



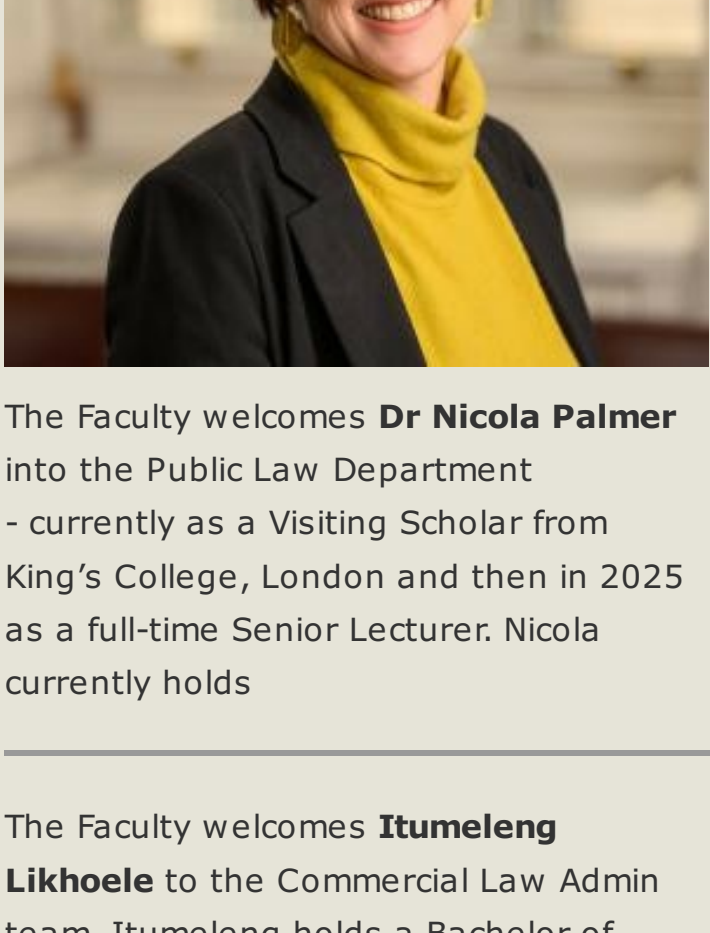
the Law Faculty's internal newsletter to keep you posted on things you might have missed and events, publications and initiatives to look out for.

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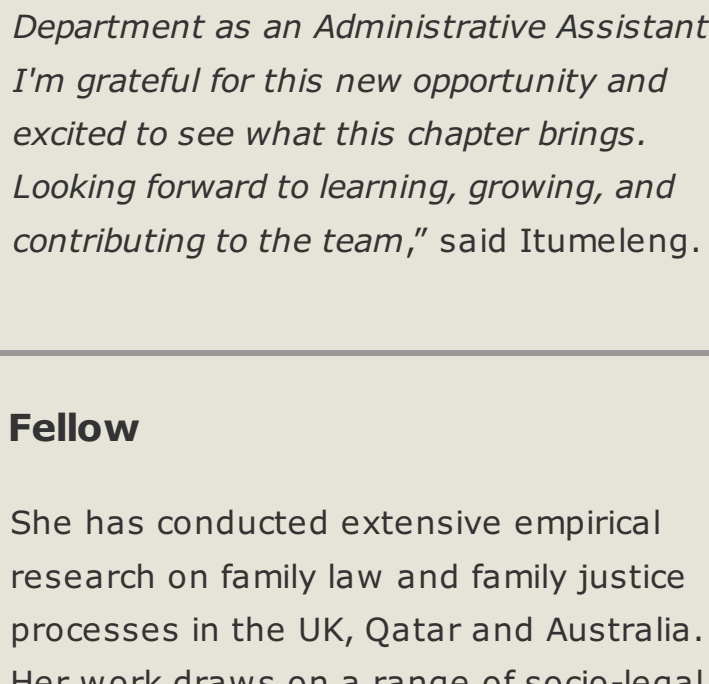
FACULTY NEWS

Staff Welcomes



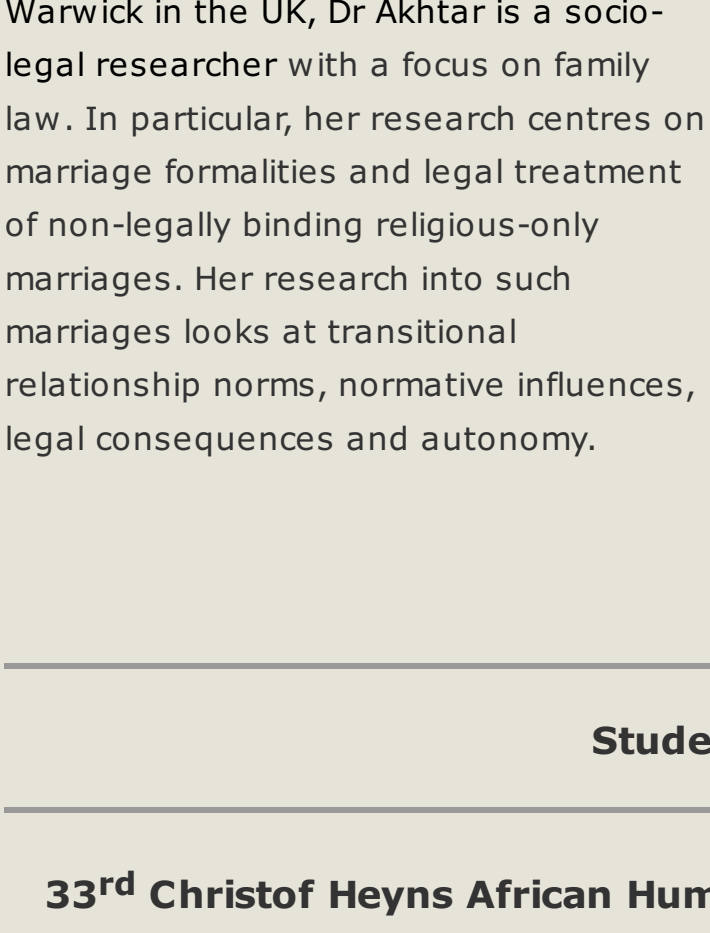
The Faculty welcomes **Dr Nicola Palmer** into the Public Law Department – currently as a Visiting Scholar from King's College, London and then in 2025 as a full-time Senior Lecturer. Nicola currently holds

a prestigious *British Academy Fellowship* in support of her research. A Reader in Criminal Law at The Dickson Poon School of Law and the author of *Courts in Conflict: Interpreting the Layers of Justice in Post-Genocide Rwanda* (paperback OUP, 2019), Nicola has written on questions of resistance to mass violence, methodological approaches to transitional justice and the intersections of plural legal processes set up in response to exceptional violence. Nicola received her DPhil in law from Oxford in 2011 where she studied as a Rhodes Scholar. Prior to this, she worked at the United Nations International Criminal Tribunal for Rwanda (UN ICTR), following her undergraduate in law at the University of Cape Town in Khakhanda, South Africa.



"I'm thrilled to join the Commercial Law Department as an Administrative Assistant! I'm grateful for this new opportunity and excited to see what this chapter brings. Looking forward to learning, growing, and contributing to the team," said Tumeleng.

Visiting Fellow



The Faculty is delighted to be hosting **Dr Rajnaara Akhtar** on a one-week Fellowship. Based at University of Warwick in the UK, Dr Akhtar is a socio-legal researcher with a focus on family law. In particular, her research centres on marriage formalities and legal treatment of non-legally binding religious-only marriages. Her research into such marriages looks at transitional relationship norms, normative influences, legal consequences and autonomy.

She has conducted extensive empirical research on family law and family justice processes in the UK, Qatar and Australia. Her work draws on a range of socio-legal theories and approaches, and is underpinned by Critical Legal Theory. Dr Akhtar has collaborated with Prof Waheeda Amien on an international multidisciplinary research project proposal to the UK-based *Economic and Social Research Council* focusing on Muslim marriage contracts, for which they're awaiting the outcome. The week-long visiting fellowship at UCT is intended to begin work on the ground to build research networks within communities and with legal professionals dealing with family law issues. Dr Akhtar hopes that this visit will help to build research networks and to continue her research on Muslim family law issues, taking a comparative approach.

Dr Akhtar presented a staff seminar on Tuesday 6 August on the topic "Non-legally binding marriages and the state – England, Qatar and Australia".

Student News

33rd Christof Heyns African Human Rights Moot Court Competition



During the first week of 2nd Semester two of our students, **Haydon Anderson** and **Nyasha Tinago**, represented UCT at the 33rd Christof Heyns African Human Rights Moot Court Competition held at the University of Rwanda in Kigali. **Salona Lutchman** and **Idrisaam Ahmed** coached the team and our students did us proud! UCT was the only South African team to progress to the quarterfinals thus placing them in the top eight out of sixty-five universities. In addition, Haydon Anderson was ranked as the fifth best speaker in the overall competition.



The winning team was made up of students from Midlands State University (Zimbabwe) and Ebonyi State University (Nigeria). The runners-up were the teams from the University of Nairobi (Kenya) and Universite Thomas Sankara (Burkina Faso).

Congratulations to our team, including the coaches, and to the competition's winning team!

Thirsty?



A Faculty water fountain

It is no doubt thanks to the Law Students' Council's representation related to student thirst that the Faculty is now the proud home to a water fountain!

Students had raised, on a number of occasions over the years, the fact that the only place to get drinking water (short of buying water) was from the taps in the bathrooms.

The water foundation is installed on Level 3 just near the north-east stairwell, and has both hot water and cold water outlets.

Enjoy fresh water on tap!

FACULTY CALENDAR - forthcoming events

- **WIPO-WTO Colloquium** | 6 – 9 August 2024: this gathering is the regional WIPO-WTO Colloquium for IP teachers and the Second IP Scholars Africa Conference – currently underway
- **Annual Rabinowitz Lecture** | 20 August: with Professor Tarun Khaitan (LSE)
- **Insolvency and Business Rescue Law Conference** | 29 – 30 August
- **Mediation goes Mainstream** | 5 – 6 September
- **Africa Law & Society Colloquium** | 6 – 7 September
- **Regional Teaching & Learning Conference** | 12 September @ Stellenbosch

LECTURES, SEMINARS & CONFERENCES

The 2024 Rabinowitz Lecture

Liberal Constitutionalism, Media Ownership & the Public-Private Divide

SAVE THE DATE

The 2024 Rabinowitz Visitor is **Professor Tarun Khaitan**, Professor (Chair) of Public Law at the London School of Economics & Political Science. Prof Khaitan will deliver the annual Rabinowitz Lecture on Tuesday 20 August on the topic of *Corporate Media & Moral Liberalism*.

When: Tuesday 20 August
Where: Oliver Tambo Moot Court
Time: 17h30 – 19h30

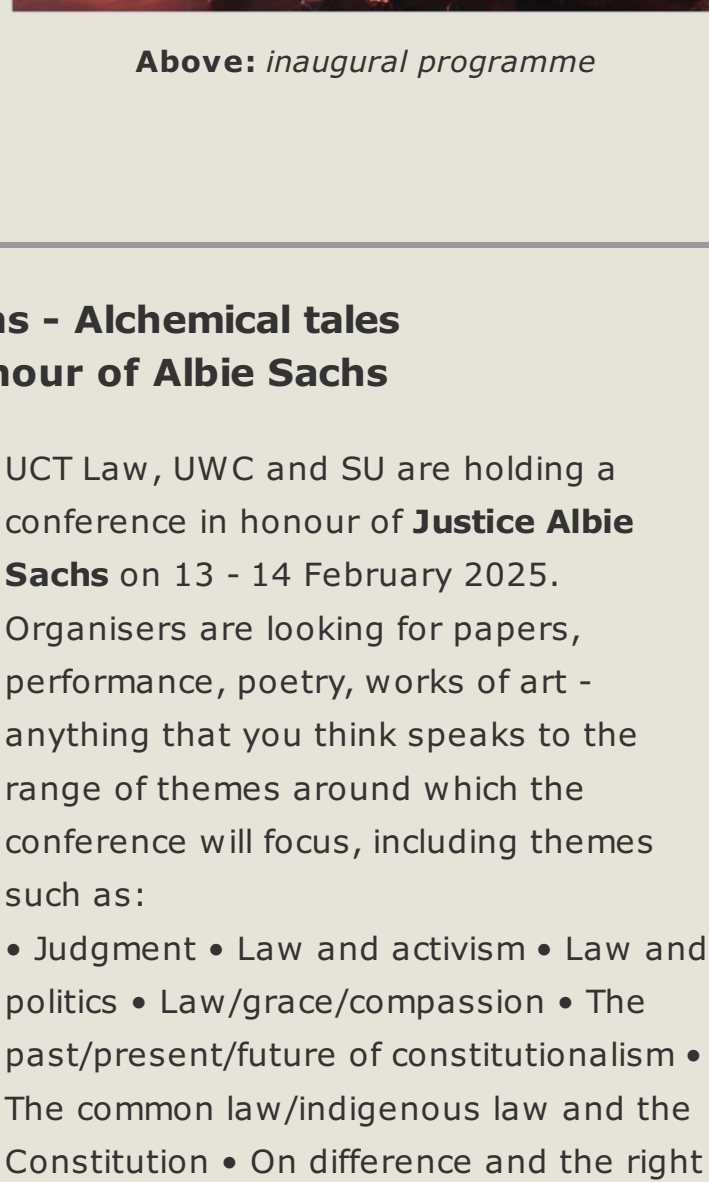


Join us for an important afternoon lecture. Register at the link or email fatima.osman@uct.ac.za

Refreshments will be served after the lecture, so please register your attendance here for catering purposes.

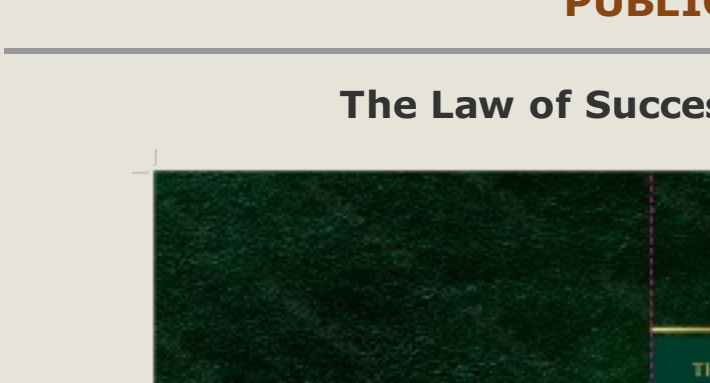
Intellectual Property Rights

Prof Caroline Ncube participated in last week's inaugural **SAIMI** *International Maritime Institute (SAIMI) seminar on Maritime Indigenous and Local Knowledge (MILK)*. Prof Ncube contributed to the session on *Protection of Intellectual Property Rights concerning Indigenous & Local Knowledge*.



Above: Inaugural programme

Call for Contributions - Alchemical tales A conference in honour of Albie Sachs



UCT Law, UWC and BU are holding a conference in honour of **Justice Albie Sachs** on 13 - 14 February 2025. Organisers are looking for papers, performance, poetry, works of art – anything that you think speaks to the range of themes around which the conference will focus, including themes such as:

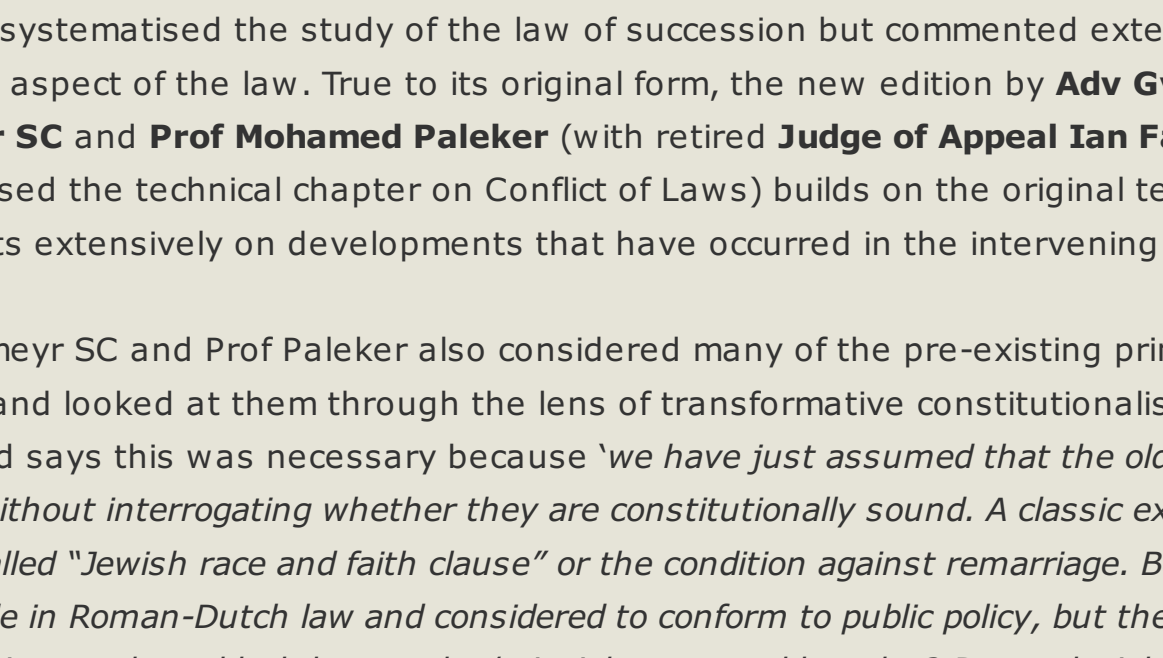
- Judgment
- Law and activism
- Law and politics
- Law/grace/compassion
- The past/present/future of constitutionalism
- The common law/indigenous law and the Constitution
- On difference and the right to be different
- Law and architecture
- Culture/struggle
- and more.

Details available on the conference web page.

PLEASE SHARE THIS CALL WITH COLLEAGUES IN YOUR NETWORK.

PUBLICATIONS

The Law of Succession in South Africa



The Law of Succession in South Africa is the leading book on the subject. It was first published in 1980 by the former Chief Justice of South Africa, MN Corbett and his co-authors Ellison Kahn, HR Hanlo and Gys Hofmeyr and subsequently revised by the authors in 2001 (second edition).

22 years later, the third edition (2023) builds on the work of the original authors, who not only systematised the study of the law of succession but commented extensively on every aspect of the law. True to its original form, the new edition by **Adv Gys Hofmeyr SC** and **Prof Mohamed Paleker** (with retired **Judge of Appeal Ian Farlam** who revised the technical chapter on Conflict of Laws) builds on the original text and comments extensively on developments that have occurred in the intervening period.

Adv Hofmeyr SC and Prof Paleker also considered many of the pre-existing principles of the law and looked at them through the lens of transformative constitutionalism.

Mohamed says this was necessary because "we have just assumed that the old law applies without interrogating whether they are constitutionally sound. A classic example is the so-called 'Jewish race and faith clause' or the condition against remarriage. Both are acceptable in Roman-Dutch law and considered to conform to public policy, but the question is: are these black-letter rules/principles acceptable today? Due to legislative reforms and judicial interventions, many aspects had to be revised entirely. A case in point is the law relating to intestate succession."

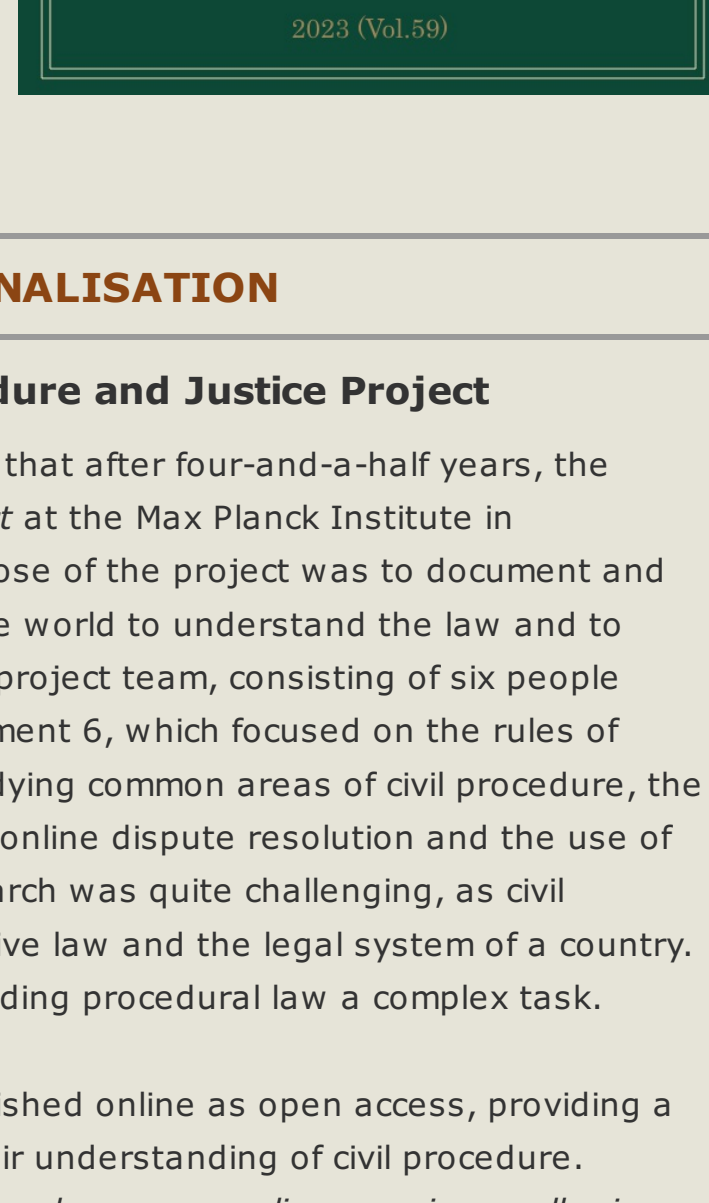
About his experience, Mohamed writes: "It was a great honour to work with Adv Gys Hofmeyr SC on this project. Gys completed this book at the age of 91 with astounding academic rigour. Although we took responsibility for our chapters, we interrogated each chapter together and debated everything. Working with Gys was an incredible experience. I consider him my mentor and friend. We endured many challenges, including Covid and computer problems, and somehow prevailed."

Although published in 2023, this great publication was recently reviewed in the SALJ.

2023 Responsa Meridiana

The 2023 *Responsa Meridiana Student Law Journal* is officially available for purchase. *Responsa Meridiana* has been cited in leading South African legal publications, numerous judgments of the High Court, and boasts an illustrious alumni of esteemed legal practitioners and academics such as Professors Hugh Corder and Helen Scott, Judge Dennis Davis and Advocate Jeremy Gauntlett. It aims to exhibit some of the best student legal voices in the Western Cape, catalysing discourse and debate.

This edition deals with a wide variety of topical subjects, including salient political, commercial, criminal, philosophical, and technological issues of law. If you are interested in purchasing a copy, please email responsa@uct.ac.za where you will be sent an invoice and further details.

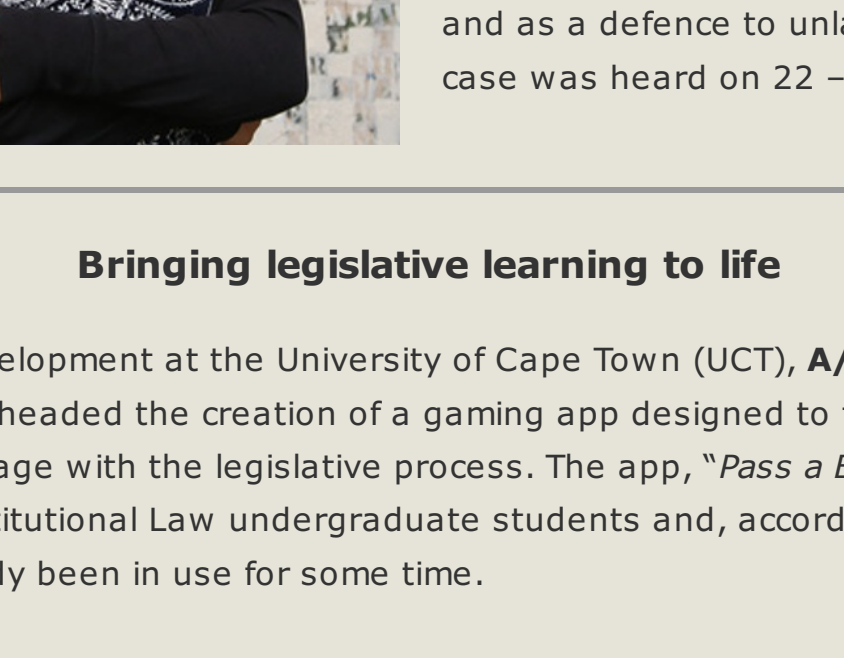


INTERNATIONALISATION

Comparative Civil Procedure and Justice Project

Prof Mohamed Paleker is pleased to share that after four-and-a-half years, the *Comparative Civil Procedure* and Justice Project at the Max Planck Institute in Luxembourg has been completed. The purpose of the project was to document and identify civil procedure laws from around the world to understand the law and to identify commonalities and differences. The project team, consisting of six people including Prof Paleker, was assigned to segment 6, which focused on the rules of jurisdiction. More broadly, in addition to studying common areas of civil procedure, the project also explored newer areas, such as online dispute resolution and the use of artificial intelligence in civil justice. The research was quite challenging, as civil procedure is intricately linked with substantive law and the legal system of a country. This intersection often makes understanding procedural law a complex task.

The culmination of this research will be published online as open access, providing a valuable resource for scholars to further their understanding of civil procedure. "Personally," said Prof Paleker, "this project has been a rewarding experience, allowing me to travel, engage with proceduralists and immerse myself in diverse legal systems. I wish to thank our law librarians for the assistance they afforded me to source books and materials."



ENGAGED SCHOLARSHIP



Expert Witness on Consent

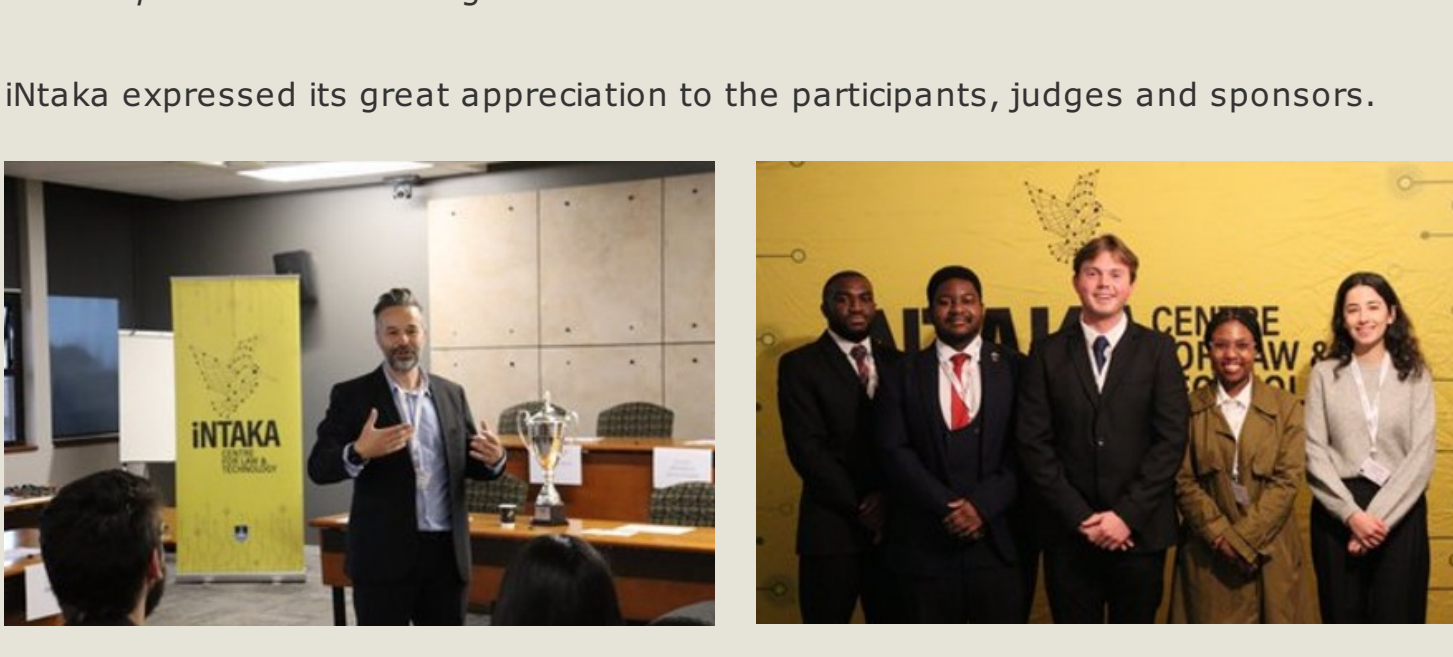
A/Prof Jameelah Omar is an expert witness for the Third Applicant in the case of *The Embrace Project and Others v Minister of Justice and Correctional Services and Others* (48056/22), providing expertise on consent as a legal requirement for rape and sexual assault, and as a defence to unlawfulness. The case was heard on 22 – 23 July 2024.

Bringing legislative learning to life

In an exciting development at the University of Cape Town (UCT), **A/Prof Cathleen Powell** has spearheaded the creation of a gaming app designed to transform the way law students engage with the legislative process. The app, "Pass a Bill", is currently available to Constitutional Law undergraduate students and, according to A/Prof Powell, has already been in use for some time.

This innovative tool introduces a dynamic and interactive learning environment, which aims to deepen students' understanding of complex legal procedures through immersive gameplay. The app challenges players to navigate a bill through the intricate pathways of legislative approval, making critical decisions at key junctures based on provided information. By simulating the real-life processes that bills undergo in South African Parliament – ranging through proposals from the National Assembly, scrutiny by the National Council of Provinces, and mediation where these bodies disagree – the game offers a hands-on learning experience that is both educational and engaging.

READ MORE...

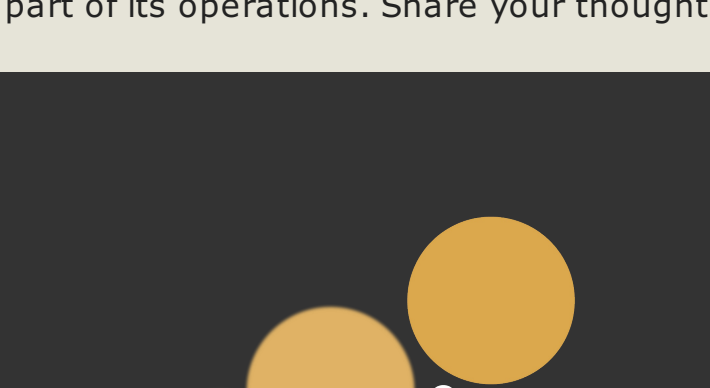


The Ittaka CyberLex Moot Competition

Two weekends ago, on Saturday 27 July, Ittaka hosted the annual CyberLex Moot Competition. The winners were:

1. First place & Best Oralist: Alexandra Visser
2. Second place: Boltumelo Kgama & Ben Reid
3. Third place: Yankho Likongwe & Bester Kaunda.

Ittaka expressed its great appreciation to the participants, judges and sponsors.



ANNOUNCEMENT & NOTES

LAW FACULTY INDUCTION BOOKLET | REMINDER
As a result of findings from our 2023 "New Staff Induction" survey, the Transformation Committee developed a comprehensive Faculty Induction booklet to address the gap in new staff induction into the Faculty. Email fatima.osman@uct.ac.za or gaby.riche@uct.ac.za for a copy. Comments and suggestions for additional information always welcome!

FACULTY DROP-BOX | REMINDER
In the interests of inclusivity and being able to share any concerns you may have about the Faculty, the Transformation Committee runs a Vula site on which you can share these concerns. If you are new and are not on the Vula site, please email Benjamin.cronin@uct.ac.za and you will be added. Generally, what the TC is looking for via this channel is **feedback of a more general or structural nature on matters relating to inclusivity/transformation** which the TC can work on going forward as part of its operations. Share your thoughts – visit the **INCLUSIVITY DROP-BOX** on Vula.



Got something to share? Have thoughts on what we should include in Faculty Fortnight?

Please send your news & ideas to gaby.riche@uct.ac.za – we'd really like to hear from you.