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Ref: NMMU Excellence in Engagement Awards

Contact person: Prof Hennie van As

To whom it may concern,

Attached is the application by the NMMU Centre for Law in Action for the NMMU Excellence in Engagement Awards.

I hope all is in order, and if you have any queries, do not hesitate to contact me.

Kind regards,

HJ van As

Director: Centre for Law in Action

Faculty of Law

NMMU Excellence Award

The Centre for Law in Action (CLA) Application

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ABBREVIATIONS

- CAJ-Centre for Access to Justice
- EHP-Environmental Health Practitioner
- HSF-Hanns Seidel Foundation
- HPCSA-Health Professions Council of South Africa
- LEPO- Law Enforcement for Peace Officers
- NMMUCLA/ CLA-Nelson Mandela Metropolitan University Centre for Law in Action
- NMMURRC/ RRC-Nelson Mandela Metropolitan University Refugee Rights Centre
- PCRD-Project for Conflict Resolution and Development
- SLP- Short Learning Programme
- UFD-Unit for Development

1. INTRODUCTION TO THE CENTRE FOR LAW IN ACTION

The NMMU CLA operates as a branch of the Faculty of Law that seeks to assist the faculty in fulfilling its mandated duties of community engagement and developing entrepreneurship. In line with this mandate, the CLA's main aim is to providing legal training and services to both government (at all its spheres) as well as the community at large.

The Centre has been in operation since 2002 and has increased its footprint from having a provincial (Eastern Cape) impact to covering 7 provinces and establishing an international presence (mainly in the fields of law enforcement and access to justice).

Primary Aim

The primary aim of CLA is to improve the levels of service delivery by the different spheres of government through the effective implementation of existing legislation and to increase access to justice for the less fortunate sections of society through:

Specific Objectives

- The improvement of the skills and capacity of those who are involved in public affairs, and who can make a contribution towards improving service delivery and public safety;
- Assisting public authorities to implement and enforce legislation to effectively manage public problems and issues;
- Assisting communities to improve their quality of life through creating access to legal resources;
- Improvement of local government, by increasing the effectiveness of councillors and officials.

The CLA operates as a number of structures that seek to fulfil various targets within its directive. The main structures that will be discussed in this application are the Law Clinic, the Unit for Development and the Refugee Rights Centre.

This application shall discuss the three major areas where the CLA is strongest in its engagement with its various stakeholders, and conclude with reasons why the CLA's work is worthy of commendation.

2. KEY AREAS OF ENGAGEMENT EXCELLENCE

As outlined in the introduction, the CLA focuses on three major engagement areas in its mandate and approach, as well as its successes. These shall be discussed in detail in the proceeding paragraphs.

2.1 Community Service and Outreach

The various structures within the CLA are all strongly lead by the principle of *Ubuntu*. As such, the CLA constantly seeks to offer its services in order to empower the community in which it finds itself in, at all levels of society.

One indicator of this is the CLAs initiative towards giving meaning to the NMMU value of creating sustainability in terms of the environment. The CLA has done this by training Forest and Fire Protection Officers who have been earmarked to be peace officers using its LEPO programme. This then qualifies them to be peace officers with the power to enforce the provisions of pro-environmental legislation such as the National Forest Act and the National Veldt and Forest Fires Act. Since 2013, this training has reached over 150 individuals from four different areas.



1 LEPO Workshop PM

The Centre also customised the LEPO programme for Senior EHPs from the City of Cape Town. The CLA believes that these initiatives will not only serve to protect the environment, but will empower the communities that the trainees hail from to give effect and protection to other environmental initiatives within

their communities.

In 2014 the Centre developed a proposal for the establishment of a sea fisheries law enforcement academy and is supported by the Directorate: Fisheries and the Norwegian Department of Trade, Industry and Fisheries. External funding is currently being sought.

The Centre developed the first (and only) course on the Investigation of Municipal Health offences. This was in response to an article in the National Health Act becoming operative.

This SLP is of great value to municipal health practitioners and to this effect, 52 Environmental Health Practitioners from Cape Winelands District Municipality attended the course in Worcester during 2014.

Another clear example of the CLA's community work is the work done by the Centre for Access to Justice (which consists of the RRC and the Law Clinic) and the Unit for Sustainable Development. It must be noted that both the Law Clinic and the RRC work on a *pro bono* basis, requesting no fee from the community members whom they assist

2. 1. 1 The Centre for Access to Justice

2. 1. 1. 1 NMMU RRC

Since its inception, the Refugee Rights Centre (RRC) has worked to protect the rights of refugees and migrants, as these individuals form an essential part in the growth and development of the country, as well as bringing greater diversity to it. The numbers of individuals that have been assisted by the RRC has been growing exponentially with each year. In 2014 alone, the RRC saw 1 438 clients, coming from over twenty different countries. These individuals and their families sought the legal aid offered at the RRC for a wide variety of reasons: from issues related to service delivery, to litigating for the rights of refugees in the courts of law. One of the greatest successes of the RRC in this regard was a court decision handed down in the Port Elizabeth High Court on World Refugee Day (20 June 2013) in favour of the RRC. This decision supported the RRC's stance that the closure of the Port Elizabeth Refugee Reception Office by the Department of Home Affairs was unlawful, as it infringed on the rights of asylum seekers and refugees. The department seeks to challenge this decision in the Supreme Court of Appeal, and the RRC fully intends to follow through with it in its attempt to uphold the best interests of the refugees and asylum seekers that it seeks to protect. The matter is set down for final determination in the Supreme Court of Appeal on 16 February 2015.

In its work to empower migrants and the communities that these migrants live in, the RRC has collaborated with a large number of internal and external stakeholders. These range from non-governmental organisations (like the Project for Conflict Resolution and Development), community-based organisations (like the Somali Association of South Africa), government departments (like the Department of Home Affairs and Department of Social Development), to the university students who assist at the centre. Overall, this ensures that the efforts to benefit migrants within the community influence a wide collection of individuals and groups.

The RRC has sought to assist communities through a number of ways such as:

- Sensitising public service providers who interact with migrants as to the rights of migrants, the issues that migrants face, and best practice approaches in light of the aforementioned factors;
- Distributing legal information to civil society organisations that relates to migrant workers;
- Training refugee community groups about the legal issues surrounding gender affairs;
- Creating and disseminating materials that explain immigration law to the public, including producing some of the materials in the languages spoken by some of the migrant groups.

These efforts of the RRC have been highly lauded by both its internal and external stakeholders, as is exemplified by the letter of commendation given by the United Nations (attached as Appendix 1). Furthermore, much more commendation has been given to the RRC through its partners be they government, or nongovernmental organisations (See Appendix 2 for letter of commendation from the Project for Conflict Resolution and Development).

2. 1. 1. 2 The Law Clinic

The Law Clinic operates on a similar basis as the RRC, with the exception that its main aim is to furnish legal services to the indigent members of the community, thereby increasing access to justice for all.

The Law Clinic is one of the CLA's most effective tools for reaching the community (and fulfilling the vision and mission of the university) because of the mutually interdependent relationship it creates: a diverse range of people come to the clinic seeking legal advice (which they duly receive), whilst (in turn) the legal practitioners at the clinic, and students who assist them, are exposed to this diversity of culture and experiences.. This, it is submitted, helps to promote the spirit of *Ubuntu*.

The following statistics indicate the extent to which access to justice has been facilitated through the Law Clinic:

- The Law Clinic provided legal advice and assistance to 2 990 impecunious individuals on a variety of civil matters;
- 438 Court appearances were made;
- 688 Files were opened in 2014.

The pro-bono legal services and trainings offered by the clinic extend beyond merely helping communities to address their legal issues, but at times has had an effect that has resulted in a vast change within the community. One of the key ways this is exemplified is through the municipal training workshops that the Law Clinic has carried out, in particular in Cape Agulhas Municipality. Prior to the workshop on the principles of law enforcement, the community had been through a traumatic time due to the rape and murder of a community member.

After the workshop, the municipal leadership expressed their gratitude for the workshop, stating that it empowered them to help their community tackle the issue of violence within their community (see Appendix 3).

The Law Clinic's work is recognised at a national level as is evidenced by the fact that Legal Aid South Africa is in a funding agreement with the CLA to financially support initiatives like the Law Clinic as they increase access to justice for the indigent.

2. 1. 2 Unit for Sustainable Development (USD)

The aim of the USD is to increase sustainability through the delivery of capacity building programmes that are aimed at ensuring that client's staff can perform their functions, or improve on the performance of their functions. During 2014 it shifted its focus to include criminal justice and municipal health.

The Centre was re-accredited by the Health Professionals Council of SA (HPCSA) and the following 3 short learning programmes offer CPD points as follows:

1. Law Enforcement by Peace Officers (LEPO) for EHPs – NQF level 5
CEUs: 18 General and 3 Ethics
2. Criminal Investigation: Investigation of Municipal Health Offences – NQF level 5
CEUs: General 6, Legal, 16, Ethical, 3 Total 25
3. During 2014 a further course namely the Principles of Advanced Law Enforcement for Professional Staff (EHPs) – NQF level 6 was accredited by the HPCSA and offers the following CPD points:
CEUs: General 8, Legal, 5, Ethics, 5 - Total 18.

A total of 246 councillors and/or officials from Local Government: Western Cape attended Councillor training sessions. The relevance of the project to councillor's work, duties and professional knowledge and its impact on the functioning of councils was central to the findings of an independent assessment conducted by HSF as follows:

“From this impact assessment, it was clear that all participating councillors found the programme very valuable, even though they had a variety of educational backgrounds, worked in different areas and had held their positions for various lengths of time. The training was relevant to their work and had or was likely to have a positive impact on their work performance and the functioning of their councils.”

The Centre was contracted by the Eastern Cape Department of Economic Affairs to draft the Eastern Cape Consumer Protection policy and Provincial Act and Regulations. The White Paper on Consumer Protection has been published.

The USD trained over 600 people from the public and private sector during 2014 in short learning programmes such as:

- *“Advanced Law Enforcement for Professional Municipal Staff.”* This course was registered as granting an NQF Level 6 qualification.
- *“Criminal Investigation: Investigation of Municipal Health Offences”* (NQF Level 5).
- *“Consumer Protection Act: Compliance and Implementation”* (NQF Level 5). This course was co-developed and facilitated by lecturers from the NMMU Law Faculty.

Table 1-USD Training Statistics 2014

SLP	No of delegates
Law Enforcement for Peace Officers (LEPO 4&5)	185
Advanced Law Enforcement for Peace Officers/ Building Inspectors (NQF 6)	23
Principles of Advanced Law Enforcement for Professional Municipal Staff (EHP)	10
Criminal Investigation: Investigation of Municipal Health Offences	97
National School of Government formerly PALAMA	67
Contract Management in terms of the Municipal Systems Act and the MFMA	23
Consumer Protection Act	30
HSF: Roles & Responsibilities of Municipal Councillors in terms of the Municipal Finance Management Act	34
HSF: The Law Governing Decisions & Decision-making in Local Government	31
HSF: Oversight in Local Government: Guidelines for Councillors (including Municipal Public Accounting Committees)	83
HSF: Rules of Procedure: Conduct at Meetings of a Municipal Council	29
HSF: Code of Conduct for Councillors: Procedures for Disciplinary Hearings & Investigations	69
Total	681

The USD develops or customises training programmes in terms of needs identified either by the client, or as a result of consultancy work that is undertaken. To this end, during 2014 the following new non-credit bearing SLPS have been registered namely:

- (a) *“Introduction to Local Government Law”* at NQF level 5. The 3 day course will benefit councillors as well as provide entry level officials with:
- An understanding of the status, objectives and place of government within the Constitutional framework, the extent of its powers and functions and its relationship with national and provincial government;
 - An overview of the Municipal Finance Management Act, 2003 (Act No. 56 of 2003);
 - A legal overview of supply chain management to act within the limits of the laws applicable to specific job functions;
 - The necessary skills to detect and prevent corruption and misadministration in public organisation.
- (b) *“Occupational Health Legislation”* at NQF level 5. The 5-day course will benefit delegates who have responsibility to apply occupational hygiene legislation. It will also better equip delegates to apply knowledge and understanding of the Occupational Health and Safety Act and its regulations to the working environment.
- (c) The USD has developed a further twelve credit bearing courses linked to the Higher Certificate in Criminal Justice as listed below:

Name of SLP Core	Credits	NQF level
Law Enforcement by Peace Officers	12	5
Taking of Statements	12	5
Introduction to the Constitution & Bill of Rights	12	5
Introduction to Common Law & Statutory Crimes	12	5
Principles of Criminal Liability	12	5
Introduction to Criminal Investigation	12	5
Name of SLP Elective	Credits	NQF level
Enforcement of Municipal Health Legislation	6	5
Enforcement by Building Inspectors	6	5
Enforcement of by-laws by traffic officials/municipal police	6	5
Enforcement by forestry officers	6	5
Enforcement by SANpark Officials	6	5
Enforcement of marine and coastal legislation	6	5

What is clear from the efforts of the USD is that they are empowering leaders and service providers within the community to offer better services to the public. Furthermore, the training that is provided imparts transferable skills and qualifications on the participants, thereby assisting to further educate people and increase their employability.

It has been stated by a senior official in the Western Cape Provincial Government that they are convinced that the training undertaken of municipal councillors in that province over the past 3 years contributed extensively to the clean audits of all thirty municipalities.

CLA strongly believes that if it is to successfully meet its objectives it must engage and interact with likeminded organisations to ensure greater impact. To this end it has through its various entities has entered into or maintained working relations with:

- INTERPOL (France)
- The Department of Trade, Industry and Fisheries (Norway)
- PescaDOLUS (SA, Norway)
- Black Sash
- Cape Peninsula University of Technology
- Cape Town Refugee Centre
- Central University of Technology;
- Department of Education
- Department of Health
- Hanns Seidel Foundation (Germany)
- Lawyers for Human Rights
- Legal Aid South Africa
- Local Government Sector Education & Training Authority
- National School of Government (NSG) formerly PALAMA
- National Treasury
- North West University
- Private Attorneys
- Project for Conflict Resolution and Development
- Red Cross
- SAPS National Training Directorate
- Safety and Security Sectoral Education and Training Authority
- Somali Association of South Africa
- South African Human Rights Commission
- South African Social Security Agency
- The Department of Justice and Constitutional Development
- The Eastern Cape Department of Economic Development, Environmental Affairs and Tourism
- The Institute of Municipal Administration for South Africa

- The Institute of Municipal and Public Safety of SA
- The South African Local Government Association (SALGA)
- The Western Cape Provincial Training Academy (Kromme Rhee)
- Triple e Training Holdings (Pty) Ltd
- University of Cape Town Law Clinic
- University of Johannesburg;
- University of Stellenbosch
- University of the Western Cape Community Law Centre
- Vaal University of Technology
- Western Cape Department of Local Government

2. 2 Engagement through Teaching and Learning

The CLA is heavily tied in with this aspect of engagement, particularly with the training of future legal practitioners. This is mainly done through the CAJ. The following will outline the work of the CAJ in imparting skills, and facilitating opportunities for staff and student development.

2. 2. 1 Legal Training of Final Year Law Students and Candidate Attorneys

Both the RRC and the Law Clinic take on final year law students as part of the compulsory Legal Practice module. During their tenure at the various centres, the students are required to consult with clients, offer legal advice, and carry out legal research in matters relevant to their clients. However, the CAJ does not only focus on imparting legal skills onto the students, but also seeks to imprint the code of ethics that governs the conduct of those in the legal field. To this end, the CLA staff members supervise the students during their tenure, imparting ethics advice to students as they see each client. Furthermore, a CLA staff member (namely Mr Marc Welgemoed) lectures the final year students in the code of ethics that governs the legal practice.

The Law Clinic is accredited by the Law Society of South Africa to be a site where law graduates may carry out their practice as candidate attorneys. To this end, the Law Clinic has taken on candidate attorneys, particularly those from disadvantaged backgrounds. Again, this programme seeks to open the profession to those who may have not have had the opportunity to gain this mandatory training. This initiative is also funded by Legal Aid South Africa, which permits the Law Clinic to train seven candidate attorneys. Thus far twenty of the Clinic's candidate attorneys were admitted as attorneys between 2007 and 2014.

One of the key features of these programmes (besides the strong focus towards developing sound legal ethics), is the focus on development of communication skills. To this end, the CJA requires that students and candidate attorneys document each matter that they deal with. They must then reflect on this, and present it to the CLA member that is supervising them. They are also required to submit assignments related to practical application of their legal skills. In turn, the CAJ provides the students with guidelines as to how to communicate effectively within the context of the profession.

Overall, the CAJ creates the opportunities for greater access to the legal profession and imparting of skills to the students who form part of the programme.

2. 2. 2 Short Learning Programmes and Workshops

As has been highlighted in 2. 1. 2 above, the CLA provides services that are geared towards equipping stakeholders with legal knowledge. However, not only external stakeholders benefit from the CLA's activities, internal stakeholders benefit from the CLA as well.

Firstly, the RRC forms part of a group of facilitators that assists in the training of students in immigration and refugee law as part of the Legal Practice module mentioned in 2. 2. 1 above. This group is led by the non-profit organisation Street Law South Africa, and is supported by the Project for Conflict Resolution and Development (PCRD). The students then disseminate this information to learners in high schools as part of the Street Law component of their Legal Practice module. Thus, not only are students being trained in the field of refugee and immigration law, but also with the support of the Faculty of Law, they are training themselves (through experiential learning) to disseminate this vital information, as well as helping to fulfil the information dissemination goal of the CLA.

Secondly, as was also indicated above, the CAJ offers a number of workshops to various stakeholders on various aspects of the law, and its practical application. These have been well attended, and there has always been a positive response from the participants of the workshops (See Annexure 4 for a list of beneficiaries of the CLA training). Overleaf is a table with statistics relating to some of these workshops:

Table 2-RRC-Related Workshops

Nelson Mandela Metropolitan University Refugee Rights Centre						
Training Workshops 2014						
Activity Description	Date	Number of Delegates	Male	Female	Attendance Register	Location Workshop Took Place
SA Criminal Justice: Refugees						
Workshop 1:	23.09.2014	33	33	0	Yes	Motherwell
Workshop 2:	28.10.2014	56	56	0	Yes	Port Elizabeth
Workshop 3:	02.12.2014	47	31	11	Yes	Queenstown
Total		136	120	11		
Briefings to Junior Saps						
Workshop 1	Date	Number of Delegates	Male	Female	Attendance Registers	Location Workshop Took Place
Workshop 1	06.03.2014	30	21	9	Yes	Port Elizabeth
Workshop 2: Soldiers	14.03.2014	139	124	15	Yes	Matatiele
Workshop 3:	25.06.2014	22	14	8	Yes	Queenstown
Workshop 4	15.07.2014	31	23	8	Yes	East London
Workshop 5:	16.07.2014	20	16	4	Yes	East London
Workshop 6: Soldiers	02.10.2014	141	120	21	Yes	Matatiele
Total		383	318	65		
Stakeholder Forum						
Forum 1: Bilateral with DHA	Date	Number of Delegates	Male	Female	Attendance Registers	Location Workshop Took Place
Forum 1: Bilateral with DHA	10.02.2014	15	9	6	Yes	Port Elizabeth
Forum 2:	12.03.2014	39	32	7	Yes	Matatiele
Forum 3: Religious Leaders	27.03.2014	22	19	3	Yes	Port Elizabeth
Forum 4:	11.04.2014	13	7	6	Yes	Port Elizabeth
Forum 5: Dept Officials	20.05.2014	29	20	9	Yes	East London
Forum 6:	21.10.2014	27	19	8	Yes	Graaff-Reinet
Total		145	106	39		
Refugee Rights & obligations						
Workshop 1:	Date	Number Of Delegates	Male	Female	Attendance Registers	Location Workshop Took Place
Workshop 1:	10.03.2014	21	19	2	Yes	Matatiele
Workshop 2:	06.10.2014	39	35	4	Yes	Queenstown
Workshop 3:	29.10.2014	0	0	0	n/a	Humansdorp
Workshop 4:	05.11.2014	48	45	3	Yes	Mthatha

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Workshop 5:	06.11.2014	60	50	10	Yes	Queenstown
Workshop 6:	02.12.2014	31	27	4		Mthatha
Total		199	176	23		
Out of Town Consultations	Date	Number Of clients	Male	Female	Attendance Registers	Location of consultations
Session 1	11.03.2014	24	22	2	n/a	Matatiele
Session 2	21.05.2014	43	23	20	n/a	East London
Session 3	11.06.2014	25	19	6	n/a	KWT
Session 4	12.06.2014	24	18	6	n/a	KWT
Session 5: Feedback	11.08.2014	25	13	12	Yes	KWT
Session 6: Feedback	12.08.2014	34	25	9	Yes	EL
Session 7	19.08.2014	56	48	8	Yes	Mthatha
Session 8	29.10.2014	17	14	3	Yes	Humansdorp
Session 9	05.11.201	35	32	3	n/a	Mthatha
Session 10	06.11.2014	36	27	9	Yes	Queenstown
Session 11	26.11.2014	24	13	11	Yes	East London
Session 12	27.11.2014	28	25	3	Yes	KWT
Session 13	02.12.2014	19	17	2	Yes	Mthatha
Session 14	02.12.2014	28	21	7	Yes	Queenstown
Session 15	03.12.2014	19	16	3	Yes	Mthatha
Session 16	03.12.2014	21	16	5	Yes	Queenstown
Session 17	04.12.2014	5	5	0	Yes	Mthatha
Session 18	09.12.2014	35	26	9	Yes	East London
Session 19	10.12.2014	14	14	0	Yes	Butterworth
Session 20	11.12.2014	20	17	3	Yes	KWT
Total		532	411	121		
Gender w/shops: Refugees	Date	Number Of Delegates	Male	Female	Attendance Registers Attached	Location Workshop Took Place
W/shop 1: Somalis	10.06.2014	31	0	31	Yes	Port Elizabeth
W/shop 2: Ethiopians	19.06.2014	16	0	16	Yes	Nelson Mandela Bay
W/shop 3: Somalis	05.08.2014	83	0	83	Yes	Uitenhage
W/shop 4: Ethiopians	08.09.2014	17	0	17	Yes	East London
W/shop 5; Somalis	25.11.2014	39	0	36	Yes	East London
Total		186	0	183		
Snr Saps & Magistrates	Date	Number of Delegates	Male	Female	Attendance Registers	Location Workshop Took Place
Legal-Aid/SAPS/NPA	18.09.2014	43	34	9	Yes	Graaff-Reinet
	19.09.2014	38	32	6	Yes	Graaff-Reinet
Total		81	66	15		

Hate Crimes Working Group	Date	Number of Delegates	Male	Female	Attendance Registers	Location Workshop Took Place
Workshop : 1	20.09.2014	16	4	12	Yes	Port Elizabeth
Total		16	4	12		
TOTAL		1678	1201	569		

Finally, it is important to note that the CLA has worked extensively with many departments within the university in the development and execution of some of its programmes. One clear example of this is the MFMP training project, and the PALAMA Executive Development Programme. Both these projects target the training of local government officials, and were jointly developed by the CLA and the much-celebrated NMMU Business School. The high quality of training that is provided by these joint initiatives is evidenced by the fact that the programmes are both certified by the LG SETA.

2. 3 Engagement through Profession/Discipline-Based Service Provision

The work of the CLA has provided its staff and associates the opportunities to not only develop themselves, but the profession itself. This is evidenced in the following ways:

- CLA hosts an annual conference on Local Government and the Law. This proves to be very popular with practitioners and is very well attended.
- The Director of the CLA was requested by the World Bank to be a member of a team of experts in local government to assist the government of East Timor with the establishment of a local government system.
- The Director of the CLA was sponsored by the Norwegian Government to attend a workshop of INTERPOL in France and to do a presentation on the approach to be followed to address international sea fisheries and related crimes.
- The director of the CLA serves as
 - A trustee of Business Against Crime.
 - A member of the advisory committee of the Small Claims Court.
 - An honorary life member of the Institute for Municipal and Public Safety of Southern Africa.
 - National Councillor of the Institute for Municipal and Public Safety Southern Africa.

Further indication of the positive development of the individual staff that form part of the CLA is the letter of commendation to the CLA by one of its partners, the Hans Seidel Foundation (HSF). In this letter of commendation, the HSF indicated that it has witnessed the continued positive development of the staff members of the CLA through the activities they do (See Appendix 5).

One of the key features of the CLA that drives individual staff development is the fact that the CLA operates as a *pro-bono* entity. This means it incurs no income from the core legal services it offers to the community i.e. the provision of legal aid. Other than donor funding, CLA receives its funds from consultancy work it carries out. It is submitted that this drives the CLA staff members to develop themselves so as to be able to offer more and better services for the benefit of the CLA. This is evidenced by the large number of tools and workshops developed by CLA staff that are now used in many spheres of the public and private sector. Indeed, the CLA has received strong commendation from the Centre for Municipal and Public Safety of Southern Africa for the quality of its materials (see Appendix 6).

3. ENGAGEMENT THROUGH RESEARCH AND SCHOLARSHIP

As has been highlighted throughout the application, the CLA has a very “hands on”, practical approach to the application of the law. As a result, the CLA does not focus on the production of research. However, in the year 2014, the CLA played a large role in engaging with research work, and the fruits of good research:

- CLA has assisted various branches of local government to assess their policies to see if they were compliant with best practice standards as stated in the law. A clear example of this is in the policy assessment and drafting work the CLA undertook for the Amathole District Municipality (See Appendix 7).
- The CLA has also assisted in carrying policy-related research work and training for municipalities in the Western Cape, showing that the CLA is recognised by stakeholders outside of the Eastern Cape Province as authoritative in matters related to policy development at local government level (See Appendix 8).
- The Director of the CLA promoted an LLD student who graduates in April 2015.
- CLA has assisted in the registration of the Higher Certificate in Criminal Justice. It is currently registering a Diploma in Criminal Justice Practice and an LLM in Local Government Law.
- Because of the Director’s involvement in all spheres of government, he has been teaching Constitutional Law to LLB students.

- The Director has submitted 2 articles to law journals. They are under consideration.

Thus, it can be seen that in spite of the fact that the production of research work is not a core function of the CLA, the Centre ensures that when it does carry out research-related work, it does so in a manner that is highly commended and beneficial to society.

4. CONCLUSION

The CLA, through its various programmes and initiatives, has sought to interact with, and empower the various communities that they are active in. This engagement, as has been shown, does not only extend to external stakeholders only, but includes strong interactions with various parties within the university's structures.

The CLA hopes that this application aptly reflects the work that the CLA puts into its relations with the community in which it finds itself in, and its desire to better society.

APPENDICES

Appendix 1 – Letter of Commendation from the UNHCR



UNHCR

Case postale 2500
CH-1211 Genève 2Tel.: 012 392 1600
Fax:
Email: rsapr@unhcr.org

10 May 2013

Notre/Our code: 13/PTA/PR/0016

Re: **Recommendation**

To Whom It May Concern

The letter serves to confirm that the Nelson Mandela Metropolitan University Refugee Rights Centre (NMMU RRC) has served as UNHCR's legal implementing partner in the Eastern Cape since mid 2010.

UNHCR has been extremely satisfied with the work undertaken by the NMMU RRC team consisting of four attorneys, ably led by Mr. Linton Harmse. They have been instrumental in promoting increased awareness of refugee rights among refugees themselves, local communities and public officials.

They have established a wide network of stakeholders in the refugee sector in the Eastern Cape and are conducting regular stakeholder forums, leading to increased cooperation among the refugee stakeholders. In collaboration with other NGOs, Nelson Mandela Metropolitan University Refugee Rights Centre conducts regular training workshops on various refugee related aspects. During the period January to March 2013 alone, they have trained in excess of five hundred refugees and government officials on various aspects of refugees and immigration law through a range of twelve different workshops. Since its inception the NMMU RRC has directly assisted more than 3000 refugees and asylum seekers, whilst those indirectly assisted number several thousand more. Through their hands-on approach, they successfully continue to provide pro bono legal services in a sector where there continues to be a dire need.

The Nelson Mandela Metropolitan University Refugee Rights Centre in cooperation with various stakeholders successfully undertook demarches which resulted in significant achievements which have impacted positively the lives of thousands of refugees and asylum seekers residing in the Eastern Cape.

NMMU RRC has therefore through its range of services assisted the UNHCR in the implementation of its mandate of responding to the plight of refugees in South Africa.

Furthermore, UNHCR acknowledges and is most appreciative of the important work the RRC is doing to contribute to the creation of a favourable protection environment for refugees in South Africa.

Sincerely,

Mr Sergio Calle-Norena
Deputy Regional Representative



Appendix 2-Letter of Commendation from PCRD



6 May 2013

To whom it may concern

The Project for Conflict Resolution and Development (PCRD) is a development organisation that has been in existence for the past eighteen years. One of the PCRD's programmes is a Refugee Rights Programme which began in 2009. The aim of our programme is to assist with the integration of Refugees, Migrants and Asylum Seekers into South African communities and to ensure that their rights are protected and to highlight as well as to provide public education to various stakeholders such as Govt. Depts., SAPS, Magistrates, other NGO's on the rights of refugees and asylum seekers.

The PCRD has worked with the Refugee Rights Centre (RRC) since its inception in 2010. We believe that the Refugee Rights Centre has, as the only organisation in the Eastern Cape offering Pro Bono legal support, in a short space of time, made a substantial and significant impact on the lives of many thousands of refugees, migrants and asylum seekers not only in the Eastern but also in the Southern and Northern Cape and the Free State.

The RRC and the PCRD are also associates in a three year European Union Funded programme and through this programme the two organisations have built an excellent working relationship. Through this programme we have developed a number of training programmes on the Immigration and Refugee Acts, dealing with Xenophobia, the Criminal Justice System and how it affects refugees, The Rights and Responsibilities of Refugees and Asylum Seekers and lesson plans for learners on reducing negative stereotypes. Jointly we have been able to train substantial number of Police Officers, Magistrates, teachers, education department officials, local govt. officials, advice offices and refugees and asylum seekers in the above programmes, throughout the Eastern Cape. This has ensured that refugees and asylum seekers are treated according to the prescripts of the refugee and immigration acts and are no longer subject to the arbitrary behaviour of immigration and Home Affairs officials.

A further positive contribution made by the RRC since 2010 has been with the assistance of the Social Change Assistance Trust, SCAT (an NGO based in Cape Town that supports Community Advice Offices) to establish a referral system with ten community based advice offices in the Eastern Cape. The RRC has trained the advice office staff on the Refugee and Immigration Acts and if the advice offices are unable to assist a refugee or asylum seeker they then refer the matter to the RRC staff who will then attempt to resolve the issue. This has enabled the RRC to increase their geographical reach and has resulted in more people being assisted.

Through national networks namely CORMSA and the IIRP the RRC has also made contributions to the national debate on the needs of Refugee and Asylum Seekers.

The PCRD is proud to be associated with a team of dedicated and committed staff and we feel their work has made a lasting impact on many people and has ensured that the most vulnerable in our society are respected. We hope that the relationship will continue as the need is still so pressing.

Yours sincerely

Michael Bendle
Director

P.O. Box 12588 Central Hill Port Elizabeth 6001	Phone: (041) 581-2414 Fax: (041) 581-2423 E-mail: michael@pcrd.org.za Website: www.pcrd.org.za	53 Haugh Road Walmer Port Elizabeth 6070
Reg No. 05/01840/09	NIPC No. 004-823/NIPC	VAT Reg No. 440 016 7072
Board Members: Dr C Dali, Ms N Cele, Mr T Nabo, Ms N Mofokeng, Mr D Stephens, Mr M Bendle & Mr M Geyeni		

Appendix 3-Letter of Gratitude from Cape Agulhas Municipality

WELD ASB./PLEASE QUOTE

ONS VERWYSING :
OUR REFERENCE : 3/R

VRA VIR : A Vorster
ASK FOR :

DATUM : 12 April 2013
DATE :



KAAP AGULHAS MUNISIPALITEIT
CAPE AGULHAS MUNICIPALITY
U MASIPALA WASECAPE AGULHAS

Marlene Holland
Project Co-ordinator
ILA (Institute for Law in Action)
Bird Street Campus
Nelson Mandela Metropolitan University

Ms Holland, Prof van As, Mr Nel

WORD OF THANKS: LEPO TRAINING

Cape Agulhas Municipality wish to extend our sincere thanks towards the Nelson Mandela Metropolitan University and the Heins Seidell Institute for facilitating the LEPO training in Bredasdorp on 26 and 27 February. The training proved to be very helpful and the networking from this session are absolutely invaluable.

As you are aware Cape Agulhas have been in the news about the brutal murder of a young teenager. The community agreed that it is time to tackle the problem head-on and promote a culture of lawfulness. This can only be reached via strict law enforcement. We will thus continue to train law enforcement officials and will also request further training from you pertaining building control and town planning.

Your support as we embark on this journey is greatly appreciated.

Sincerely

Anneleen Vorster
Office of the Municipal Manager

✉ 51, BREDASDORP, 7280, Dirkie Uysstraat 1/Street
E-mail: info@capeagulhas.com

Tel: (028) 4255500 Faks: (028) 425-1019
Web adres: www.capeagulhas.org

Annexure 4-List of CLA Beneficiaries 2013 (Local Government)

Company	Person	Contact Details
Alfred Nzo District Municipality	Mr Sello Mokotjo	082 559 9522
Amathole District Municipality	Mr Neville Armstrong	083 305 4016
Breede Valley Municipality	Mr R Hollenbach	023 342 0384
Buffalo City Municipality	Ms S Tinley	082 328 1121
Cacadu District Municipality	Mr Danie de Lange	041 508 7111
Cape Winelands District Mun.	Mr. J Brits/ Mr Cecil Boostander	086 126 5263
Chris Hani District Municipality	Ms Fezeka Mketsu	045 808 4600
Drakenstein Municipality	Mr Terence Le Roux	021 807 4685
Eastern Cape Legislature	Mr A Erasmus	083 324 5950
Eden District Municipality	Mr Francois Goosen	082 907 2588
George Municipality	Mr J van Schalkwyk	083 632 3779
Hanns Seidel Foundation	Dr Wolf Krug	011 325 0589
Hessequa Municipality	Ms Zanne Nel	028 713 8027
KZN Liquor Authority	Ms Busi Shabalala	031 302 0643
Nelson Mandela Municipality	Cllr F Desi	083 463 5304
Nelson Mandela Municipality(Safety & Security)	Mr A du Toit	079 490 0537
Office of the Premier: Western Cape	Mr Koos Celliers	082 677 8187
Oudtshoorn Municipality	Adv. Francois Human	(044) 203 3039
Overstrand Municipality	K van der Merwe	(028) 313 8113
Provincial Support Programme	Mr T Wadsworth	083 282 4288
Saldanha Bay Municipality	Ms Esra Engelbrecht	022 701 7184
Theewaterskloof Municipality	Ms B Saal	082 767 2548

Appendix 5-Letter of Commendation HSF

Executive Dean: Faculty of Law
Nelson Mandela Metropolitan University
PO Box 77000
Port Elizabeth 6031



Reg. No. 91/06712/08

16 April 2013

RE: Partnership with the Institute for Law in Action

Dear Prof Lawack-Davids,

On behalf of the Hanns Seidel Foundation, a German government trust with the mission to support democracy, peace and development in Germany and around the world, I would like to express my gratification regarding our collaboration with the Institute of Law in Action (ILA).

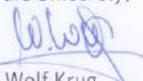
The ILA is a long-standing and valuable partner of the Hanns Seidel Foundation. The partnership has led to the successful implementation of projects relating to the establishment and revision of municipal codes and by-laws in a great number of municipalities as well as capacity building of municipal councillors, mayors and officials in the Western Cape Province.

Due to the tangible results and impact of the work carried out by the ILA, the Western Cape Government approached the Foundation in 2009 in order to sign a Memorandum of Understanding aimed at institutionalising the activities which the ILA and the Foundation are carrying out jointly in the Western Cape.

Based on feedback received, we believe that the work done by the ILA is of great value to the municipalities in improving their by-laws and capacity, thereby leading to enhanced service delivery.

We would like to commend Prof Hennie van As as well as Ms Elma Scheepers and Ms Marlene Holland for the professional manner in which all aspects of our collaboration are handled. The Hanns Seidel Foundation remains committed the partnership with the ILA and we look forward to more fruitful activities in the coming years.

Yours Sincerely,


Dr Wolf Krug
Regional Representative
Hanns Seidel Foundation South Africa

Physical Address:

Hyde Park Lane Office Park
Street: Hyde Lane
(Cnr William Nicol and
Jan Smuts Ave)
Hyde Gate Building, 1st Floor
Hyde Park, 2196

Postal Address:

P.O. Box 41451
Craigshall 2024
South Africa

Tel: (011) 325 0589

Fax: 086 512 5300

E-mail: info@hsf.co.za

Website: www.hsf.co.za

Appendix 6-Letter of Commendation from the Institute for Municipal and Public Safety of Southern Africa



Institute for Municipal Public Safety of Southern Africa

P O Box 330, Stellenbosch 7599
impssa@gmail.com | www.imps-sa.co.za
Tel: 021 887 1431 | Fax: 086 658 7635
Enquiries: LL Standor

15 April 2013

THE EXECUTIVE DEAN
FACULTY OF LAW
PROFESSOR VIVIENNE LAWAC
NMMU
PORT ELIZABETH

Madam Professor Vivienne Lawac

FEEDBACK ON THE IMPACT OF NMMU/ILA CONTRIBUTIONS TOWARDS CAPACITATING THE MUNICIPAL PUBLIC SAFETY SECTOR IN THE RSA

All accolades to NMMU (Institute for Law in Action) for its achievement in the development and implementation of appropriate training for Municipal Public Safety Officers/Peace Officers in the RSA and SADC countries.

Add to aforementioned meaningful capacitating of Municipal Councillors or the Political Will. They, in the main, drive recognition in the chambers of City and Municipal Councils towards compliance by the directorates.

Much, much more needs to be done in capacitating the Public Safety sector in Local Government - currently ILA, through Professor Hennie van As, leads the way in aforementioned needs.

Some specifics on the ILA drives to date:

- developed training for municipal by-law enforcement;
- rolled out by-law enforcement training around the RSA at municipalities and many more to be reached;
- developed by-law enforcement strategies for various municipalities;
- developed numerous volumes for training and capacitating municipal councillors – feedback by those trained say it is excellent;
- developed training modules NQF 4 to NQF 9 to capacitate Peace Officers/Municipal Public Safety Officers;
- familiarised municipal Executive Mayors and relevant Executive Directors at the annual IMPSSA conferences, etc. in understanding and establishing appropriate by-laws at many municipalities;
- capacitated trainers at various municipalities in matters of municipal policing and public safety;
- Addressed Department of Cooperative Governance (DCOG) & SALGA towards compilation of appropriate policy for Municipal Public Safety/Peace Officers;
- Trained Peace Officers for Royal Bafokeng Nation (RBN) Protective Services;
- Appointment-apparent by Royal Bafokeng Nation (RBN) towards gaining Peace Officer status for its Protective Services;

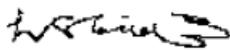
Professional Papers presented by ILA at IMPSSA conferences to date:

- By-laws and Law Enforcement as management, educational and moral rejuvenation mechanism (2006);
- Local Government Law Enforcement: Addressing problems instead of enforcing the law (2007);
- By-law enforcement strategy – implementation (2009);
- The importance of a municipal law enforcement strategy (2010);
- National Qualifications developed by NMMU Faculty of Law for Municipal Law Enforcement Officers/Peace Officers (2010);
- Law Enforcement training *Quo Vadis?* (2012).

Said presentations were made to numerous Executive Mayors/Mayors and top management in Public Safety from throughout the RSA. Also to be mentioned is that the professional papers are presented at each council meeting of the municipalities that attended said conferences.

Suffice to say that Municipal Public Safety needs NMMU (ILA) to continue this very meaningful capacitating – including orientation of updated legislation - of the related management levels and also to grow the relevant understanding of especially the Municipal Political Will.

Sincerely



LL STANDER
IMPS-SA CEO

I concur



FV HINTSA
IMPS-SA PRESIDENT

Appendix 7-Letter of Commendation from Amathole District Municipality



AMATHOLE DISTRICT MUNICIPALITY

40 Cambridge Street • East London • South Africa • 5201
 PO Box 320 • East London • 5200
 tel: +27 (0) 43 701 4000 • fax: +27 (0) 43 742 0337

Date	Person Dealing with Matter	Reference
14 MAY 2013	N Armstrong	1/R

THE EXECUTIVE DEAN
 FACULTY OF LAW
 NELSON MANDELA METROPOLITAN UNIVERSITY

Dear Sir/Madam

RE: VALUE AND IMPACT FROM SERVICES SUPPLIED BY THE INSTITUTE FOR LAW IN ACTION

This letter serves to provide confirmation of the valuable services provided by the NMMU's Institute for Law in Action (the Institute) to the Amathole District Municipality (ADM).

Detailed below are a few specific instances over the last four years, where the Institute has provided assistance to the ADM -

- The drafting of the ADM's Code (of by-laws) and facilitation of the promulgation of the respective by-law by their publication in the Provincial Gazette – 2009/2010;
- The facilitation of the process to have fine schedules pertaining to the various by-laws, approved by chief magistrates of the numerous district courts within the ADM's jurisdiction – 2010;
- The provision of 'Peace Officer' and Environmental Health Practitioner (EHP) training for 28 ADM officials - 2011;
- The drafting of the ADM's By- Law Enforcement Policy and Implementation Plan - 2011/2012;
- Conducting of a short course on Legislative Drafting attended by the ADM's Legal Services Manager – 2011;
- The review of the ADM's terms of reference for the Municipal Public Accounts Committee (MPAC) – 2013;
- Facilitation of council workshops in respect of the terms of reference for MPAC – 2013.

The Insitution in 2012 also held an informative conference on municipal law attended by representatives of the ADM.

In summary, the Institute's contributions over the years have continued to be of value, making a positive impact on the running of the municipality.

Yours faithfully

N ARMSTRONG
SENIOR MANAGER: LEGAL SERVICES

Appendix 8- Letter of Gratitude from the Western Cape Provincial Government



Tel: +27 21 483 4647
Fax: +27 21 483 3337
27 Wale Street, Cape Town 8001
www.capegateway.gov.za

**HANNS SEIDEL FOUNDATION
PO BOX 41451
CRAIGHALL
2024**

Attention: Dr W Krug

RE: SUPPORT PROVIDED TO MUNICIPALITIES IN THE WESTERN CAPE

1. The Department of Local Government; Western Cape wishes to express its thanks and appreciation to the Hanns Seidel Foundation and the Nelson Mandela Metro University (NMMU) for its continued support and responsiveness to municipalities in the Western Cape.
2. The ongoing support of the Foundation through the NMMU is valued for the visible stability in service delivery improvement within the Western Cape Province.

Kind regards

A handwritten signature in black ink, appearing to be "DR H FAST".

DR H FAST
HEAD OF DEPARTMENT: DEPARTMENT OF LOCAL GOVERNMENT

DATE: 25/4/13.