

PROCUREMENT ADJUDICATION AND THE RIGHTS OF CHILDREN: *FREEDOM STATIONERY (PTY) LTD V MEC FOR EDUCATION, EASTERN CAPE* 2011 JOL 26927 (E)

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SUMMARY

Children are heavily reliant on the services provided by the government and irregularities in public procurement processes are bound to affect the realisation of children's rights. In the *Freedom Stationery (Pty) Ltd v The Member of the Executive Council for Education, Eastern Cape* the Court was urged by the Centre for Child Law acting as an amicus curiae to consider children's right to education and their best interests when deciding on an interim interdict which would result in a delay in the provision of stationery to several schools in the Eastern Cape. This case note contains a summary of the case, some comments on the court's approach to the rights of children in procurement adjudication, and an assessment of the significance of the case for the development of children's rights in South Africa.

KEYWORDS: Children; children's rights; the right to education; the best interests of the child; public procurement; procurement adjudication

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