

**WITS**  
Journalism

## WITH GRATEFUL THANKS TO OUR DONORS, SUPPORTERS AND PARTNERS

We would like to thank everyone who has supported us, and in particular the rest of the Journalism department – especially Anton Harber.

Wits University has a history of encouraging innovative social impact, and we are proud to be part of that tradition.

We would be unable to continue our work without the generous donations from our funders: the Raith Foundation, Open Society Foundation for South Africa, Canon Collins Educational and Legal Assistance Trust, the Joffe Charitable Trust and the Claude Leon Foundation.



## The Joffe Charitable Trust



THE CLAUDE  
LEON FOUNDATION



## 2013 WAS A YEAR OF GREAT SUCCESSES FOR THE WITS JUSTICE PROJECT – INCLUDING THE VICE-CHANCELLOR’S ACADEMIC CITIZENSHIP TEAM AWARD.



“The Wits Justice Project (WJP) is innovative and experimental; it successfully brings together research, teaching and advocacy; it is cross-disciplinary and involves a number of valuable partnerships; and it has strong social and political impact.

**Innovation and experimentation:** The WJP explores new notions of journalism and social responsibility by bringing together a rare combination of investigative reporting and advocacy. In its work, it is pushing the boundaries of journalism, encouraging reporters to tackle human rights issues and makes use not just of publication, but of the courts and partnerships with activists and advocates. This is exploratory work is at the cutting edge of activist public service journalism.

**The synergy of research, teaching and advocacy:** The best university project uses the core tasks of teaching and research for social and community activism, seeking a synergy between these elements. This project involves students and interns, does teaching and research, as well as advocacy through journalism and the law. The research informs the advocacy, which in turn is enriched by the advocacy, and teaching benefits from both. This is an unusual synergy and the project has been bold in its experimentation.

**Cross-disciplinary partnerships:** The project’s partnership between journalism and law is an extremely interesting one, bringing the two professions together to influence and learn from each other. There is also cooperation with the School of Public and Development Management. The WJP also has a number of partnerships with NGOs, human rights and legal organisations.

**Impact:** The WJP works with government and the justice system authorities to identify and tackle issues and problems. It does so while maintaining a critical independence. It is having an influence on government policy, it is engaging public opinion and also challenging journalists and lawyers to approach things differently. It has also had a major impact on some individuals who have been released from prison or had their conditions improved.

Taking up the cases of prisoners is not an easy or popular task in a country beset by crime. But, under the leadership of Nooshin Erfani-Ghadimi, this project has done so admirably. We are not just teaching human rights and investigative journalism, we are modelling it”.

*Professor Anton Harber, in his nomination of the Wits Justice Project for the Vice-Chancellor’s Academic Citizenship team award.*



## WE SCORED A HAT-TRICK: ONE OF OUR JOURNALISTS WON THE WEBBER WENTZEL LEGAL JOURNALIST OF THE YEAR AWARD FOR THE THIRD YEAR IN A ROW



On November 11, our radio journalist Paul McNally won the **Webber Wentzel award for Legal Journalist of the Year (Radio)**. This is the third year in a row that the WJP has won this prestigious award. The story "Drug withdrawal in remand detention" was broadcast on 27 August by Theta FM and tells of the suicide of an awaiting trial heroin addict. The judging panel felt that the piece was "a dramatic example of what can be achieved via collaboration between a community radio station and an established institution". The podcast of the piece is available [here](#).

Paul produces the weekly ***Wits Justice Radio Show*** on Theta FM and Alex FM. Theta FM broadcasts from Orange Farm, a low-income community about 50 kms south of the Johannesburg CBD. The listening figures (also known as RAMS) compiled by the South African Audience Research Foundation (SAARF) for the station are 345 000 listeners every week<sup>1</sup>. This makes it the second biggest community radio station in the country after Jozi FM.

Alex FM is a well-known community radio station serving one of Johannesburg's oldest township communities, with an estimated listenership of 840 000 listeners a month.

*The Wits Justice Show* is a half hour weekly broadcast in a variety of South African languages and is designed to educate people on

### Previous Awards:

**2011:** Carolyn Raphaely, Webber Wentzel Legal Journalist of the Year (Print)

**2012:** Ruth Hopkins, Webber Wentzel Legal Journalist of the Year (Print)

**2012:** Carolyn Raphaely, Webber Wentzel Legal Journalist of the Year, runner-up (Print)

---

<sup>1</sup> RAMS February 2013

their rights when facing South Africa's judicial system. The show is the beginning of a community radio model for WJP, which will involve live broadcasts, internet podcasts and accompanying events at a range of community radio stations. In this period, **29 shows** have already been aired. Topics have included:

- What should happen during an arrest?
- What do you do if you can't afford bail?
- Why do cases go nowhere?
- Why do some people get released on police bail immediately?
- Could you forgive a criminal?
- What if a family member gets sick in jail?

**The research desk has produced a paper documenting the early days of the *Wits Justice Show*:** Community radio is an important broadcast player in South Africa, primarily due to its position as a low cost and accessible technology, with a direct responsibility to be relevant to listeners' lives, and encourage listener participation. The WJP looked to document some of the learnings from the early stages of the show, to share with others.

The research paper found that the information delivered in African languages is perhaps the simplest and yet the most powerful element of the show's success. Access to WJP networks also improves show content and pathways of learning for station staff - for many aspiring media professionals, community journalism is a way into formal sector employment.

The positive and encouraging responses to the Wits Justice Show are evidence of a community need, and an information delivery mechanism that works. 2014 will allow the show further growth opportunity, with the end goal of more communities able to better understand their rights when interacting with South Africa's criminal justice system.

**WE BROKE MAJOR STORIES – WITH NATIONAL AND INTERNATIONAL IMPLICATIONS. WE PRODUCED OVER 45 ARTICLES ON MISCARRIAGES OF JUSTICE**



After publication of paraplegic **Prisoner A's** [story](#) by Carolyn Raphaely in the Guardian UK, the Saturday Star and Business Day in Feb/March, the WJP was inundated with generous offers of assistance from around the world. Initially, Prisoner A was reluctant to disclose his identity for fear of victimisation from prison officials. However, after taking seriously ill, he decided to disclose his identity in the belief that he was dying.

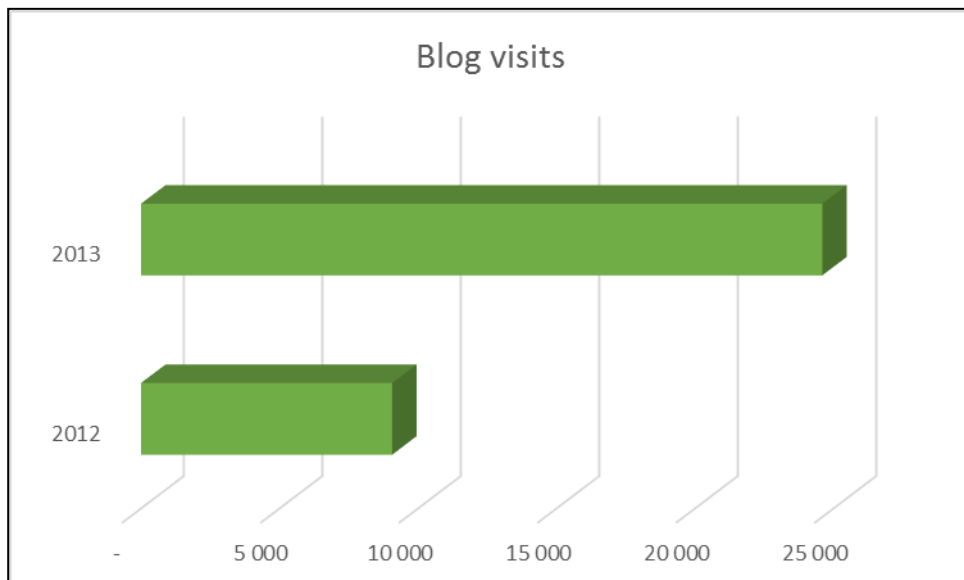
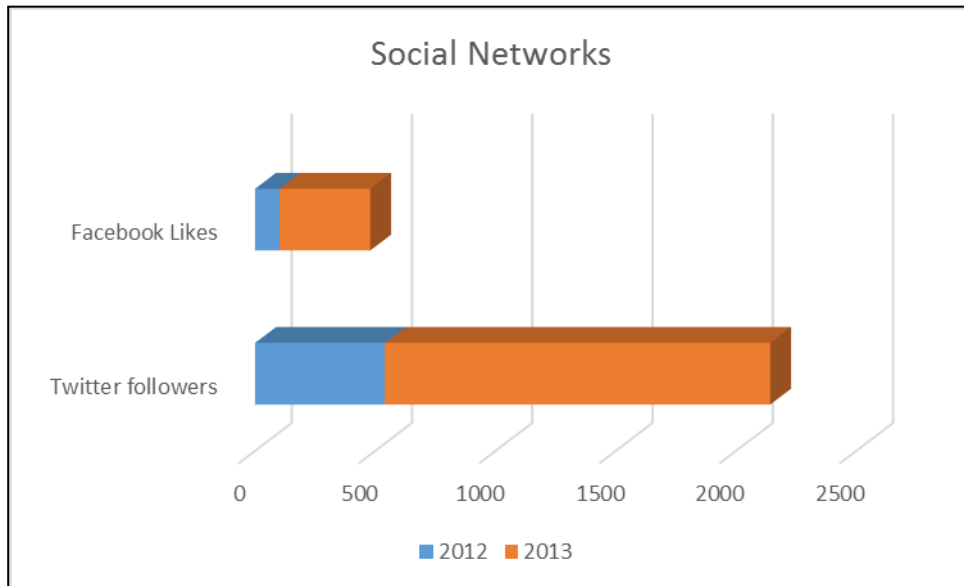
Of special note was the fruition of a year-long investigation by Ruth Hopkins into the privately run prison (by G4S) in Mangaung. Having interviewed more than a 100 people over the course of her investigation, and having obtained footage and other corroborative evidence, she was able to **expose unlawful segregation, forced injections and torture at the Free State prison.**

After Ruth's initial [article](#) was published on 4 pages on 25 October in the Mail & Guardian (including on its front page), there was an immediate uptake of the story by other media. This included 3 major stories from media who had received the details of the investigation beforehand from Ruth, and who had received her help in producing stories on the allegations. This was a strategic decision, aimed at maximum coverage of an important story, both in SA and internationally.

The first was a [segment](#) on Carte Blanche: which aired on Sunday 27 October. The next day, the story ran on BBC outlets (online [here](#) and [here](#) and on 14 of its global channels) and on the Guardian (UK), a [piece](#) written by Ruth herself.



## OUR SOCIAL MEDIA PRESENCE CONTINUES TO GROW





## OUR RESEARCH OUTPUT CONTINUES TO PROVOKE SOLUTION-ORIENTATED DEBATE AND DISCUSSIONS



*The research desk has employed a full-time staff member from August 2013, which has allowed for a more comprehensive output. In 2013, the research desk has focused on two projects: Justice for Breakfast events and anthology; and community radio research.*

The **Justice for Breakfast Anthology** has been compiled and will be printed by the end of December. This is a compilation of the series of roundtable discussions held over the course of 2012 and 2013, and provides an excellent overview of some of the issues affecting the criminal justice system. The events were as follows:

- 28 November 2012: bail and remand detention
- 13 February 2013: paralegals
- 5 June 2013: oversight bodies
- 11 September 2013: administrative cost of human error (missing transcripts)

The Justice for Breakfast events – whereby Wits Justice Project and the Graduate School for Public and Development Management’s Crime, Policing and Criminal Justice Programme host a breakfast and roundtable discussion on a topical criminal justice issue – are growing in popularity.

The WJP and the Graduate School for Public and Development Management’s Crime, Policing and Criminal Justice Programme are ideally placed to host such roundtables. Both projects work at the intersection of many cross-cutting criminal justice themes, but have no mandated priority issue within the criminal justice/remand detention spectrum. Thus, these two projects are able to take a systems-wide view, and flag certain issues that require in-depth discussion.

The premise of the Justice for Breakfast series involves the identification of a key criminal justice/remand-related issue; research is conducted, resulting in a concept note (a document that provides background and context to an issue); and a roundtable discussion is convened, to identify not only ways forward, but stakeholders who have a mandated role to take recommendations forward.

## WE HOSTED COMMUNITY MEETINGS AND EXPERT PANELS

### It Could Be You: Orange Farm Access to Justice

This community event held at the St. Charles Lwanga Catholic Church on 18 August. On the panel were representatives from Legal Aid SA, the NPA, Pro-Bono, the local legal advice centre and Theta FM. The speakers explained their functions in the criminal justice system and took questions from community members.



On the panel were representatives from Legal Aid SA, the NPA, Pro-Bono, the local legal advice centre and Theta FM. The speakers explained their functions in the criminal justice system and took questions from community members. The discussion focused on access to justice in Orange Farm, examining the difficulties faced by this impoverished community who face rising crime rates and recent violent xenophobic riots. Legal Aid have agreed to visit Orange Farm once a month to provide free legal advice – a right enshrined in South Africa’s constitution – to those in need.

### Justice for Breakfast (JfB)

The Justice for Breakfast series– whereby WJP, in partnership with the Graduate School for Public and Development Management’s Crime, Policing and Criminal Justice Programme, host a breakfast and roundtable discussion on a topical criminal justice issue – is growing in popularity.

February: “Community Paralegals” This attracted over 70 confirmations from high-level stakeholders, including the Department of Justice, Legal Aid South Africa, the Law Society and the Department of Correctional Services. An outcome report was published by the end of the month, highlighting the main issues debated. These include the definition, funding, training and accountability of community paralegals.

On 5 June, the JfB on **Oversight Bodies** was held, focusing on the legislation and operation of three key oversight bodies that impact the criminal justice system. Looking at the recent legislative changes to the Independent Police

Investigative Directorate and Civilian Secretariat of the South African Police Service and this roundtable discussed the current situation of the Judicial Inspectorate for Correctional Services. The bulk of the discussion centred on the development of potential solutions to some of the challenges facing these oversight bodies – in particular, leadership.

On 11 September, the final roundtable was held, entitled **Administrative inefficiency in the criminal justice system**. This Justice for Breakfast was the final one for 2013 – the overwhelming attendance and stimulating conversation ensured that the series ended on a high note. Those in attendance included representatives from the Judicial Inspectorate for Correctional Services, Legal Aid South Africa, the National Prosecuting Authority, the Department of Justice and Constitutional Development, The Centre for Applied Legal Studies, the European Union delegation to South Africa as well as local media representatives from The Star, the Mail and Guardian and Carte Blanche.



## 2013 End of Year Report on Annual Plan of Action

Objective 1: to be a leading authority on issues of the criminal justice system in South Africa		
Output	Activities	Progress Made
<p>1.1 A widely-distributed range of journalistic products, including</p> <ul style="list-style-type: none"> <li>• Print articles</li> <li>• Documentaries</li> <li>• Radio</li> <li>• Inserts/programmes</li> <li>• Commentary and op-eds</li> <li>• Video</li> <li>• Photography</li> <li>• Social media (twitter, Facebook YouTube, Google+ etc)</li> </ul>	<p>a. Hold weekly editorial meetings, reviewing new case information and compiling an ongoing editorial diary.</p> <p>b. Conceptualise and carry out detailed investigations on priority areas and compelling issues and on miscarriages of justice</p> <p>c. Establish and maintain relationships with editors and station managers from around the country, pitching stories and content.</p> <p>d. Work with the Department's Radio Academy to produce content for the legal show and others.</p> <p>e. Increase the range of distribution channels, by</p>	<p><b>Traditional media:</b> 45 articles<sup>2</sup> published in</p> <ul style="list-style-type: none"> <li>• The Star,</li> <li>• Saturday Star,</li> <li>• Mail &amp; Guardian,</li> <li>• City Press,</li> <li>• The Citizen</li> <li>• Business Day</li> <li>• Politicsweb</li> <li>• Cape Times,</li> <li>• Cape Argus</li> <li>• The Mercury</li> <li>• Pretoria News</li> <li>• Sunday Times</li> <li>• WJP blog<sup>3</sup></li> <li>• The Guardian (UK)</li> </ul> <p>on WJP focus issues: torture, abuse of force, oversight bodies, TB in prisons and miscarriages of justice.</p> <p>Of special note was the fruition of a year-long investigation by Ruth Hopkins into the privately run prison (by G4S) in Mangaung. Having interviewed more than a 100 people over the course of her investigation, and having obtained footage and other corroborative evidence, she was able <b>to expose unlawful segregation, forced injections and torture at the Free State prison.</b></p> <p>After Ruth's initial <a href="#">article</a> was published on 4 pages on 25 October in the Mail &amp; Guardian (including on its front page), there was an immediate uptake of the story by other media. This included 3 major stories from media who had received the details of the investigation beforehand from Ruth, and who had received her help in producing stories on the allegations. This was a strategic decision, aimed at maximum coverage of an important story, both in SA and internationally.</p> <p>The first was a <a href="#">segment</a> on Carte Blanche: which aired on Sunday 27 October. The next day, the story ran on BBC outlets (online <a href="#">here</a> and <a href="#">here</a> and on 14 of its global channels) and on the Guardian (UK), a <a href="#">piece</a> written by Ruth herself.</p> <p>Subsequent South Africa coverage included 22 online stories, and 38 broadcast items. Internationally, coverage included:</p> <ul style="list-style-type: none"> <li>• Dutch coverage: NRC Handelsblad; NRC next; Radio 1; NOS Journaal Nederland 3; Dagblad Trow; Het Parool; Groene Amsterdammer</li> </ul>

<sup>2</sup>. All articles are available online at <http://www.journalism.co.za/index.php/wjpnews.html>

<sup>3</sup><http://witsjusticeproject.com>

	<p>producing content in different languages, and by appealing to various socio-economic groupings.</p> <p>f. Update and refresh, on an ongoing basis, the WJP website and blog, using editorial and research output from the team.</p> <p>g. Create and frequently update and use appropriate new/social media channels such as Twitter, Facebook, YouTube, Google +, Pintrest.</p> <p>h. Research support is provided to the editorial team in investigating and verifying information and facts.</p>	<ul style="list-style-type: none"> <li>Reuters TV and print: Chicago Tribune; Defenceweb.co.za; Newsdaily.com; Globe and Mail; Townhall.com; Lifescript.com; New Delhi News; Daily Star (Lebanon)</li> <li>AFP</li> <li>AP (excellent pick-up in the United States): Public Opinion (Watertown); Middletown Journal; 48 News; Dayten Daily News; WOKV.com; WTOP 103.5 fm; Therepublic.com; Montreal Gazette; WHIO.com; WPIX.com; WSMV Channel 4 (Nashville); KTVU.com; KPTV.com (Fox 12 Oregon); Journalgazette.net (Fort Wayne); WFSB 3 Connecticut; Hawaii News Now; Springfield News Sun; Atlanta Journal Constitution; Boston.com; Connecticut News 12; Fox8live.com New Orleans; Fox Carolina; Austin-American Statesman</li> <li>CNN</li> <li>Sky News television and online</li> <li>CBC (Canadian Radio)</li> <li>The Independent</li> <li>Daily Telegraph</li> <li>Spanish Press Agency</li> </ul> <p><b>WJP Blog:</b></p> <p>This informal space is used to create awareness of the issues on a regular basis, and to share information and content that is not necessarily from the WJP itself. Updated on almost a daily basis, it provides a national and international round-up of news on criminal justice and human rights issues.</p> <p>In 2013 the blog had received over 24,597 views for nearly 200 posts. In 2012, the blog had received 9,069 views, which shows an exponential growth of its audience.</p> <p><b>Social Media</b></p> <p>At the end 2012 we had 540 <u>Twitter</u> followers (having started the year with 70). As of 5 December 2013, we have 1,602: more than a three-fold increase.</p> <p>We had 102 “likes” on <u>Facebook</u> in 2012 and this has increased to 377.</p> <table border="1" data-bbox="727 1675 1246 1865"> <thead> <tr> <th></th> <th>2012</th> <th>2013</th> </tr> </thead> <tbody> <tr> <td>Blog visits</td> <td>9,069</td> <td>24,597</td> </tr> <tr> <td>Twitter followers</td> <td>540</td> <td>1602</td> </tr> <tr> <td>Facebook Likes</td> <td>102</td> <td>377</td> </tr> </tbody> </table> <p><b>External interviews and mentions</b></p> <p>The WJP, and its staff, have become recognised as leading experts in</p>		2012	2013	Blog visits	9,069	24,597	Twitter followers	540	1602	Facebook Likes	102	377
	2012	2013												
Blog visits	9,069	24,597												
Twitter followers	540	1602												
Facebook Likes	102	377												

		<p>issues of the criminal justice system. As such, they receive requests from both national and international media for interviews. In this period, staff members have been quoted by, or interview on:</p> <ul style="list-style-type: none"> <li>- CNN (<a href="http://edition.cnn.com/2013/02/21/world/africa/south-africa-prison-conditions/?hpt=ju_c1">http://edition.cnn.com/2013/02/21/world/africa/south-africa-prison-conditions/?hpt=ju_c1</a>)</li> <li>- Associated Press (<a href="http://news.yahoo.com/south-african-police-force-turmoil-182630411--spt.html">http://news.yahoo.com/south-african-police-force-turmoil-182630411--spt.html</a>)</li> <li>- BBC</li> <li>- SAFM</li> <li>- Sky News</li> <li>- SABC</li> <li>- The Star</li> <li>- The New Age</li> <li>- Voice of America</li> <li>- Motheo FM</li> </ul> <p><b>Increased range by producing content in different languages</b></p> <p>With its weekly radio shows (see below), the WJP has been able to provide content in a variety of different languages and take advantage of a new network for its output: community radios.</p>
1.2 A broadcast journalist is appointed.	a. Broadcast journalist funded, interviewed and appointed.	<p>A part-time journalist, Paul McNally, was appointed on 1 April. Aside from producing videos, Tumblr and blog content, Paul has initiated a weekly <b>Wits Justice Radio Show</b> on Theta FM and Alex FM. Theta FM broadcasts from Orange Farm, a low-income community about 50 kms south of the Johannesburg CBD. The listening figures (also known as RAMS) compiled by the South African Audience Research Foundation (SAARF) for the station are 345 000 listeners every week<sup>4</sup>. This makes it the second biggest community radio station in the country after Jozi FM.</p> <p>Alex FM is a well-known community radio station serving one of Johannesburg's oldest township communities, with an estimated listenership of 840 000 listeners a month.</p> <p><i>The Wits Justice Show</i> is a half hour weekly broadcast in a variety of South African languages and is designed to educate people on their rights when facing South Africa's judicial system. The show is the beginning of a community radio model for WJP, which will involve live broadcasts, internet podcasts and accompanying events at a range of community radio stations. In this period, <b>29 shows</b> have already been aired. Topics have included:</p> <ul style="list-style-type: none"> <li>• What should happen during an arrest?</li> <li>• What do you do if you can't afford bail?</li> <li>• Why do cases go nowhere?</li> </ul>

<sup>4</sup> RAMS February 2013

<http://www.saarf.co.za/rams-community/2013/rams-community%20Feb'12%20-%20Feb'13.asp>

		<ul style="list-style-type: none"> <li>• Why do some people get released on police bail immediately?</li> <li>• Could you forgive a criminal?</li> <li>• What if a family member gets sick in jail?</li> <li>• What can you expect when you report a rape?</li> </ul> <p>In addition, collaboration with the Radio Academy's "Law Focus" show means that packages and stories that are relevant to the WJP focus areas are also produced. The Law Focus distribution network, to six community radio stations throughout the country is an important</p> <p>On November 11, our radio journalist Paul McNally won the <b>Webber Wentzel award for Legal Journalist of the Year (Radio)</b>. This is the third year in a row that the WJP has won this prestigious award. The story "Drug withdrawal in remand detention" was broadcast on 27 August by Thetha FM and tells of the suicide of an awaiting trial heroin addict. The judging panel felt that the piece was "a dramatic example of what can be achieved via collaboration between a community radio station and an established institution". The podcast of the piece is available <a href="#">here</a>.</p>
1.3 An anthology, showcasing the best of WJP editorial and research output in 2013	<p>a. Determine theme/s and content and agree on inclusion.</p> <p>b. Create and implement a plan and production timeline, for 1000 copies</p>	<p>1. The <b>Justice for Breakfast Anthology</b> has been compiled and will be printed by the end of December. This is a compilation of the series of roundtable discussions held over the course of 2012 and 2013, and provides an excellent overview of some of the issues affecting the criminal justice system. The events were as follows:</p> <ul style="list-style-type: none"> <li>• 28 November 2012: bail and remand detention</li> <li>• 13 February 2013: paralegals</li> <li>• 5 June 2013: oversight bodies</li> <li>• 11 September 2013: administrative cost of human error (missing transcripts)</li> </ul> <p>2. A compilation of the community radio shows has been produced on CD – <b>The Best of "The Wits Justice Show" Vol. 1</b>, and is being distributed.</p> <p>3. A compilation on articles and opinion pieces on <b>Torture</b> (covering both 2012 and 2013) has been compiled, for printing in early 2014.</p>
1.4 A series of theme-based monographs, on relevant topics and highlighting specific projects, research and stories.	a. Create and implement a plan and production timeline, for two monographs of 1000 copies each.	The " <b>Guide to Criminal Procedure</b> " has been translated into Zulu and along with the English version is being printed and will be ready for distribution by 2014.
1.5 Content is created, using the voices of	a. Plan campaign to reach out to	A creative writing weekend for the first weeks of February 2014 is being arranged, with a professional writing facilitator. The aim is to

<p>inmates and warders, in appropriate media, such as social media, publications.</p>	<p>inmates and warders, soliciting first-person accounts for use in publication. This includes a write-in campaign on specific themes, the use of social media (Mxit, Facebook).</p> <p>b. Determine the most suitable way of utilising the first-person accounts, and its distribution.</p>	<p>enable the team to produce stories from the large repository of correspondence from inmates and families.</p>
<p>1.6 In-depth research and investigation of one particular issue leading to a range of appropriate journalistic products, including</p> <ul style="list-style-type: none"> <li>• Print articles</li> <li>• Documentaries</li> <li>• Radio inserts/programmes</li> <li>• Commentary and op-eds</li> <li>• Video</li> <li>• Photography</li> </ul>	<p>a. Identify an issue affecting the criminal justice system (such as torture, or police stations) for a long-term (2, 3 month long) team investigation.</p> <p>b. Draw up and implement a detailed project plan, with time-frames and budgets, with a clear outline of the appropriate output for the specific issue, be it a book, research paper, photo documentary etc or a combination.</p>	<p>Planning for this has commenced, with police stations being the main focus. Approaches have been made to various SAPS stations, personnel and HQ and a conceptual framework has been agreed to.</p>



**Objective 2: to creatively and effectively combine the use of journalism, advocacy, law and education to achieve its mission;**

Output	Activities	Progress Made
<p>2.1 Established partnerships with relevant organizations and people, working to enhance the work of the WJP.</p>	<p>a. Regularly and systematically engage with internal and external stakeholders and potential partners.</p> <p>b. Engage and be an active voice on NGO and civil society fora that are relevant to our issues.</p> <p>c. Maintain a database of stakeholders.</p>	<p>1. Established new working partnerships with:</p> <ul style="list-style-type: none"> <li>• Socio-Economic Rights Institute (SERI)</li> <li>• Centre for the Study of Violence and Reconciliation (CSVSR)</li> <li>• Footballers for Life</li> <li>• Ministry of Women, Children and People with Disabilities</li> <li>• Innocence Project SA</li> <li>• African Leadership Academy</li> <li>• Wits Foundation (UK)</li> <li>• Judicial Inspectorate of Correctional Services (head office)</li> <li>• Department of Health</li> <li>• Dr Wendy Orr, medical ethics activist</li> <li>• National Council for Persons with Physical Disabilities</li> <li>• Adv. Piet Louwe</li> <li>• Adv. Eddie Classen</li> <li>• Adv. Carol Steinberg</li> <li>• Adv. Louise Bick</li> <li>• Brand SA (UK)</li> <li>• Lawyers Against Abuse</li> <li>• PEN Centres (South Africa, Ethiopia, US, Norway)</li> <li>• South African Human Rights Commission</li> <li>• Dutch and French embassies</li> <li>• Societal Innovations Lab</li> </ul> <p>2. With the official founding of the <b>Detention Justice Forum</b> in February, the WJP was appointed onto its coordinating committee for two years. This was after it had helped draft the constitution, and pull together the civil society grouping of organizations working in detention work, in 2012. The DJF is actively working on several issues (including oversight bodies) and providing a collaborative space for affiliated organizations to work together.</p> <p>3. On 27 August, the WJP gave a briefing presentation to the new <b>Deputy Minister of Justice and Constitutional Development</b>, Mr John Jeffrey. This presentation was made at the specific request of the newly-appointed member of cabinet, who had written to Nooshin to ask for input on “ways to improve the administration of justice in this country”. The presentation and meeting were successful and allowed connections to be made with high-level officials of the Department of Justice.</p>

		<p>4. On 18 October the WJP was awarded Wits University's <b>Vice-Chancellor's Academic Citizenship Team Award</b> for 2013. The award is given to an innovative project which serves the community. The commendation read:          "The WJP explores new notions of journalism and social responsibility by bringing together a rare combination of investigative reporting and advocacy. In its work, it is pushing the boundaries of journalism, encouraging reporters to tackle human rights issues and makes use not just of publication, but of the courts and partnerships with activists and advocates. This is exploratory work is at the cutting edge of activist public service journalism".</p> <p>5. The database is updated on a regular basis.</p>
2.2 Increased number of donors approached to fund both core and project activities.	<p>a. Identify potential funders and donors through engagement with partners and research.</p> <p>b. Send relevant funding proposals, profiling specific projects and/or the WJP as a whole.</p> <p>c. Ensure timely and regular narrative and financial reports are sent to donors.</p>	<p>Having approached the Dean of Humanities, and with her consequent support of the Project, the WJP is being assisted by the University's Office of Fundraising and Development in identifying potential donors.</p> <p>In addition, the Wits Foundation (UK) office has actively assisted in the identification of UK donors. This includes the Claude Leon Foundation, Sigrid Rausing Trust and Evan Cornish Foundation, amongst others.</p> <p>Nooshin met with several potential supporters/donors whilst in the UK. This included Lord Joel Joffe, Brand SA UK manager John Battersby, CEO of Canon Collins Trust Sandy Balfour, and Elaine and David Potter and Sir William Frankel.</p> <p>The following grants were given in this period:</p> <ul style="list-style-type: none"> <li>• Raith Foundation, R2,294,000 (3-year: 2013-2015)</li> <li>• Open Society Foundation, R1 072 957 (one year: 2013-2014)</li> <li>• Canon Collins and Joffe Trust, R300 000 (one year: 2013-2014)</li> <li>• Claude Leon Foundation, R400,000 (two year: 2014-2015)</li> </ul>
2.3 Published research papers, on relevant themes	a. Develop a research strategy – collaborating with Wits depts to attract postgraduate	WJP has developed a research model whereby a key criminal justice/remand-related issue is identified; research is conducted, resulting in a 'landscape document' (a document that provides background and context to an issue); and a roundtable discussion is convened, to identify not only ways forward, but stakeholders who have a mandated role to take recommendations forward. Key to this model is the recognition by the WJP that its expertise is in issue

	<p>research, finding funding for in-house research, and ways of disseminating outputs through seminars, reports, articles etc. – to cover topics that are relevant to main focus areas (see page one)</p>	<p>identification, and providing catalysts for discussion. There is no justification for WJP taking a programmatic approach to the issues identified, when there are many stakeholders who have mandates that cover the necessary ground.</p> <p>In addition, the research desk has produced a paper documenting the early days of the Wits Justice Show – a community radio show instigated by WJP radio journalist Paul McNally. Interviews were conducted on-site at both community radio stations, and the publication will be finalised by the end of November 2013.</p> <p>The research desk also provides ongoing research support to the team, including assistance with background research on various topics (shareholder registers, financial accountability of public-private partners in SA, G4S as an international brand, the Judicial Inspectorate for Correctional Services Annual report review 2000 – 2013).</p> <p>The WJP has had sustained contact with the Johannesburg Magistrates Court, stemming from Robyn Leslie's 2012 project on bail. In a consultation in 2013, magistrates highlighted the problem experienced by their courts concerning foreign nationals and bail: <b>what should magistrates do when faced with a foreigner on a criminal charge</b>, who would qualify for bail if he were a citizen - but has no documentation? These are people who are rooted in their communities - and therefore qualify for bail - but have no legal documentation, and are therefore consigned to remand detention without further recourse.</p> <p>In consultation with magistrates, Lawyers for Human Rights and the Department of Correctional Services, WJP arranged a stakeholder consultation on the possibility of using brand new technology - electronic monitoring systems - to help magistrates release this group of people on bail. Using electronic monitoring would allow magistrates to negate the flight risks associated with people who are unable to produce proof of valid permits to be in South Africa - thus allowing more people access to bail and reducing over-crowding in correctional facilities' remand cells.</p> <p>This stakeholder meeting was the first to bring together NGOs, the judiciary, the NPA and DCS to discuss a way in which everyone could work together towards a solution for over-crowding in remand.</p> <p>The initial date for the pilot to launch is the third quarter of 2014. WJP will be included in all further consultation and will be providing input into any further discussion documents. This is the <b>first attempt at introducing electronic monitoring for a remand population on the African continent</b>, and WJP has assisted in bringing disparate stakeholders together to make sure the intervention is well-planned and a success.</p>
2.4 WJP is integrated more fully in the	a. Work closely with the	WJP staff assisted in this year's <b>Court Reporting</b> module for the Career-Entry Honours programme. They provided technical

<p>teaching of investigative journalism by the dept.</p>	<p>members of the journalism department to integrate the work and staff of the WJP into the various programmes and courses offered. This includes:</p> <ol style="list-style-type: none"> <li>a. Investigative journalism B</li> <li>b. Film</li> <li>c. In-depth reporting</li> <li>d. Court reporting</li> <li>e. Fact Check Africa</li> <li>f. Power Reporting</li> </ol>	<p>expertise and mentorship on both criminal justice and journalism issues.</p> <p>Presentations were made for various other departmental courses, including development communication (masters and certificate courses), and at the Power Reporting Conference at the end of October.</p> <p>In addition, preparations for a training for <b>PEN Ethiopia</b> board members was undertaken. The course which ran from 4-8 November was highly praised as a model for similar training. The programme had a mix of theoretical and practical presentations, group discussions and guest talks. This included:</p> <ul style="list-style-type: none"> <li>• Freedom of expression – theory and real-world examples</li> <li>• Human rights – international law and concepts</li> <li>• Humanitarian diplomacy – concept, case examples, tools</li> <li>• Human Rights reporting</li> <li>• Use of digital media</li> </ul> <p>The course – conceived, designed and facilitated by Wits Journalism and PEN South Africa is the cornerstone of a long-term partnership. It is envisaged that the two organizations will continue to work together to enhance shared objectives, particularly in freedom of expression and human rights, both in South Africa and beyond. This extension of the partnership could include similar courses for other PEN centres, especially those who are based in conflict and post-conflict countries.</p>
<p>2.5 Six-month internships are offered and run, both as teaching tool and resource mobilisation.</p>	<ol style="list-style-type: none"> <li>a. Devise individualised work-plans with each intern, including mutually agreed-to deliverables.</li> <li>b. Ensure interns work under mentorship on various projects, as needed, throughout the WJP.</li> </ol>	<p>The legal intern supports the WJP journalists by conducting legal research and interpreting legislation for them, to ensure that articles are accurate. In addition, the legal intern contributes to the WJP blog, and works with the broadcast Journalist on the weekly Wits Justice Radio Show on Thetha FM.</p> <p>The journalism intern draws public attention to prisoners' rights issues by writing articles, blog pieces and posts on social media platforms. She has written about awaiting trial detainees who are in legal limbo, community paralegals and the use of football to teach life skills to inmates. Her articles have been published in The Citizen, the Saturday Star and the Sunday Independent</p> <p>The interns both respond to inquiries from inmates and their family members via post, email, telephone, fax and social media. They also attend court on a weekly basis with CALS to gather information on the application of non-financial bail.</p>
<p>2.6 Events, seminars and workshops are hosted and attended, to increase advocacy</p>	<ol style="list-style-type: none"> <li>a. Plan a series of regular public engagements (including lectures,</li> </ol>	<p>Grouped into two series: "It Could Be You" and "Justice for Breakfast".</p>

<p>opportunities on priority issues.</p>	<p>seminars, debates etc.).</p>	<p><b>It Could Be You: Orange Farm Access to Justice</b></p> <p>This community event held at the St. Charles Lwanga Catholic Church on 18 August. On the panel were representatives from Legal Aid SA, the NPA, Pro-Bono, the local legal advice centre and Thetha FM. The speakers explained their functions in the criminal justice system and took questions from community members. The discussion focused on access to justice in Orange Farm, examining the difficulties faced by this impoverished community who face rising crime rates and recent violent xenophobic riots. Legal Aid have agreed to visit Orange Farm once a month to provide free legal advice – a right enshrined in South Africa’s constitution – to those in need. Reports of the event are available <a href="#">here</a>.</p> <p><b>Justice for Breakfast (JfB)</b></p> <p>The Justice for Breakfast series– whereby WJP, in partnership with the Graduate School for Public and Development Management’s Crime, Policing and Criminal Justice Programme, host a breakfast and roundtable discussion on a topical criminal justice issue – is growing in popularity.</p> <p>February: “<u>Community Paralegals</u>” This attracted over 70 confirmations from high-level stakeholders, including the Department of Justice, Legal Aid South Africa, the Law Society and the Department of Correctional Services. An outcome report was published by the end of the month, highlighting the main issues debated. These include the definition, funding, training and accountability of community paralegals. The report is available online <a href="#">here</a>.</p> <p>On 5 June, the JfB on <b>Oversight Bodies</b> was held, focusing on the legislation and operation of three key oversight bodies that impact the criminal justice system. Looking at the recent legislative changes to the Independent Police Investigative Directorate and Civilian Secretariat of the South African Police Service and this roundtable discussed the current situation of the Judicial Inspectorate for Correctional Services. The bulk of the discussion centred on the development of potential solutions to some of the challenges facing these oversight bodies – in particular, leadership. A report on this roundtable is available <a href="#">here</a>.</p> <p>On 11 September, the final roundtable was held, entitled <b>Administrative inefficiency in the criminal justice system</b>. This Justice for Breakfast was the final one for 2013 – the overwhelming attendance and stimulating conversation ensured that the series ended on a high note.</p> <p>Those in attendance included representatives from the Judicial Inspectorate for Correctional Services, Legal Aid South Africa, the National Prosecuting Authority, the Department of Justice and Constitutional Development, The Centre for Applied Legal Studies, the European Union delegation to South Africa as well as local media</p>
--	---------------------------------	---

		<p>representatives from The Star, the Mail and Guardian and Carte Blanche. A report on this roundtable is available <a href="#">here</a>.</p> <p>The full reports of all the JfB events held so far are included in the JfB Anthology mentioned above.</p> <p><b>TB Roundtable</b></p> <p>This is a continuation of the work the WJP has been doing on highlighting the serious health issue posed by the mismanagement of TB in our prisons. In 2012, it was involved as an amicus before the Constitutional Court case <i>Dudley Lee vs Minister of Correctional Services</i> (which held the state responsible for Mr Lee contracting TB whilst incarcerated: a landmark decision that has far-reaching implications for both health and correctional service management).</p> <p>The roundtable focused on strengthening the Guidelines for the Management of Tuberculosis, Human Immunodeficiency Virus and Sexually Transmitted Infections in Correctional Centres, 2013, which were jointly announced by the Department of Correctional Services and the Department of Health on World TB Day in March this year. There were more than 50 invited experts at the day-long event, including representatives of the criminal justice, social justice and health sectors. An outcome document- capturing the discussions at the Roundtable - will be sent to stakeholders, including Government departments, and made public, in the near future.</p> <p><b>Participation in External Events</b></p> <p>WJP staff have attended a number of seminars, workshops and conferences, including:</p> <ul style="list-style-type: none"> <li>- Article 5 Initiative conferences on Torture</li> <li>- Detention Justice Forum annual meeting</li> <li>- ISS Conference on Police Brutality</li> <li>- CSPRI Remand Detention Seminar</li> <li>- Helen Suzman Foundation roundtables on accountability and on the land question.</li> <li>- SADC Lawyers' Association seminar on Detention Guidelines</li> </ul> <p><b>Presentation at External Events</b></p> <p>WJP staff have given presentations at the following:</p> <ul style="list-style-type: none"> <li>- Development Communications course for media practitioners</li> <li>- Canon Collins Conference: Scholarship in Action Foundation for Human Rights</li> <li>- PowerReporting Conference</li> <li>- Radio Days Conference</li> <li>- The launch of "Gun Violence, Disability and Recovery"</li> </ul>
--	--	---

		<ul style="list-style-type: none"> <li>- DCS seminar on electronic tagging of children</li> <li>- Societal Innovations Lab: a four-day workshop (linked to New Club of Paris) at which the problem of overcrowding in SA prisons was discussed, as the WJP case, and team of professionals provide prototype programmes and projects to help improve the criminal justice system in SA. The prototypes will prove useful in further WJP planning.</li> </ul>
--	--	--

**Objective 3: to contribute towards the improvement of the criminal justice system in South Africa and its conformity with the Constitution and international law**

Output	Activities	Progress Made
3.1 Research, advocacy and litigation are carried out in partnership with the Centre for Applied Legal Studies, on systemic failures of the criminal justice system.	<ul style="list-style-type: none"> <li>a. Work according to a joint CALS/WJP project plan which uses inputs of lawyers and journalists on specific cases and investigations.</li> <li>b. Collate relevant case files – of those who have requested assistance from the WJP (see objective four) for use by the team.</li> <li>c. Use the CJS Problems and Solutions matrix in identifying relevant issues to pursue through research, advocacy or litigation.</li> </ul>	<p>The WJP/CALS partnership continues to be effective and useful for both organizations. In particular, the work started in 2012 on prison conditions, has gained momentum. A strategy meeting was held in March with senior counsel, Gilbert Marcus, at which time it was agreed to initially focus on two issues: unaffordable bail and access to reading materials. Subsequently, strategic timelines and goals have been agreed between both teams and weekly progress is made towards these. This includes visits to courts and approaches to the Ministry of Correctional Services.</p> <p>Subsequently, strategic timelines and goals have been agreed between both teams and weekly progress is made towards these. This includes visits to courts and approaches to the Ministry of Correctional Services as well as visits to prison libraries. Reports of these visits are available <a href="#">here</a> and <a href="#">here</a></p>
3.2 Partnerships with other organizations or legal practitioners who are dealing with landmark cases, in	<ul style="list-style-type: none"> <li>a. Continue to work with, and support the cases of</li> </ul>	<ul style="list-style-type: none"> <li>i. The St Alban's case is due to be heard in the High Court in May 2014 (after a postponement from December 2013).</li> <li>ii. The partnership with Egon Oswald, in representing those who allege torture, has expanded to several other cases being handled by the WJP. This includes:</li> </ul>

<p>order to provide support and the specialised knowledge of the WJP.</p>	<p>a. Cases of tortured inmates, in St Alban's and Mangaung prisons, as represented by Egon Oswald</p> <p>b. The securing of pardons for Fusi Mofokeng and Tshokolo Mokoena.</p> <p>c. The bail application process of paraplegic inmate, Ronnie Fakude (Prisoner A)</p>	<ul style="list-style-type: none"> <li>- Mangaung prison in Bloemfontein, run by G4S. Oswald has taken on a case pertaining to injections administered to inmates, allegedly against their will.</li> <li>- Grootvlei Six: Alleging torture at the hands of police whilst in custody in Bloemfontein, these six are suing the Minister of Police and are being represented by Oswald (to whom the WJP referred the case after its investigation into the matter).</li> </ul> <p>iii. The work in pursuing a pardon for Fusi and Tshokolo continues, together with the Webber Wentzel <i>pro bono</i> team. Senior Counsel has been briefed, and a strategy decided upon. Fusi and Tshokolo will be applying for a presidential pardon under the Criminal Procedure Act. However, part of the transcript of the original trial is missing from their court records, and much effort and time has gone into trying to locate this. This may cause a reassessment of the approach taken by the legal team. The lawyers and the Wits Justice Project met with officials at the Department of Justice in October, who were very positive about the chances of success of the presidential pardon. If we do succeed in obtaining a pardon through the CPA, it will mean Fusi and Tshokolo's name will be cleared and their criminal records expunged. Their case will be the first in its kind and it will be a landmark case. After their criminal records have been expunged, the legal team intends to sue the government for reparations.</p> <p>Fusi and Tshokolo's parole conditions were lifted at the end of 2012. Despite the fact that they are now free to move around, they still have a criminal record, which greatly interferes with their lives and futures.</p> <p>In November, Fusi, Tshokolo and Ruth were invited to participate in a talk show hosted by Hlasela TV, which produces content for the Free State government, through public broadcasting channels. The talk show, which was recorded live, was a success as it drew in various stakeholders, such as ANC veterans, law students as well as interested citizens.</p> <p>iv. After publication of paraplegic Prisoner A's story in the Guardian UK, the Saturday Star and Business Day in Feb/March, the WJP was inundated with generous offers of assistance from around the world. Initially, prisoner A was reluctant to disclose his identity for fear of victimisation from prison officials. However, after taking seriously ill, he decided to disclose his identity in the belief that he was dying.</p> <p>Since then, and through constant facilitation and liaison by WJP, the following steps have been taken :</p>
---	--	--



		<ul style="list-style-type: none"> <li>- Britta Rotmann (Deputy National Commissioner for Remand), intervened and Fakude was transferred to the prison “hospital,” a converted cell.</li> <li>- Andrea Vinassa, media coordinator of the National Council for Persons with Physical Disabilities (NCPDPSA), read Prisoner A’s story and contacted the WJP. Since DCS was unable to provide a doctor, the NCPDPSA sent a private doctor to see him in prison. He assessed Fakude and prescribed medication which was delivered courtesy of the NCPDPSA.</li> <li>- Since the Department of Correctional Services has been unable to provide Fakude with a wheelchair since his arrival in prison, the NCPDPSA provided him with a wheelchair.</li> </ul>
3.3 WJP is granted access to prisons, detainees and prisoners as well as to relevant information, by the authorities.	<p>a. Continue to formally correspond with members of parliament, government and the Dept of Correctional Services, requesting access.</p> <p>b. Work with partners in advocating for an open and transparent prison system e.g. with SAHA on Protection of Access to Information Act.</p>	Continued representations have been made in this regard. The visits to prison libraries (see above) have been very useful in giving the WJP a first-hand look at some of the facilities in Gauteng.

**Objective 4: to assist individuals who are affected by miscarriages of justice.**

Output	Activities	Progress Made
4.1 Ongoing interface with individuals seeking assistance from the WJP, in looking to redress miscarriages of justice.	<p>a. Publicise the channels (postal, email, phone) available to those seeking assistance to contact WJP.</p> <p>b. Make regular visits to courts, in particular</p>	<p>A document, <b>entitled “Know Your Rights: A simple guide to South African criminal procedure”</b> has been written and is in the process of being printed and published. This document aims to explain difficult concepts and legal jargon, as a way of improving access to justice for those unable to afford legal representation. It is in both Zulu and English and will be distributed widely, and included in any correspondence with inmates and their families.</p> <p>There have been 203 requests for assistance received by the WJP</p>

	<p>regional courts, to identify cases in which the WJP could provide non-legal assistance.</p> <p>c. Make regular visits to prisons, in particular JHB Medium A prison (Sun City), to follow up on those in remand for long periods of time</p> <p>d. Keep meticulous records of all inquiries and requests for assistance, following specified WJP procedures and protocols.</p> <p>e. Assess requests for assistance, and determine cases which fit WJP criteria and flag these to relevant staff, as per WJP procedures and protocols.</p> <p>f. Correspond with all those requesting help (either accepting or declining WJP assistance), keeping strict and meticulous records of all interactions.</p>	<p>in 2013</p> <p>An example of the work carried out in providing assistance to inmates and their families is the case <b>Jabulani Radebe and his co-accused Mthuli Dube</b>, who after more than five years awaiting trial, were finally released on bail in November 2013.</p> <p>After 89 postponements - including the retirement of Upington Regional Court Magistrate Christo Jacobs in the middle of the proceedings – the two men will now spend Christmas with their families while awaiting a new trial date in 2014.</p> <p>With help from the WJP – who have followed the case since early 2012 – Dube and Radebe sought advice from lawyers at the Centre for Applied Legal Studies. They relayed the advice to their own lawyer, who applied for a 49G hearing.</p> <p>Another case was that of <b>Farouk Meyer</b>, whom the WJP started assisting in 2010. Meyer alleges he was wrongfully convicted and in November 2013 – with no legal training or legal background – represented himself at the Supreme Court of Appeal.</p> <p>Meyer was sentenced to life in prison for murdering three men during a gang fight in Club 12 Play at Hillfox on the West Rand. Meyer willingly handed in himself and his firearm to police officers the next day, claiming he had fired out of self-defense. The police, however, did not buy his version of events and consequently he has currently served 14 years behind bars, including his pre-trial imprisonment.</p> <p>The Supreme Court of Appeal has, since Meyer’s appearance, indicated that his life sentence could be reduced by an appeal court to a sentence of 20 to 30 years.</p>
--	--	--