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LLB, LLM (Criminal Justice), PHD (UCT)

Associate Professor, Department of Public Law, Faculty of Law, UCT

Research and publications

(co-authored) ‘Women’s bodies: Autonomy and freedom and security of the person’ in C Alibertyn and E Bonthuys *Gender, Law & Justice* 2nd ed. (2023) Juta & Company (forthcoming)

J Omar ‘Heavy-handed Policing: Teaching Law and Practice to LLB Students in South Africa’ in A Pande, R Chaturvedi and S Daya (eds) *Epistemic Justice and the Postcolonial University* (2023) Wits University Press.

Update chapter - K Phelps, D Smythe and **J Omar** ‘Chapter 2: Section 3 Rape’ in *The Sexual Offences Commentary* (2021) Juta.

Update chapter - K Phelps and **J Omar** ‘Chapter 19: S 55 Attempt, Conspiracy, Incitement/ Inducing Another Person to Commit a Sexual Offence’ in *The Sexual Offences Commentary* (2021) Juta.

Update chapter - M De Souza, D Smythe and **J Omar** ‘Chapter 20: S 56 Defences and Sentencing’ in *The Sexual Offences Commentary* (2021) Juta.

J Omar ‘Structural impediments to an independent prosecuting authority and mechanisms to mitigate the harm of political interference in South Africa’ *SAPL* (special edition on the National Prosecuting Authority) 35, 2 (2020) 1 – 29.

N Luwaya and **J Omar** ‘Working against violence against women: How far have we come?’ in N Luwaya, R Manjoo and **J Omar** (eds) *Violence Against Women: Law, Policy and Practice Acta Juridica* Special Edition (2020).

J Omar and D Smythe Criminal Procedure LAWSA, volume 12 3rd edition (2020)

Contributing author to Theophilopoulos, C (ed.). 2020. *Criminal Procedure in South Africa*. Cape Town, Oxford University Press. Sole author of two chapters: prosecution of corporate bodies; and, mental illness procedures.

J Omar ‘Clarity, consistency and community convictions: understanding the defence of consent in South African criminal law in *A Reasonable Man: Essays in Honour of Jonathan Burchell* (2019), 97 – 118.

J Omar ‘Protecting the learning space: the case for the regulation of staff-student relationships at university campuses in South Africa’ *South African Journal of Higher Education* 33 (2019) 2, 123 - 141.

K Phelps, D Smythe and **J Omar** ‘Chapter 2: Section 3 Rape’ in *The Sexual Offences Commentary* (2019) Juta.

K Phelps and **J Omar** ‘Chapter 3: S4-7 Compelled Rape, Sexual Assault, Compelled Sexual Assault, Compelled Self Sexual Assault’ in *The Sexual Offences Commentary* (2019) Juta.

K Phelps and **J Omar** ‘Chapter 19: S 55 Attempt, Conspiracy, Incitement/ Inducing Another Person to Commit a Sexual Offence’ in *The Sexual Offences Commentary* (2019) Juta.

M De Souza, D Smythe and **J Omar** ‘Chapter 20: S 56 Defences and Sentencing’ in *The Sexual Offences Commentary* (2019) Juta.

M De Souza and **J Omar** ‘Chapter 29: S 68 and Schedule Repeal and amendment of laws — prescription of claims relating to sexual offences’ in *The Sexual Offences Commentary* (2019) Juta.

J Omar ‘Testing the judiciary’s appetite to reimagine protest law: a case note on the SJC10

case' *South African Crime Quarterly* 63 (2018) 43 - 51.

J Omar 'Teaching sexual offences sensitively: not a capitulation but good pedagogy' *Stellenbosch Law Review* 1 (2018) 90 - 107.

J Omar 'The Regulation of Gatherings Act – a hindrance to the right to protest? A legal analysis in context' *South African Crime Quarterly* 62 (2017).

J Omar 'Penalised for Poverty: the unfair assessment of 'flight risk' in bail hearings' *South African Crime Quarterly* 57 (2016).

J Omar 'South Africa's Rape Shield: Does Section 227 of the Criminal Procedure Act Affect an Accused's Fair Trial Rights?' *South African Journal of Criminal Justice* 29 (2016) 1.

J Omar Book review *Questioning: The Undefended Accused - Practical Examples for Magistrates* Volume 1A and Volume 2, 2nd edition, Advocate DJ Steyn *South African Law Journal* 133 (2016) 2.

J Omar Book Review *Legal terminology: criminal law, procedure and evidence*, Prinsloo et al. (2015) *South African Law Journal* 133 (2016) 1.

J Omar "A Prisoner's Right? The Legal Case for Rehabilitation" *South African Crime Quarterly* 37 (2011).

Teaching

Criminal Procedure: convenor and lecturer (final core LLB course)

Criminal Law: lecturer (Intermediate core LLB course)

Criminal Justice and The Constitution: convenor and lecturer: (Final year elective research course)

Sexual Offences and the Law: convenor and lecturer (LLM course)

Professional affiliations

Board of Trustees of the Women's Legal Centre

Editorial Board of the South African Journal on Human Rights

Social responsiveness and other contributions in criminal justice

J Omar 'Covid-19 and directionless Diktat: Balancing the integrity of the legal system and the best interests of pupils' Daily Maverick 21 January 2021, available at <https://www.dailymaverick.co.za/opinionista/2021-01-21-covid-19-and-directionless-diktat-balancing-the-integrity-of-the-legal-system-and-the-best-interests-of-pupils/>

J Omar 'Inquiries into allegations of sexual harassment – the lost opportunity for structural change' Daily Maverick 3 December 2018, available at <https://www.dailymaverick.co.za/opinionista/2018-12-03-inquiries-into-allegations-of-sexual-harassment-the-lost-opportunity-for-structural-change/>

J Omar 'Patriarchal procedure — the hidden problems with criminalising the identification of suspects in sexual matters' Daily Maverick 10 October 2018, available at <http://firstthing.dailymaverick.co.za/article?id=128286#.XEHGtVUzaUk>

J Omar 'Social media is making it harder to protect the identities of suspects' The Conversation 5 October 2018, available at <https://theconversation.com/social-media-is-making-it-harder-to-protect-the-identities-of-suspects-104444>

J Omar 'How South Africa can stop political interference in who gets prosecuted' The Conversation 26 June 2017, available at <http://theconversation.com/how-south-africa-can-stop-political-interference-in-who-gets-prosecuted-79442>.

J Omar 'Racism is still rampant in South Africa. But is criminalising hatred the answer?' The Conversation 12 March 2017, available at <https://theconversation.com/racism-is-still-rampant-in-south-africa-but-is-criminalising-hatred-the-answer-73549>

J Omar 'Responding to student protests: should the law be a tool of justice or violence?'
The Conversation 30 September 2016, available at <http://theconversation.com/responding-to-student-protests-should-the-law-be-a-tool-of-justice-or-violence-66295>

Founder of Right(s) From the Start, a legal education programme aimed at Foundation Phase learners

Special Legal Advisor Livingstone High School 2018 – 2020 (appointed by the School Governing Body)

Member of the UCT Working Group to develop a policy on calling the South African Police Service onto the University premises (2015 – 2016).

Member of the independent inquiry team investigating sexual harassment at the University of Witwatersrand and co-author of the published Report (2013).

Prior Work History

Centre for Applied Legal Studies, University of the Witwatersrand

Attorney (Rule of Law Programme)
2013 – 2014

Edward Nathan Sonnenbergs

Candidate Attorney
2011 – 2012