

Biography: Lukas M. Muntingh

I started my career in 1992 at NICRO¹ as a researcher and was tasked with piloting a Victim-Offender Mediation programme – the first of its kind in South Africa. NICRO had at the time a strategic focus on child justice and my work as researcher and practitioner supported this and I played an influential role in establishing diversion programmes for children in conflict with the law in South Africa. Numerous publications listed on my CV attest to this. My early years at NICRO had a profound impact on my understanding of the issues facing children in South Africa and instilled a deep sense of empathy for those growing up in adverse environments and burdened by multiple vulnerabilities. It is by now well documented that early life experiences may have profound adverse or positive impacts in later life.

My work during this period involved dealing with individual cases as well as conducting research on diversion programmes and their impact. This research and experience would ultimately feed into what became the Child Justice Act (2008). My work and experience during this period demonstrated repeatedly the need for an evidence-based and multi-disciplinary approach to children in conflict with the law as well as those who are vulnerable to such a risk. I remain a proponent of an inclusive, evidence-based and multi-disciplinary approach as reflected in my work focusing on the intersection between human rights, governance and vulnerable groups.

Over the years I have developed extensive experience in developing and applying monitoring tools – some of these were exclusively related to children and others included children's issues:

- In 2005 I oversaw the development of minimum standards for diversion programmes as was envisioned by the Child Justice Bill at the time. This was done for the Dept of Social Development.
- In 2006 I designed and oversaw a survey of street children in Zambia for UNICEF.
- I was an active partner in the then Child Justice Alliance (CJA) and played a leading role in 2008/9 in developing a monitoring tool² for civil society to assess compliance with the Child Justice Act. This included various research projects and submission between 1998 and 2008.
- From 2006 to 2010 I oversaw the development of a legislative compliance toolkit for the Department of Correctional Services, known as the Correctional Services Act Monitoring System (CSAMS) and covered the entire prison population including child specific indicators.
- Between 2004 and 2006 I was part of a project that resulted in the publication of a comprehensive guide on monitoring the well-being of children.³ I was responsible for the chapter and indicators

¹ National Institute for Crime Prevention and the Reintegration of Offenders.

² Child Justice Act Monitoring Implementation Tool (CJAMIT).

³ Muntingh, L. (2007) 'Monitoring children in conflict with the law' IN Dawes, A., Bray, R. and van der Merwe, A. (eds) *Monitoring Child well-being: a South African Rights-based approach*, HSRC Press, Cape Town.

dealing with children in conflict with the law. This publication dealt with three main areas concerning the well-being of children, being health and survival; education and development, and child protection.

- In 2011 and 2013 I designed and implemented surveys on children and young adults in South African prisons in cooperation with the Judicial Inspectorate for Correctional Services. In all three surveys I was directly involved in the fieldwork conducting interviews as this yields, in my view the best results once data analysis commences.

These surveys as well as earlier work in preparation of the Child Justice Act involved consultation with children and confirmed the value of children to be active citizens and engaging them on their hopes and concerns as well as proposals for reform. Moreover, it is important to see children as a heterogeneous group in respect of gender, age and the concentration of vulnerabilities.

Since 2010 I have designed and overseen survey research in Mozambique, Malawi, Zambia and Kenya. These dealt with criminal justice functioning, the situation of children and the socio-economic impact of pre-trial detention. A significant finding is that the pre-trial detention of a parent/care-giver can have substantial adverse consequences for children in that household (e.g. behavioural problem and dropping out of school).

It remains my conviction that in the journey of life, children encounter certain tipping points where their lives can take a trajectory bringing more positive outcomes or, regrettably, outcomes increasing their risk to adverse consequences. In the course of my career I have worked to understand these tipping points and more specifically how systems and their consequences make people, including children, more or less vulnerable.

I have made numerous submissions to and actively engaged in various fora concerning children and other vulnerable groups. These have been at the domestic, regional and international levels reflecting the ability to engage at policy development level.

Even though my earlier career was more focused on children and criminal justice, the last ten years have explored inter-disciplinary areas and more specifically related to socio-economic rights.

Over the past 28 years I have established myself as a recognised researcher and human rights defender domestically and in the region. I am experienced in quantitative and qualitative research methodologies and have strong analytical skills. My background and experience are interdisciplinary, having postgraduate degrees in sociology and law. This places me in a good position to look at the intersection of human rights, governance and children in the province. As the Commissioner of Children is a new office, I submit that I have the skills set to start it off on a solid foundation.

Word count: 861