

The second 'Street Law' Seminar was held on 26th April 2011, hosted by Asiy eTafuleni (AeT) at Seda eThekwini. This involved the participation of twenty-three informal traders from different sectors and officials amongst whom were Mr Raphalane from South African Human Rights Commission (KwaZulu-Natal's Legal Department), a representative from the KwaZulu-Natal Office of the Public Protector, representatives from Students for Law and Social Justice (SLSJ) and Asiy eTafuleni (AeT) staff.

Like its predecessor, the second seminar included presentations on various topics of law relevant to informal traders by representatives of SLSJ who are 4th year students from University of KwaZulu-Natal's Law School. The student representatives from the latter Luvuyo Siko, Senamile Mahlangu, Kenneth Dlamini, Sphamandla Mchunu, and Welcome Dlamini. In addition to the student presentations, the second seminar was unique in that it incorporated officials from wider legal institutions relevant to addressing some of the legal challenges faced by informal traders.

The officials from the South African Human Rights Commission (SAHRC) and the KwaZulu-Natal Office of the Public Protector elaborated on their different roles and functions as Chapter 9 institutions in strengthening constitutional democracy. Mr Raphalane spoke about the provisions of the Bill of Rights which ensures the fulfillment of citizen rights. He elaborated on the 'right to equality' in section 9, 'freedom of speech' in section 16, 'freedom of association' in section 18 and 'political rights' in section 19. He paid particular attention to the 'freedom of trade, occupation and profession' in section 22 and 'socio-economic rights' in section 26, 27 and 28 (1) (c) for their relevance to informal traders.

He emphasized how the two Chapter 9 institutions and other relevant organisations are important in protecting and fulfilling the above mentioned rights. He also elaborated on the complaints procedures, for instance, the kinds of complaints that can be raised and the hierarchy of the complaints procedure. He strongly emphasized the free legal services available to all citizens.

The students from SLSJ presented on the following topics including:

- 1) The Bill of Rights as the right to; equality, vote, education, freedom of expression, freedom of trade, and; fair, lawful and reasonable administrative action.
- 2) Access to legal representation including the different free legal assistance / representation bodies such as SAHRC, Public Protector, Legal Aid, University law clinic, law firm pro-bono legal services, etc. This included a description of the 'Means test' process in determining whether one is entitled to free legal representation.

- 3) Traders' rights and trader organizations; including the role of organizations in ensuring the protection of the human rights of their constituencies and the need for a local movement of traders.
- 4) The South African legal system elaborating on why societies need laws in everyday life.
- 5) The South African courts structure such as the Small Claims Courts, Magistrates Courts, Provincial High Courts, Supreme Court of Appeals and the Constitutional Court.
- 6) Socio-economic rights (section 26 and 27 of Bill of Rights) and the right of access to; housing, health care, food, social security; the rights of children (section 28) and the right to basic education and adult basic education and training (section 29).

In conclusion, the officials from SAHRC and the Public Protector stated that this was the first time they had spoken at a seminar that address the specific challenges of people in the informal economy in eThekweni. They also expressed their commitment in assisting AeT and the traders in dealing with complaints, particularly regarding systematic violations, for example, illegal confiscations. It was generally felt that the Seminar was a success and there was enthusiasm for the future seminars planned in June and August, particularly by the traders that reported having acquired valuable knowledge.



Active session lead by SAHRC official with the informal traders