

A photograph of a cable-stayed bridge at dusk. The bridge has two tall, white, cylindrical pylons with cables fanning out to support the deck. The bridge deck is illuminated with warm yellow lights. In the background, a city skyline is visible with various lights and buildings. The sky is a mix of blue, purple, and orange, indicating sunset or sunrise. The overall scene is a blend of modern infrastructure and urban life.

National and international

# PERSPECTIVES

on crime reduction and criminal justice

**CONFERENCE PROGRAMME, ABSTRACTS  
AND PRESENTERS' BIOGRAPHIES**

Third International Conference  
25 and 26 October 2012, Johannesburg



# CONFERENCE PROGRAMME, ABSTRACTS AND PRESENTERS' BIOGRAPHIES

NATIONAL AND INTERNATIONAL PERSPECTIVES  
ON CRIME REDUCTION AND CRIMINAL JUSTICE

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*This conference was made possible through funding provided by  
the Hanns Seidel Foundation, the Open Society Foundation for  
South Africa and the Rutgers School of Criminal Justice.*







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# CONFERENCE PROGRAMME

<b>Day 1: Thursday 25 October 2012</b>	
08h00 – 08h30	<b>REGISTRATION</b>
08h30 – 08h45	<b>OPENING AND WELCOME</b> <i>Dr Paul Simon Handy, Deputy Executive Director (Acting), Institute for Security Studies</i>
08h45 – 09h30	<b>KEYNOTE ADDRESS: TRANSFORMING THE JUDICIARY IN SOUTH AFRICA: HOW FAR HAVE WE COME?</b> <i>Judge Selby Baqwa</i>
09h30 – 11h15	<b>WHAT TO DO ABOUT 'HATE'? STATE RESPONSES TO CRIMES OF PREJUDICE</b> <ul style="list-style-type: none"> <li>• <b>Look before you leap: hate crime legislation reconsidered</b> <i>Dr Bill Dixon, Keele University, UK</i></li> <li>• <b>South Africa – a home for all? A need for hate crime legislation to provide equal protection</b> <i>Prof. Juan Nel, UNISA, South Africa</i></li> <li>• <b>Homophobic hate crimes: collective state failure and the response of civil society</b> <i>Ms Kerry Williams, Partner (Public Law Practice Group), Webber Wentzel, South Africa</i></li> <li>• <b>Dealing with hate crime: a perspective from the South African Human Rights Commission</b> <i>Dr Danny Titus, Human Rights Commission, South Africa</i></li> </ul>
11h15 – 11h30	<b>TEA AND COFFEE BREAK</b>
11h30 – 13h00	<b>CRIMINAL JUSTICE SYSTEM REFORM</b> <ul style="list-style-type: none"> <li>• <b>Malawi's criminal justice system: reforms, challenges and opportunities since 1994</b> <i>Adv. Pacharo Kayira, Ministry of Justice, Malawi</i></li> <li>• <b>Criminal justice: stakeholders' perspectives</b> <i>Ms Robyn Leslie, Wits Justice Project, South Africa</i></li> <li>• <b>The role of civil society in criminal justice reform</b> <i>Mr Gareth Newham, Crime and Justice Programme, Institute for Security Studies, South Africa</i></li> </ul>
13h00 – 14h00	<b>LUNCH</b>
14h00 – 15h30	<b>THE ROLE OF INTERNATIONAL CRIMINAL LAW IN ADVANCING DOMESTIC CRIMINAL JUSTICE</b> <ul style="list-style-type: none"> <li>• <b>The nature of the gravity requirement in national prosecutions of international crimes</b> <i>Dr Gus Waschefort, University of Pretoria, South Africa</i></li> <li>• <b>The 'will' to prosecute international crimes in the domestic domain</b> <i>Dr Torie Pretorius, National Prosecuting Authority, South Africa</i></li> <li>• <b>International criminal justice in South Africa: better at securing justice for foreign victims than for its own?</b> <i>Ms Nicole Fritz, Director, Southern Africa Litigation Centre, South Africa</i></li> </ul>

Parallel session	<p><b>CRIME PREVENTION</b></p> <ul style="list-style-type: none"> <li>• <b>The rise and decline of community-based mobilisation against crime in the new South Africa: the case of the Western Cape Anti-Crime Forum, 1994–2004</b> <i>Prof. Erena van der Spuy, University of Cape Town, South Africa</i></li> <li>• <b>Dancing with two feet: building community safety</b> <i>Prof. John Cartwright, University of Cape Town, South Africa</i></li> <li>• <b>The power of connection: building a community safety initiative</b> <i>Dr Chandré Gould, Institute for Security Studies, South Africa</i></li> <li>• <b>Violence is not a crime</b> <i>Dr Anthony Collins, University of KwaZulu-Natal, South Africa</i></li> </ul>
15h30 – 15h45	<p><b>TEA AND COFFEE BREAK</b></p>
15h45 – 17h15	<p><b>TERRORISM AND ORGANISED CRIME</b></p> <ul style="list-style-type: none"> <li>• <b>Terrorism and its challenges to the criminal justice system in Nigeria</b> <i>Mr Samuel Obadiah, Centre for Conflict Management and Peace Studies, Nigeria</i></li> <li>• <b>Space of terror: the challenges of insecurity in Nigeria</b> <i>Dr Bolaji Omitola, Osun State University, Nigeria</i></li> <li>• <b>Scripts and organised crime: facilitating factors and intervention points</b> <i>Prof. Joshua D Freilich and Ms Alexandra Hiropoulos, John Jay College, US</i></li> <li>• <b>Assessing the scope of legal professional privilege in combating money laundering through the legal profession in Kenya</b> <i>Ms Jackline M Mwangi, University of the Western Cape, South Africa</i></li> </ul>
Parallel session	<p><b>PREVENTING CHILD ABUSE AND NEGLECT THROUGH PARENTING: EVIDENCE AND INTERVENTIONS</b></p> <ul style="list-style-type: none"> <li>• <b>Reviewing the evidence for the effectiveness of parenting interventions for the prevention of child abuse and neglect</b> <i>Ms Elizabeth Dartnall, Sexual Violence Research Initiative, Medical Research Council, South Africa</i></li> <li>• <b>Improving the quality of mother–infant relationship and infant attachment in South Africa: implications for externalising behaviour</b> <i>Prof. Mark Tomlinson, Stellenbosch University, South Africa</i></li> <li>• <b>Home Instruction for Parents of Pre-school Youngsters in South Africa (HIPPY SA): a home visiting programme</b> <i>Ms Khadija Richards, HIPPY SA</i></li> <li>• <b>Community-based efforts for the prevention of child sexual abuse</b> <i>Ms Sarita Hudson, Stop It Now!, US</i></li> </ul>

## Day 2: Friday 26 October 2012

09h00 – 10h45	<p><b>IMPROVING ACCESS TO JUSTICE</b></p> <ul style="list-style-type: none"> <li>• <b>Remand population: the weakest link in Uganda's criminal justice system</b> <i>Dr Donald Rukare, Global Rights, Uganda</i></li> <li>• <b>Restorative justice, criminal justice and access to justice: a balancing act for the prosecutor</b> <i>Dr Hema Hargovan, University of KwaZulu-Natal, South Africa</i></li> <li>• <b>The evolution, impact and future prospects of paralegalism in Africa's criminal justice systems</b> <i>Mr Martin Schönteich, John Jay College, US</i></li> </ul>
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Parallel session	<p><b>POLICING</b></p> <ul style="list-style-type: none"> <li>• <b>One country, two systems of policing: the People's Republic of China's <i>Gong An</i> versus Hong Kong's police reform</b> <i>Prof. Kam C Wong, Xavier University, US</i></li> <li>• <b>What price fairness? Antecedents of police legitimacy in South Africa</b> <i>Mr Benjamin Roberts, Human Sciences Research Council, South Africa</i></li> <li>• <b>Professionalism and the South African Police Service: what is it and where should it go?</b> <i>Mr Andrew Faull, Oxford University, UK</i></li> <li>• <b>Comparing the realisation of policing professionalism in Ethiopia and South Africa</b> <i>Prof. Rika Snyman, UNISA, South Africa, and Commander Demelash Debalkie, University of Addis Ababa, Ethiopia</i></li> </ul>
10h45 – 11h10	<b>TEA AND COFFEE BREAK</b>
11h10 – 13h00	<p><b>UNDERSTANDING CRIME IN SOUTH AFRICA</b></p> <ul style="list-style-type: none"> <li>• <b>Addressing business robberies affecting Somali traders in Cape Town's townships</b> <i>Ms Vanya Gastrow, ACMS, University of the Witwatersrand, South Africa</i></li> <li>• <b>Exploring the relationship between social disorganisation and property crime in Gauteng, South Africa</b> <i>Ms Alexandra Hiropoulos and Associate Prof. Jeremy R Porter, John Jay College, US</i></li> <li>• <b>Understanding drivers of crime victimisation across South Africa and the role of the SAPS in reducing crime levels</b> <i>Dr Erik Alder, The American University, US</i></li> <li>• <b>A national estimate of homicide: results from the 2009 Injury Mortality Survey</b> <i>Ms Megan Prinsloo, Medical Research Council, South Africa</i></li> </ul>
Parallel session	<p><b>SEEKING SOLUTIONS TO CRIME AND THE REHABILITATION OF OFFENDERS</b></p> <ul style="list-style-type: none"> <li>• <b>'Why do some men rape babies?' Some findings from a qualitative study conducted with ten incarcerated rapists</b> <i>Dr Amelia Kleijn, University of the Witwatersrand, South Africa</i></li> <li>• <b>'Will the real social worker please stand up!' Defining criminal justice social work</b> <i>Prof. Leon Holtzhausen, University of Cape Town, South Africa</i></li> <li>• <b>A randomised controlled trial of an employment-based re-entry programme for ex-offenders and its implications for South African corrections</b> <i>Prof. Sheldon X Zhang, San Diego State University, US, and Prof. David Farabee, University of California, Los Angeles, US</i></li> </ul>
13h00 – 13h45	<b>LUNCH</b>
13h45 – 15h00	<p><b>THE STATE OF CORRUPTION IN SOUTH AFRICA</b></p> <ul style="list-style-type: none"> <li>• <b>Citizens' reporting of corruption in South Africa: reports received at Corruption Watch since its launch</b> <i>Ms Janine Rauch, Corruption Watch, South Africa</i></li> <li>• <b>Corruption and accumulation: theoretical, historical and comparative perspectives</b> <i>Prof. David Moore, University of Johannesburg, South Africa</i></li> <li>• <b>Dealing with corruption: a perspective from the Public Service Commission</b> <i>Dr Dovichani Mamphiswana, Deputy Director-General: Integrity and Anti-Corruption, Office of the Public Service Commission, South Africa</i></li> </ul>
15h00	<b>CLOSURE</b>



# DAY 1

Thursday 25 October 2012

## What to do about 'hate'? State responses to crimes of prejudice

### Look before you leap: hate crime legislation reconsidered

*Dr Bill Dixon, Keele University, UK*

This paper draws on international literature and research on racially motivated offending, conducted by the author and a colleague in the English Midlands, to argue that legislation aimed at enhancing sentences for hate crimes is neither necessary nor sufficient if South Africa is to deal effectively with this kind of offending. Moreover, it warns that hate-crime legislation may have some significant and undesirable unintended consequences for a society still struggling to 'heal the divisions of the past' (as the preamble to the Constitution puts it). For these reasons it is suggested that government and civil society should pause for thought before taking the legislative leap needed to enhance the sentences available for those found guilty of hate crime.

### South Africa – a home for all? A need for hate crime legislation to provide equal protection

*Prof. Juan Nel, UNISA, South Africa*

The South African government is currently in the process of developing legislation on hate crimes. This follows repeated calls by civil society for an appropriate response to the apparent scourge of hate and bias-motivated crimes that are tarnishing the image of South Africa as a 'Rainbow Nation'. This presentation is aimed at informing related policy debates and provides a discussion of violence targeted at foreign nationals and at those who are (or perceived to be) sexual minorities and/or gender non-conforming as an indication of the trends and challenges that the proposed legislation and policy frameworks will need to address.



## Homophobic hate crimes: collective state failure and the response of civil society

Ms Kerry Williams, Partner (Public Law Practice Group), Webber Wentzel, South Africa

In this presentation Kerry will critically explain the failings of the police, the National Prosecuting Authority and the courts in investigating, prosecuting and holding perpetrators of homophobic hate crimes to account. There has been a collective state failure to even begin to imagine an appropriate and effective response to such crimes. This has left civil society in a desperate position where it has been forced to consider how it can look after the interests of the public. She will consider the case of *S v Madubaduba and 2 others* (OUT LGBT Wellbeing intervening as amicus curiae), which was heard in and decided by the Germiston Magistrate's Court. Despite a civil society organisation launching a review of a decision by the prosecutor not to prosecute a homophobic hate crime, and the same organisation monitoring the case for many years and successfully intervening as an amicus curiae in the sentencing phase of the trial, the magistrate still failed to consider the homophobic hate element of the crime when sentencing the accused. Kerry will use her experience as the attorney in this case to consider what courts should be doing when hearing crimes involving homophobic hatred.

## Criminal justice system reform

### Malawi's criminal justice system: reforms, challenges and opportunities since 1994

Adv. Pacharo Kayira, Ministry of Justice, Malawi

Malawi adopted a new and ambitious Constitution in 1994, a negotiated product of radical political change that swept the country and the continent in the early 1990s. Chief among the significant changes in Malawi's legal order as brought about by this Constitution is a fully fledged Bill of Rights, which entrenches the rights of suspects and accused persons. This undoubtedly imposed new standards on the criminal justice system. This paper looks at two specific areas of reform since the adoption of the Constitution in 1994. Such reform has been captured in a recent amendment to the Criminal Procedure and Evidence Code, as well as judicial pronouncements.

The two areas are the right to trial within a reasonable time, and the granting of bail. While the constitutional standard on the two areas is clear, practical reforms to reflect the ideals of the supreme law of the land have been slow and largely piecemeal. The paper therefore highlights the challenges that have been faced and concludes with the opportunities for the Malawi criminal justice system to achieve tremendous improvements.

## **Criminal justice: stakeholders' perspectives**

*Ms Robyn Leslie, Wits Justice Project, South Africa*

Criminal justice stakeholders in Gauteng are subject to a range of challenges and pressures. Using bail and remand detention as an entry point, this research engaged with criminal justice experts and professionals in an attempt to understand the functioning of the criminal justice system from the inside. Judges, magistrates, prosecutors, legal aid and private criminal lawyers in Gauteng were interviewed, as were judicial training institutes and legal experts. The results of this research provide a snapshot perspective from a range of stakeholders of what is wrong (and right) with the system in Gauteng, where the solutions lie and the ways forward for reforming a system in dysfunction.

The value of this research lies in the diverse stakeholder group. Problems identified by magistrates were explained and elaborated on by prosecutors; a breakdown in one part of the court system was explained by a crisis in another. Issues raised include the mismatching of targets among court stakeholders; who should run case-flow management meetings; the causes of unpredictability across the system; training of judicial personnel and human resource issues; mismatching of court volumes and court practitioners; and the impression that Gauteng offers a dual justice system – one for the rich and another for the poor. All of these issues have a direct impact on the bail regime and thus the state of remand detention in Gauteng. The presentation will highlight a range of research conclusions that are neither new nor surprising, but the relationships between these problems and various stakeholders present an integrated view of crisis in the system – and thus, integrated solutions.

## **The role of civil society in criminal justice reform**

*Mr Gareth Newham, Crime and Justice Programme, Institute for Security Studies, South Africa*

The first policy document to address the challenges of crime and criminal justice reform after apartheid was the National Crime Prevention Strategy (NCPS). The NCPS was adopted by President Nelson Mandela's Cabinet in 1996, but never fully implemented. The NCPS proposed a multifaceted approach to crime that recognised, but failed to give substance to, addressing the social causes of crime. Despite these shortcomings the importance of the policy was that it was developed collaboratively between government and civil society and was informed by evidence. Since then, policy-making in relation to the criminal justice system has largely become the domain of politicians and technocrats with very little, if any, input from civil society, particularly in relation to policing matters.

The consequence has been *ad hoc* policy-making that has done little to improve the state of policing. This presentation considers why this is the case, proposes that civil society still has an important role to play, and suggests how this could be achieved.

## The role of international criminal law in advancing domestic criminal justice

### The nature of the gravity requirement in national prosecutions of international crimes

*Dr Gus Waschefort, University of Pretoria, South Africa*

Article 1 of the Rome Statute broadly frames the functions and scope of the International Criminal Court (ICC). It provides, *inter alia*, that the court shall be empowered ‘to exercise its jurisdiction over persons for the most serious crimes of international concern’. Ever since the adoption of the statute, commentators have held opposing views on the nature of this provision. Some argue that it is simply a matter of prosecutorial discretion, i.e. a question of policy, whereas others argue it is jurisdictional in nature, i.e. a prescriptive requirement. Nevertheless, it is clear that one of the functions of the gravity requirement, as it exists in the Rome Statute, is to serve as a triage mechanism, allowing the limited capacity and resources of the ICC to be focused on ‘the most serious crimes of international concern’.

South Africa has incorporated the Rome Statute into its domestic law (Act 27 of 2002). However, no reference is made in the Act to the so-called ‘gravity’ requirement. This paper will have as its focus the gravity requirement in the context of national prosecutions of international crimes. Central to the paper will be the notion that the true potential of the ICC, as an instrument of justice, can only be realised through the capacity of national courts. Given the fact that greater capacity exists in the sphere of national courts when compared to the ICC, the argument will be advanced that a strict interpretation of the gravity requirement in the context of national prosecutions is undesirable.

### The ‘will’ to prosecute international crimes in the domestic domain

*Dr Torie Pretorius, National Prosecuting Authority, South Africa*

Universal jurisdiction remains one of the most controversial grounds of jurisdiction. Its legal underpinning and past are hazy and there are lingering uncertainties regarding the concept. As a matter of actual historical/current

practice and international custom, there have been very few instances of the application of true universal jurisdiction. International precedent is rare and indecisive.

South Africa is seized with a number of matters relating to universal jurisdiction, for example the Zimbabwean issue. A lot of effort and energy from civil society is needed to break the historical reticence to use universal jurisdiction by the state organs. NGOs and civil society have already done a lot to overcome the inertia of state agencies. The contention is that not only is it a question of political 'will', but communal 'will' is required, as was the case in post-apartheid and post-Truth and Reconciliation Committee (TRC) prosecutions.

Responsible wielding of the universal jurisdiction sword is required or else one runs the risks of weakening the very international order that it pretends to guard. Jurisdiction exercised by a state without its having any objective or legal link with either the offence or the offender can erode the very concept of universal jurisdiction and the endeavour to end impunity if it is not responsibly applied.

## **International criminal justice in South Africa: better at securing justice for foreign victims than for its own?**

*Ms Nicole Fritz, Director, Southern Africa Litigation Centre, South Africa*

In many ways South Africa has conducted itself as a model global citizen as regards the shared responsibility to uphold international criminal justice. The country has helped secure consensus needed at the Rome Conference to ensure a strong, independent International Criminal Court (ICC). It has enacted legislation domesticating its obligations to the ICC that has been emulated the world over, and secured an arrest warrant from a South African court for Sudanese President Omar al-Bashir, who was indicted by the ICC. Despite its political will having sometimes lagged behind the legal obligations it voluntarily assumed – as evidenced by the Zimbabwe torture case – South Africa has still been a significant locus for the realisation of international criminal justice. There is thus some irony in the fact that South Africa has a very poor record of securing justice and accountability for the atrocities of its past – many of them recognisable as international crimes. This, despite the much acclaimed Truth and Reconciliation process. Rather than accept this disjuncture as an anomaly, this presentation considers how international criminal law – its classification and its realisation within South Africa – might advance the cause of securing the accountability of apartheid's perpetrators.

### **The rise and decline of community-based mobilisation against crime in the new South Africa: the case of the Western Cape Anti-Crime Forum, 1994–2004**

*Prof. Elrena van der Spuy, University of Cape Town, South Africa*

This paper tracks developments relating to the formation (in 1994), the expansion of activities (1995–1999) and organisational decline (after 2002) of the Western Cape Anti-Crime Forum (WCACF). A retrospective account of the context within which the WCACF emerged, the kinds of social issues around which it mobilised, the social actors involved and the strategic alliances forged along the way, yield instructive lessons for the kinds of challenges confronting community-based mobilisation in poor, high-crime communities. As a social historical account of the WCACF, this paper draws on primary documentary sources that form part of the WCACF's archives, as well as interviews with key individuals who were intimately involved in its activities during the 1990s.

### **Dancing with two feet: building community safety**

*Prof. John Cartwright, University of Cape Town, South Africa*

When thinking about the state of safety and security in South Africa, the default position for many of us, academics included, is to devote our attention to the state of the criminal justice system. Clearly, this work must be done, and as thoughtfully as possible, but a) the transformation/upgrade/reform of these structures will take generations, and b) even the best law enforcement will not by itself bring about the kind of safe communities that we sometimes allow ourselves to dream about. If all we spend our energy on – either as serious analysts or as dinner-party whingers – is the state of the criminal justice system, we are stuck. We can hop, but not dance. So what else is there to do? What's the other foot doing?

In the recently published book *Where's the Chicken? Making South Africa Safe*, by John Cartwright and Clifford Shearing, we argue that we have everything we need in order to create a safe and democratic country, but we need to change our thinking habits so as to become engaged citizens rather than mere observers or consumers. We may, of course, still choose to make whatever contribution we can to improving law enforcement at all levels, but the objective of building safe communities requires a flexible and future-oriented attitude that looks at root causes and delights in our cultural diversity as an essential resource for practical problem-solving.

## The power of connection: building a community safety initiative

*Dr Chandré Gould, Institute for Security Studies, South Africa*

There is a wealth of evidence that points to the importance of multifaceted community-based interventions to reduce and prevent violence. However, the practical implementation of evidence-based solutions in communities far from urban centres faces numerous challenges. In this presentation Chandré Gould will provide an overview of the Seven Passes Initiative in the southern Cape and discuss practical challenges to taking a developmental approach to violence reduction as well as offer some considerations for how these challenges may be overcome.

## Violence is not a crime

*Dr Anthony Collins, University of KwaZulu-Natal, South Africa*

Altbeker (2007) highlighted the ways in which the extraordinary and distressing feature of crime in South Africa is not how common, but how violent it is. This analysis moves on from that point, arguing that rather than focusing on violent crime as a subset of overall criminality, we should examine violence as a separate category that sometimes overlaps with crime and sometimes does not. This shift in focus reveals that it is not South African crime that is so violent, but South African society in general. It shows that many of these forms of violence are both legal and socially acceptable. This includes violence in childrearing, intimate relationships, education, sport, film and television, establishing social identities, and political negotiation, to name but a few significant areas. Examining these popular and accepted forms of violence provides a more revealing analysis of how these patterns are reproduced socially and psychologically, explaining how individuals and groups come to use violence as an everyday strategy of social negotiation. This then clarifies that violent crime is a reflection of deeper patterns of violence within the society, and this shift in focus provides some potentially useful proposals for addressing the problem of violence as it applies to both crime and South African society more generally.

## Terrorism and organised crime

### Terrorism and its challenges to the criminal justice system in Nigeria

*Mr Samuel Obadiah, Centre for Conflict Management and Peace Studies, Nigeria*

The challenge posed by terrorism the world over knows no bounds, as it has increasingly assumed wider scope. It is not only limited to issues of, among others, vulnerability of both civilian and military populations; the entrenchment of deep-

seated ethno-religious hatred between communities; weakening state capacities; and the creation of a general sense of insecurity, but has also posed a critical challenge to the criminal justice system, as in the case of Nigeria. Since the emergence of the Boko Haram insurgency in Nigeria, the Nigerian criminal justice system has been plagued with critical challenges ranging from negligence on the part of security agents; complicity on the part of high-profile individuals; delays in the prosecution of suspects; attacks on security formations; and jail breaks by detained members of the Boko Haram sect; to a lack of assistance to victims of terrorist attacks, among others.

This paper argues that with the upsurge in terrorist activities under the umbrella of Boko Haram, accompanied by the aforementioned challenges, the Nigerian criminal justice system has come to face a difficult situation in which bringing the terrorists themselves to justice and getting assistance to the victims of terrorist attacks are increasingly becoming impossible. This has made nonsense of the principle of the rule of law. The paper advises that the criminal justice system should be urgently overhauled in the light of the contemporary challenges presented by the Boko Haram insurgency.

## **Space of terror: the challenges of insecurity in Nigeria**

*Dr Bolaji Omitola, Osun State University, Nigeria*

Since the inauguration of civilian rule in 1999, the Nigerian state can be likened to a space occupied by terror. This is due to incessant ethno-religious crises; the violent activities of self-determination groups such as the Odua People's Congress, Egbessu Boys, Bakkassi Boys and the Niger-Delta Millitants; and Sharia enforcement groups Hisballah, Yandah Boys, Arewa Youth Congress and the terrorist group referred to as Boko Haram. Thus, insecurity has become the signature of the fourth attempt at democratic governance in the country. The current state of insecurity was initially fuelled by factors that could be traced to the structure and operation of the Nigerian federation and contradictions inherent in its politics and economy. However, this development has assumed an international character with the agenda of Islamist groups such as al-Qaeda in the Islamic Maghreb and Somalia's al-Shabaab in search of outposts in Nigeria. No doubt the agendas of these groups are now receiving impetus from the fall-out of the Libyan crisis and the activities of the defeated and fleeing fighters loyal to Muammar Ghaddafi, as well as the accompanying proliferation of light weapons.

The paper contends that while the root causes that drive terror activities, socioeconomic challenges and the crisis of governance must be addressed, attempts at reining in the international connection must involve a strategy of understanding the philosophy, objectives and modus operandi of groups such as Boko Haram, with



the aim of neutralising them; and a general improvement in security infrastructure to forestall internal and external breaches of the Nigerian space by terror groups.

## **Scripts and organised crime: facilitating factors and intervention points**

*Prof. Joshua D Freilich and Ms Alexandra Hiropoulos, John Jay College, US*

Organised crime poses a significant threat to the economic and political stability of a nation. Though many laws have been passed in South Africa since the 1990s to assist in the investigation of organised crime, it is frequently reported that investigations are clearly inadequate. This situation is taken advantage of by criminal gangs, syndicates and organised crime groups. For this reason it has also been reported that South Africa could benefit from lessons learnt by law enforcement organisations' investigations into organised crime outside the country. The present case study applies Cornish's (1994) 'script' approach to a complex scheme of cigarette smuggling involving members and supporters of Hezbollah in the United States in order to better understand how offenders carry out their tasks. Chronological listings of the steps that were necessary to carry out the key components of the scheme were created and intervention points were identified that could be used to implement strategies to prevent organised crime from occurring. By uncovering the facilitating factors that provided the opportunities for these crimes to be committed, the authors were able to set forth specific situational crime-prevention techniques that could be implemented to block opportunities for organised crime. Such case studies can increase our understanding of how these crimes occur, as well as be useful for investigations by law enforcement agencies.

## **Assessing the scope of legal professional privilege in combating money laundering through the legal profession in Kenya**

*Ms Jackline M Mwangi, University of the Western Cape, South Africa*

In 2009, Kenya passed into law the Proceeds of Crime and Anti-Money Laundering Act No. 9 of 2009, which came into operation on 28 June 2010. Its effectiveness in dealing with money laundering cannot be determined at this juncture, yet the law has been criticised and there are doubts whether, in its current form, it will effectively achieve its objectives. One of the critiques and the main focus of this research paper is the exclusion of advocates from the reporting of 'suspicious' transactions that may be related to money laundering activities. An argument advanced in support of the exclusion of lawyers from such an obligation is based on the preservation of and respect for the legal professional privilege that the lawyer owes his client. This research paper therefore seeks to examine, on the one hand, the risk involved in the exclusion of lawyers and, on the other, the risk involved in their inclusion. The overall objective of the research is to investigate and come up with possible ways through

which lawyers can assist in combating money laundering without infringing upon the legal professional privilege that they owe their clients.

## Preventing child abuse and neglect through parenting: evidence and interventions

### Reviewing the evidence for the effectiveness of parenting interventions for the prevention of child abuse and neglect

*Ms Elizabeth Dartnall, Sexual Violence Research Initiative, Medical Research Council, South Africa*

Experiencing abuse and neglect in childhood can have long-lasting effects on brain development, psychological functioning, mental health, health risk behaviours, life expectancy and social functioning of both male and female survivors (King et al., 2002; Kendall-Tackett et al., 1993; Mikton and Butchart, 2009; Maniglio, 2009; Jewkes et al., 2010; Hillberg et al., 2011; CDC, 2011). Childhood sexual abuse, in particular, has a profound impact on both the immediate and future health of the child, and has been strongly linked to both future victimisation and perpetration of sexual violence (Barker et al., 2011; Jewkes et al. 2011; Contreras et al., 2011; Fang and Corso, 2007; Seto and Lalumiere, 2010). Improving parenting skills and parent–child relationships are important levers for reducing child maltreatment and sexual abuse in childhood, and should be a priority component of a prevention model. However, data on what works and how we stop child abuse is limited, particularly in developing countries (Mikton and Butchart, 2009). Desk reviews commissioned by the Sexual Violence Research Initiative (SVRI) reveal the strength of parenting interventions for reducing the risk and incidence of child maltreatment; improving child outcomes, especially related to violence and anti-social behaviour, and imparting skills that buffer the effects of family and community factors on child development (including aggression) (McCloskey, 2011). Moreover, parent training with mothers, even in very resource-poor settings, can be integrated into existing healthcare systems, positively influence parent–child relationships and in turn reduce negative parenting practices (Knerr et al., 2011). The findings of these reviews and their implications for practice will be presented.

### Improving the quality of mother–infant relationship and infant attachment in South Africa: implications for externalising behaviour

*Prof. Mark Tomlinson, Stellenbosch University, South Africa*

The aim of this study was to assess the efficacy of an intervention designed to improve the mother–infant relationship and the security of infant attachment in a South African peri-urban settlement with marked adverse socioeconomic

circumstances, by a randomised controlled trial, with the participation of 449 pregnant women. The intervention was delivered from late pregnancy and for six months post-partum. Women were visited in their homes by previously untrained lay community workers who provided support and guidance in parenting. The purpose of the intervention was to promote sensitive and responsive parenting and secure infant attachment to the mother. Women in the control group received no therapeutic input from the research team. Primary outcome measures included the quality of mother–infant interactions at six and 12 months postpartum and infant attachment security at 18 months. Secondary outcome measures included maternal depression at six and 12 months. This study found that the intervention was associated with significant benefit to the mother–infant relationship. The intervention, delivered by local laywomen, had a significant positive impact on the quality of the mother–infant relationship and on security of infant attachment, factors known to predict favourable child development. If these effects persist, and if they are replicated, this intervention holds considerable promise for use in the developing world.

## **Home Instruction for Parents of Pre-school Youngsters in South Africa (HIPPY SA): a home visiting programme**

*Ms Khadija Richards, HIPPY SA*

Home Instruction for Parents of Pre-school Youngsters in South Africa (HIPPY SA) supports vulnerable families to mobilise their own strengths to prepare their pre-schoolers for formal education. The HIPPY SA approach builds resilience within the family to overcome psychosocial poverty. HIPPY SA's educational programme focuses on home visits and group work, and our social support focuses on peer-counselling by home visitors. Home visitors regularly link vulnerable families grappling with poverty risks to organisations that empower them to overcome these challenges. Participating families come from the underemployed; the internally displaced, undocumented migrants and refugees or asylum seekers; families that are socially excluded through the stigma of teen pregnancy or ethnic prejudice; and other forms of social exclusion. Some families have been ravaged by HIV infection and related social stigma, particularly child-headed households. HIPPY SA believes that activating cultural, social, emotional and community capital has the ability to transform not only social circumstances but also psychological mind-sets that keep us from achieving our best potential. Over the last five years HIPPY SA has focused on evidence-based programming, fidelity, scale and quality. Home Instruction for Parents of Pre-school Youngsters (HIPPY) is an international network operating in eleven other countries: Argentina, Austria, Italy, Germany, Switzerland, Israel, New Zealand, Australia, Canada, Denmark and the US.

## Community-based efforts for the prevention of child sexual abuse

Ms Sarita Hudson, Stop It Now!, US

Since 1992, Stop It Now! has promoted a public health approach to child sexual abuse prevention as an alternative to the prevailing focus on criminal justice solutions. From 1995 to 2010, Stop It Now! worked to create Stop It Now! community-based programmes or 'sites' in several US states. These local programmes provided Stop It Now! with the ability to develop and test its prevention approach in a variety of settings. Each Stop It Now! site was sponsored by a local organisation who raised independent funds, agreed to follow Stop It Now!'s guiding principles and created multidisciplinary stakeholder committees. Each site adapted the original Stop It Now! site programme model and activities to their community. The US Centers for Disease Control and Prevention Evaluation (CDC) adopted the Stop It Now! model and funded sites in Minnesota and Georgia. The CDC contracted with the University of Kansas to use its participatory evaluation methodology (the Community Toolbox) to assess the outcomes and impact of Stop It Now! programmes. Results showed that these multifaceted, Stop It Now! programmes contributed to declining rates of child sexual abuse at the community level (Schober et al., An Empirical Case Study of a Child Sexual Abuse Prevention Initiative in Georgia, *Health Education Journal*, 8 January 2012). Stop It Now! is currently working with three organisations in low- and middle-income countries to adapt and apply specific components of the Stop It Now! programme model in their contexts.



# DAY 2

Friday 26 October 2012

## Improving access to justice

### Remand population: the weakest link in Uganda's criminal justice system

*Dr Donald Rukare, Global Rights, Uganda*

One of the major issues confronting the criminal justice system in Uganda is the huge number of prisoners – about 17 000 – on pre-trial detention (known as remand in Uganda). This paper will look at the phenomenon of the remand problem, examine the current criminal justice reform processes with the view to identifying where the weakest link might be, and propose a number of initiatives aimed at tackling the remand problem. The justice, law and order sector (JLOS) in Uganda has attempted to deal with this issue with limited success. The paper will ask why this is still a problem after 13 years of justice reform and will propose initiatives to address this problem. These include the provision of legal aid, use of paralegal services, legislative reform aiming at decriminalising several offences, use of strategic interest litigation, building capacity of the prosecution team, and diversion from the criminal justice system. However, this is not an exhaustive treatise on the question of why there is a huge remand population in Uganda, but rather a snapshot of the major issues, which will hopefully contribute to the literature and national policy conversations on the ever-present problem of pre-trial detention numbers in Uganda.

### Restorative justice, criminal justice and access to justice: a balancing act for the prosecutor

*Dr Hema Hargovan, University of KwaZulu-Natal, South Africa*

Many young law graduates dream of a courtroom battle similar to those in popular television series, which tend to glorify the role of the prosecutor in a

dramatic depiction of good versus bad. However, it does not take long for him/her to realise that numerous challenges face the criminal justice system: the crisis of public confidence and rising public expectations; the perception that the criminal justice system is failing vulnerable groups; the rise of victim advocacy; and, most importantly, the limited capacity of existing systems. Overcrowded prisons, court backlogs, high caseloads and delays in processing huge numbers of remand offenders plague the system. This situation has had a significant impact on access to justice for both victims and offenders. The young, idealistic prosecutor very soon finds him/herself in a world far removed from his/her university dreams of 'upholding the principles of justice and the rule of law'. It is probably within this context that restorative approaches to justice at the pre-trial phase became attractive for the prosecutor in South Africa. Recent years have seen far greater interest and engagement with restorative approaches to justice in the criminal justice system, especially in KwaZulu-Natal. This paper examines the integration of restorative justice initiatives in the criminal justice system through the implementation of the European Union-funded Justice and Restoration Programme at six sites in KwaZulu-Natal over a period of two years (March 2010–April 2012).

## **The evolution, impact and future prospects of paralegalism in Africa's criminal justice systems**

*Mr Martin Schönreich, John Jay College, US*

In an increasing number of African countries paralegals provide 'first aid' in access to justice. In countries where lawyers are in short supply, paralegals are often significant providers of primary legal aid services. Paralegals help reduce the unnecessary and excessive use of pre-trial detention, expedite the processing of cases, and improve the 'equality of arms' during the bail process in court. In many places paralegals also educate policy-makers on obstacles in the criminal justice process and help coordinate efforts to overcome these.

There is a growing body of empirical evidence that paralegal schemes are helping reduce pre-trial detention populations in a variety of African jurisdictions, and ameliorate the attendant negative consequences of pre-trial detention for detainees and their families. Drawing on empirical research, the paper reviews the evolution of paralegalism in Africa *vis-à-vis* the provision of services to arrestees and accused persons, with a particular focus on the pre-trial phase of the criminal justice process. This includes a discussion of the different paralegal models in existence, the practical and statutory obstacles paralegals face in their work, and the future prospects of paralegalism in African criminal justice systems.

### One country, two systems of policing: the People's Republic of China's *Gong An* versus Hong Kong's police reform

Prof. Kam C Wong, Xavier University, US

The People's Republic of China's Public Security Bureau (PSB) started to reform on the eve of Deng Xiaoping's 'Four Modernisations' of China in 1979. The Hong Kong Police started to reform after the 1967 riots, and later sped up the process with the transfer of sovereignty in 1997. The two reforms shared much in common, in process (externally driven) and outcome (intransient organisational culture). But they also diverged in material and substantial ways. This presentation systematically compares police reform in the People's Republic of China and Hong Kong. The material presented is drawn from two books by the author that were recently published: *Police Reform in China* (Taylor and Francis, 2011) and *Policing in Hong Kong* (Ashgate, 2012). The presentation concludes with the observation that while reform in both the Hong Kong Police and China's PSB achieved much in transforming police organisation and operations in both jurisdictions, the issue of balancing individual rights versus public order needs to be revisited.

### What price fairness? Antecedents of police legitimacy in South Africa

Mr Benjamin Roberts, Human Sciences Research Council, South Africa

The legitimacy of the police is a particularly important aspect of the legitimacy of any state since a) the police are empowered to use force against citizens, and b) police legitimacy has been linked with compliance with the law. According to Tyler's procedural justice model, when citizens believe an authority acts in a procedurally fair way and treats people with dignity and respect, their sense is that it is legitimate. Unfairness, by contrast, damages legitimacy. Studies conducted in the US, UK and elsewhere regularly find that process fairness is the most important antecedent of police legitimacy: judgments about other aspects of police behaviour – notably, about its effectiveness – are apparently much less relevant. This paper considers whether this pattern holds in the challenging context of present-day South Africa. In a high-crime and socially divided society, do people still emphasise procedural fairness, or are they more interested in instrumental effectiveness? How is the legitimacy of the police influenced by the wider problems faced by the South African state? We find that fairness judgments do still play a role, but also that people in South Africa place much more emphasis on effectiveness than appears to be the case in many other countries.



## Professionalism and the South African Police Service: what is it and where should it go?

*Mr Andrew Faull, Oxford University, UK*

In recent years South African civil society organisations have increased their calls on the South African Police Service (SAPS) to 'professionalise'. In response the SAPS pointed out that it was already a professional organisation and was focusing on further professionalisation. In many respects this is true. The SAPS is a modern police agency with impressive recruitment, training, technology, management and operational systems.

This paper does not seek to offer new empirical evidence informing the professionalism debate. Rather, it explores the idea of a professional police agency while probing what this might mean in the South African context. Some of its focus is on how one form of police professionalism might help garner police legitimacy. It also suggests that another interpretation might promote police effectiveness with regard to crime. It begins with an overview of international literature on the subject before considering how this relates to the SAPS, and explores how the language of 'police professionalism' is used in South Africa, by both civil society and the SAPS. It references two advocacy strategies, one pertaining to a 'professional use of force' and another that seeks to 'promote professional policing' as a response to police corruption. In so doing it aims to provide a foundation from which current thinking with regard to police professionalism in South Africa might develop in future. This includes clearly defining a narrow, minimalised, 'professional' police mandate as part of a better networked approach to building safer communities.

## Comparing the realisation of policing professionalism in Ethiopia and South Africa

*Prof. Rika Snyman, UNISA, South Africa, and Commander Demelash Debalkie, University of Addis Ababa, Ethiopia*

The specific features of policing make corruption an occupational hazard, a fact not limited to Africa, but endemic the world over. The increased emphasis that is placed internationally, and especially in Africa, on rooting out corruption, emphasises the need for improving the professional conduct of police officials. The police in Ethiopia and South Africa are challenged on various levels to effectively deal with corruption in the very agencies that are constitutionally mandated to protect and serve their citizens. The research question that underpins this paper is the extent to which structural mechanisms are in place to deal with corruption in both countries. This gap analysis will be utilised to make recommendations on caveats that should be filled

in order to strengthen the bulwark against police corruption and allow a strategy to develop that works in combatting corruption. This study utilises the comparative perspective of interrogating the measures that are in place to enhance accountability, build a culture of police integrity and promote community mobilisation from a paradigmatic worldview. The approach in this study is descriptive, with its scope covering the realisation of professionalism by police officials in both countries. The design of the study is parallel and the data sources used are official and research-based documentation that speak to the elements of professionalism in terms of corruption, in each country. A researcher indigenous to each country collected the data, thus ensuring cultural contextualisation and overcoming the language barrier.

## Understanding crime in South Africa

### Addressing business robberies affecting Somali traders in Cape Town's townships

*Ms Vanya Gastrow, ACMS, University of the Witwatersrand, South Africa*

Business robberies in the Western Cape have increased rapidly since 2006. Cases rose from 110 instances in the 2005/2006 financial year to 1 309 cases in 2010/2011. Foreign nationals appear to be bearing the brunt of such crimes. In January 2012 the Western Cape Provincial Commissioner of Police announced that 67 per cent of business robbery victims in the province were foreign nationals. Similarly, crime intelligence officials in Khayelitsha reported that 96,5 per cent of business robbery victims in the area were foreign nationals, primarily Somalis.

While Somali nationals often fall victim to orchestrated crime carried out by competing South African (and sometimes Somali) traders, most business robberies comprise opportunistic crimes committed by youths. Both police and Somali shopkeepers feel that many robberies are not directly motivated by anti-foreigner sentiment, but rather because Somali traders are profitable as well as easy targets.

This raises the question of why Somali traders are soft targets for youthful criminals. The paper will demonstrate that levels of impunity for perpetrators are high, and few are ever prosecuted. Furthermore, township community structures usually show little interest in crimes affecting Somali shops. As a result of disillusionment with both formal and 'community' justice mechanisms, Somali traders have begun developing alternative strategies to prevent robberies. This includes arming themselves with unlicensed firearms and employing South Africans as security guards. The paper will highlight ways of strengthening both state and community responses to shop crimes, as well as critique the benefits and drawbacks of independent Somali attempts to protect their businesses.

## Exploring the relationship between social disorganisation and property crime in Gauteng, South Africa

*Ms Alexandra Hiropoulos and Associate Prof. Jeremy R Porter, John Jay College, US*

As violent crime has been decreasing in South Africa over the past decade, property crimes are increasing and are the most frequent offences reported to the SAPS. Crime in South Africa has traditionally been explained as resulting from the vestiges of apartheid, mainly poverty and inequality. However, though the conditions of daily life can easily be characterised as socially disorganised, few studies have attempted to explain crime within this framework. Moreover, there is almost a complete lack of empirical studies investigating the spatial dimension of property crime in the country. Utilising previously undeveloped spatial datasets obtained from the Institute for Security Studies, the present study explores the relationship between the key variables of social disorganisation theory (income, employment, poverty, education, urbanisation and population rates) and property crime (shoplifting, commercial crime, residential burglary, non-residential burglary and theft from motor vehicles) in Gauteng. ArcGIS 10.0, GEODA and SAS are used to spatially and statistically analyse this relationship through the application of spatial correlations and regression analyses. The use of geo-analysis in crime science is particularly important in South Africa, where its use is still in its infancy, and has great potential for helping improve crime prevention procedures. The present study aims to contribute to a more thorough understanding of the correlates of crime through an attempt to respond to the need for the development of a theoretical context for understanding crime in South Africa.

## Understanding the drivers of crime victimisation across South Africa and the role of the SAPS in reducing crime levels

*Dr Erik Alder, The American University, US*

This research examines the socioeconomic and demographic determinants of crime across South African households. Using the 2011 Crime Victimization Survey and data from Statistics South Africa, it employs a two-level modelling approach to disentangle the effects of individual and provincial characteristics on crime victimisation. The research also examines the effect that the South African Police Service (SAPS) has in reducing and deterring crime. Results reveal that socioeconomic and demographic characteristics at the individual and household or provincial level have varied effects on crime victimisation. Similarly, the findings on the SAPS' effect on reducing or deterring crimes are also quite heterogeneous by type of crime. Finally, the findings underscore the importance of having a better understanding of drivers of criminal victimisation in order to tailor policies and programmes more effectively.

## A national estimate of homicide: results from the 2009 Injury Mortality Survey

*Megan Prinsloo, Richard Matzopoulos, Debbie Bradshaw, Victoria Pillay-van Wyk, Shanaaz Mathews, Nomonde Gwebushe, Lorna Martin, Naeemah Abrahams, Ria Laubscher and Carl Lombard, Medical Research Council, South Africa*

Vital registration data indicate that injury deaths for South Africa have declined. As the specific cause of injury death was poorly recorded, we conducted a national Injury Mortality Survey (IMS) for 2009.

Method: Fieldworkers were trained to identify the external cause of injury and mobile telephones were used for data capture, which allowed immediate viewing of the data via a web-based platform. The study sampled 22 733 records from 45 mortuaries in urban and rural areas, including metro and non-metro areas across eight provinces. The Western Cape injury deaths were available via the Provincial Injury Mortality Surveillance System. The data were weighted across provinces for a national estimate of injury deaths.

Results: When deaths for the Western Cape were included, the realised sample amounted to 24 197 injury deaths, which was weighted to a national estimate of 52 493 deaths. Homicide accounted for 19 028 (CI: 16 380–21 676) deaths (36 per cent), with sharp force (42 per cent) and firearms (29 per cent) being the most common external causes. The national homicide rate of 39 per 100 000 was five times the global rate. The injury profile varied by age, sex, population group and province.

Conclusion: Vital registration data underreported homicide by 25 per cent when compared to the IMS and most deaths were classified as undetermined and others as unintentional. This study highlights the importance of specific reporting of injury deaths, in particular the external cause, to identify emerging priorities for prevention at national and provincial level.

## Seeking solutions to crime and the rehabilitation of offenders

### 'Why do some men rape babies?' Some findings from a qualitative study conducted with ten incarcerated rapists

*Dr Amelia Kleijn, University of the Witwatersrand, South Africa*

In the recent past South African media reports have highlighted the rape of children under the age of three. Such sexual acts are set apart by the devastating physical damage to the victims – the result of the brutal force used by perpetrators

to achieve sexual penetration. There has been much speculation as to the reason why some men commit these particularly violent acts, and what in their psychosocial backgrounds compels them to behave so brutally towards particularly young children.

In response, ten incarcerated men serving correctional sentences for the rape of children under the age of three years were interviewed. Data were categorised into a coding paradigm, which led to the formation of a proposition. The proposition suggests that these men have childhood psychosocial histories associated with physical and emotional abuse, as well as neglect, experienced most particularly from their mothers, within a milieu of desperate poverty. Such deprivation and maltreatment possibly led to attachment difficulties and influenced the development of adequate resilience. Similar difficulties were also noted during respondents' adulthood. The paper will present some of the findings from the study, and the reasons from the ten men for their violent sexual acts against infants and toddlers.

### **'Will the real social worker please stand up?' Defining criminal justice social work**

*Prof. Leon Holtzhausen, University of Cape Town, South Africa*

The fundamental objective of this paper is to urge a change in the conventional paradigms used to define the practice of social work in the field of criminal justice, and to set in motion a conversion to a unified paradigm of criminal justice social work. A unified paradigm is used here to refer to the multidimensional and multidisciplinary practice of social work in working with both those who offend and those who are victims of crime, in order to restore harm done and prevent further offending. This paper is essentially nomenclatorial in nature, meaning it deals with naming and defining the specialisation of criminal justice social work as distinctly different from social work in general.

### **A randomised controlled trial of an employment-based re-entry programme for ex-offenders and its implications for South African corrections**

*Prof. Sheldon X Zhang, San Diego State University, US, and Prof. David Farabee, University of California, Los Angeles, US*

Outcome evaluation has become a standard requirement for most government-funded programmes in the criminal justice system in the US. For decades numerous evaluation studies have been published on the merits of various community re-entry programmes, a contemporary term for offender-rehabilitation. However, a few studies that employed the randomised controlled trial (RCT) design have

continued to challenge the rehabilitative effects touted by these evaluation studies. RCT is considered the gold standard in evaluation research and has long been the standard protocol in medical science. The key element of this design is the use of randomised assignment of study participants into the treatment or control group, thus eliminating any bias or subjective interference by researchers or participants. In a recent study, we used the RCT design to evaluate the efficacy of an employment training programme aimed at assisting ex-offenders in reintegrating into the community. The main features of the programme included job-readiness training, employment placement assistance, residential assistance, and psychological counselling services. A total of 217 subjects were enrolled in the study, with 115 assigned to treatment and 102 to control. The three-year study tracked participants for 12 months following the baseline interview (i.e. enrollment), with a successful locating rate of 95 per cent and follow-up interview rate of 87 per cent. Findings showed no significant differences between treatment and control subjects on all three key outcome variables – recidivism, residential stability and employment status. Many lessons can be drawn for the South African correctional system, such as the mandatory evaluation of rehabilitative efforts and rigorous evaluation design.

## The state of corruption in South Africa

### Citizens reporting of corruption in South Africa: reports received at Corruption Watch since its launch

*Ms Janine Rauch, Corruption Watch, South Africa*

The paper will present a description and an analysis of the incoming data reported to new non-governmental organisation Corruption Watch (CW) since its launch in January this year. The description will include the type and volume of reports made to CW, the channels which people have used to report to CW, whether people have chosen to remain anonymous or not, and patterns in reporting over time. The analysis will attempt to provide explanations for the patterns and point out interesting trends (such as the predominance of procurement-related corruption, car-related corruption, and the strong showing of schools as sites of corruption).

### Corruption and accumulation: theoretical, historical and comparative perspectives

*Prof. David Moore, University of Johannesburg, South Africa*

There seems to be two sides to the debate on corruption: ‘corruption can (sometimes) lead to “development”’ and ‘corruption can never lead to “development”’, but both

poles rarely utilise a clear theoretical, historical and comparative framework for analysis. This paper will advance the proposition that theories of 'primitive accumulation' offer a good starting point for work that will advance the debate. Historically, it is hard to find examples of capitalist development that are not replete with corruption. Comparatively, one might label the development process in the Asian 'miracles' and China as 'corrupt'; but no one denies the advent of industrialisation, poverty reduction, etc. Regarding Africa in general and southern Africa in particular, however, the 'good governance' line – 'corruption can *never* lead to development' – is paramount. Why is this; and should it be corrected? The question becomes even more important when the idea of the 'developmental state' is brought in. This paper will advance some preliminary and exploratory ideas on these issues.





## PRESENTERS' BIOGRAPHIES

### Erik Alda

Erik Alda has worked extensively on issues related to crime and violence prevention in developing countries, particularly in Latin America and the Caribbean and more recently in sub-Saharan Africa. His work has a strong focus on youth at risk, capacity building of government institutions and law enforcement, police training, and the ability of communities to address crime. Erik has also developed and implemented prevention projects and programmes at national, municipal and community levels. From 2001 to 2003 Erik worked in the slums of Fortaleza, Brazil, on violence prevention, gangs and drugs.

He has an extensive list of publications in peer-reviewed journals. His most recent publications include 'A comprehensive estimation of costs of crime in South Africa and its implications for effective policy-making' (*Journal of International Development*, 2011) and 'The effects of trust on victimisation in Colombia' (*Journal of Peace Research*, 2012).

Erik has worked on these topics in various international institutions, including the Inter-American Development Bank, UN Habitat, and the United Nations Latin American Institute for the Prevention of Crime and Treatment of Offenders (ILANUD). He is currently doing a PhD in Public Administration at The American University in Washington, DC.

### John Cartwright

John Cartwright has degrees in English Language and Literature from the University of Cape Town (UCT) and Oxford, and a doctorate in Medieval Studies from the University of Toronto. He has taught in departments of English at Stellenbosch, Toronto and UCT, and has published on post-medieval Scottish literature and Dutch drama and processional performance. Over the years he has been deeply engaged with issues of academic planning and management (including terms as Dean of Arts and Head of English at UCT) and with non-governmental organisations dealing with alternative routes to education for young people from marginalised communities.

In 1998 he joined Clifford Shearing in helping to build the 'Zwelethemba model' of community mobilisation and dispute resolution. This partnership has continued with work in Cape Town's Metro Police on an innovative approach to neighbourhood policing; he is at present working with the Western Cape Department of Community Safety and The Safety Lab on testing effective approaches to community safety. He is also a writer and performance artist.

### **Anthony Collins**

Anthony Collins is a Lecturer in the School of Applied Human Sciences at the University of KwaZulu-Natal. He has an academic background in both Psychology and Cultural Studies. He is currently working on issues of violence in South Africa, focusing both on why South Africa became and remains such a violent society, and on how to provide more effective support for survivors of violence. His forthcoming book, *One Bloody Thing after Another*, which explores the many forms of violence in South African society and how these are sustained and reproduced, is being published at the end of this year.

### **Elizabeth Dartnall**

Elizabeth (Liz) Dartnall is a health policy specialist with research, public policy and project management experience. Liz manages the Sexual Violence Research Initiative (SVRI), a global project hosted by the South African Medical Research Council. The SVRI aims to promote priority driven, good quality research in the area of sexual violence, particularly in developing countries. The SVRI is building an experienced and committed network of researchers, policy-makers, activists and donors to ensure that the many aspects of sexual violence are addressed from the perspective of different disciplines and cultures. Liz has a post-graduate degree in Psychology from Curtin University in Australia and an MSc (Medicine) from the University of the Witwatersrand, South Africa. Previous work experience includes working as a researcher at the Centre for Health Policy, University of the Witwatersrand; working in policy and research development for the Department of Health in Western Australia and in South Africa; and as Senior Programme Manager for the African Medical and Research Foundation (AMREF) South Africa. Liz is particularly interested in gaining a better understanding of how early experiences of violence may influence future perpetration and victimisation and how this can be used to inform the development of prevention programmes. She is also interested in the area of vicarious trauma and doing research on sexual violence, and how to prevent it.

### **Demelash Debalkie**

Commander Demelash Debalkie served in the Federal Police of Ethiopia for many years in various capacities related to research, service improvement programmes, training and strategic plans before taking up a position at the University of Addis Ababa. His first degree was a Bachelor of Education from Kotebe College of Teachers' Education, followed by an MA in Educational Psychology from Addis Ababa University. Currently, he is the Managing Director, College of Development Studies and Lecturer in the School of Social Work, Addis Ababa University. He is

also a doctoral candidate in social work and social development, focusing on the implementation of community policing in democratic states. His research focuses on community policing, violence against women, organised crime and the adverse effect of crime on social and community development. He serves on various community-based committees and has recently been appointed as the East African representative for the newly established All African Criminal Justice Society.

## Bill Dixon

Dr Bill Dixon is a Senior Lecturer in Criminology and Head of the School of Sociology and Criminology at Keele University in the United Kingdom (UK). Bill graduated with a BA in Law from Oxford University, and has an MA in Criminal Justice and a PhD from Brunel University. After working in NGOs and in local government, Bill held academic posts at Brunel University and at the University of Cape Town (UCT). Since leaving UCT in 2001, Bill has continued to publish on crime, policing, crime prevention and criminology in South Africa. He is the editor (with Elrena van der Spuy) of *Justice Gained? Crime and crime control in South Africa's transition* (UCT Press, 2004) and currently serves as a member of the editorial board of *South African Crime Quarterly*. His most recent book, *Losing the Race* (Karnac, 2011, with David Gadd), is concerned with the perpetrators of racially motivated violence in the English Midlands.

## David Farabee

David Farabee is Professor of Psychiatry and Biobehavioral Sciences at the University of California, Los Angeles and a principal investigator at the Integrated Substance Abuse Programs (ISAP). He has published in the areas of substance abuse, adult and juvenile crime, HIV/AIDS, and offender treatment, was co-editor of the books *Treatment of Drug Offenders* (Springer, New York, 2002) and *Treating Addicted Offenders: A continuum of effective practices, Volumes I and II* (Civic Research Institute, New York, 2004, 2007), author of *Rethinking Rehabilitation: Why can't we reform our criminals?* (AEI Press, Washington DC, 2005), and is co-editor of the *Offender Programs Report*.

## Andrew Faull

Andrew Faull is a doctoral research student at Oxford University's Centre for Criminology. He is currently carrying out an ethnography exploring the question: *Who do South African police officers think they are and how does this shape police practice?* He was previously employed as a Researcher and Senior Researcher in the Crime and Justice Programme at the Institute for Security Studies, where his work focused on police corruption and integrity management in the South African Police Service. He is the author of *Behind the Badge: The untold stories of South Africa's Police Service members*.

## Joshua D Freilich

Joshua Freilich is the Executive Officer of the Criminal Justice PhD programme and a member of the Criminal Justice Department at John Jay College, the City University of New York. He is a lead investigator for the National Consortium for the Study of Terrorism and Responses to Terrorism (START), a centre for

excellence of the US Department of Homeland Security (DHS); and a member of the Global Terrorism Database's (GTD) Advisory Board. Joshua's research focuses on the causes of and responses to terrorism, as well as criminological theory. He is currently the principal investigator (with Steven Chermak) on the US Extremist Crime Database (ECDB) study, a large-scale data collection effort in the US, reported in an open source, that is building the first-of-its-kind relational database of crimes committed by far-right, al-Qaeda directed and influenced, and animal and environmental rights extremists.

## Nicole Fritz

Nicole Fritz is the Director of the Southern Africa Litigation Centre (SALC), established to advance human rights and the rule of law within the southern African region. She holds honorary faculty affiliations at the Centre for Human Rights at the University of Pretoria and at the University of the Witwatersrand's School of Law. She has taught constitutional, international and human rights law as a full-time faculty member at the University of the Witwatersrand's School of Law and at Fordham Law School in New York. Nicole has written on international, constitutional and human rights law in academic and other publications.

## Vanya Gastrow

Vanya Gastrow, BA LLB MPhil (University of Cape Town) is a Visiting Researcher at the African Centre for Migration and Society at the University of the Witwatersrand. Her Master's dissertation examined Hannah Arendt's political theory in the context of recent South African history. Vanya's current research focuses on the ability of foreign shopkeepers to access justice when they are victims of crime and xenophobia. This includes examining the responses of various institutions in the formal justice system, as well as more informal community structures to crime affecting foreign traders.

## Chandré Gould

Chandré Gould is a Senior Researcher in the Crime and Justice Programme of the Institute for Security Studies and editor of the journal *South African Crime Quarterly*. She has a PhD in History from Rhodes University. She is the author of several papers and articles about crime and the criminal justice system. She is responsible for research on crime and crime prevention and has been involved in a community-based youth crime prevention project in the southern Cape for the past five years.

## Hema Hargovan

Hema Hargovan has obtained a BA (Hons-Criminology) LLB, LLM and PhD (Criminology). She is currently a Lecturer at the University of KwaZulu-Natal in the Community Development Programme. She is actively involved in restorative justice initiatives in communities and collaborates extensively with both state departments and civil society organisations. An active researcher in the field of restorative justice, she has published widely on the subject and presented award-winning papers at numerous international and local conferences. She currently serves on the KZN Department of Justice and Constitutional Development Subcommittee on Restorative Justice and is a member of the National Council on Correctional Services (NCCS).

## Alexandra Hiropoulos

Alexandra Hiropoulos is a doctoral student in Criminal Justice at the City University of New York (CUNY) Graduate Center, focusing her research on xenophobic violence in South Africa. She has studied in Greece, the UK and the US and has a background in psychology and policing, having previously worked as an assistant crime analyst for the Serious Crime Analysis Section of the National Policing Improvement Agency of the UK. Her research interests include domestic violence, serial rape, sex work and sex trafficking, migration, and xenophobia.

## Leon Holtzhausen

Dr Leon Holtzhausen is a Senior Lecturer in the Department of Social Development, University of Cape Town. Leon practised social work within the field of criminal justice in South Africa. To this extent he has more than twelve years' practical experience in both a clinical and managerial capacity in the National Department of Correctional Services.

He is also an internationally recognised substance addiction expert with a best practice citation from the American Correctional Association for the design and development of an indigenous treatment programme for substance-addicted offenders. He has researched and written a number of journal publications, contributed to a text on international social work and is the editor-in-chief of a textbook on criminal justice social work (Juta Academic Publishers, 2012).

## Sarita Hudson

Sarita Hudson is the Director of Public Engagement at Stop It Now! Sarita joined Stop It Now! in 2004 where she facilitates collaborative relationships with organisations in the US and internationally. Sarita also has primary responsibility for Stop It Now!'s website ([www.StopItNow.org](http://www.StopItNow.org)) and training. She has presented training to regional, national and international audiences on topics ranging from child sexual abuse prevention and women's issues to social justice education and theology. Her 25 years in the social change sector also includes work with legal services, women's rights groups, social justice ministry and child sexual abuse prevention. She has a BA in Spanish from Swarthmore College and a Master's degree from Harvard Divinity School.

## Liezemarie Johannes

Liezemarie Johannes is a Researcher-Analyst at Corruption Watch (South Africa). She has worked with the Public Affairs Research Institute on corruption in the public sector, and on social change in emerging communities in South Africa. In 2012 she completed her MA in Political Studies on the changing nature of urban formations, in association with the National Research Foundation (NRF) Chair in History: Local Histories Present Realities. She is currently working on a PhD in Political Studies at the University of the Witwatersrand, with a focus on local governance in South Africa.

## Pacharo Kayira

Pacharo Kayira is a Senior Deputy-Chief State Advocate in the Ministry of Justice in Malawi. He holds an LLB honours degree from the University of Malawi and an LLM in International Human Rights Law from Lund University in Sweden. His Master's thesis has recently been published as a book entitled *The Right to Fair Trial in Malawi: Progress and Challenges since 1994* (Lambert Academic Publishing, 2012).

## Amelia Kleijn

Dr Amelia Kleijn holds a BA (Social Work), with distinction, from the University of the Witwatersrand, Johannesburg. She received her PhD from the same university for her research on 'The demographic profile and psychosocial history of a group of convicted perpetrators of the rape of children under the age of three years'. Amelia has extensive experience in intervening with both victims and perpetrators of gender-based violence. She has consulted with the United Nations Office on Drugs and Crime, and the National Department of Social Development. She also renders social work services to private, corporate and non-governmental organisations.

## Robyn Leslie

Robyn Leslie is an independent researcher working on justice, the rule of law and public interest issues. She has worked in Latin America, the UK and South Africa. She completed her Master's degree in International Conflict at King's College, London, where she was awarded the O'Dywer-Russell prize for outstanding academic achievement. Her work on transitional justice will be part of an edited collection on art, justice and trauma, published in late 2012.

## Jackline M Mwangi

Jackline Mwangi is currently a post-graduate student at the University of the Western Cape. She is pursuing an LLM in 'Transitional Criminal Justice and Crime Prevention: An International and African Perspective'.

## David Moore

David Moore, a Canadian, holds a PhD in Political Science from York University in Toronto. He is the HoD of the Department of Anthropology and Development at the University of Johannesburg. Most of his research and writing concerns Zimbabwean political history and political economy, but he has also written extensively on development theory. His most recent published articles are 'Progress, accumulation and power in Zimbabwe' and 'Two perspectives on the National Democratic Revolution in Zimbabwe: Thabo Mbeki and Wilfred Mhanda', both in the *Journal of Contemporary African Studies*, 30, 4 (January 2012).

## Juan Nel

Juan Nel is a Professor of Psychology at the University of South Africa (UNISA). A registered clinical and research psychologist, he completed his doctoral studies in 2007, the title of his thesis being *Towards the 'Good Society': Healthcare provision for victims of hate crime from periphery to centre stage*. His areas of expertise are research,

tuition, psychotherapy and advocacy, related, firstly, to the health and well-being of sexual minorities; and, secondly, to trauma intervention and management. He is a founding member of, and till recently served on, the South African government-led National Crime Prevention Strategy Victim Empowerment Programme (VEP) Management Team. In this capacity he was instrumental in the recognition of hate victimisation as a priority area in the VEP integrated policy guidelines. He serves on the Steering Committee of the Hate Crimes Working Group, a multisectoral group lobbying government to develop interventions to recognise and address hate crimes in South Africa. Juan also serves as one of the civil society representatives on the Department of Justice-led National Task Team aimed at addressing sexual orientation- and gender-based victimisation.

### **Gareth Newham**

Gareth is the Head of the Crime and Justice Programme at the Institute for Security Studies (ISS). Between 2006 and 2009 he was the Policy Advisor and Special Projects Manager for the Gauteng Provincial Cabinet Minister (MEC) for Community Safety Firoz Cachalia. During this time his responsibilities included drafting the Gauteng Safety Strategy 2006–2014 and the Gauteng Aggravated Robbery Strategy. He conceptualised the Gauteng Information on Police Performance System (GIPPS), which won a Premier Service Excellence Award in 2009. Prior to joining government, Gareth was a Senior Project Manager in the Criminal Justice Programme at the Centre for the Study of Violence and Reconciliation (CSVr) in Johannesburg. During his seven years there, Gareth's areas of work included research on strategy development and change management within policing agencies, tackling police corruption, enhancing police performance management, strengthening internal and external systems for police accountability, developing witness protection and social crime prevention programmes.

### **Samuel Obadiah**

Samuel Obadiah is a Lecturer with the Centre for Conflict Management and Peace Studies, University of Jos, Nigeria. He holds an MSc in International Relations and Strategic Studies, in addition to a BSc in Political Science, from the University of Jos. He is currently conducting PhD research at the Department of Political Science, University of Jos. He has published academic articles in both local and international journals.

### **Bolaji Omitola**

Dr Bolaji Olumuyiwa Omitola is currently the Acting Head of the Department of Political Sciences at the College of Management and Social Sciences of Osun State University, Okuku Campus. His areas of research include political institutions, comparative politics and public administration. He has attended workshops, seminars and conferences in Nigeria and overseas, and has published over 30 articles in reputable local, national and international journals and peer-reviewed books. He is currently the editor of the *Uniosun Journal of Politics and Society*.



## JP (Torie) Pretorius

Advocate JP Pretorius has been with the Department of Justice in South Africa since 1976. He has been a prosecutor for more than 35 years, moving through all the ranks from Regional Court Prosecutor and Senior State Advocate to Deputy Director of Public Prosecutions. He was an evidence leader from the inception of the Goldstone Commission. While at the Goldstone Commission he was involved with the raid on Military Intelligence and with its so-called Third Force inquiries. He has done research at the South African Law Commission on the 'Simplification of Criminal Procedure Project 73' and was part of the Directorate of Special Operations before joining the Priority Crimes Litigation Unit. He was involved in the prosecutions of Eugene de Kock, Dr Wouter Basson and Sir Mark Thatcher, as well as the first prosecution for foreign military assistance in South Africa, among others. His academic qualifications include an LLM from University College of London in Maritime Law and a PhD on cross-examination in South African law. He has also lectured post-graduate students at the University of Pretoria, presented lectures on the International Criminal Court at the Justice Training College and attended the Special Working Group on the Crime of Aggression in New York in 2009.

## Megan Prinsloo

Megan Prinsloo is a senior scientist at the Burden of Disease Research Unit of the Medical Research Council (MRC). She has a Master's degree in Public Health and her area of expertise is injury surveillance. She joined the MRC as a researcher for the National Injury Mortality Surveillance System (NIMSS) in 2001 and acted as project coordinator from 2006–2008. Her current research interests at the MRC's Burden of Disease Research Unit are the urban–rural profiles of injuries and estimating disability-adjusted life years lost due to the burden of injuries.

## Jeremy R Porter

Jeremy Porter is an Assistant Professor at the City University of New York (CUNY) and holds appointments in multiple departments and institutes throughout the university. He is jointly appointed at Brooklyn College in the Department of Finance and Business Management (formerly the Department of Economics) as well as the Children and Youth Studies Program. He also holds an appointment as an Assistant Professor at the CUNY Graduate Center in the PhD programme in sociology and is a faculty associate at the CUNY Institute for Demographic Research. He has two interdisciplinary graduate degrees and numerous certifications in the areas of geography, statistics, sociology, demography and dynamic complex systems analysis.

## Khadija Richards

Khadija Richards is an activist for families and children and holds a Master's degree in Social Policy. She has worked in the non-profit sector and government in different roles, mainly focused on socioeconomic rights and entitlements as well as public participation. After seven years of consulting to government on development policy implementation in a management consulting role, Khadija was appointed



the Director of Home Instruction for Parents of Pre-school Youngsters (HIPPY SA) in 2009, which is operational in eleven countries. It uses trained peer educators in the community to build internal family cohesion through social support and early childhood development using a home-visiting and community capital methodology.

HIPPY SA currently supports up to 450 vulnerable families in marginalised communities in Gauteng.

## **Janine Rauch**

Janine Rauch is a South African criminologist. After being involved in the restructuring and demilitarisation of the post-apartheid South African Police Service, she led an inter-governmental process to develop South Africa's National Crime Prevention Strategy. Subsequent to leaving the civil service, Janine has worked as an independent consultant on security and justice reform programmes, community safety strategies and project evaluations. From 2007–2010, she worked on the UK's Department for International Development (DFID) programmes to support civil society engagement and security sector accountability in the Democratic Republic of the Congo. In 2011 she worked on International Security Sector Advisory Team (ISSAT) projects in Serbia, South Sudan and Mali; and on police accountability in the Justice 4 All programme in Nigeria. She currently works as a Strategy and Evaluation Advisor at Corruption Watch (South Africa).

## **Benjamin Roberts**

Benjamin Roberts is a Research Specialist in the Democracy, Governance and Service Delivery (DGSD) research programme at the Human Sciences Research Council (HSRC) and Coordinator of the South African Social Attitudes Survey (SASAS). He is currently a principal investigator on an Open Society Foundation for South Africa (OSF-SA) grant examining public confidence in the criminal justice system. He has also published on the measurement and nature of fear of crime in South Africa. Other recent projects include conducting a national baseline assessment of financial literacy for the Financial Services Board, developing a social cohesion barometer for the Presidency, and undertaking the Independent Electoral Commission's election satisfaction survey on election day in 2011, as well as ongoing research on the relationship between spatial inequality and attitudes towards social inequalities in the country.

## **Donald Rukare**

Dr Donald Rukare is a passionate human rights and governance lawyer. Trained both in Uganda and abroad, he has devoted the last 19 years to working in the area of human rights, good governance and development cooperation. He is an accomplished trainer/scholar in this area. Donald has been the Country Director of the Global Rights' Uganda office since 2010, where he oversees the country office, which implements programmes in access to justice, women's rights and gender equality, and ethnic and racial equality.

He also teaches international law and human rights at Makerere University and is a regular guest at the International Law Institute, Uganda and the Centre for Human Rights at the University of Pretoria, South Africa. In 2008 he authored an article on 'The access to justice challenge in Uganda', which was published in a book entitled *Rights and Legal Empowerment in Eradicating Poverty* (Ashgate, 2008), edited by Dan Banik.

## Martin Schönteich

Martin Schönteich is a doctoral student in Criminal Justice at the City University of New York. Martin works for the Open Society Justice Initiative, an operational programme of the Open Society Foundations. Martin directs the Justice Initiative's national criminal justice reform work, with projects in Africa, Central Asia, Eastern Europe and Latin America.

Between 1999 and 2003, Martin worked as a Senior Researcher in the Crime and Justice Programme of the Institute for Security Studies. Martin's research areas included conceptualising and applying criminal justice performance indicators, monitoring the implementation of criminal justice policy, and the evolution of the South African prosecution service.

In the late 1990s, Martin worked as the Parliamentary Affairs Manager for the South African Institute of Race Relations, undertaking policy-related advocacy and research on issues affecting criminal justice and civil liberties in South Africa. In the mid-1990s, Martin worked for the South African Department of Justice as a public prosecutor. Martin holds an LLB from the University of KwaZulu-Natal, and a post-graduate degree in political science from the University of South Africa (UNISA).

## Rika Snyman

Rika Snyman is a Professor in the Department of Police Practice at UNISA. She authored and co-authored 26 publications in national and international journals and books, and is co-editor of the book *Victimology in South Africa*. Her research field shifted five years ago from the field of victimology to applied ethics in policing and she now specialises in professionalism in policing. She has presented various papers at national and international conferences, including the Eurocrim 2012 conference hosted in Spain. Various post-graduate students have completed their Master's dissertations and theses under her supervisory guidance.

## Danny Titus

Dr Danny Titus is currently the Executive Director, Culture at the ATKV (Afrikaanse Taal en Kultuurvereniging). He was appointed in November 2009 as a part-time Commissioner at the South African Human Rights Commission for a period of seven years. Dr Titus has a BA LLB from the University of the Western Cape and was admitted as an advocate of the Supreme Court of South Africa in 1983. He obtained his LLM and LLD at the University of Leiden, the Netherlands in 1993. In 1993 he also obtained a Certificate in International Relations and Diplomatic Practice at the

Clingendael Institute of International Relations, The Hague, the Netherlands. He is a trustee at the Desmond Tutu Diversity Trust.

Before working for the ATKV Dr Titus was a Professor in Human Rights and Criminal Justice and worked as Deputy Dean at the UNISA College of Law. While working at UNISA he was seconded to the position of Acting Head at the Justice Training College in the Department of Justice and Constitutional Development.

In March 2012 Dr Titus was appointed as an advisor to the United Nations' Expert Mechanism on the Rights of Indigenous Peoples.

## Mark Tomlinson

Mark Tomlinson, PhD, is Professor in the Department of Psychology at Stellenbosch University. His scholarly work has involved a diverse range of topics that share an interest in factors that contribute to infant and child development in contexts of high adversity and how best to prevent compromised development in these contexts. He has conducted a number of randomised controlled trials within the broad area of maternal and child health. Mark is currently one of two Research Directors at the Programme for Improving Mental Health Care (PRIME). The goal of PRIME is to generate evidence on the implementation and scaling up of treatment programmes for mental disorders in primary care contexts in low resource settings. Recently, he has begun to focus on the health system challenges of scaling up services for infants and children.

## Elrena van der Spuy

Elrena van der Spuy is attached to the Centre of Criminology at the University of Cape Town. She teaches post-graduate courses which are offered within the Criminal Justice Programme at the Department of Public Law. Over the past three years she has focused most of her research on: the policing of conflict during the era of high apartheid as perceived and experienced by former members of the senior command of the South African Police; the evolving role of police in peace-keeping operations; and the documentation of oral histories relating to aspects of criminal justice reform in South Africa, 1990–2000.

## Gus Waschefort

Dr Gus Waschefort (PhD, London) is a Lecturer in International Law at the University of Pretoria. His primary research interest lies in the intersect and practical application of international criminal law, humanitarian law and human rights law. Gus is also active as a consultant. He has lectured, presented conference papers and attended high-level meetings in the US, UK, France, Switzerland and Austria. He has recently been appointed as Secretary-General of the South African delegation to the International Forum on Crime and Criminal Justice in a Global Era, held each year in Beijing, China. He has been appointed as a visiting scholar at the Centre for Human Rights and Global Justice at New York University, where he will spend time at the end of 2012 to finalise the manuscript of his book *Child Soldiers and International Law: Progressing Towards an Era of Application*.

## Kerry Williams

Kerry is a partner in the Public Law Practice of Webber Wentzel. She obtained her BA (Hons) (first class) and LLB (*cum laude*) at the University of Cape Town, and an LLM (Public Law) (with distinction) from the University of London (University College, London). Before joining Webber Wentzel, she was a legal researcher for Justice O'Regan at the Constitutional Court of South Africa. Kerry regularly advises on a wide array of constitutional and administrative law issues, including fundamental rights, public decision-making, public procurement, public finance management, government contracting, data protection and access to information. She also regularly advises on regulatory law in a variety of industries, including healthcare, petroleum pipelines, electricity, ports, medical schemes and land-based transport.

## Kam C Wong

Professor Kam C Wong, JD, PhD, teaches criminal justice at Xavier University, Cincinnati, Ohio, where he was the chair. He has been the Director of the Chinese Law Programme at the Chinese University of Hong Kong, an honorary fellow at the University of Hong Kong's Centre of Criminology, a visiting scholar at Cambridge University, a former vice-president of the Hong Kong Society of Criminology, a founding member and former president of the Asian Association of Police Studies, and an advisor to Yale University's China Law Center. He is presently a legal consultant to the Immigration and Refugee Board of Canada, an expert adviser to a United Nations Rule of Law project, a consultant to the United Nations on Transnational Organised Crime, an expert consultant to China's Ministry of Public Security, and a trainer to the People's Republic of China's police agencies, Hong Kong Police and the India Police. He is also a Senior Associate in Douglas Tsui and Associates Limited, a company involved in security consultancy and leadership development projects. He has been widely published in the fields of public law, terrorism and comparative policing (eight books, 100+ articles), notably the *Georgetown Journal of Law and Public Policy* and the *Columbia Journal of Asian Law*. He is a founding member of the Asia Criminological Society, Pakistan Society of Criminology, Asian Association of Police Studies, South Asian Society of Criminology and Victimology and the International Police Executive Symposium. His latest books are on police reform in China (2012) and policing in Hong Kong (2012).

## Sheldon X Zhang

Sheldon X Zhang, PhD, is a Professor of Sociology at San Diego State University. He has more than two decades of research experience in the fields of parole and probation in California and considerable knowledge of the California correctional system. He has led and participated in several state-wide studies on correctional re-entry efforts in California, including substance abuse treatment, residential assistance, employment-based re-entry efforts, and day-reporting centres. His research on correctional interventions has been published extensively in peer-reviewed journals in the US.

