

**CURRICULUM VITAE:
LAUREN MANON KOHN**

*B.Bus.Sci (Distinction in Law) (UCT), LLB (Magna Cum Laude, Top Student) (UCT),
LLM (Distinction, Top student in all courses) (UCT)
PhD Candidate & Fellow (Leiden Law School, the Netherlands)*

Admitted Attorney of the High Court of South Africa; Senior Lecturer (Constitutional & Administrative Law, UCT);
Co-Founder & Director: SA Legal Advice.co.za; Public Law Consultant: Caveat Legal
Member of the Advisory Board: FW de Klerk Foundation;
Editorial Board Member: Constitutional Court Review

*Recipient: Top 200 Young South Africans, 2018 (Law & Justice);
WOZA-Women-in-Law Award, 2019: 'Thought Leader, Innovation & Academia' (1st runner up)*

Patriotic South African & devoted mother to my baby girls, Olivia Rose & Georgia-Mae

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Citizenship: South African & Dutch.

Personal attributes: passionate; determined; collegial; enthusiastic; intellectually capable & curious;
kind-hearted, positive & encouraging; lover of words, art & nature; truth-seeker & believer in the power of positive thought;
all-rounder; strong oral & written communication skills; champion of constitutionalism & the rule of law; paradigm-shaker.



Education

2017 - DOCTOR OF PHILOSOPHY (PhD) IN LAW – LEIDEN UNIVERSITY HOLLAND

- I am currently embarking on my PhD as an external candidate at Leiden Law School in the Netherlands with Professors Hans-Martien ten Napel and Wim Voermans as my supervisors.
- I am exploring arguments for the formal recognition of a 4th branch of state – ‘the Integrity Branch’ – that houses the likes of the Public Protector and the National Prosecuting Authority. I colloquially dub this research endeavour: ‘Project Integrity’ and by drawing on both theoretical doctrine and practical illustrations of the abuse of public power in our system of government, I seek to propound compelling grounds for the reconfiguration of the doctrine of separation of powers such that it may fit and further the needs of contemporary democracy.
- My hope is that this potentially ground-breaking research will lead to constitutional amendment and greater clarity of the roles of those who wield public power through a system of carefully calibrated checks and balances. This should in turn enhance meaningful democratic governance, and hence human rights realisation, in South Africa and potentially lead to similar paradigm-shifts further afield.

2012 MASTERS OF LAWS (LLM) - UNIVERSITY OF CAPE TOWN CAPE TOWN, SA

(Special Programme: Administrative & Constitutional Law)

- Degree awarded **with Distinction** and an **80% aggregate** – Top result out of 103 LLM graduates.
- **Prizes & scholarships include –**
 - The *David & Elaine Potter Fellowship* for ‘academic excellence and dedication to uplifting civil society’;
 - The *‘Deutscher Akademischer Austausch Dienst’ (DAAD) Scholarship* from the Federal Republic of Germany (in conjunction with the NRF) for ‘academic excellence and for having the potential to have a “multiplier effect” in society’. [I was the **only law student** out of all the scholarship holders from across the country: +/- 150, most of whom are drawn from the Sciences]; and
 - The Law Endowment Scholarship – ‘Towards Sustainable Justice’.

- **Distinctions & '1st in Class' for all courses:**
 - Governance Under the Constitution (81%);
 - Principles of Environmental Law (75%);
 - Administrative Justice (81% & 1st in class by a 20% margin);
 - Advanced Contract Law (85%) ; and
 - Dissertation (80%; 1 of 5 Distinctions awarded out of the 103 LLM students and the highest mark overall).

2005 -2006 BACHELOR OF LAWS (LLB) - UNIVERSITY OF CAPE TOWN

CAPE TOWN, SA

- Awarded **MAGNA CUM LAUDE**
- **Prizes & scholarships include –**
 - LexisNexis Butterworths Prize, for Best Intermediate Level student (i.e. **1st in class overall**);
 - John Kotze Medal, for best overall performance in Private Law & Roman Law;
 - Tom W Price Memorial Prize, for obtaining the highest overall marks in the Preliminary and Intermediate Level examinations in Private Law;
 - Scheepers Memorial Scholarship, for 1st place overall in the Intermediate Level final examinations;
 - UCT Law Faculty Scholarship;
 - Bar Council Moot Prize, for best performance and highest mark in the Intermediate Level Moot Competition;
 - Ben Beinart Memorial Prize, for obtaining the highest marks overall in Foundations of South African Law and Comparative Legal History; and
 - Various Class Medals for coming Top in several law courses.

2001 -2004 BACHELOR OF BUSINESS SCIENCE (B.Bus.Sci) - UNIVERSITY OF CAPE TOWN

CAPE TOWN, SA

- Degree awarded in the special field of Law, with *Honours* and with **Distinction in Law**
- **Prizes, class medals, scholarships & other noteworthy academic achievements include –**
 - Attained 1st place by a very high margin (Class Medal) in Public Sector Economics (ECO323S) (88%);
 - Came in the top 5 (out of ±450 students) for Advanced Macro and Micro Economics (ECO320F) (84%);
 - Attained the top result (out of ±450 students) for the 3rd year Research Essay for Advanced Macro and Micro Economics (ECO320F) (89%);
 - Awarded UCT Entrance Merit Scholarship, 2001, 2002, 2003;
 - Awarded Certificate for Outstanding Academic Achievement at Fuller Hall Academic Dinner, 2002; and
 - Member of the Golden Key International Honour Society which rewards 'academic excellence, leadership abilities and community service'.

2000 SOUTH AFRICAN SENIOR CERTIFICATE

CAPE TOWN, SA

- Matriculated with **7 Subject Distinctions (As)** (all Higher Grade), various special awards and achieved high '**A**' Aggregate;
- **One of 14 scholars in the Western Cape** to matriculate with 7 subject distinctions in 2000 and attained the highest number of Distinctions at my school, as well as various special awards, Honours and scholarships.
- **School Prefect and Head of House.**

Research, Conferences, Colloquia, Media & Board Memberships

SUMMARY: Special awards, nominations & noteworthy citations include –

- 2019: Awarded the WOZA Women-in-Law (2019) National Award (1st runner up) in the category, '*Best woman, thought leader, innovation and academia in Law*' at the Inaugural WOZA Awards Gala (3 August 2019).
- 2019: Selected and participated as 1 of 21 influential women leaders from across Africa (between ages 30 – 40) for the prestigious programme: '*Leading in Public Life: Women, Influence, Power Programme*' (WIPP) hosted by the Nelson Mandela School of Public Governance and the Konrad Adenauer Stiftung (5 – 7 June 2019).

- 2018: Nominated for the College of Fellows Top Young Researcher Award.
- 2018: Awarded a position on the prestigious Mail & Guardian Top 200 Young South Africans List (Law & Justice) (<https://ysa.mg.co.za/2018/lauren-kohn-goldschmidt/>).
- 2018: Nominated for the St Petersburg International Legal Forum Private Law Prize.
- 2016: Awarded the UCT Law Faculty Research Prize for ‘*the most outstanding article published in a peer reviewed journal, by a lecturer or senior lecturer in the Faculty in the preceding two years.*’
- My research has been cited prolifically abroad and within South Africa. On this latter score, a particular highlight has been the unanimous endorsement of my ground-breaking research on the separation of powers and rationality review (flowing from my LLM Dissertation) by various courts, including –
 - the Constitutional Court judgment of *Pretorius v Transport Pension Fund* [2018] ZACC 10 (25 April 2018) at [37];
 - the Constitutional Court judgment of *Buffalo City Metropolitan Municipality v Asla Construction (Pty) Ltd* [2019] ZACC 15 at [113] fn 110;
 - *Gorven J in Booysen v Acting National Director of Public Prosecutions and Others* (4665/2010) [2014] ZAKZDHC 1 (26 February 2014);
 - *Davis JA in MEC for The Department of Health, Western Cape v Weder, In Re: MEC For The Department Of Health, Western Cape v Democratic Nursing Organization Of South Africa obo Mangena* [2014] 7 BLLR 687 (LAC) (13 May 2014).

RESEARCH

Selection: Academic Publications –

- Lauren Kohn ‘The burgeoning constitutional requirement of rationality & the separation of powers: Has rationality review gone too far?’ (2013) 130 *South African Law Journal* 810.
- Lauren Kohn ‘Our curious administrative law love triangle: The complex interplay between the PAJA, the Constitution and the common law’ (2013) 28 *SA Public Law* 22.
- Lauren Kohn ‘The Anomaly that is Section 24G of NEMA: An Impediment to Sustainable Development’ (2012) 19 *South African Journal of Environmental Law & Policy* 1 (although indexed as a 2012 edition, the edition was published in 2014).
- Lauren Kohn ‘Escaping the “*Shifren* shackle” through the application of public policy: An analysis of three recent cases shows *Shifren* is not so immutable after all’ (2014) 28(1) *Speculum Juris* 74.
- Lauren Kohn & Hugh Corder ‘Judicial regulation of administrative action’ in the South African Monograph on Constitutional Law, Murray & Kirkby (eds) (2014) Suppl. 108 *International Encyclopaedia of Laws* (IEL), available at <http://www.ielaws.com/>.
- Lauren Kohn ‘The Failure of an arranged marriage: The traditional leadership / democracy amalgamation made worse by the Draft Traditional Affairs Bill’ (2014) 29 *SA Public Law* 343. [Amendments to this Bill have followed since the publication of my article and my Legal Opinion to the LRC and CLS on this issue.]
- Lauren Kohn ‘The *Bashir* judgment raises the red flag for the rule of law and the judiciary’ (2016) 133 *South African Law Journal* 246.
- Lauren Kohn ‘The Test for ‘Exceptional Circumstances’ where an Order of Substitution is sought: An Analysis of the Constitutional Court judgment in *Trencon* against the backdrop of the Separation of Powers’ (2015) 7 *Constitutional Court Review* 91.
- Lauren Kohn ‘*Ramuhovhi v President of the Republic of South Africa*: A bittersweet victory for women in ‘old’ polygamous customary marriages’ (2017) 33 *South African Journal on Human Rights* 120.
- Lauren Kohn & Raisa Cachalia ‘Restitutionary Measures properly understood & the extension of the Quota Ban – Locating *SARIPA* in the s 9(2) *Van Heerden* Framework’ (2017) *Acta Juridica* 146.
- Lauren Kohn ‘Commentary on section 66: National Instructions & Directives’ in chapter 26 of Smythe & Pithey (eds) *Sexual Offences Commentary* (2018 update) (Juta).
- Lauren Kohn ‘Time to go back to first principles: The 2017 procurement regulations are *ultra vires* the Procurement Act & the constitutional procurement prescripts – Urgent legislative reform is needed’ in Sope-Elegbe & Quinot (eds) *Public Procurement Regulation in Africa: Development in Uncertain Times* 2ed (Juta)(forthcoming).
- Lauren Kohn *Administrative Law 101: Through the Lens of the Informal Sector* (working title); forthcoming book project with LexisNexis. (See signed publication agreement).

- Lauren Kohn: Book Review of Williams-Elegbe & Quinot *Public Procurement Regulation for the 21st Century Africa* in the *South African Law Journal* (2019)(forthcoming);
- Essay in Honour of Prof Dale Hutchison in *Festschrift* (2020)(forthcoming).

[For citations of my work see full Publication List. See also, <https://laurenkohn.academia.edu/>].

Selection: Professional Publications –

- Lauren Kohn & Rael Gootkin ‘What matters is who induced the sale’ *Without Prejudice*, June 2008.
- Lauren Kohn ‘Underlying curators’ powers and authority’ *Without Prejudice*, November 2008.
- Lauren Kohn ‘Restraint of Trade Agreements’ *Without Prejudice*, December 2008.
- ‘An irregular tender award may be upheld’ *Without Prejudice*, April 2009.
- Lauren Kohn ‘Preferential procurement: urgent legislative reform required’ *Without Prejudice*, September 2010.
- Lauren Kohn & Nurina Allie ‘Squaring up for government tenders’ *Without Prejudice*, October 2011.
- Lauren Kohn ‘B-BBEE status and fronting in the Procurement Context: Enterprises seeking to win state tenders, take note...’ (September 2014) [<http://www.caveatlegal.com/b-bbee-status-and-fronting-in-the-procurement-context-enterprises-seeking-to-win-state-tenders-take-note/#sthash.roGLtGrJ.dpuf> & <http://www.insurancegateway.co.za/print//Mauritius/PressRoom/ViewPress/Irn=8891&URL=Serious+consequences+for+businesses+that+flout+Procurement+Regulations#.V44cS6IT1D8>].
- Raisa Cachalia & Lauren Kohn ‘Mobile App and Software Developers: A Guide to Regulatory Compliance’ *Caveat Legal Publication* 2016 [<http://www.caveatlegal.com/mobile-app-and-software-developers-a-guide-to-regulatory-compliance/>].
- Lauren Kohn ‘State procurement: The changing face of Public Procurement in SA’ *Caveat Legal Publication* 2019 [http://www.caveatlegal.com/state-procurement-the-changing-face-of-public-procurement-in-sa/?fbclid=IwAR3mr4W3b3nRnQG_0hRGrjd2ADj7GPdo99fCSxJQd2hrGDU_ooQEhoFmlzg].

CONFERENCES, COLLOQUIA, SYMPOSIA & RECEPTIONS

- Presented my work on ‘The Viking Pony Case & Fraud in the Procurement Process’ at *Webber Wentzel’s Preferential Procurement Seminar*, 2012.
- Presented my piece on ‘the Separation of Powers: a critical reflection of the structural and contextual reasons why our Parliament is failing to hold the Executive to account’ at the *2012 Potter Talks* (‘a series of exciting and thought-provoking short lectures given by prominent academics, thought leaders & innovators on issues affecting civil society in South Africa’).
- Presented my research on ‘the role of good faith, public policy and constitutional values in shaping the law of contract’ at the *UCT Law Faculty’s Emerging Researchers’ Breakaway*, 2013.
- Attended the ‘*Twenty years of constitutional democracy & the Bill of Rights*’ and ‘*the Eastern & Western Cape Emerging Researchers’ Conferences*’, of 2013 at the University of Fort Hare. I presented my research in two fields at this conference: the infusion of constitutional values into the law of contract (through public policy) to soften the impact of the *Shifren* principle; and the burgeoning of rationality review and its implications for the separation of powers.
- Participated as a member of a Focus Group organised by the Human Sciences Research Council (HSRC) in conjunction with the University of Fort Hare, hosted in Centurion (18 November 2013) on the ‘*Discussion document on the transformation of the judicial system and the role of the judiciary in the developmental South African State, 2012*’. I was subsequently nominated to serve as a member of the Reference Group for this significant constitutional project.
- Invited as, ‘a key stakeholder & expert on socio-economic rights and the Constitution’ to partake in two colloquia (‘*Assessment of the Impact of the Decisions of the CC and SCA on the transformation of society*’) hosted in Johannesburg which I attended on 7 February 2014 and 26 November 2014.
- Participated in the *DAAD Annual Scholarship Holders’ Research Conferences* in 2012 and 2013.
- Invited to present my research on the traditional leadership / democracy dilemma at the international and interdisciplinary workshop on ‘*Constitutional Rights, Judicial Independence and the Transition to Democracy: Twenty Years of South African Constitutionalism*’ at New York Law School (13 November 2014). [Unfortunately, as I was in the late stages of my pregnancy at the time, I was unable to partake].
- Attended the conference on ‘*Political parties and the party system in South Africa: the interface between law and politics*’ at UCT, August 2015.
- Presented my paper on the significant Constitutional Court judgment of *Trencon Construction (Pty) Ltd v Industrial Development Corporation of South Africa* and its implications for the courts’ powers to award substitution at remedial stage, at the *Constitutional Court Review VII Conference* held in Johannesburg on 4 & 5 December 2015.

- Participated in the *Administrative Justice Association of South Africa (AdJASA) Inaugural Annual Conference*, February 2016, and serve as an active member of AdJASA.
- Have been honoured to attend various *receptions to mark the opening of Parliament* over the years, including those hosted by the Ambassador of the Federal Republic of Germany; the French Ambassador; the British High Commissioner and the Head of the European Union Delegation to South Africa.
- Invited by the Entrepreneurs Organisation (a global network for entrepreneurs to grow through peer-to-peer learning) to present a guest lecture on the *challenges facing South Africa in relation to access to education*, in the wake of the 2015/16 #FeesMustFall Protests.
- Invited by the HSRC to attend a public lecture by Former Chief Justice, Sandile Ngcobo, in Johannesburg on 30 June 2016, and was flown up by the organisation to participate in the discussion.
- Invited by the Ambassador of the United States of America, Patrick H. Gaspard to the '*reception to celebrate the 240th Independence Day of the United States of America*' which I attended on Thursday, 30 June 2016, in Pretoria.
- Attended a discussion session hosted by the Goedgedacht Forum and the Institute of Security Studies on '*Appointment processes and our Chapter 9 Institutions*' on 24 May 2016.
- Attended the workshop on '*Contextualising the 2016 Local Government Elections*' hosted by the HSRC on 26 July 2016.
- Presented at Herschel Girls' School on '*the importance of realizing our socio-economic rights*' on 4 August 2016.
- Presented my paper on 'the separation of powers & rationality review' at the *AdJASA Conference of the Cape Town Chapter* on 17 October 2016.
- Presented my paper on 'Ramuhovhi v President of the Republic of South Africa: A bittersweet victory for women in 'old' polygamous customary marriages' at the *Elimination of Violence against Women Conference*, Aberystwyth University, Mauritius Branch Campus on 25 November 2016.
- Attended the '*Symposium Honouring Justice Dikgang Moseneke*' at UCT on 7 December 2016, and have since published a piece contextualizing his work on redress measures.
- Attended the Inaugural Meeting of *AdJASA's Special Interest Group on Public Procurement* on 8 June 2018.
- Chaired the Panel, 'Decolonisation, the Constitution and Education' at the 2018 *Society of Law Teachers of Southern Africa (SLTSA) Conference* on 12 July 2018.
- Presented my paper 'Breaking down silos: Teaching the principles in a pragmatic way' at the *Regional Teaching & learning Conference* of the Law Faculties of UCT, UWC and Stellenbosch University on 13 September 2018 at Ntida Wine Farm.
- Acted as '*Parliamentary Leadership Programme Guest Speaker*' on Monday 1 October 2018 at which I discussed Parliament's role and functions within the separation of powers with top-level parliamentary staffers. I received very positive feedback commending me for my 'superb' presentation and 'bravery in my style of approach'.
- Presented my paper on the 2017 Procurement Regulations and, in particular, their allowance for pre-qualification conditions to give effect to B-BBEE in a manner that is *ultra vires* the empowering PPPFA conditions, at the *3rd International Conference on Public Procurement Law in Africa* on 1 November 2018.
- Attended a seminar on the '*politico-legal dynamics of judicial review*' on 14 February 2019 hosted by WITS University (WISER Seminar Room) at which Prof Theunis Roux presented on his book, '*The Politico-Legal Dynamics of Judicial Review: a Comparative Analysis*' (New York: Cambridge University Press, 2018), and participated in the follow-up round-table discussion.
- Attended the *AdJASA Public Procurement Special Interest Group Conference* hosted by Webber Wentzel on 20 January 2019.
- Attended the *WOZA: Women-In-Law Awards Inaugural Launch* on 28 February 2019 in Cape Town.
- Attended the *AdJASA Annual Conference and AGM* at Foxwood House, Houghton, Johannesburg on 5 – 6 March 2019.
- Attended a *workshop for the Nelson Mandela School: Leading in Public Life – Women, Influence, Power Programme* as 'someone in tune with the continent and a leader in [my] respective field' on Friday 8 March 2019, International Women's Day.
- Attended the *Global Health Law Conference* on 8 April 2019 at UCT and contributed to the discussion on developments in the field of the right of access to adequate health care services.
- Invited by the French-South African Chamber of Commerce & Industry to attend the *Africa Day Conference* hosted by WESGRO with the Department of the Premier & Mazars and attended same on 24 May 2019.
- Selected to present my PhD research at the *ICON-S 2019 Conference, Public Law in Times of Change*, in Santiago, Chile in July 2019. (Unfortunately I had to turn the opportunity down due to the late release of travel funding grants).

- Selected as one of 21 women leaders from across Africa to participate in the 'WIP Programme', *Leading in Public Life: Women, Influence, Power Programme*, organised by the Nelson Mandela School of Public Governance and the Konrad Adenauer Stiftung from 5 – 7 June 2019.
- Presented a module on *Administrative Law for the Public Service Middle Management Development Programme for the Western Cape Government* hosted by the Stellenbosch School of Public Leadership at *Kromme Rhee*, Stellenbosch on 28 June 2019.
- Presented a module on *Administrative Law for the Public Service Middle Management Development Programme for the Western Cape Government: Mossel Bay*, hosted by the Stellenbosch School of Public Leadership at the Human Resources Building, Munroe Street, Mossel Bay on 12 July 2019.
- Attended the *Inaugural WOZA Women-in-Law Awards Ceremony Gala* at the Hilton, Sandton on 3 August 2019 at which I was honoured to receive an award for my contribution to 'academia, innovation & thought leadership'.
- Presented a module on the Prince cases for UCT Law@Work's seminar on 'The implications of the changing legal landscape for cannabis in SA' on 23 August 2019.
- Attended the *Constitutional Court Review Editors' Meeting and Conference X* at Constitution Hill, Johannesburg on 28 – 29 August 2019 and chaired the session, '*Sexual Harassment & Fair Procedure; Criminal Sentencing; and the Decriminalisation of Marijuana*'.

MEDIA

- Quoted in Sunday Argus, 25 April 2010, regarding the constitutionality of the City of Cape Town's proposed 'Problem Building By-law'.
- Interviewed on eNCA TV news, 22 July 2014, regarding the constitutionality of Malema's expulsion from Parliament on the basis of his 'unparliamentary' remark that the ANC government killed the miners at Marikana.
- Interviewed live on the Money Show with Bruce Whitfield for Cape Talk Radio 702, 1 October 2014, on Mark Shuttleworth's decision to establish a trust to fund constitutional litigation against the state [<https://soundcloud.com/primediabroadcasting/shuttleworth-legal-trust>].
- Interviewed live by Redi Tlhabi on Cape Talk Radio 702 on 9 February 2016 regarding Former President Mbeki's letter seeking to justify his decision to suspend former NDPP, Vusi Pikoli – who intended to execute warrants against the late Jackie Selebi – on the basis of 'national security' [<http://omnyapp.com/shows/the-best-of-redi-tlhabi/mbeki-debate-letter-5>].
- Op-ed: 'Mbeki guilty of misinterpreting the law' *Mail & Guardian*, 18-25 February 2016. [<http://www.laurenkohn.co.za/in-the-media/mbeki-guilty-misinterpreting-law-mail-guardian-february-2016/>].
- Interviewed live on SABC (channel 404) by Vuyo Mvoko on 5 April 2016 regarding some of the talking points emerging from the April 2016 JSC interviews, including, the separation of powers, the law/politics dichotomy and access to justice. Full interview available at: <https://www.youtube.com/watch?v=YZb0Wxff72M&feature=youtu.be>.
- Op-ed: 'Hawks fly in the face of justice' *Mail & Guardian*, 29 April 2016.
- Interviewed live by Xolani Gwala on Talk Radio 702 on 24 June 2016 regarding the Pretoria High Court's decision to dismiss the bid by President Jacob Zuma and the National Prosecuting Authority (NPA) to appeal the reinstatement of the so-called spy tapes charges.
- Interviewed live by Gugs Mhlungu & Sizwe Dhlomo for Cape Talk / Radio 702 on 'The NPA's approach to the spy tapes saga' [<http://www.laurenkohn.co.za/in-the-media/npas-approach-spy-tapes-saga/>].
- Interviewed live on Khaya FM 95.9, 'On a legal perspective, is it likely that Pravin will be convicted?' [<http://www.laurenkohn.co.za/in-the-media/legal-perspective-likely-pravin-will-convicted/>].
- Interviewed live by Eusebius McKaiser on Cape Talk Radio 702, 'NPA Head Shaun Abrahams has announced that Finance Minister Pravin Gordhan is to appear in court on fraud charges'. [<https://omny.fm/shows/the-best-of-redi-tlhabi/npa-press-conference-mpa-head-shaun-abrahams-has-a?t=4m58s>].
- Interviewed live by Gugs Mhlungu and Sizwe Dhlomo on Cape Talk Radio 702 on 13 October 2016, 'the NPA's approach to the spy tapes saga'. [<http://www.laurenkohn.co.za/in-the-media/npas-approach-spy-tapes-saga/>].
- Interviewed live by John Maytham for Cape Talk Radio 702 regarding the SCA judgment in *Minister of Justice v The SA Restructuring & Insolvency Practitioners Association* (693/15) [2016] ZASCA 196, 'the Supreme Court of Appeal has ruled that racial quotas are unconstitutional'. [<http://www.laurenkohn.co.za/in-the-media/supreme-court-appeal-ruled-racial-quotas-unconstitutional>].

- One hour live interview with Thakira Desai on Voice of the Cape on 22 March 2017 on transformative constitutionalism; substantive equality and redress measures. Podcast available at: <https://iono.fm/e/403739>. The interview was the second part in a series on 'Constitution Matters' - a joint venture on Progressive Constitutionalism by the Voice of the Cape Radio, Students for Law and Social Justice (SLSJ) and the Council for the Advancement of the South African Constitution.
- Live interview with Koketso Sachane on Cape Talk on the Constitutional Court judgment handed down in favour of the Helen Suzman Foundation to have the Judicial Service Commission's (JSC) deliberations on appointing judges made public as part of the record. [<https://omny.fm/shows/the-koketso-sachane-show/concourt-rules-in-favour-of-suzman-foundation>].
- Interviewed live on 27 August 2018 by Gontse Moyahi for Newsnote News Agency on the recent case of *Corruption Watch NPC v the President of the Republic of South Africa; Nxasana v Corruption Watch NPC* [2018] ZACC 23 (13 August 2018) and the implications of this case for the office of the NPA and the separation of powers.
- Op-ed: 'New SA film producer incentive guidelines are discriminatory', 5 November 2018 [<https://www.dailymaverick.co.za/article/2018-11-05-new-sa-film-producer-incentive-guidelines-are-discriminatory/>].
- Interviewed live on 18 September 2019 by John Maytham for Cape Talk Radio 702 on the Constitutional Court's judgment in *Freedom of Religion South Africa v Minister of Justice & Constitutional Development* [2019] ZACC 34 (18 September 2019) in which the court ruled the common law defence of reasonable and moderate parental chastisement to be an unconstitutional violation of the rights to freedom and security of person and human dignity. [<http://www.capetalk.co.za/podcasts/144/the-john-maytham-show/247541/concourt-ruling-against-corporal-punishment>].

MEMBERSHIP OF BOARDS AND/OR PROFESSIONAL BODIES

- Founding Member of InvestSoc. UCT and invited to be the Keynote Speaker at Inaugural Event for new members, 2019.
- Member of the Golden Key International Honour Society.
- Admitted Attorney of the High Court of South Africa (in 2008) and member of the Law Society of South Africa.
- Board member and Editor of *Constitutional Court Review* 'the only international journal of record that devotes its attention to the work of South Africa's highest court'.
- Member of the Advisory Board of the FW de Klerk Foundation (received notice of this honour on 26 August 2019).
- Fellow: Leiden University, the Netherlands.

Teaching & Research Work Experience

2013 – present UNIVERSITY OF CAPE TOWN

CAPE TOWN, SA

(Currently: **Senior Lecturer**, Department of Public Law)

Teaching Highlight: Nominated for a **Distinguished Teacher Award**, 2016. [If required, please see Teaching Statement & Testimonials for detail here as evidence of consistently 'excellent teaching'. Note, for example, that Course Evaluations for PBL2002W reveal 100% student respondent support for a DTA in 2016, 2015 and 2013].

Lecture & Examine in:

- Constitutional Law (PBL2000W), 2013 to date.
- Administrative Law (PBL4001W), 2013 to date (Course Convener, 2018 & 2019).
- Administrative Justice & Open Government (PBL 5658S), 2016 to date (Course Convener, 2018 & 2019).
- Constitutional Law 5 Year Programme ('5YP') (PBL2002W), 2013 to date, and other Academic Development Initiatives (Course Convener of the 5YP in Constitutional Law from 2013 - 2019).
- Guest lectures in Environmental Law (PBL4502F), 2019.

Current Supervision responsibilities:

- Ishmael Malale PhD Thesis, 'the constitutionality of the invocation of the *sub judice's* rule in parliamentary proceedings' (co-supervised with Prof Schwikkard);
- Silindokhule Malaza LLM Dissertation 'Redistributive Justice: Affirming section 9 of the Constitution through the imposition of a wealth tax on the beneficiaries of Apartheid';
- Vuyile Mcontsi LLM Dissertation, 'the role of the Constitutional Court in navigating separation-of-powers constraints in reviewing legislative and executive action';

- Boitumelo Sediti Independent Final Year Research Paper, 'policing in a Constitutional Dispensation: The role of the South African Police Service in the realisation of Access to Justice'
- Olivia McCarthy Final Year Research Paper, 'Reasonableness and judicial deference: a comparative perspective'.
- Thabiso Modukanene Final Year Research Paper, 'The Role of Local Government in Promoting Local Economic Development – A Dissonant Concerto'.

Editorial Work:

- Editor of *Constitutional Court Review*. See <http://www.constitutionalcourtreview.co.za/index.php/editors/>.

External Examiner:

- Administrative Law (UWC)
- Administrative Law (Stellenbosch University)
- Human Rights & the Marketplace (WITS).
- Public Law 451 (Stellenbosch).
- Constitutional Law 451 (Stellenbosch).

2007 UNIVERSITY OF CAPE TOWN

(Teaching and Research Assistant, Department of Private Law)

- Tutored preliminary level law students in Foundations of South African Law (RDL1003W) and Comparative Legal History (RDL1004H).
- Presented a guest lecture module in Foundations of South African Law ('Challenges facing the Legal Profession').
- Tutored final level law students in Administrative Law (PBL4001W).
- Proof-read and edited articles for publication in law journals and generally assisted Professors in research in a variety of fields.

2004 UNIVERSITY OF CAPE TOWN

(Teaching and Research Assistant, Faculty of Management Studies)

- Tutored first year Business Science students in Thinking About Business (TAB).

Professional Work Experience

- 2013 – SA LEGAL ADVICE** (www.salegaladvice.co.za) **CAPE TOWN, SA**
(Co-Founder & Director)
 In 2013 I co-founded SA Legal Advice with a fellow Attorney of the High Court. The aim of our on-line legal advice platform is *not* profit generation, but rather to make legal services more cost-effective and accessible for members of the South African public.
- 2014 – CAVEAT LEGAL** **CAPE TOWN, SA**
(Legal Consultant: Expert in Public & Regulatory Law)
 I am on a panel of legal experts, Caveat Legal, and during university vacation periods (if my capacity allows), I offer advice in a variety of public law and regulatory fields. Top matters include: legal opinions for various engineering companies on procurement law issues, advising start-up businesses on unsolicited bids and matters pertaining to the protection of personal information.
- 2013 – OTHER EXPERT CONSULTANCY WORK**
- Advised the LRC and Centre for Law & Society *pro bono* on the Draft Traditional Affairs Bill, 2013, and drafted a detailed legal opinion on the matter.
 - Advised WIEGO (Women in Informal Employment: Globalizing & Organizing) on the role of '*Administrative Law & the Informal Economy*', 2016.
 - Advised the Independent Producers' Organisation of SA on the administrative- and constitutional-law implications of the DTI's retroactive policy change not to award incentives to permanent residents (2018).
 - Drafted Anchor Legislation and a detailed Research Report for a national government department (confidentiality agreement signed), January 2019.
 - Advised a B-BBEE company on the constitutionality and administrative law implications of PRASA's decisions pertaining to advertising space.

(Associate in the Department of Public Law, Attorney of the Western Cape High Court, Cape Town)

- (i) Dispute Resolution/ Litigation;
- (ii) Private Equity & Mergers & Acquisitions; and
- (iii) Public Law:
 - Judicial Reviews; and
 - Advising on a wide variety of issues in, amongst others, the following fields: Administrative Law; Constitutional Law; Public Procurement Law; Local Government Law; Public Finance Management; Access to Information; Data Protection; Municipal Property Law; Regulatory Law in variety of industries (including advertising, health care, clinical trials and pharmaceuticals; tobacco products control; gambling; construction; water; electricity and land-based transport).

Noteworthy achievements:-

- Attained **Distinctions** in all 4 **Bar Exams** (Attorneys Admission Examinations).
- Attained the **highest overall result in the Cape of Good Hope** region (WC, EC & NC) for the Court Practice Bar Examination with 85%.

2010 – 2012 Niche experience & top matters:-

- Acted for the City of Cape Town in the implementation of the BRT System: (i) Represented the City, in a bus licensing dispute before the Transport Appeal Tribunal; (ii) Drafted the MyCiTi Rules governing the use of the MyCiTi buses; (iii) Advised on a wide range of tender issues; and (iv) Drafted numerous legal opinions (on, amongst others, matters pertaining to the National Land Transport Act, 2009).
- Acted in major valuation disputes: (i) Represented the City of Cape Town in the largest valuation dispute in Cape Town's history regarding the valuation of the V&A Waterfront; and (ii) Represented the Western Province Cricket Association in successfully challenging the 2002 valuation of the Newlands Cricket Ground before the Valuations Appeal Board.
- Served as legal counsel on a team of experts and provided the legal and regulatory advice for Nelson Mandela Bay Municipality in an investigation into the prospects and implications of supplying potable water through the desalination of sea water.
- Drafted the Angolan and Namibian Tobacco Products Control Legislation.
- Represented various small factory owners in Newcastle, KwaZulu-Natal in bringing a judicial review application challenging, amongst other things, the decision of the Minister of Labour to extend the National Main Collective Agreement in the Clothing Manufacturing Industry (which imposes a minimum wage) on various administrative law and legality review grounds.

Community Service, Committee Work, Leadership & Social Responsibility**AT UNIVERSITY OF CAPE TOWN in my role as (Senior/) Lecturer**

- Member of the Faculty's **Law Advice Programme (LAP)**. I have provide *pro bono* legal advice in my areas of expertise to the Legal Resources Centre (LRC), Centre for Law & Society (CLS) and Women's Legal Centre (WLC). In 2014 for example, I drafted an Opinion for the LRC and CLS on the Traditional Affairs Bill and related Administrative and Constitutional Law issues pertaining to traditional leadership. The Bill went back to the drawing-board and in this way my advice played a key role in policy formation. (2013 to date).
- Member of the Law Faculty Reunion Planning Committee (2016).
- Staff Mentor for the First Year Mentoring Programme (2016).
- Participated in the '*100UP Grade 12 Residential Holiday Camp Programme*': I addressed Grade 12 learners about the Extended Curriculum Programme (or '5YP') in Law. The 100-UP programme 'mentors learners from Khayelitsha through their last three years at school and has tripled the university's intake of students from the area. Once at UCT, these students join 100 UP+, which provides additional support during their studies.' (2016)
- **Student Advisor** in the Law Faculty Orientation Programme: I addressed the incoming Combined Stream Law students about the challenges of managing this study route and other aspects of Law School Life. (2016)
- Addressed Grade 12 learners from 'underprivileged and underrepresented schools' along with 'Lusanda Gwayi from Dream Factory...to make UCT, and Kramer specifically, a more viable option'. (2016).

- Invited to run a workshop for the **National Schools Moot Competition** (in July 2016 at Wynberg Magistrates' Court), co-hosted by the Western Cape Education Department and the DOJ in an effort to get children interested in Law and to teach them how to build a Constitutional Law case.

Since made permanent with effect from January 2019:

- Student Advisor.
- Member of the Law Faculty Teaching & Learning Committee.
- Member of the Law Faculty Integrated Assessment Project Committee.
- Member of the University of Cape Town Central Research Committee.

AT WEBBER WENTZEL (Public Law Department)

- Extensive legal advice given to Shout-It-Now, a non-profit organization that aims to educate learners and teachers on HIV/AIDS testing, prevention and treatment. I advised on, amongst other things, children's rights; the rights to privacy and dignity; and the protection of personal information.
- Advised various other NGOs including Millennium Trust, Biowatch and Zanempilo Trust on Public Law issues.
- Delivered a series of seminars on Administrative Law to the City of Cape Town's Legal Department (2009).
- Presented lectures to various Municipal Managers on the implications of the Municipal Asset Transfer Regulations, 2008.
- Candidate Attorney Representative (2009); Cape Town Office Associate Representative (2011).

AT UNIVERSITY OF CAPE TOWN & SCHOOL LEVEL (in my role as a *student/scholar*)

- Head of Marketing on RAG ('Remember and Give') Executive Committee (2003) – I managed UCT's biggest student organisation's marketing portfolio in efforts to raise funds for community initiatives. My responsibilities included, amongst others –
 - initiation, creation and project management of RAG events and programmes;
 - promotion of all RAG fund-raising events;
 - graphic design of posters and other marketing material;
 - generally inspiring enthusiasm and a commitment to social-responsiveness within the student body.
- RAG Orientation Week Committee Member (2002).
- SHAWCO member (2001, 2002) - I was involved in the Arts' Project which is run by the organisation in Manenberg and aims to help learners express themselves through art, music and speech and drama.
- Founding member & Committee Member of UCT Investment Society, InvestSoc (2001) – I helped start this society with the vision of inspiring entrepreneurial ability and financial acumen in the youth. The organization has since grown tremendously.
- Pro bono legal work for the UCT Legal Aid Clinic (2005) – I was dedicated in my commitment to providing free and accessible legal advice to those in dire circumstances, as was evidenced by my achievement of the highest overall mark in the Legal Aid course.
- Academic Mentor to Preliminary Level law students (2005).
- Participation in Street Law, a community service program aimed at educating scholars on their legal rights. I taught modules on, amongst others, women's rights, domestic violence and children's rights (2004).
- Acted as a 'Judge of Appeal' for the Intermediate Level Moot (in the Law of Succession) at UCT (2007).
- Acted as external examiner in the Final Level Administrative Law oral examinations (2009).
- School Prefect and Head of House (2000); Debating Committee; Art Committee; Matric Dance Committee.
- Leading member of Interact (1995 – 2000); Head of Grade 11 Interact Project (1999).

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