

# Public access act 'incorrectly used by UJ'

Lawyer objects to bouncers escorting her on campus

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THE UNIVERSITY of Johannesburg may be using the wrong justification to control how members of the public access its campus, according to a legal expert.

Chantelle Gladwin, an attorney who specialises in property and constitutional law, said UJ may be misapplying the Control of Access to Public Premises and Vehicles Act as reasoning why a lawyer must be escorted by bouncers around the campus and that journalists must leave the premises.

"The idea is they can stop you from going onto the premises if you're carrying a bomb," Gladwin explained. "Their reason for doing it has to be protecting the people and property."

She said it could also cover more subtle threats like people inciting violence. In a letter to Tracey Lomax, the lawyer who represents three students suspended during the recent protests, the university said it "is entitled to monitor and control access to the university's premises".

Lomax had complained in a document submitted to UJ that she had been escorted by armed guards to and from the disciplinary meetings, which she called "inherently intimidating".

When asked by The Star what legal backing the university had for this statement, Mpho Letlape, the deputy vice-chancellor of strategic services, cited the act, which has been on the books since 1985.

Letlape said that as the person in charge of campus security, she has a responsibility to the university's student body, many of whom are first-generation graduates.

"It's the 3 000 students whose families and the communities where they come from have sacrificed everything to make sure that they come to the University of Johannesburg to get qualifications, that's where my allegiance lies," she said.

"And that's why I will protect their safety and well-being to ensure they write exams."

Letlape disagreed with Gladwin's explanation of the act and pointed to a section that allows for escorting someone when an "authorised officer" deems it necessary.

"Can you just leave us the right to manage our premises the best way that we can?" she asked with a frustrated tone.

According to Gladwin, the act applies only in more specific cases. "If the lawyer incites violence, then I could understand, but if she's travelling between her car and the office, if she's not posing a threat to anyone, the act doesn't apply," Gladwin explained, noting that the university was equally wrong in kicking the media off the campus when the journalists also had no history or intention of violence.

"That is not authorised by this act," she added. Gladwin emphasised that the act was an important part of public safety when used properly.

As for the three suspended students, Gladwin could see the legal case for keeping them off campus using the act in question if they had been suspended for inciting violence.

According to Letlape, the three students were suspended for inciting violence. However, on the charge sheet for Claire Ceruti, one of the suspended students, the charges list "led and/or participated in an unauthorised protest action" and "obstructing an employee in the performance of his duties".

The university had said it would temporarily lift the suspensions of protesting students if they signed a letter, but Ceruti and two others refused to sign because they disagreed with the wording of the letter, so they remain in disciplinary limbo.

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# Poet's statue falls on campus over apartheid link

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AFTER a tense back-and-forth between students that had lasted for months, another controversial statue will fall, just as that of Cecil John Rhodes did at the University of Cape Town earlier this year.

North West University's Potchefstroom Campus has decided to "relocate" the statue of Afrikaans poet Totius.

"Simultaneously with a communication from family members of Totius, the Administrative Bureau of the Reformed Churches in South Africa (RCSA), in consultation with the curators of the RCSA, addressed a request to the rector of the Potchefstroom campus of North West University to relocate the Totius statue," the university said in a statement.

The Totius statue is being entrusted to the RCSA to place it on an RCSA property in Potchefstroom. The university added that a decision regarding the precise location would be taken after the statue has been cleaned and restored.

Campus organisations, among them Reform PUK, have been asking for the removal of the statue because many believe that Totius designed some of the earliest biblical proofs for apartheid in his translation of the Bible into Afrikaans.

On the university's Facebook page, enraged students commented on the thread below the announcement. Theuns Coetzee wrote: "Let us not pretend the statue was moved to protect its physical safety. The cowardly Senate has succumbed to the will of a radical anti-Afrikaans minority. It is only wholly appropriate that a university with such a strong Afrikaans heritage pay homage to one of the great literary contributors of the language."

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