

ABRIDGED CURRICULUM VITAE

PROFESSOR DEON ERASMUS

1. TERTIARY QUALIFICATIONS

- B Juris (*cum laude*) University of Port Elizabeth 1982
 - LLB (*cum laude*) University of Port Elizabeth 1984
 - LLD University of the Free State 1999
- Title of dissertation: *Simplification of the South African Criminal Trial Process: A Psycholinguistic Approach* (November 1998)

2. PROFESSIONAL ADMISSIONS AND REGISTRATIONS

- Admission as Advocate of the High Court of South Africa 1987
- Passed National Bar examination and admitted associated member of the Port Elizabeth Bar 1994
- Passed Attorneys Admission examination and admitted as a practicing Attorney of the High Court 1997

3. CAREER EXPERIENCE

3.1 DEPARTMENT OF JUSTICE (1984 – 1991)

- 11/1984 - 6/1985** : Public Prosecutor at Graaff-Reinet
- 06/1987 - 8/1988** : Senior Public Prosecutor at Graaff-Reinet
- 8/1988 - 8/1989** : Regional Court Prosecutor (East London)
- 8/1989 - 4/1990** : State Advocate - DPP Grahamstown
- 4/1990 - 12/1991** : State Advocate - DPP Port Elizabeth

3.2 VISTA UNIVERSITY (1992 - 2003)

Senior lecturer – Public Law

Head of the Department of Public Law and Programme Co-ordinator of the Port Elizabeth Faculty of Law

3.3 NELSON MANDELA UNIVERSITY (2004 to present)

3.3.1 *Academic and management positions*

Senior Lecturer – Department of Criminal and Procedural law (2004)

Associate Professor and Head of the Department of Criminal and Procedural Law (2012)

Programme Co-ordinator: LLM Criminal Justice and Higher Certificate in Law Enforcement

Professor and Head of the Department of Criminal and Procedural Law (2020)

3.3.2 *Post-graduate supervision*

LLM COURSEWORK DISSERTATIONS

- D Minnie – “The Grooming process and the defence of consent in child sexual abuse cases.” – 2008;
- M McGregor – “An evaluation of the Child Justice Act.” – 2010;
- R Brink - The child accused in the criminal justice system – 2010;
- S Hlope – “The adoption of an inquisitorial model of criminal procedure in court proceedings relating to children.” – 2011;
- Z Nkosi – “An evaluation of south Africa’s legislation to combat organised crime” – 2011;
- R Mogwera – “Judicial independence as an essential component of a fair criminal trial.” – 2012;

- A Dipa – “The Recognition of victims’ rights of sexual offences.” – 2012;
- J Teny – “Child justice legislation in South Africa and South Sudan: A comparative approach.” - 2012;
- E Nzimande – “Organized Crime in South Africa.” – 2012;
- J Du Plessis – “The impact of minimum legislation on South African Criminal Law.” – 2013;
- N Isaacs – “Child Justice in South Africa and Botswana.” – 2013;
- V Makasana – “The onus of proof and the presumption of innocence in South African bail proceedings.” – 2014;
- B Fazekas – “The adoption of a police and judicial cooperation regime for the African Union.” (co-supervisor Prof G Kemp) – 2015;
- Z Nkukwana – “The rights of victims of crime in South Africa.” – 2016;
- L Grootboom – “The Criminalization of consensual sexual acts between children.” – 2017;
- C Marais – “Shortcomings of the Criminal Law (Sexual Offences and Related Matters) Amendment Act – 2018;
- S Bowden – “A critical analysis of the South African Anti-Money Laundering Legislation regarding Cryptocurrency” – 2018;
- N Nontela – “The interests of justice in bail proceedings” – 2018;
- V Vaveki – “The Legalisation of Prostitution in South Africa”.
- G Ngodwana – “An evaluation of child youth care centres in the Eastern Cape Province”;
- A Babalola – “Bail Applications in South Africa and Nigeria”;
- S Darries – “A review of rehabilitation and integration of offenders”;
- A Goliath – “Rethinking minimum sentence legislation”;
- N Africa – “An evaluation of the rights of awaiting trial prisoners”;

- J Landman – “South Africa’s anti-corruption legal framework”.

LLM RESEARCH DISSERTATION

- S Laing “The constitutionality of the Criminal Law (Forensic Procedures) Amendment Act” 2016 (Co-supervisor Ms D David)

LLD DISSERTATIONS

- A Hornigold – “Principles of South African Prison Law and Proposals for their implementation” 2014 (co-supervisor: Dr J von Bonde);
- C Ndzengu – “A Comparative analysis of aspects of criminal and civil forfeitures: suggestions for South African asset forfeiture law reform” (2016);
- M Jokani – “The constitutionality of the customary practice of Ukuthwala” 2017 (co-supervisor with Prof E Knoetze).
- M Welgemoed – “Integration of clinical legal education with procedural law modules” 2021.

3.3.3 *External supervision and peer reviewer*

Accredited journals reviewer

- South African Journal of Criminal Justice;
- Potch Electronic Law Review;
- De Jure;
- Stellenbosch Law Review;
- Obiter;
- Speculum Juris;
- South African Public Law;

- Litnet (Regte).

External examiner for LLM and LLD degrees

- Rhodes University – LLM research dissertation: TM Wilkerson: “A comparative analysis of the intermediary systems in South Africa, Namibia, Zimbabwe and Ethiopia” – 2011;
- University of Pretoria – LLM research dissertation: CJ Erasmus “The onus in bail proceedings” - 2014;
- University of Fort Hare – LLM research dissertation: M Chirwa “A review of five international forensic reports: fingerprint evidence lessons for South African Lawyers” – 2019;
- University of Zululand – LLD thesis: D Iyer – “The semiotics of non-verbal communication in the attorney, client consultation process” – 2012;
- University of Zululand – LLD thesis: Ms Naidoo - “The impact of demeanour on the verdict” – 2017/18;
- University of Zululand – LLD thesis: Ms Matadi - “The realization of children’s rights in South Africa, Kenya and the DRC: A comparative analysis” – 2017/18
- University of Pretoria – LLD thesis: Mr Broughton – “An analysis of pre-trial publicity and the accused’s right to a fair trial: A deconstruction of the *Krion* case” - 2019
- Walter Sisulu University – External Examiner – LLB Criminal Law Module;
- University of Stellenbosch – Various LLM Coursework assignments for Prof G Kemp.

3.3.4 *International lecturing and exchange programmes*

Visiting lecturer tenures

- University of Mississippi (USA) – LLM Homeland Security Programme – 2011;
- University of Zululand – LLB Programme – 2011;
- University of Aberystwyth (Mauritius) – LLB programme - 2015 and 2016.
- University of Maribor, Slovenia – June – July 2021 – visiting Professor
- Prague Summer Schools, Schola Empirica, Czech Republic – 2019 to present

3.4.5 *Overseas Editorial Board Member*

- Baltic Journal of European Studies

4. **PUBLICATIONS AND PAPERS PRESENTED**

(International conferences and publications in italics)

4.1 **PAPERS DELIVERED**

1. "The semiotics of political transition: The SWA/Namibia election logo types" International Conference on semiotics and law - Vista University, PE - August 1992
2. "Legal aspects of robbery" - National Conference on campus crime - St Lucia - October 1992 (Co-author)

3. *"Desperately Seeking Signs of Justice in a Post-Apartheid South Africa" - 9th Round Table for Law and Semiotics: April 1995 - PennState University, Reading, Pennsylvania, USA. (Published in international publication.)*
4. Vista University Colloquium: Law in the Making - Paper delivered 18 November 1994: "The privilege attaching to witness' statements"
5. National Forum on Access to Justice - Nov 1995 - Durban: "An accessible and intelligible Criminal Procedure: Technology to the Rescue".
6. Vista University Conference: Language in Court - November 1996: "Do you understand so far?" A psycholinguistic evaluation of the rights of an accused person at the close of the case for the prosecution."
7. *SALSA Conference - Cardiff, Wales, UK - April 1997 - "What do you wish to do? A psycholinguistic evaluation of the rights of an accused person to legal representation."*
8. *SALSA Conference - Belfast, Northern Ireland (Queens University) - April 2000 "Intelligibility of the South African Criminal Trial process: A Qualitative study in courtroom communication".*
9. RULCI Conference - University of Stellenbosch - August 2001 – "The right to a fair trial and the intelligibility of the South African Criminal Trial Process: A Psycholinguistic Approach".
10. Tourism and the Law Seminar – Boardwalk Casino, Port Elizabeth – September 2002 – Keynote speaker on "The Hospitality Industry and Labour Law".

11. Vista University Law Reform Conference – Port Elizabeth – November 2002 – “Comments on the Communal Land Rights Bill, 2002”.
12. *Law Teacher’s Conference – Windhoek Namibia – July 2003 – “Student’s perceptions of the merger of Higher Education Institutions”.*
13. *Latcrit Conference – University of Buenos Aires, Argentina – August 2003 - Comments on the Communal Land Right Bill, 2002 – “Will she speak, or won’t she? That is the question”.*
14. “So, how fair was your trial?” An evaluation of the post-constitutional right to a fair trial. January 2007 – Southern Universities Law Colloquium - NMMU
15. “The accusatorial system versus the best interests of children: The plight of child victims and vulnerable witnesses” January 2008 – Southern Universities Law Colloquium – NMMU
16. “Opening statements: A valuable (existing) inquisitorial tool to broaden fair trial rights” - Access to Justice Forum – Department of Justice – Alicedale, September 2008
17. “Procedures and truth finding: inquisitorial or accusatorial” January 2009 – Southern Universities Law Colloquium – NMMU
18. *“Effective Courtroom Communication: The Need for an Interdisciplinary Approach” - June 2009 – International Humanities Conference, Beijing, China.*
19. “Addressing and detecting corruption within the municipal environment” IMPS-SA Conference, Potchefstroom – August 2009.

20. "A framework for the fight against corruption: different models considered" – Anti-Corruption Conference – NMMU 2010, Port Elizabeth (Co-presenter)
21. "Anti-corruption rhetoric: do we practice what we preach?" Anti-corruption Conference – NMMU 2011, Port Elizabeth.
22. "Managing ethics in the municipal environment": Anti-corruption Conference - NMMU 2012, Port Elizabeth (Paper also delivered at the Local Government Law Conference at NMMU 2012.)
23. Keynote speaker: Anti-fraud week seminar, East London – hosted by the Eastern Cape Local Government and Association of Forensic Investigators - 2013
24. *Paper presented at IALS Annual Meeting in Mysore, India, March 2013: Ethics management and anti-corruption.*
25. "Ensuring quality legal aid representation in adversarial systems of criminal procedure." Paper co-delivered at the annual SADC Conference, UWC, November 2015.
26. *"Piercing the rape shield: (In)justice for Khwezi. Elimination of violence against women Conference – Aberwystwyth University, Mauritius, November 2016.*
27. NMU and UJ Colloquium St Francis Bay, August 2018: *The Life Esidimeni Tragedy: A terrible tale of death, torture and disappearance of utterly vulnerable mental health care users* – Co-delivered with WZ Nkukwana.
28. Third annual conference of the Law and Development Research Network, 19-21 September Leiden University to be delivered 20

September 2018: *The life Esidimeni tragedy in South Africa: Government policy failing the most vulnerable.*

4.2 PEER REVIEWED PUBLICATIONS

1. "'n Vereenvoudigde en verstaanbare dagvaarding in 'n strafsak" (A simplified and intelligible summons in a criminal case.") 1994:2 *TSAR* (Co-author). – (Article in accredited journal)
2. "The election logotypes in the SWA/Namibian election" – *The Semiotics of Political Transition* – Vista University – 1996 – Co-author (Published conference proceedings with ISBN number)
3. "*Desperately seeking signs of justice in a post-Apartheid South Africa*" in Kevelson, R.(ed) *Law and the Conflict of Ideologies*. Peter Lang, NY, 1996, pp81-88. (Article in peer-reviewed conference proceedings published as a book)
4. Language in Court - November 1996 "Do you understand so far?" A psycholinguistic evaluation of the rights of an accused person at the close of the case for the prosecution." (Published conference proceedings, with ISBN number)
5. "*Will she speak or won't she? That is the question*" - *Florida International Law Journal* – September 2004 (Vol 16) 539. (Article in international peer reviewed journal)
6. "From Bantu Divorce Courts to Divorce Courts: A successful exercise in legal transformation" *Obiter* 2005 Vol 26 1 116 - 125. (Note in accredited journal)

7. 'The Criminal Law (Sexual Offences) Amendment Bill and vulnerable witnesses: A missed opportunity' (2007) 22 *SAPR/PL* 507 - 518. (Article in accredited journal)
8. "Voluntary associations and the Constitution: *Eastern Province Athletics Association v Association of Athletics SA*" (2008) 1 *Journal for Juridical Science* 102 – 110 (Chronicle in accredited journal).
9. "Procedural explanations and choices: The undefended accused in a minefield" 2009 (1) Vol 13 *Law, Democracy and Development* 13 – 39. (Article in accredited journal)
10. "There is something you are missing. What about the children? Separating the rights of children from those of their caregivers" (2010)25 *SAPL* 124 – 136. (Article in accredited journal)
11. "The truth, the whole truth or nothing ..." Is the competency inquiry applicable to child witnesses an evidentiary barrier to truth finding? 2010 Vol 24(2) *Speculum Juris* 103 – 114. (Article in accredited journal)
12. "Ensuring a fair trial: Striking a Balance between Judicial Passivism and Judicial Intervention." *Stellenbosch Law Review* Vol 26 (3) pages 662 – 677. (Article in accredited journal) 2015.
13. "Ontslag van 'n beskuldigde na die sluiting van die vervolgingszaak: openbare mening en die reg op 'n billike verhoor ingevolge die akkusatoriese strafprosesregstelsel." ("Discharge of an accused at the close of the case for the prosecution: public opinion and the right to a fair trial in terms of the accusatorial system of criminal

procedure.”) *Litnet Akademies*, Jaargang 12, Nommer 3, Desember 2015. (Article in accredited journal)

14. “Court supervised institutional transformation in South Africa.” *Potchefstroom Electronic Law Journal* 2015. The co-author is Dr A Hornigold, NMMU Research Associate, currently attached to the PRINCE MOHAMMAD BIN FAHD UNIVERSITY, Saudi Arabia. (Article in accredited journal)
15. “S v Pistorius: Ope geregtigheidspleging, mediadekking van hofverrigtinge en die olifant in die kamer” (“S v Pistorius: Open justice, media coverage of court proceedings and the elephant in the room.”) – *Litnet Akademies* (2016) 13 (3) 878 – 912. (Article in accredited journal)
16. “A note on the introduction of the *Nullum crimen, nulla poena sine lege* or Principle of Legality in the South African asset forfeiture jurisprudence.” – *South African Journal of Criminal Justice* (2016 Vol 29 No 3 pp 247 - 271) Co-authored with C Ndzengu. (Article in accredited journal)
17. “A Criminal Law Response to the Harmful Practices of *Ukuthwala*” *Obiter* 2018 747-767 (co-author).
18. “Admission of guilt fines: A legal shortcut with delayed shock?” (co-authored with H van As) – *South African Crime Quarterly* 2020 No 96 2 – 67. September 2019;
19. “A critical analysis of the South African Anti-Money Laundering Legislation regarding Cryptocurrency” (co-authored with Ms S Bowden) – *Obiter* 2020 41(2) 309 – 329.

20. "AARTO: Beregtiging van verkeersmisdrywe of ontseggings van toegang tot die reg?" *Litnet Akademies* 2020 17(2) 704-735.
21. "The Life Esidimeni Tragedy: A terrible tale of death, torture and disappearance of utterly vulnerable health care users" In H. Strydom and J. Botha, ed. *Select Essays on Governance and Accountability Issues in Public Law*. Stellenbosch: Sun Press.

4.3 PUBLICATIONS IN NON-PEER REVIEWED PUBLICATIONS

1. "Identifying and addressing Corruption in a municipal environment." February 2010 *SERVAMUS* 42 – 43.

5. AWARDS

- Faculty of Law Emerging Researcher of the Year – 2008
- Faculty of Law Researcher of the Year – 2017