



## PROGRAMME

### **Advanced Human Rights Courses (AHRC)**

## Accountable Policing: Oversight and the criminal justice system

*Venue: Zoom (Online)*

*All times are SAST / (GMT+02:00)*

5 – 9 June 2023.



# Day 1

Monday 5 June 2023

All times are SAST / (GMT+02:00)

Time	Activity
10:00 – 10:30	Welcome; course logistics; opening, course objectives; introduction of participants; introduction to the class exercises Mr Dennis Antwi <i>Project Manager: Centre for Human Rights, University of Pretoria</i> Prof Frans Viljoen <i>Director: Centre for Human Rights, University of Pretoria</i> Ms Louise Edwards <i>Director Research and Programmes: African Policing Civilian Oversight Forum (APCOF)</i>
10:30 – 12:30	Introduction to key international and regional human rights standards relevant to policing and criminal justice systems, Ms Louise Edwards

## Recommended Readings:

### Key international treaties / standards:

International Covenant on Civil and Political Rights: <https://www.ohchr.org/sites/default/files/ccpr.pdf> ; International Covenant on Economic, Social and Cultural Rights: <https://www.ohchr.org/sites/default/files/cescr.pdf> ; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: <https://www.ohchr.org/sites/default/files/cat.pdf> ; Optional Protocol to the Convention against Torture : <https://www.ohchr.org/sites/default/files/cat-one.pdf> ; Convention on the Rights of the Child: <https://www.ohchr.org/sites/default/files/crc.pdf> ; International Convention on the Elimination of Racial Discrimination: <https://www.ohchr.org/sites/default/files/cerd.pdf> ; Convention on the Rights of Persons with Disabilities: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html> ; Convention on the Elimination of Discrimination against Women: <https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/cedaw.pdf>



### Key regional (African) human rights instruments

African Charter on Human and Peoples' Rights: <https://www.achpr.org/legalinstruments/detail?id=49>

African Charter on the Rights and Welfare of the Child: <https://au.int/en/treaties/african-charter-rights-and-welfare-child>

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa:

<https://au.int/en/treaties/protocol-african-charter-human-and-peoples-rights-rights-women-africa>

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa:

<https://au.int/en/treaties/protocol-african-charter-human-and-peoples-rights-rights-older-persons>

Ouagadougou Declaration and Plan of Action on Accelerating Prisons and Penal Reforms in Africa (2002):

<https://www.achpr.org/legalinstruments/detail?id=42> Resolution and Guidelines on Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (Robben Island Guidelines – 2008):

<https://www.achpr.org/legalinstruments/detail?id=41>

Principles and Guidelines on Human and Peoples' Rights while Countering Terrorism in Africa (2016):

<https://www.achpr.org/legalinstruments/detail?id=9>

12:30 – 13:30

Lunch Break

13:30 – 15:00

Democratic Policing and Accountability

Prof Elrena van der Spuy

Prof Emeritus

*University of Cape Town*

### Recommended Readings:

OSCE, Guidebook on Democratic Policing: <https://www.osce.org/files/f/documents/5/3/23804.pdf>

Bayley D, Democratising the police abroad : <https://www.ojp.gov/pdffiles1/nij/188742.pdf>

CHRI Democratic Policing; [https://humanrightsinitiative.org/publications/chogm/chogm\\_2005/chapter2.pdf](https://humanrightsinitiative.org/publications/chogm/chogm_2005/chapter2.pdf)

Common Standards for Policing in Eastern Africa: <http://apcof.org/wp-content/uploads/commonstandardsforpolicingineastafrica3rdedition.pdf>

Bruce D and Neild R, The police we want : [https://www.justiceinitiative.org/uploads/96420f9e-1d5e-4b17-98b7-c30cc1027d6c/Handbook\\_full\\_t.pdf](https://www.justiceinitiative.org/uploads/96420f9e-1d5e-4b17-98b7-c30cc1027d6c/Handbook_full_t.pdf)

15:00 – 15:30

Tea Break

15.30 – 17.00

National oversight and accountability frameworks.

Mr Themba Masuku

*Programme Manager: African Policing Civilian Oversight Forum (APCOF)*

### Recommended readings

DCAF Public oversight of the security sector; [https://www.dcaf.ch/sites/default/files/publications/documents/CSO\\_Handbook.pdf](https://www.dcaf.ch/sites/default/files/publications/documents/CSO_Handbook.pdf)

UNODC Handbook on police accountability, oversight and integrity ;

<https://www.google.com/search?client=safari&rls=en&q=handbook+on+police+accountability+and+oversight&ie=UTF-8&oe=UTF-8>

Report of the Special Rapporteur on Extrajudicial summary or arbitrary executions Philip Alston Study on police oversight mechanisms ; <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G10/137/51/PDF/G1013751.pdf?OpenElement>

OSJI Who Polices the Police; <https://www.justiceinitiative.org/publications/who-polices-the-police-the-role-of-independent-agencies-in-criminal-investigations>



Day 2

Tuesday 6 June 2023

All times are SAST / (GMT+02:00)

Time

Activity

09.00 – 10.30

Use of force

Dr Stuart Maslen

*Honorary Professor: Centre for Human Rights, UP*

**Recommended Readings**

UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

<https://www.ohchr.org/sites/default/files/firearms.pdf>

UN Code of Conduct for Law Enforcement Officials: <https://www.ohchr.org/sites/default/files/codeofconduct.pdf>

Use of Lethal Force by Police in South Africa : <https://apcof.org/wp-content/uploads/use-of-lethal-force-by-the-police-in-south-africa-.pdf>

Use of Lethal Force by Police in Kenya : <https://apcof.org/wp-content/uploads/the-use-of-lethal-force-by-the-police-in-kenya.pdf>

10.30 – 11.00

Tea Break

11.00 – 12.30

Regulating & Monitoring Public Gatherings

Ms Beryl Orai

*Freedom from Violence Programme*

*Centre for Human Rights, UP*

**Recommended readings**

Guidelines on the Policing of Assemblies by Law (2017): <https://www.achpr.org/legalinstruments/detail?id=65>

Biegon J et al Domestic Adherence to International and Continental Norms in the Practice of Policing Assemblies in Africa :

<http://apcof.org/wp-content/uploads/2017/05/freedom-of-assembly-in-africa-.pdf>

12.30 – 13.30

Lunch Break



13.30 – 15.00	Challenges in complying with notification Ms Vuyokazi Yokwe <i>Right to protest</i>
15.00 – 15.30	Break
15.30 – 17.00	Surveillance and its impact Mr Murry Hunter <i>Senior Associate ALT Advisory</i>

#### Recommended readings

Media Policy and Democracy Project, *Cops and call records: Policing and metadata privacy in South Africa* (2020): [here](#)  
Intelwatch, *Recommendations in the wake of the AmaBhungane judgment and beyond*: this will be published next Wednesday, 31 May 2023  
Cawthra M, Collateral Intrusion Safeguarding Privacy in the age of surveillance ; <https://apcof.org/wp-content/uploads/apcof-research-29-privacy-and-surveillance-web.pdf>

Assignment Questions and Logistics - Dr Thomas Probert & Ms Louise Edwards



# Day 3

Wednesday 7 June 2023

Time	Activity
9.00 – 10.30	Basic guarantees around arrest and detention Ms Nabeelah Mia <i>Lawyers for Human Rights: Head Penal Reform Programme</i>
10.30 – 11.00	Tea Break
11.00 – 12.30	Basic guarantees around arrest and detention continued

## Recommended Readings

Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa (the Luanda Guidelines – 2014):

<https://www.achpr.org/legalinstruments/detail?id=12>

UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules): [https://www.unodc.org/documents/justice-and-prison-reform/Nelson\\_Mandela\\_Rules-E-ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf)

Principles on the Decriminalisation of Petty Offences in Africa (2017): <https://www.achpr.org/legalinstruments/detail?id=2>

12:30 – 13:30	Lunch Break
13:30 – 15:00	Effective and non-coercive interviewing and the prevention of torture Prof Gavin Oxburgh <i>University of Northumbria/ Etica</i>

## Recommended Reading

Principles on Effective Interviewing for Investigations and Information Gathering, The Mendez principles:

[https://www.apcof.org/sites/default/files/publications/apcof\\_PoEI\\_EN\\_11.pdf](https://www.apcof.org/sites/default/files/publications/apcof_PoEI_EN_11.pdf)

15:00 – 15:30	Break
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15:00 – 17:00

## Preventing and Combatting Torture -Independent Police Custody Visits – A Malawi Case Study

*Commissioner Noel Kayira  
Malawi Police Service*

### Recommended Reading

Malawi Police Act : <https://media.malawilii.org/files/legislation/akn-mw-act-2010-12-eng-2014-12-31.pdf>

ACJR, Survey of detention visiting mechanisms in Africa : <https://acjr.org.za/resource-centre/survey-of-detention-visiting-mechanisms-in-africa>

## Day 4

Thursday 8 June 2023

### Time | Activity

9:00 – 10.30

The right to Life – The duty to investigate

Dr Thomas Probert

*Freedom from Violence Programme*

*Centre for Human Rights, UP*

### Recommended Readings

General Comment No. 3 on the African Charter: The Right to Life (Article 4) (2015):

<https://www.achpr.org/legalinstruments/detail?id=10>

The Minnesota Protocol, The investigation of Potentially Unlawful Death : <https://acjr.org.za/resource-centre/survey-of-detention-visiting-mechanisms-in-africa>

10.30 – 11.00

Tea Break

11.00 – 12.30

The right to Life – The duty to investigate – Case Study

Practical Challenges and learning from the field The

Northern Ireland Police Ombudsman

Dr Jonny Byrne



*University of Ulster*

12.30 – 13.30

Lunch Break

13.30 – 15:00

The right to Life – The duty to investigate – Case Study  
Practical Challenges and learning from the field: The  
Nigerian Police Service Commission  
Dr Solomon Arase  
*Chair Nigerian Police Service Commission*

**Recommended Reading**

Police Service Commission Establishment Act: [http://www.commonlii.org/ng/legis/num\\_act/psca402/](http://www.commonlii.org/ng/legis/num_act/psca402/)

15:00 – 15:30

Break

15:30 – 17:00

The right to Life – The duty to investigate – Case Study  
Practical Challenges and learning from the field;  
Independent Police Oversight Authority Kenya  
Mr Elema Halake  
*CEO Kenyan Independent Policing Oversight Authority*

**Recommended Reading**

Independent Policing Oversight Authority Act:

[https://www.policinglaw.info/assets/downloads/2012\\_Independent\\_Policing\\_Oversight\\_Authority\\_Act.pdf](https://www.policinglaw.info/assets/downloads/2012_Independent_Policing_Oversight_Authority_Act.pdf)

Study into IPOA investigations into deaths resulting from police actions: <https://apcof.org/wp-content/uploads/apcof-study-of-ipoa-deaths-from-police-action-kenya-eng-041-3.pdf>





# Day 5

Friday 9 June 2023

Time	Activity
9:00 – 10.30	State Capture and its impact on Criminal Justice Systems Dr Sonja Stojanovic <i>School on the Oversight of the Security Sector</i>
10:30– 11.00	Tea Break
11.00 – 12:30	Parliamentary Oversight Ms Annelize van Wyk <i>Vice Chairperson: African Policing Civilian Oversight Forum (APCOF)</i>
<b>Recommended Reading</b> Van Wyk A, Parliamentary Oversight of the Police in South Africa: <a href="http://apcof.org/wp-content/uploads/2016/05/No-10-Parliamentary-oversight-of-the-police-in-South-Africa_Lessons-and-opportunities-Annelize-Van-Wyk-.pdf">http://apcof.org/wp-content/uploads/2016/05/No-10-Parliamentary-oversight-of-the-police-in-South-Africa_Lessons-and-opportunities-Annelize-Van-Wyk-.pdf</a>	
12.30 – 13.30	Lunch Break
13.30 - 15.00	Course Evaluations and photos Ms Dorcas Basimanyane <i>Project Coordinator: AHRC, Centre for Human Rights, UP</i>
15.00 – 15.30	Tea Break
15.30 – 16.00	Conclusion, wrapping up of cross-cutting issues and closing remarks

End of Course



## Advanced Human Rights Courses ([AHRC](#))

For more information about the Advanced Human Rights Course on  
Policing and Vulnerability ,  
presented by APCOF and the Centre for Human Rights, University of Pretoria,  
please contact [dennis.antwi@up.ac.za](mailto:dennis.antwi@up.ac.za)

Website: [www.chr.up.ac.za](http://www.chr.up.ac.za)

Twitter

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## Upcoming [Advanced Human Rights Courses](#)

Children's Rights in Africa (19 – 23 June)

Civil Society Law in Africa (7– 11 August)

Right to Development in Africa (14 – 18 August)

Indigenous peoples' Rights in Africa (25– 29 September)

