Certificate course: HIV/AIDS and the Law

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<th>Course enquiries</th>
<th>Administrative enquiries</th>
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<tr>
<td>Metumo Shilongo</td>
<td>Magda Janse Van Noordwyk</td>
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<td><a href="mailto:shilongo@section27.org.za">shilongo@section27.org.za</a></td>
<td><a href="mailto:Magda.JanseVanNoordwyk@wits.ac.za">Magda.JanseVanNoordwyk@wits.ac.za</a></td>
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<td>011 356 4100</td>
<td>011 717 8435</td>
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Lecture times and venue
Every Monday from 25 July to 24 October 2011 (excluding 12 September 2011)
17:30 – 19:00
School of Law, University of the Witwatersrand, Johannesburg

Curriculum

SCIENCE, POLITICS AND THE POLITICS OF SCIENCE

25 July 2011
What we know about AIDS: basic science, epidemiology and the prevention and treatment of HIV infection
Prof. Francois Venter

Prescribed readings


1 August 2011
History, politics and HIV/AIDS in South Africa
Mark Heywood

Prescribed readings


THE ABCs of HCT

8 August 2011

**Conducting HIV testing**

Agnieszka Wlodarski

Prescribed readings

1. *C v Minister of Correctional Services* 1996 (4) SA 292 (T)

15 August 2011

**After the test: protecting autonomy and confidentiality**

Agnieszka Wlodarski

Prescribed readings

2. *Jansen van Vuuren NO v Kruger* 1993 (4) SA 842 (A)
3. *NM and Others v Smith and Others* 2007 (5) SA 250 (CC) (relevant excerpts from majority judgment; Langa J judgment at paragraphs 91–94; O'Regan J judgment)
4. *Tshabalala-Msimang and Another v Makhanya and Others* 2008 (6) SA 102 (W)

UNFAIR DISCRIMINATION

22 August 2011

**In the workplace: unfair discrimination on the basis of HIV status**

Umunyana Rugege

Prescribed readings

2. *Allpass v Mooikloof Estates (Pty) Ltd t/a Mooikloof Equestrian Centre* 2011 (2) SA 638 (LC)
29 August 2011
In access to health care services: unfair discrimination on the basis of HIV status

_Umuyana Rugege_

Prescribed readings

1. Medical Schemes Act 131 of 1998 and Prescribed Minimum Benefits under the Medical Schemes Act (relevant excerpts)

5 September 2011
In access to health care services: unfair discrimination on the basis of nationality

_Agnieszka Wlodarski_

Prescribed readings

1. National Treasury, “Revenue Directive – Refugees / Asylum Seekers with or without a permit” (19 September 2007)
2. DoH memorandum, “Access to Comprehensive HIV & AIDS Care including Antiretroviral Treatment” (15 February 2007)
4. Médecins Sans Frontières (MSF), “No Refuge, Access Denied: Medical and Humanitarian needs of Zimbabweans in South Africa” (June 2009)
5. MSF, “Survival Migrants in South Africa Slums”, (December 2011)

12 September 2011 – no class

DISCHARGING CONSTITUTIONAL OBLIGATIONS: DEVELOPING AND IMPLEMENTING REASONABLE LAWS, POLICIES AND PROGRAMMES

19 September 2011
Evidence-based policy-making: preventing mother-to-child transmission of HIV

_Adila Hassim_

Prescribed readings

1. _Minister of Health and Others v Treatment Action Campaign and Others (No 2)_ 2002 (5) SA 721 (CC)
2. M Heywood “Preventing Mother to Child Transmission in SA: Background Strategies and Outcomes of the TAC case against the Minister of Health” (2003) 19 SAJHR 278


26 September 2011

From policy development to programme implementation: treating HIV in prisons
Jonathan Berger

Prescribed readings

1. EN and Others v Government of the RSA and Others (No 1) 2006 (6) SA 543 (D)
2. EN and Others v Government of the RSA and Others (No 3) 2006 (6) SA 575 (D)

3 October 2011

Laying down the law: enforcing medicines regulation
Jonathan Berger

Prescribed readings

1. Medicines and Related Substances Act 101 of 1965 and General Regulations under the Medicines Act (relevant excerpts)

SEX, CRIMES AND THE CRIMINAL LAW

10 October 2011

Sexual assault, post-exposure prophylaxis and the law
Umunyana Rugege

Prescribed readings

1. Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 (Chapter 5)

17 October 2011
Criminalisation of harmful HIV-related behaviour
Justice Edwin Cameron

Prescribed readings

1. Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 (relevant excerpts)

24 October 2011 – revision
Jonathan Berger and Metumo Shilongo