



**ASSOCIATION OF REGIONAL MAGISTRATES
OF SOUTHERN AFRICA
&
DEPARTMENT OF JUSTICE
COURT SERVICES – CHILD LAW UNIT**



**REPORT BACK ON WORKSHOP ON
A PROPER APPROACH TO JUVENILE OFFENDERS
IN THE REGIONAL COURTS
29 SEPTEMBER 2006 – 1 OCTOBER 2006**

1. During the weekend of 29/9/2006 to 1/10/2006 a group of eighteen participants consisting of Regional Magistrates and acting Regional Magistrates in the Limpopo & Mpumalanga region converge on the Forever Swadini Resort to attend the above mentioned workshop.

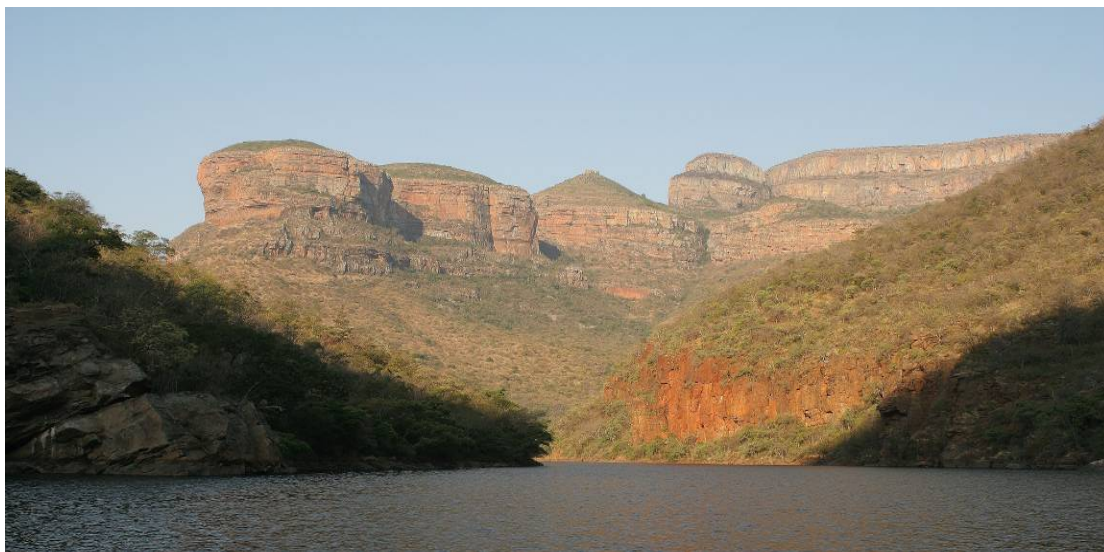


© LHC 2006

2. The participants were addressed by a number of knowledgeable speakers from all walks of the Criminal Justice System and other Non Governmental Organizations.
3. The keynote speaker to the activities was the “new” Inspecting Judge of Prisons – Judge Nathan Erasmus who have address the participants on the issue of “**THE RESPONSIBILITY OF THE JUDICIAL OFFICER IN DEALING WITH JUVENILE OFFENDERS – ENSURING THAT THE RIGHTS OF THE JUVENILE OFFENDER IS PROTECTED**”.
4. The fact that Judge Erasmus was a Prosecutor, Magistrate, Regional Magistrate, Advocate and now a Judge make him a very competent and knowledgeable speaker on the topic. The address was both insightful and informative. In due course the

speech will be published in one or other of Armsa's digital publications.

5. The participants were also addressed by the Regional Commissioner of the Department of Correctional Services [DCS] – Mr. Watson Chuvash. Mr. Chivashe outline the policies and programmes available to offenders older than 18 years old but younger than 21 years old. Mr. Chivashe also outlines the problems experienced by the DCS in the housing and maintenance of young offenders. It was also stressed that the DCS does not accept any children into custody as awaiting trial prisoners unless there is an order by the court in terms of Section 29 of The Correctional Service Act (Act 111/2000)



© LHC 2006

6. The workshop was addressed by Mr. Mike Batley the Director Restorative Justice center. Mr. Batley had presented all participants with a soon to be released publication on Restorative Justice and the South African perspective co-authored by Prof. Anne Skelton and him. Mr. Batley's address was followed by a lively and debate. At the end due to time constraints we agreed to proceed at an other appropriate time with the subject matter at hand. There was general consensus that although Restorative Justice as a sentence option is a useful one it may not be a magical cure for all offences adjudicated in the Regional Courts.
7. The workshop was also addressed by the Chairperson Nicro (Polokwane), Ms. Tsakane Mathebula. The work of Nicro as NGO as well as the programmes conducted by NICRO during diversion programmes for juvenile offenders. Although there could be no doubt that Nicro do valuable work it was also patently clear that due to a lack of recourses' and money they currently only service the Polokwane, Giyani and Thohoyandou Courts in the Limpopo Province. Due to these constraints the majority of Regional Magistrates cannot make use of any of the programmes conducted by Nicro.
8. After the finalization of the formal speeches the participants deals with practical issues relating to the handling of juveniles in the Criminal Justice system. The participants form discussion groups and discussed several burning issues regarding the sentencing and or detention of juvenile offenders.

9. During the discussion phase participants make use of the Recourse Manual compiled by ARMSA for this workshop. All participants indicated that they found the workshop and the Resource Guide both helpful and informative.
10. On Saturday afternoon teambuilding activities were also arranged and all participants undertook a 90 minute tour on the Blyde Canyon Lake. The lake is swarmed with birdlife, Hippos and the banks are lined with indigenous trees like Baobabs and Fig trees.



© LHC 2006

11. At the evaluation at the end of the workshop all participants expressed their satisfaction with the venue, the food, the workshop content as well as the teambuilding exercise conducted during the weekend.
12. The Department of Justice (Child law Unit) and the Armsa Executive are thanked for their efforts to make this workshop possible.



Regional Chairperson: Limpopo
L H CLAASSEN
9 OCTOBER 2006

