

Winter 2013 South African Externship Placements

Human Rights Commission - Placements in Cape Town, Durban and Johannesburg

Supervisor:	Ms. Judith Cohen, Head of Parliamentary and International Affairs Programme, Cape Town Ms. Penny Carelse, Contact for Provincial Manager, Cape Town Ms. Tanuja Munnoo, Provincial Manager, Durban Ms. Danaline Franzman, Head of Legal Services Programme, Johannesburg Mr. Cameron Jacobs, Acting Head of Research, Documentation and Policy Analysis Programme, Johannesburg
Website:	www.sahrc.org.za

The South African Human Rights Commission (SAHRC) is a Constitutionally-mandated, independent national human rights institution, with its Head Office based in Johannesburg and with regional offices in all of the nine provinces of South Africa. The stated mission of the SAHRC is to “promote respect for, observance of and protection of human rights for everyone without fear or favor.” The SAHRC was established to “entrench constitutional democracy.” Among the SAHRC’s wide ranging responsibilities are: 1) the investigation of individual complaints alleging constitutional rights violations; 2) the representation of individuals with meritorious claims; 3) monitoring governmental agencies’ compliance with constitutional provisions; and 4) creating educational programs designed to inform citizens of their constitutional rights.

Externs will primarily be engaged in providing assistance and support to the Legal Services Programme (LSP) in the handling and investigating of complaints, legal research, and legal writing. In addition, there may be opportunities to join commissioners and staff in conducting field work. Such field work may include educating communities about their rights under the South African Constitution in collaboration with the SAHRC’s Education and Training or Research Programmes, or the investigation of complaints and other issues of concern. Externs working with the Parliamentary Unit (Cape Town) conduct research and analysis on legislative issues that impact human rights concerns.

Externs in SAHRC’s Durban office, which is one of the nine provincial offices, have been helping with mediations, collaborating with NGOs, researching children rights issues, attending forums and roundtables and one worked with Professor Govender on a case before the Equality Court. The Cape Town externs have visited a refugee camp, have dealt with hate speech and other issues due to the xenophobic crisis in South Africa.

The nature of assignments in the SAHRC’s Legal Services Programme Head Office (Johannesburg) as well as its components in the various Provincial Offices would include, but not limited to, legal research and drafting; assisting with complaints investigations, identification of strategies and preparation of legal opinions and findings; assisting with case file administration; and, accompanying legal staff when conducting In loco inspections.

An extern placed in the Research, Documentation and Policy Analysis Programme in the Johannesburg office will be asked to provide assistance and general support to the activities of the Senior Researchers and Coordinators for the Programme. This may include, but not limited to, general research of human rights, including foreign and international research; prepare background briefings and research for conferences and meetings, as well as attending such meetings; interaction with other programs, assist in monitoring activities and programmatic support to the Legal Services Programme regarding specific complaints; and, compile memos on relevant legislative tracking and human rights developments.

Skills utilized at this placement:

- Case Assessment and Intake
- Interviewing
- Problem Solving
- Legal Analysis and Reasoning
- Legal Research
- Cross Cultural Lawyering
- Persuasive Writing
- Factual Investigation
- Communication
- Counseling
- Organization and Management of Legal Work
- Negotiation
- Alternative Dispute Resolution Procedures
- Recognizing and Resolving Ethical Dilemmas
- Appellate litigation

Legal Resources Centre - Placements in Cape Town, Durban and Johannesburg

Supervisor: Mr. Steve Kahanovitz, Cape Town
Mr. Mahendra Chetty, Durban
Ms. Delysia Brown, Johannesburg

Website: www.lrc.org.za

The Legal Resources Centre (LRC) is South Africa's oldest and most famous public interest law center and primarily engages in impact litigation. The LRC has four regional offices and a national office in Johannesburg. The work of the LRC's attorneys is divided into several broad categories including a Constitutional Litigation Unit, Land Law and Development (the biggest practice area), Children's Rights and Educational Rights.

The LRC primarily focuses on socio-economic rights. For instance, the LRC brought the GROOTBOOM case, the landmark decision by the South African Constitutional Court decided in October 2000. The LRC describes the case as one that "gave content, clarity and meaning to the progressive realization of social and economic rights." In that case, the Court ruled that South Africa has a Constitutional obligation to devise and implement a program to meet the basic housing needs of people living in desperately poor, emergency situations.

The extern in the Durban office has been working on indigent housing, child support, education and land rights issues.

<mailto:moray@lrc.org.za>

Skills utilized at this placement:

- Community Lawyering
- Interviewing
- Problem Solving
- Legal Analysis and Reasoning
- Legal Research
- Persuasive Writing
- Factual Investigation
- Communication
- Cross Cultural Lawyering
- Counseling
- Organization and Management of Legal Work
- Alternative Dispute Resolution Procedures
- Recognizing and Resolving Ethical Dilemmas
- Impact litigation

Refugee Clinic, University of Cape Town, Cape Town

Supervisor: Ms. Fatima Khan
Website: www.uct.ac.za/law (Click on “Department:”, scroll down to “Other Units and Faculties” and click on Legal Aid Clinic)

The University of Cape Town Law School is one of several law schools within South Africa, and enjoys a fine reputation for its curriculum, the quality of its legal faculty, and student body. The clinic director, Lee Anne de la Hunt, is arguably the top expert on refugee law in the country.

The selected extern will be exposed to many aspects of refugee law in South Africa, including resettlement, asylum, and voluntary repatriation cases. The work is very “hands-on” and involves significant client interaction and possible court appearances. The clinic assists refugee clients with a wide range of legal matters.

The externs this term have been doing much client consultation, some connected with the recent xenophobic violence and have also conducted consultations at the refugee camps.

Applicants should have taken the basic Refugee Law class at Michigan.

Skills utilized at this placement:

- Case Assessment and Intake
- Interviewing
- Problem Solving
- Legal Analysis and Reasoning
- Legal Research
- Persuasive Writing
- Factual Investigation
- Communication
- Counseling
- Organization and Management of Legal Work
- Advocacy in Administrative Forums
- Recognizing and Resolving Ethical Dilemmas
- Trial Advocacy
- Appellate litigation
- Cross Cultural Lawyering

Gender, Health and Justice Research Unit, University of Cape Town, Cape Town

Supervisor: Ms. Lillian Artz
Dr. Kelley Moulton, Acting Director
Website: www.uct.ac.za/depts/lrgru/lrt.htm

The Gender, Health and Justice Research Unit (GHJ) is a research and training unit based at the Faculty of Law, University of Cape Town. Its work focuses on issues of social context and diversity in the administration of justice, and in particular in the magistrates' courts. In both its training and research, GHJ addresses problems of bias in judicial decision-making and attempts to provide an understanding of the complexity of dispensing justice in a diverse society, which is undergoing transformation. GHJ works closely with a variety of organizations and individuals involved in the administration of justice, including Justice College (the official judicial training institute) and the Judicial Officers Association of South Africa (the magistrates' association). One of GHJ's primary goals is to equip magistrates to deal with the diversity of South African society and to hand down judgments that are fair and appropriate to the real conditions in which the people who appear before them live.

Although the most obvious "output" of the Unit's work is training workshops for magistrates, new materials are constantly being developed. An extern at GHJ may be involved in research and materials development in a specific area, and may also have a chance to join in on a training program. Work areas have included helping deaf people in the courts, court access for the disabled, and current projects are HIV/AIDS and Judicial Ethics.

The GHJ has six full time staff members and a number of members of the Law Faculty are also involved in its work. Externs would need to be able to work independently as the pace can be quite fast.

Externs this term have worked on comparing sex offender registries, employment restrictions, revisions to a UN document, research for public interest litigation, HIV, and privacy laws. Both externs have been extremely busy and enjoy their work.

Skills utilized at this placement:

- Problem Solving
- Legal Analysis and Reasoning
- Legal Research
- Persuasive Writing
- Communication
- Organization and Management of Legal Work
- Professional collaboration
- Cross Cultural Lawyering
- Lobbying
- Policy development