights and Welfare of the Child, and, at the 12th session, presented a paper on the best interests of the African child. They also attended the Third International Policy Conference on the African Child.

The Local Government Project provided advice on decentralisation and local government through its participation in the activities of the Department of Provincial and Local Government (in relation to the Democratic Republic of Congo), the World Bank, the Commonwealth Local Government Forum and the Forum of Federations.

The Centre's participation in the African Commission on Human and People's Rights' 43rd and 44th Ordinary Sessions led to a request from the Commission for the conclusion of a formal cooperation agreement under which the Centre will contribute to the Commission's research activities.

The international demand for the skills of the Centre flows from the long, sustained and productive role the Centre has been playing in law reform in South Africa. This is best illustrated by the passing of the Child Justice Bill, a law reform project that

Trudi Fortuin, Nico Steytler and Heléne Combrinck





has been the focus of the Children's Rights Project since its inception 18 years ago. It is no coincidence that the passing of the law coincided with the tenth year of *Article 40*, a journal that popularises and advocates the new concept of child justice, and the production of two books by Julia Sloth-Nielsen, a fellow of the Centre, with chapters contributed by Project staff and a doctoral intern.

Having established itself over the past decade as one of the foremost research institutions in South Africa on human rights and democracy, the Centre was also gratified to be nominated in 2008 by the South African Department of Foreign Affairs for the international UNESCO/Bilbao Prize for the Promotion of a Culture of Human Rights.

The role that the Centre plays both internationally and domestically is the product of its excellence in research. This was underscored by the awarding of two doctorates: one in March, to Jacqui Gallinetti, the co-ordinator of the Children's Rights Project, on the use of children in the commission of crimes as the worst form of child labour, and the other in September, to Yonatan Fessha, a doctoral intern, on the accommodation of ethnicity in the Ethiopian and South African constitutions. The number of peer-reviewed publications by staff has also increased significantly.

Staff

The Centre bade farewell to Sibonile Khoza, the coordinator of the Socio-Economic Rights Project, who was appointed to a senior position in the Office of the Premier of the Western Cape. Dr Lilian Chenwi was appointed project co-ordinator in his place. Reuben Baatjies, a researcher in the Local Government Project, also joined the Western Cape Premier's Office. The Centre received two doctoral interns: Rebecca Amollo from Uganda and Douglas Singiza from Uganda. The Centre was most fortunate to have Professor Kader Asmal accept a position as a research fellow of the Centre. Dr Christopher Mbazira from Makerere University, Uganda, was also appointed as a research fellow.

The Centre celebrated the long service of two stalwarts: Heléne Combrinck, coordinator of the Gender Project, with ten years of research excellence, and Trudi Fortuin, the office manager, with ten years of outstanding service to the Centre.

Fifth Dullah Omar Memorial Lecture

The Fifth Dullah Omar Memorial Lecture was delivered by the Chancellor of the University of the Western Cape, Archbishop Emeritus Desmond Tutu, on 27 March. The Archbishop gave a most challenging lecture on the state of democracy in South Africa. It enjoyed wide media coverage and the speech was published in the journal *Law Democracy and Development*.



Finances

The Centre had a very successful financial year in 2008. It raised R10.6 million, an increase of 17 percent over 2007's funds. A third of the income was derived from tenders, consultations and other service-related activities, indicating a range of sources of income. This safeguards the long-term sustainability of the Centre. The expenditure of the Centre was ten percent higher than the previous year. The Centre continues to maintain sound financial management. Apart from the overall audit of the university's books, three quarters of the Centre's donor agreements were externally audited and all received unqualified audits. 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 received from the University in the form of office space, utilities, information and communications technology assistance, and human and financial management services is also gratefully acknowledged.

Annual report

This report highlights the Centre's main activities and research products for 2008. For a full report on all the Centre's activities, please visit our website: <http://www.communitylawcentre.org.za/Publications/annual-reports>

RESEARCH

In-depth and cutting-edge research is the basis of the Centre's activities, since it informs and guides our outreach programmes.

This year marked a concerted effort by the **Children's Rights Project** around advocacy in relation to the Child Justice Bill and preparing for the implementation of the Children's Act, 2005. Jacqui Gallinetti and Julia Sloth-Nielsen provided commentary on selected chapters of the Children's Amendment Act, 2007, for the second edition of *A Commentary on the Children's Act*. The Project also contributed to a chapter on children in the forthcoming *Commentary on the Sexual Offences Act*. Furthermore, Sloth-Nielsen provided a detailed comparison of the different reporting procedures in the Sexual Offences Act and Children's Act, highlighting overlaps and inconsistencies in a way that provides clarity in a somewhat problematic cross-cutting area of the law.

Sloth-Nielsen and Benyam Mezmur have also produced a wealth of critical thought on issues relating to children's rights from the African perspective.

Their work includes articles on the work of the African Committee of Experts on the Rights and Welfare of the Child, as well as commenting on the African Charter on the Rights and Welfare of the Child.

Research by the **Civil Society Prison Reform Initiative (CSPRI)** focused on the areas of HIV and AIDS in the prison system, the prevention and combating of torture, the African human rights framework, offender reintegration, sentencing reform, violence and sexual violence in prisons, and the prevention and combating of corruption. Research was also undertaken on alternative sentencing under the African human rights instruments, as well as recent developments in case law from other African countries. The research culminated in a number of publications, including a plain language guide to the UN Convention against Torture in South Africa. The research has confirmed the important role that civil society has to play in ensuring that South Africa complies with its obligations under the UN Convention against Torture.

An estimated 5 000 sentenced prisoners are released from South Africa's prisons every month. Research was undertaken to track a Cape Town-based sample of prisoners from before their release to after, to investigate and record their experiences. Lukas Muntingh also completed research on the potential impact of the Sexual Offences Act, 2007, on prisoners as well as the obligations created for the Department of Correctional Services. CSPRI and the Institute for Security Studies are cooperating on two research projects, one relating to repeat violent offending and the other to the review of the criminal justice system undertaken by the Department of Justice and Constitutional Development. A joint project between CSPRI and the Centre for the Study of Violence and Reconciliation has also commenced and is aimed at gaining a better understanding of prison violence.

The **Socio-Economic Rights Project** conducted research on several topics, including housing rights and evictions, the housing rights of women experiencing gender-based violence, public participation in service delivery, the socio-economic rights obligations of local government, the health rights of women experiencing HIV/AIDS, social security and the enforcement of court orders.

This research has produced seven research papers: five have been accepted or submitted for publication in peer-reviewed journals and two have been published in research series. One research series paper is entitled, *You Are the 'Weakest Link' in Realising Socio-Economic Rights: Goodbye – Strategies for Effective Implemen-*



tation of Court Orders in South Africa (Research Series 3). The other is entitled *Pertinent Social Security Issues in South Africa* (Research Series 4).

The **Gender Project** conducted research on whether existing training programmes provide police officials with the knowledge and skills to apply the Domestic Violence Act, 1998, in practice. This research consisted of in-depth interviews with police officials and station commissioners at 20 police stations in the Western Cape, as well as with members of oversight bodies, including the Independent Complaints Directorate and the provincial Department of Community Safety.

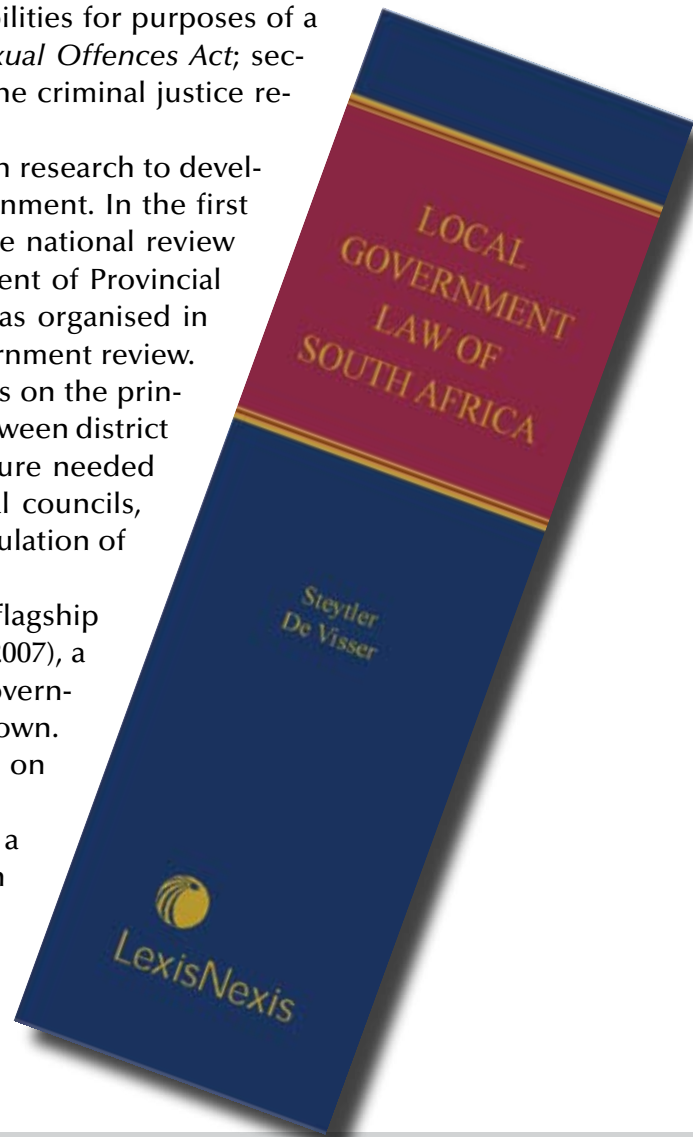
The Project continued its research on the role of firearms in domestic violence. It commenced with the final part of the fieldwork, which aims to investigate the role of the police in determining whether a perpetrator of domestic violence should be declared unfit to possess a firearm.

The Project also conducted research on different aspects of violence against women with disabilities. Firstly, Heléne Combrinck examined sexual assault against persons with intellectual disabilities for purposes of a chapter in the forthcoming *Commentary on the Sexual Offences Act*; secondly, the Project carried out exploratory work on the criminal justice response to violence against women with disabilities.

The **Local Government Project** has been involved in research to develop solutions to institutional problems in local government. In the first half of 2008, the Project engaged intensively with the national review of provincial and local government by the Department of Provincial and Local Government. A roundtable conference was organised in March to discuss the major themes of the local government review. In that context, the Project produced research papers on the principle of subsidiarity in local government, conflicts between district and local municipalities, the financing of infrastructure needed for basic services, accountability tools for municipal councils, property rates policies and the effects of the overregulation of local government.

In May the Project formally launched another flagship publication, *Local Government Law of South Africa* (2007), a loose-leaf textbook analysing and critiquing local government legislation, at the Centre for the Book in Cape Town. Chief Justice Pius Langa's address for the launch was on the constitutionalisation of local government.

Nico Steytler and Jaap de Visser also contributed a chapter on local government, which was published in *Constitutional Law of South Africa*.



COMMISSIONED RESEARCH

Because of its reputation for high-quality research, the Centre is frequently commissioned to undertake applied research for government departments and non-governmental bodies.

The **Children's Rights Project** was again requested by Save the Children Swaziland to assist them in their child law reform efforts. The Project also produced a manual on the Children's Act, 2005, the Children's Amendment Act, 2007, and regulations for the Western Cape Department of Social Development.



*Staff of Save the Children,
Swaziland*

and responsive administration. The Project also provided research reports on the management of the Cango Caves and the identification of essential municipal by-laws and policies for the Western Cape Department of Local Government and Housing, and drafted a Privileges and Immunities of Councillors Bill.

The **Civil Society Prison Reform Initiative (CSPRI)** is managing, on behalf of the University of the Western Cape, a three-year project to monitor the implementation of the Correctional Services Act, 1998. CSPRI was also commissioned by the CSIR to conduct research on the role of the police in offender reintegration, as part of a larger project on community safety in the Western Cape.

The **Local Government Project** conducted research, commissioned by the South African Local Government Association (Salga) and the German Development Agency (GTZ), on the reasons for the failure of many South African municipalities to establish and maintain transparent, accountable

INFORMING PUBLIC DEBATE ON LAW REFORM

On a number of occasions, parliamentary committees requested the Centre's comments on draft legislation. In addition, the Centre's projects made submissions to international human rights bodies.

This year saw the culmination of over a decade of work by the **Children's Rights Project** on the finalisation of the Child Justice Bill. The Project, in its capacity as co-ordinator of the Child Justice Alliance, arranged civil society participation in the public hearings in February 2008. It played a central role in presenting civil society's position on each provision in the Bill during the parliamentary deliberations.



The **Civil Society Prison Reform Initiative (CSPRI)** presented two papers at the Commonwealth Secretariat conference in Gaborone, Botswana, on Alternative Sentencing in Small Commonwealth Jurisdictions in the Southern Africa Region. The use of non-custodial sentencing options in Africa remains fraught with challenges and it is believed that the Commonwealth can play a significant role in promoting the use of these options.

CSPRI maintained a productive working relationship with Parliament, specifically the Portfolio Committee on Correctional Services, the Portfolio Committee on Justice and Constitutional Development and the Portfolio Committee on Social Development. A number of written and oral submissions were made to these committees on subjects including the Correctional Services Budget Vote, deaths in custody, medical parole, the annual report of the Department of Correctional Services and the Child Justice Bill. CSPRI paid particular attention to sentencing and the monitoring of children in custody, as proposed under the UN Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the Optional Protocol to CAT. Other submissions focused on South Africa's obligations under CAT and its Optional Protocol, audio-visual links between courts and prisons for the purpose of trial postponements and the expungement of criminal records. Furthermore, CSPRI made a written submission on the Prevention of and Treatment for Substance Abuse Bill, 2008, and focused on the prevention of torture and ill-treatment in drug rehabilitation centres.



The **Gender Project**, together with the Saartjie Baartman Legal Advice and Training Project, made a submission on the Review of the South African Criminal Justice System to the Portfolio Committee on Justice and Constitutional Development and the Portfolio Committee on Safety and Security. The submission focused on the need for the '7-Point Plan', which forms the basis of the Review, to take gender-based offences into consideration.



SAARTJIE BAARTMAN
CENTRE FOR WOMEN AND CHILDREN

The Gender Project (with the Saartjie Baartman Centre) developed three information posters on the need to improve the criminal justice response to violence against women with disabilities. The posters formed part of the 'Sixteen Days of Activism on Gender-Based Violence' Campaign and were distributed to partner organisations nationally.

The **Local Government Project** made submissions on the Land Use Management Bill, 2008, and on the draft Single Public Service Bill. Furthermore, the Project submitted its views on the Western Cape Liquor Bill to the Western Cape Provincial Parliament and on the Child Care Regulations to the Department of Social Development.

The **Socio-Economic Rights Project** made a submission to the City of Cape Town on the implementation of the Hostels to Homes Project in the area of Guguletu. The Project also wrote letters to the Minister of Justice and Constitutional Development, the Minister of Foreign Affairs and the South African Permanent Mission in Geneva on the drafting process of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR). Together with other organisations, it also submitted a joint appeal letter to states to ensure the finalisation and adoption of the OP-ICESCR.

EDUCATION, TRAINING & INFORMATION SHARING

One of the Centre's core activities is to disseminate its expertise and research results to the community at large 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, which included 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 Pretoria, Makerere, Ghana, Cameroon and Eduardo Mondlane universities in presenting the LLM in Human Rights and Democratisation in Africa for students from across the continent. In the second semester, it hosted six students who were attending the LLM courses offered by the University of the Western Cape and completed their dissertations with the Centre.

Popular publications

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

Article 40

This publication, which has been dedicated to child justice issues since 1999, marked its tenth year in 2008. The 3 500 copies of each edition were distributed widely, both within South Africa and abroad.



Article 19

The Children's Rights Project also produced two issues of *Article 19*, a popular journal dedicated to disseminating diverse and relevant information advocating a prohibition on corporal punishment. Three thousand copies of each issue were distributed.

CSPRI 30 Days/Dae/Izinsuku and CSPRI Newsletter

During 2008, 11 issues of *CSPRI 30 Days/Dae/Izinsuku* were published electronically. This monthly summary of media reporting on prison-related matters in Africa has proven an invaluable source for tracking events and trends in reporting on prison issues. Five issues of the *CSPRI Newsletter* were published. Both newsletters were circulated to more than 1 000 subscribers.

ESR Review

The Socio-Economic Rights Project produced four issues of the *ESR Review*, with 2 500 copies per issue distributed both nationally and internationally.

Local Government Bulletin

This highly successful publication celebrated its tenth anniversary in 2008 with five issues, each of which was eagerly read by local government practitioners across the country. The number of pages per issue was increased from 20 to 28. The *Bulletin* has a print-run of 11 000 copies and over 60 per cent of municipalities are paid-up subscribers.

Other popular publications

The Socio-Economic Rights Project produced four popular publications. The first was *Evictions in South Africa: Relevant International and National Standards*, which provides useful and accessible information on the substantive and procedural standards in international and national law relating to evictions. The second was the updated edition of the booklet *Knowing and Claiming Your Right to Food*, which has updated information on what the 'right to food' means. The booklet is available in four languages – English, Afrikaans, IsiXhosa and IsiZulu – and has been distributed widely. The third, *You Are the 'Weakest Link' in Realising Socio-Economic Rights: Goodbye – Strategies for Effective Implementation of Court Orders in South Africa*, was published as Socio-Economic Rights Project Research Series 3. The fourth, *Pertinent Social Security Issues in South Africa*, was published as Socio-Economic Rights Project Research Series 4.



Workshops and training programmes



The **Children's Rights Project** was involved in two important training initiatives in relation to the Children's Act, 2005. First, the Western Cape Department of Social Development contracted the University of the Western Cape to train social workers across the province. The Project accordingly assisted in eight three-day training workshops at various venues in the Western Cape, and more than 400 social workers have been trained on the legislation so far. The Project is also developing a 200-page training manual on the new legislation for the Western Cape Department of Social Development. In addition the Project is developing training materials on the Children's Act, Children's Amendment Act and its Regulations for the national Department of Social Development. The Project was contracted to undertake the development of these materials in 2008 and the first phase has been completed.

The **Civil Society Prison Reform Initiative** held training workshops with civil society organisations in Polokwane, Witbank and Klerksdorp. The workshops, which focused on prisoners' rights, parole, the prevention of torture and dealing with prison corruption, engaged about 60 participants from civil society.

In partnership with the Saartjie Baartman Centre, the **Gender Project** presented workshops in Cape Town and Hermanus on violence against women with disabilities, as part of the 'Sixteen Days of Activism on Gender-Based Violence' Campaign. It also hosted a workshop on the implementation of the Sexual Offences Act, 2007, in relation to persons with intellectual disabilities, in partnership with the UWC Legal Aid Clinic.

The **Local Government Project** conducted a series of training sessions with officials of the Western Cape Department of Local Government and Housing, as well as a two-day training workshop with municipal officials from the province.

The **Socio-Economic Rights Project** hosted two seminars and a conference. A seminar on rights, legal empowerment and poverty reduction was held in June, a conference on public participation in service delivery as a means of strengthening the realisation of socio-economic rights followed in July, while a seminar on critical socio-economic rights issues, focusing on the right of access to food, social security and the enforcement of court orders was also held in July.

In February the **Gender Project** and the **Socio-Economic Rights Project** organised an introductory meeting of the Western Cape Transitional and Special Needs Housing Forum, together with the Shelter Focus Group (Western Cape) and ACG architects.

OTHER ACTIVITIES

Amicus curiae litigation

The Socio-Economic Rights Project continues to contribute to the development of jurisprudence on socio-economic rights that is responsive to the needs of the poor and marginalised groups in South Africa. Together with the Centre on Housing Rights and Evictions, the Project intervened as *amicus curiae* in the case of *Various Occupants v Thubelisha Homes and Others* Case No CCT 22/08. This case concerns the eviction of residents of Joe Slovo, one of Cape Town's biggest informal settlements, to make way for formal housing as part of a government project. The eviction order of the Cape High Court was appealed directly to the Constitutional Court. The case was heard by the Constitutional Court in August and the Court is still to hand down its judgment.

International assistance and collaboration

As noted in the introduction, Julia Sloth-Nielsen and Benyam Mezmur attended the 11th and 12th sessions of the African Committee of Experts on the Rights and Welfare of the Child, and, at the 12th session, presented a paper on the best interests of the African child. Moreover, they drafted a paper on the Right of the Child to Education in Emergency Situations for the United Nations Committee on the Rights of the Child's Day of General Discussion. The Project was also invited by UNICEF to attend the consultation of legal experts in Bern, Switzerland, in preparation for the Third World Congress against Sexual Exploitation of Children, and to make a presentation on Promoting Cross-Departmental Cooperation and Allocation of Resources for National Law Reform and Implementation.

*The amicus team at the
Constitutional Court*



In cooperation with the Judicial Inspectorate of Prisons and the US-based organisation Stop Prisoner Rape, CSPRI presented and participated at a workshop hosted by Stop Prisoner Rape in April. Three months later CSPRI presented and facilitated a session on prisoners' rights at a training workshop for officials of the Department of Correctional Services. The workshop, hosted by Stop Prisoner Rape, focussed on preventing sexual violence in prisons.

In December CSPRI formed part of an International Bar Association delegation hosted by the British High Commission to Cameroon to carry out a scoping study on torture and investigate prison conditions in that country.

Nico Steytler was the theme editor of *Local Government and Metropolitan Regions in Federal Systems*, the sixth volume in the Global Dialogue on Federalism series, a leading international series sponsored by the Forum of Federations and the International Association of Centers of Federal Studies. Steytler is also a member of the editorial advisory committee of the Global Dialogue on Federalism. In addition, he has been asked to serve on the committee of experts to advise the Forum of Federations and the Ethiopian government on the next International Conference on Federalism to be held in Addis Abeba in 2010. He also participated as an expert in a World Bank and Swiss Government seminar for the Constitution Reform Committee of the Iraqi Parliament on second houses of parliament.

Jaap de Visser was commissioned by the World Bank's Independent Evaluation Group as an external expert for a conference on public sector reform in Africa.

The Socio-Economic Rights Project continued to be actively involved in the process of drafting the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR), through Lilian Chenwi's membership of the steering committee of the NGO Coalition for an OP-ICESCR. Chenwi attended the African Regional Meeting on an OP-ICESCR organised by the government of Egypt, together with the United Nations Office of the High Commissioner for Human Rights, held in Cairo in January. She also participated in the Third Committee of the 63rd Session of the General Assembly held at the United Nations Headquarters in New York in November, during which the report of the Human Rights Council, including the OP-ICESCR, was considered. Chenwi also participated in the Fifth Session of the Open-Ended Working Group on an OP-ICESCR held in Geneva in February, March and April, making oral presentations on various provisions of the then draft optional protocol. Together with the other organisations forming the NGO Coalition, the Project also made a written submission. The OP-ICESCR work has been successful, as the United Nations General Assembly adopted the Optional Protocol by consensus in December.

The Project became a member of the International Network for Economic, Social and Cultural Rights (ESCR-Net). It participated in an international strategy meeting on economic, social and cultural rights and an ESCR-Net General Assembly meeting held in Nairobi in December, represented by Lilian Chenwi, who made a presentation on the OP-ICESCR, the next steps and future challenges.

International NGO Coalition members with the chairperson of the Open-Ended Working Group on an OP-ICESCR



INCOME & EXPENDITURE STATEMENT

	2008	2007
INCOME		
Funders	6 872 331.78	6 274 344.22
Consultancies	3 227 088.72	2 203 186.47
Other	531 637.51	575 318.91
TOTAL INCOME	10 631 058.01	9 052 849.60
EXPENDITURE		
Advertising	17 456.07	0.00
Audit Fees	77 533.67	45 140.00
Bank Charges	1 686.22	2 022.83
Computer Equipment	147 941.66	40 245.87
Conferences, Seminars & Workshops	325 628.91	113 390.46
Consultation Fees	1 524 788.25	1 214 593.82
Equipment	0.00	49 144.54
Functions & Catering	90 388.99	96 227.87
Litigation	0.00	70 256.94
Partner Activities	80 747.72	256 782.20
Photocopying & Postage	294 572.71	283 726.58
Post-Graduate Bursaries	313 565.55	231 642.00
Publications	1 128 903.80	1 014 595.38
Research	85 113.95	207 500.00
Returned to Funder	217 882.90	190 384.05
Salaries	3 816 751.91	3 971 426.73
Staff Development	64 658.46	38 935.21
Stationery	153 913.17	119 893.41
Subscriptions & Books	184 158.31	61 170.46
Telephone	62 260.81	63 053.10
Travelling	1 146 605.09	948 329.50
Website	36 421.00	36 788.72
TOTAL EXPENDITURE	9 770 979.15	9 055 249.67
CLOSING BALANCE FOR YEAR	860 078.86	-2 400.07
Surplus carried forward from previous year	4 917 869.38	4 953 769.47
Prior Year Adjustment	201 222.89	-33 500.02
NET CLOSING BALANCE 2008	5 979 171.13	4 917 869.38

FUNDERS

Core funding and project activities: Ford Foundation
Children's Rights Project: Open Society Foundation of SA (Child Justice Alliance and Article 40); Save the Children Sweden (Article 19 and Corporal Punishment Advocacy); National Department of Social Development (training materials).
CSPRI: Open Society Foundation of SA and Rockefeller Brothers Foundation
Gender Project: Open Society Foundation of SA (Training for SAPS members on the Domestic Violence Act)
Local Government Project: Austrian Development Cooperation, MOTT Foundation and Conference, Workshop and Cultural Initiative (CWCI) Fund
Socio-Economic Rights Project: Nowegian Centre for Human Rights, University of Oslo (Implementing socio-economic rights in SA)
Joint projects (Local Government and Socio-Economic Rights projects): Dutch Interchurch Organisation for Development Cooperation (ICCO) (Local government and access to basic services)
Dullah Omar Memorial Lecture: Webber Wentzel, incorporating Mallinicks

BOOKS, CHAPTERS IN BOOKS & ARTICLES

Books

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Mission statement

The Community Law 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:

- 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.

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 as *amicus curiae*.

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 issues. The Documentation Centre also holds a substantial collection of books on international law and international human rights law. 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.

