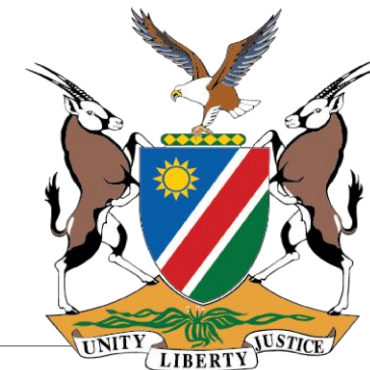




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LAW REFORM AND LEGAL EDUCATION: DEVELOPING THE POSTGRADUATE DIPLOMA IN LAW REFORM AND POLICY DEVELOPMENT

Presentation by the Law Reform and Development Commission of Namibia (LRDC)

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School of Law, University of Namibia

Dr Kenneth F Mundia



THE NAMIBIAN LAW REFORM AND DEVELOPMENT COMMISSION (LRDC)



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- Creature of Statute;
- Enabling Statute, LRDC Act 29 of 1991;
- Line Minister: Minister of Justice and Labour Relations;
- Chairperson appointed by President after consultation with the Minister (5-year term)- at level of High Court Judge;
- Commissioners drawn from: Office of Ombudsman(ex officio), Law Society of Namibia, Faculty of Law, University of Namibia, Namibia Law Association;
- Appointed for 3 years;
- Autonomous but not entirely independent (but no glaring interference).



THE NAMIBIAN CONTEXT



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- **Core mandate** is to examine existing legislation, undertake research both domestically and in comparable jurisdictions and to make recommendations for the review, reform and development of such laws if and when necessary;
- Repeal of obsolete and unnecessary enactments;
- Consolidate or codify any branch of law with common and statutory law;
- Harmonize customary law with common law and statute law;
- Enact laws to enhance respect for human rights as enshrined in the Namibian Constitution and Ensure compliance with International Law obligations;
- Make law accessible (NamibLII).



QUESTIONS LAW REFORMERS MUST ADDRESS



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- Contemporary law reformers need to address questions such as:
 - Does the proposed reform meet constitutional standards?
 - How have other regions tackled similar issues?
 - What are the anticipated social and economic effects of the reform?
 - What is the best way to engage stakeholders?
 - How should the reform be articulated in legislative terms?
- These competencies are rarely covered in depth in conventional law programmes, creating a disconnect between legal education and the actual demands of law reform.



ORIGINS OF THE PG DIPLOMA IN LAW REFORM AND POLICY DEVELOPMENT



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- The Namibia Law Reform Commission is a member of the Association of Law Reform Agencies of Eastern and Southern Africa (ALRAESA).
- ALRAESA pioneered the idea of establishing an online-based law reform qualification, circa 2018.
- When the COVID-19 pandemic disrupted life worldwide, ALRAESA's initiative lost steam.
- The formulation of a Postgraduate Diploma in Law Reform and Policy Development, together with a Postgraduate Diploma in Legislative Drafting, was driven by the Ministry of Justice and Labour Relations in November 2022, following ALRAESA's withdrawal from the initiative.
- This initiative did not stem solely from the University of Namibia; it arose from a real need recognised by the wider community of law reform bodies.

UNIVERSITY OF NAMIBIA (UNAM)

- Founded in 1992
- 12 Campuses nationwide
- 30,000 students
- Offers various undergraduate, post-graduate and doctoral qualifications.





THE COLLABORATIVE DEVELOPMENT PROCESS



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Stage 1: Identification of the Skills Gap

The Directorate of Law Reform observed a shortage of specialised expertise and recognised the need for structured capacity building among legal officers, legislative drafting consultants, legal practitioners, parliamentarians and public officials.

Stage 2: Needs Assessment

A comprehensive, evidence-based needs assessment relied on qualitative and quantitative research, stakeholder surveys, government consultations and desk-based comparative studies.

Stage 3: Stakeholder Engagement

The Ministry of Justice consulted other Government ministries, public institutions, non-governmental organisations and various policy and legal stakeholders. Their feedback informed the programme design.

Stage 4: Curriculum Development

The School of Law at the University of Namibia designed the curriculum around academic rigour, practical law reform experience, stakeholder expectations and national development priorities, making it both academically robust and professionally relevant



APPROVAL AND ACCREDITATION



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- The Postgraduate Diploma in Law Reform and Policy Development was approved through internal UNAM academic governance and was duly accredited by the National Council for Higher Education (NCHE) and the Namibia Qualifications Authority (NQA).

ADMISSION REQUIREMENTS



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- This is a postgraduate qualification.
- Admission requires relevant work experience in broad sectors.
- The programme is designed not only for legal practitioners, but also for professionals in the financial sector and those involved in law-making, such as Parliamentarians.

CURRICULUM COMPILATION



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Module

Law Reform Projects

Principles of Legislative Drafting

Law, Society & Development

Law Reform & Policy Development

Core Focus

Proposal design & planning , Issue/working papers ·
Stakeholder consultation , Report writing &
communication , Ethics in law reform

Namibian drafting history & institutions · Drafters' role
· Drafting ethics, syntax & plain English · Bill structure
· Amendment & repeal of legislation

Law's role in security, livelihoods, economic
advancement, social justice & environmental protection

Nature and function of law · Legal philosophy &
jurisprudence · Namibia's law-making/reform
evolution · Rule of law, constitutionalism, separation of
powers

OTHER MODULES INCLUDE:



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- Research Ethics and Methodology;
- Comparative Law; and
- Jurisprudence.



FIRST COHORT OF STUDENTS

- The first year of registration (2026) attracted a total of 24 students, exceeding the anticipated intake.
- Students are drawn from:
 - The Ministry of Justice and Labour Relations; and
 - The Namibia University of Science and Technology (NUST).
- **Notably, this is the first qualification of its kind on the African continent.**

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CONCLUSION



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- This diploma fills a critical gap: that law reform demands specialised skills- drafting, consultation, policy analysis which are rarely taught in standard law degrees. By training legislators, drafters, and financial sector professionals alike, UNAM builds capacity that produces clearer, more responsive legislation.
- As the first programme of its kind in Africa, UNAM's diploma sets the benchmark for developing homegrown law reform expertise.
- Other jurisdictions in Africa and beyond have a timely opportunity to join this pioneering initiative, positioning themselves at the forefront of legal reform.



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**Thank you for your
attention.**

