

**2015
Annual Report
of the
Gender Research and Advocacy Project**



2016

2015: 25 years of Independence

In 2015 Namibia celebrated **25 years of Independence**, inaugurated a **new President** and inaugurated a **new Parliament**.

In-keeping with the spirit of renewed energy and vitality, **GR&AP entered into the celebrations of 25 years of Independence** by updating and reprinting our 1990 publication *Know your Constitution* and giving copies to the public and to all new members of Parliament. We also handed out copies of the Constitution to the public on Independence Avenue, ran a competition on Facebook, gave copies of *Advocacy in Action* to all members of the new Parliament, and did outreach about some of the legal facts about Namibia.



Feedback from the public

Well done for the great competition idea! Here's hoping you get loads of great pics.

Brilliant idea... Typically LAC. Thanks for sharing....I love your ideas and try to apply them.....




2015: Reaching the public



TECHNICAL WORK WITH LAWS AND REGULATIONS

ANNOTATED STATUTES

In 2015, with the support of the Parliamentary Support Programme, we completed a two-and-a-half year project to format and annotate all post-independence laws and regulations up to the end of 2015. **Overall, we formatted and annotated 459 pre- and post-independence laws and 324 post-independence regulations.** The laws will be made available to the public on the Internet in 2016, through the Parliamentary Support Project.

Facts from the laws of Namibia	
Failure to stop at a police block could result in a fine of up to N\$2 000 or to imprisonment for up to 6 months, or to both	
	Here is the legal description of the sun on the Namibian flag "In the upper hoist there shall be a gold sun with twelve straight rays, the diameter of which shall be one third of the width of the flag, with its vertical axis one fifth of the distance from the hoist, positioned equidistant from the top edge and from the reversed bend. The rays, which shall each be two fifths of the radius of the sun, issue from the outer edge of a blue ring, which shall be one tenth of the radius of the sun."
Have you noticed that sometimes a law will just refer to a "he"? But this doesn't mean such provisions just refer to men. The Interpretation of Laws Proclamation of 1920 says that in every law "words importing the masculine gender shall include females".	

CHILD CARE AND PROTECTION ACT

We worked with the Ministry of Gender Equality and Child Welfare and UNICEF to finalise the **regulations for the Child Care and Protection Act**. This has been a major undertaking, as important details to facilitate the implementation of an Act are contained in the regulations and their accompanying forms. The draft regulations and forms have been scrutinised by Ministry staff in a series of meetings, and social workers who will be using the various forms have tested them to make sure that they are practically workable. The plan is to finalise the regulations in 2016, which will pave the way to bring the Act into force.

With funding from the Embassy of Finland we produced a **factsheet guide** to the Act in three languages and **comics on the age of majority and parenting plan**. These materials will be released when the Act comes into force.



ADDRESSING GENDER-BASED VIOLENCE

Addressing gender-based violence continued to be an important theme for GR&AP. With funding from the US Embassy we released **two new comics on the linkages between domestic violence and HIV**. One of the comics was also converted into an **animation**. The materials generated substantial feedback and queries from the public.



The comics “*Domestic violence, HIV and the cycle of violence*” and “*The links between HIV and GBV*” were released in English in *The Namibian* newspaper on 17 and 18 December. These were the last two days that the newspaper was printed for the year. We chose to release the comics at the start of the holiday season because of the risk of increased domestic violence during holiday periods and because people may have more time to read during holiday periods than at other busier times of the year.

We received feedback through our sms response number throughout the holiday period. Feedback about the comic was very positive. Due to funding constraints we had not released a comic in the newspaper for about a year and yet the release of these comics reminded the public of others they had read in the past which they wanted to talk about.

Most questions were about domestic violence and HIV. As usual we also received many questions about maintenance, which continues to be the most common topic of our client queries. A few sample comments and questions are reproduced below. We responded to all such queries with information about possible legal options.

1. Good morning my mother is in the same situation where my dad is doing the same, to my mum, beating her and emotionally abusing her and sleeping with other women. She doesn't know what to do. She has gone to speak with the elders but they haven't given her feedback. What's the next step? Help.
2. Me, I have a problem my boyfriend likes to beat me when he's drunk and he forces me to make sex.
3. Question....what can I do when my boy forces me to have unprotected sex?

Under the same project we also released our **training guide for clerks on domestic violence** at a training session we facilitated for magistrates at their national conference. The training guide provides useful practical information to help clerks to improve the performance of their functions under the Act. Many clerks report receiving little training about the laws they work with, and so we hope that this on-the-job training tool will provide useful support for them. Clerks are often the first point of contact at the courts for victims of GBV, and increased understanding of the law should put them in a better position to assist these victims.



We produced an **animated message for Human Rights Day** on 10 December. This animation focused on the need to reduce the level of GBV in Namibia, serving as a reminder that GBV is one of Namibia's foremost human rights problems.

We also continued **outreach and advocacy on the linkages between GBV and the use of corporal punishment**. Our animation on alternatives to corporal punishment was nominated for best animation in the African Movie Academy Awards. Although it did not win an award, we were honoured to have received the nomination.



MENTAL HEALTH

Recognition of mental health disorders in Namibia is limited. The 2011 Census reports that 4.7% of the population have a disability, of which 14.2% have a mental disability and 1.3% have autism. Where mental health problems are not adequately recognised, there is a corresponding lack of service provision from both front-line healthcare staff and other service-providers such as police and prison officers.



To help address this need, we facilitated a week-long workshop for Correctional Service staff with support from the British High Commission in Namibia. The purpose of the workshop was to help capacitate Correctional Officers to provide for the mental health needs of people in conflict with the law. The Correctional Service is currently

converting the Gobabis Correctional Facility into a specialised centre for persons in conflict with the law who have mental health challenges but cannot be referred to the forensic department at the Mental Health Unit in Windhoek due to space constraints. Therefore this training was well-timed and extremely useful for officers who will now be working with prisoners with mental health challenges.

The facilitators – Correctional Service staff, a British police officer and the LAC – complemented each other very well throughout the week, using different techniques and perspectives to provide information to the participants. The workshop provided high-quality and much needed information to the participants. Whilst local personnel had some knowledge of the topics discussed, there were many areas where the information provided was new and will thus help improve local capacity to deal with daily challenges in this field. The Correctional Service officers were enthusiastic participants and posed many thoughtful questions to the facilitators.



One of the trainers for the workshop was Inspector Michael Brown, National Mental Health Coordinator, College of Policing in the United Kingdom. Michael Brown is the Mental Health Coordinator at the College of Policing and a serving officer with West Midlands Police. He has worked on policing and mental health for well over ten years and has commanded a number of critical incidents involving persons with mental health problems, including firearms incidents, sieges and multiple homicides. He drove the creation of seven 'Place of Safety' services, including one specifically for children, which have spared many thousands of people the indignity of being detained in custody. His use of social media under the moniker 'MentalHealthCop' to raise awareness of the role played by the police in the mental health system has won national and international awards, and he was singled out for commendation by the Home Affairs Committee of the UK Parliament after giving evidence at their inquiry into policing and mental health. He has worked in South Africa and he has been a visiting lecturer in forensic mental health at UK Russell Group universities. In 2015 he was awarded the President's Medal from the Royal College of Psychiatrists for his significant contribution to improving the lives of people with mental illness.

COURT ROADSHOWS

We continued to implement our strategy of **visiting individual courts to hold on-the-job discussions** with magistrates and associated court personnel about the challenges they face. In 2016 we visited the Keetmanshoop, Mariental, Tsumeb and Rehoboth courts and met with the officials serving the Karasburg and Bethanie and Aroab, Tses and Berseba periodical courts. We discussed domestic violence, maintenance and corporal punishment. We are grateful for the funding provided by the Embassy of Finland and the US Embassy in Namibia.



ADVOCACY

We conducted advocacy on a wide variety of legal issues, both nationally and internationally.

National

- We gave input on possible amendments to **Maintenance Act**, made in response to general invitation of government, highlighted linkages to other family law reforms.
- We gave comments to various stakeholders about the **Trafficking in Persons bill**.
- We researched international laws on child pornography to give input to various stakeholders for the **Electronic Transactions and Cybercrime Bill**.
- We began research on issues relating to **road safety**, mindful of the effect of road injuries and deaths on families and children.
- We reviewed proposed amendments to the **Research, Science and Technology Act and its regulations**, with a view to ensuring that research in Namibia is not unconstitutionally regulated.
- We responded to a request from the Attorney-General to review the **Small Claims Court Bill** which may be tabled in Parliament, and provided brief comments.

International

- We submitted an updated commentary on the Government's report under the **Convention for the Elimination of Discrimination against Women (CEDAW)** at the invitation of Mayra Gomez, Co-Executive Director, Global Initiative for Economic, Social and Cultural Rights.
- We gave input to the civil society shadow report under the **International Covenant on Civil and Political Rights**, joined by a group of Namibian NGOs and facilitated by the NANGOF trust with the support of the Centre for Civil and Political Rights (CCPR Centre) and the Southern Africa Litigation Centre (SALC).
- We gave input into a joint civil society submission by LAC, the Southern Africa Litigation Centre (SALC), the Namibia Women's Health Network and the Women's Leadership Centre, in connection with Namibia's **Universal Periodic Review**. We also gave comments to the Global Initiative to End Corporal Punishment about their submission on corporal punishment for this review, and provided information for the government report.

WORKSHOPS

In 2015 we arranged and participated in a number of training and information-sharing opportunities. Some were funded by our donors, some were funded through small facilitation fees provided by the organisers and some were unfunded. The key workshops were as follows:

- training on rights for a group of 20 **sex workers**, organised by Women's Solidarity;
- advocacy from the perspective of **GBV & LGBTI rights** for the Namibia MenEngage Network;
- training for 32 members of the Law Society on **custody, access and guardianship**;
- a presentation at the **capacity-building seminar for incoming women MPs** in the National Assembly (40 women);
- a Saturday seminar for **domestic workers** to discuss family law issues such as maintenance, domestic violence as well as the labour law;
- presentations at a **parenting conference** hosted by the Ministry of Health and Social Services and Childline/Lifeline;
- briefing of civil society groups to discuss how **LGBT issues** can be addressed in Namibia;
- screenings of our film *A Betta Way*, about **alternatives to corporal punishment**;
- a presentation at a public discussion organised by ELCRN & Evangelical Lutheran Church and The Evangelische Kirche von Westfalen on **maintenance grants** and their effects on addressing poverty amongst children and women.
- a presentation on the state of **GBV in Namibia** at the Rural Women Parliament, to an estimated 120 people;
- a presentation on **GBV** at a conference organised by NamPol for 65 persons, including police, prosecutors, and representatives of the magistracy, Ministry of Justice, Correctional Services, UN agencies and faith-based organisations.
- facilitation of a 3.5 day workshop on **family laws** in Otjiwarongo, organised by Ministry of Gender Equality and Child Welfare (MGECW), for 34 participants including staff members of the MGECW, Ministry of Safety and Security and the Correctional Services.

I am so happy that we can always call on you and cooperate as a team. Thanks for a job well done.

Hon Margaret Mensah-Williams

CLIENTS, PUBLICATIONS AND OUTREACH

CLIENTS

We assisted over 260 clients during the year by telephone, email, Facebook and in person. We assisted many other clients through sms conversations when our comics about the linkages between GBV and HIV were released in the newspaper.

Problems associated with maintenance continue to be the most comment topic of client queries, and we continued to work in a variety of ways on improving implementation of this Act and public understanding of the issues. We also provided information on numerous other issues including domestic violence; child-related issues such as custody, guardianship and access; marriage and divorce; cohabitation; and property issues – to name some of the most common topics.

Thank you for your kind mail
and all the answers!
Client feedback

Many many thanks again for
your help in this matter.
Client feedback

PUBLICATIONS

In 2015 we distributed over 56 000 publications to individuals, organisations, businesses and service providers. We actively placed our materials at numerous outlets and also attended various events to reach new audiences.



The photos show our publications on display at the Association of Diplomatic Spouses Charity bazaar, a book fair at the Namibian University of Science and Technology and the NGO expo.

One of our new means of reaching new audiences has been to place stands containing our materials at places where members of the public can have easy access to them, in an effort to reach people who may not otherwise come in contact with the materials. The stands were donated by the Association of Diplomatic Spouses in Namibia. We hope to expand on these efforts in 2016.



FACILITATING FILM SCREENINGS

JacMat donated speakers to allow us to better screen our educational films. We are extremely grateful for this local support.

MEDIA

We provided dedicated information or were quoted on radio 23 times, on television 27 times and in print 8 times. Examples include:



- regular appearances on the NBC television programme *Good Morning Namibia*
- regular postings on Twitter and Facebook, reaching our more than 1500 friends
- an interview on challenges faced by San learners in schools on NBC radio (May)
- an interview on fraud in respect of paternity tests which appeared in the *Namibian Sun* (July)
- publication of an opinion piece on corporal punishment in *The Namibian* (Aug)
- a live interview on maintenance with call-in questions on the NBC Radio programme *9th Hour* (Nov)
- publication of an opinion piece about the links between domestic violence and the drought in *The Namibian* (Nov)
- participation in a *Talk of the Nation* panel discussion on GBV (Dec).

STAFF AND INTERNS

Full-time staff

Dianne Hubbard-Coordinator (dhubbard@lac.org.na)



Dianne is a graduate of Harvard Law School. She also has degrees in English from the University of North Carolina in the USA and Stellenbosch University in South Africa. She has been the Coordinator of GR&AP since its inception in February 1993. In 2010 Dianne was invited to take up a 3-year term on the Law Reform and Development Commission, where she served as Deputy Chairperson.

Rachel Coomer-Public Outreach Manager (rcoomer@lac.org.na)



Rachel is a graduate of the University of Oxford and has a Master's degree in Child and Family Studies from the University of the Western Cape. Her role in the department is to manage all outreach functions including the development of educational materials, the dissemination of advocacy material and research findings, various trainings and media liaison.

Yolande Engelbrecht-Paralegal (yengelbrecht@lac.org.na)



Yolande joined GR&AP at the beginning of 2009, having worked at the Ministry of Justice for a number of years. Yolande takes the main responsibility for running workshops on behalf of the department as well as developing training programmes and providing information to clients.

Grace Kapere-Project Assistant (gkapare@lac.org.na)



Grace rejoined GR&AP in 2013 having taken a career break. Grace takes responsibility for office administration and manages the logistics of publication distribution, as well as assisting with public outreach.

Consultants



Following a stint as a volunteer at GR&AP in 2014, **Felix Lüth**, an experienced German lawyer practicing in Switzerland, has continued to provide pro-bono services to GR&AP – particularly in the area of international law which is his field of expertise.



Thank you to **Perri Caplan**, our designer, who does the design and layout for all of our publications.

Interns



Drew Aiken, Fulbright Scholar and American lawyer

no photo
available

Janna Terhorst



Chelsea Brake, Level Internship (formerly Canadian Lawyers Abroad)



Alice Prinsley, Harvard Law School



Alicia Martinez, PeaceCorps volunteer



Luke Monro, University of St Andrews



Ken Burer, LEAD intern (worked with GR&AP on the LAC water conservation policy and outreach project)



Rosalia Andima, University of Namibia

DONORS

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UNICEF
British High Commission
Association of Diplomatic Spouses
Jacmat



Core donor to the Legal Assistance Centre

