

Monthly Report – January 2015

Projects Abroad Human Rights Office, Cape Town

Social Justice Projects Updates

Vredelus

Workshop one - Informal session

Our first workshop started off as an informal session as most of the girls were still on holiday and in the holiday spirit.

This was also the first time for most of the volunteers at PAHRO to attend Vredelus, so this session was all about everyone having fun together and to getting to know each other.

We played ice-breaker games aimed at promoting interaction and building relationships. Everyone had a good time, especially the girls at Vredelus as they were rewarded with chocolates during one of the games led by volunteer Mary Rae Bruns.

The girls at Vredelus also showed off their talents and taught the volunteers various dance moves, which was fun yet difficult!

The session went was received really well by the girls and the volunteers, and they are all excited for future workshops.

Workshop two – Writing Activity

This week was our first substantive workshop, so we decided to do a writing activity, which we wanted to keep fun and motivational.

The volunteers now had to come up with an interesting writing activity which would allow the girls to express themselves, and teach creative writing.

We started by explaining that we will be doing poetry. Some of the girls seemed interested, excited even, while some were in dismay as writing and expressing themselves in English seemed like a challenge.

We handed each girl a fill-in-the-blank worksheet entitled “If God Were Looking at My Life”. The girls had to complete the blanks; for example, on the sheet could be written “I wish God knew I was...” they might complete the sentence “feeling guilty for how I’ve turned out”.

This activity encouraged the girls to write from their hearts, gave them the opportunity to share their emotions with each other, and motivated them to focus on a positive future.

Bonnytoun

Workshop one – Informal session

This was the same type of informal session as at Vredelus, where we gave the volunteers and the boys at Bonnytoun an opportunity to get to know each other and to have fun before we started with our workshops.

The boys enjoyed playing the ice breaker games and were really open to talking with the volunteers. Once again, for many of the volunteers this was their first time attending Bonnytoun, so they were excited to get to know the boys on a personal level and to get a feel for the environment before starting our workshops.

Workshop two – Writing activity

We previously did this workshop at Vredelus and it proved to be a great success.

It was surprising to see that the boys were open to sharing their feelings with us through poetry, as normally boys are less likely to be so open to sharing their feelings.

With this activity the boys were able to learn a lot about themselves, as well as their peers.

We hope to do more of these types of workshops with the boys, as they give them an opportunity for self-reflection, and to feel and think positive.

Ottery Youth Care

We will be starting workshops at Ottery in the second week of February 2015 only.

St Anne's

Workshop one: Informal Session

This was our first session at St. Anne's for the year and since all the volunteers attending the shelter are new, we decided that this should be a memorable informal session.

We decided to do a fun new year's resolution activity, which meant taking A4 envelopes, magazines and stationary to St. Anne's. The activity entailed writing down or cutting out images that you would like to leave behind in 2014, which were then sealed inside the envelope, and sticking positive images or quotes on the outside, symbolising what they would like to bring forward into 2015. Then the ladies shared their hopes and aspirations with the group.

After the activity we all chatted to each other, which was a really great experience as we get to know the women personally. We also brought some cupcakes and decorations with, so the ladies and volunteers were excited about being creative with their sprinkles and decorations.

Workshop two - Housing Subsidies

Due to the deadline for government housing subsidy applications approaching, we decided to do a workshop on the process, in case one of the ladies would like to apply. They are allowed a certain amount of time in the shelters, after which they need to seek new accommodation.

The interns had to do research on government housing subsidies, including what the process entails, who can apply, what documentation is required. They also had to find a way in which to present their findings and come up with activities which would be interactive and related to the topic, so that the women would be able to remember what they have learned, as well as to enable them to share their knowledge.

We started off by introducing the topic and then doing a slide show presentation with the relevant information. After the presentation we did a multiple choice quiz, in order to make sure that the women have captured the important information. It wasn't surprising that they passed the quiz, as they were interested in the topic and were asking questions.

We then also filled in a mock housing subsidy application, so that they would be able to know how to fill it in should they wish to apply. Lastly we did a "my dream house" activity, where each person received a blank sheet and some coloured pens, and were asked to draw or write down what their dream house would look like.

The "my dream house" activity was really fun, and it gave us all the opportunity to use our imagination, as well as to motivate us to work towards owning our dream house.

Workshop three – Feminism

We previously did a workshop on feminism at Vredelus and, from recent workshops and conversations with the women at the two shelters, we felt it was important to do this particular workshop as we wanted the women to feel empowered and celebrate being women.

The volunteers and supervisor had various meetings to consider interesting ways in which to present this topic. Volunteers then did research on different aspects of feminism, such as its core concept, some history on women's rights in South Africa, and women who are renowned for having helped to implement change. They also took a motivational song and poem, and chatted to the ladies about self-perception as a woman.

We realised that we cannot discuss feminism or women's rights without talking about gender discrimination as a whole.

The volunteers prepared a slide show presentation with their research. It was interactive as the volunteers would ask questions such as "what do you know about this famous South African feminists?", or "does anyone remember what this song or event is about?" Asking questions usually becomes a discussion, which was very interesting.

We printed out the poem "Phenomenal Women" by Maya Angelou, which one of the volunteers read out, and we also gave a copy of it to the women, as this was the perfect poem to motivate them and to remind them that they are phenomenal.

We also showed two videos, one of which was the Always advert "#Like a Girl". This highlights how there is a negative connotation implied when someone is said to be doing something "like a girl", a social perception that develops with us as we mature. We then had an interesting discussion on this topic, and the ladies all agreed that we should teach our children that the term should not defy our strength as females.

The second video came from Dove, and focuses on how we perceive ourselves physically. The women in the clip were instructed to describe their appearance to a sketch artist, who

then drew the women according to how they described themselves. After this, a stranger then had to describe the women, and the results when the portraits were compared demonstrate how we can be harsh critics of ourselves. After talking about this, the ladies at the shelter realised that they are much more beautiful than they think they are.

We had also played a song by Helen Reddy, "I Am Woman", the theme of which is strength and empowerment. Before we left the shelter, we all sang the song loudly, and it was wonderful to hear the women sing with so much confidence and energy.

Sisters Incorporated

Workshop one: Informal Session

This was the same session as at St. Anne's.

It was interesting to see that the women at Sisters Incorporated were so different from the women at St. Anne's. The women were more bubbly and talkative and we really enjoyed our time with them.

When it came to decorating the cupcakes, the women's children joined us, which the volunteers really enjoyed, and the children also loved the attention they received. One particular girl, aged 6, showed off her dance moves, which was very entertaining.

Workshop two - Housing Subsidies

This was the same workshop as done at St. Anne's.

The women also expressed interest in learning about the different property law as well as the different housing subsidies provided by the government.

In the future we will be doing a more detailed workshop based on the above request, as current workshops proved to stimulate more interest.

Workshop three – Feminism

The same workshop as done at St. Anne's.

This week there were only two women at the shelter, however volunteers were not discouraged about continuing the presentation as they were passionate about empowering the women.

After this we played a game, similar to charades, which was a fun but exhausting activity, and allowed the volunteers and the two women to bond and enjoy themselves.

Legal Services

Miriam MacDonald

Jan Kuijken – Unemployment Insurance Fund Matter

The client came to us for assistance with accessing his Unemployment Insurance Fund (UIF). The client applied for UIF after losing his job late in 2014, however up to this date the client has not received any paid out.

I assisted the client by accompanying him to the Department of Labour in Cape Town. When we arrived at the department to re-submit the necessary documents, we were informed

that the money is waiting for him, however that there had been a problem with his bank account. The client is a refugee from Rwanda and opened his account using his CTR number, before having received a refugee ID number. We then had to go to his bank in order to change the details from his CTR number to his refugee ID number. However, the manager at the bank said that this cannot be done. We went back and forth between the Department of Labour and the bank, as the Department of Labour cannot process a UIF claim with a CTR number present, even if his ID number is also on the form.

Eventually, we were advised that our client could open a second bank account, using his ID number, and the money could be paid into the new account. However, the numerous banks we went to refused to do so without a South African green ID book.

The following day, the client successfully managed to open an account at the Post Office. The client then came to the office where we filled out the necessary forms with his new account information and then submitted to the Department of Labour, which successfully accepted the new documents.

The client will now be received his UIF money starting from the first week in February 2015.

Sherwin Daniels

Court Appearances

Jan Kuijken – Possession of Stolen Goods

Our client and his brother were charged with possession of stolen goods.

The client and his brother were apparently driving to Zimbabwe when they jumped a red traffic light and were pulled over by police officers.

The police officers searched the client's brother's Bakkie and found 720 litres of diesel. The police allege that the client and brother had stolen the diesel, however the client's brother states that he exports diesel to Zimbabwe as it is much cheaper to purchase in South Africa.

Sherwin and I attended court on the 21st of January, however the hearing was postponed to the next day, due to the client's interpreter not being available. The following day (22nd January) we attended court again, to which the co-accused pleaded guilty to possession of stolen goods. Our client was found not guilty, so he was released and the charges against him dropped.

Devon Helm - Murder Case

The client first sought advice from the office on the 20th August 2014 in relation to events that occurred a few months prior. On the 14th of March, a woman was shot and killed in the vicinity of the client, an area well known for gang activity. Two rival gangs were fighting at the time of the woman being shot, and our client was accused of shooting her. The client denied this, claiming that she was shot in the crossfire by one of the leaders from the opposing gang.

A single witness identified the client as the person who had pulled the trigger and killed the victim, and he was arrested the next day.

The charges that were brought against our client are as follows:

- Murder;
- Contravention of s9(1)(a) of Act 121 of 1998: Aiding and abetting criminal activity by participation or membership in a gang;
- Contravention of s9(2) of Act 121 of 1998: Performing acts which contribute to gang activity;
- Possession of an unlicensed firearm;
- Possession of ammunition.

The trial date was initially set for 20th and 22nd January 2015, however when we went to court on these days, the prosecutor was absent and still away on leave. Due to a new trial dated needing to be set, a Section 62 (f) application was filled out, which provides that the accused shall be placed under the supervision of a probation officer or correctional official.

The correctional officer is now investigating the client's residential address and area to make a decision about whether it is safe for the client to be released from custody while he awaits his trial. If he feels that safety is an issue, the corrections officer will recommend house arrest. If not, then the client will be released with no conditions while he awaits his trial date.

The next court date has been scheduled for Wednesday, 4th February, where the corrections officer will state the findings in his report.

Moot Court Report

On 30th January 2015, the Projects Abroad Human Rights Office held a moot court. Four volunteers represented the defence, and four as prosecution. The case that they were assigned concerns our client who has been charged with housebreaking with intention to steal and theft.

The prosecution commenced, outlining the details of the case and appropriate law. The facts can be stated as follows:

On Friday 10th of October at approximately 9.30pm, the victim left his house with his family to go out for dinner. Before he left his flat, he locked all the doors but omitted to lock the windows. According to him, everything was in order.

On Saturday 11th October at approximately 02:00 am, a witness claims that she was approached by the accused. She was standing in the stairwell of her block of flats when the accused came to her with a large green sling bag and proceeded to remove several items. These included four cell phones, a wallet containing bank cards, a video camera and numerous other household items.

At approximately 02:00 am, the victim returned home and found it devastated, and he realised which items were missing. He immediately approached his neighbours to enquire whether they had seen anyone, and they said that they saw the accused carrying and trying to sell the goods.

At approximately 4.15am, two police officers were stopped by two witnesses who pointed out a suspect. The arresting officer stated that the suspect was known to him, identifying him by name and labelling him as a “housebreaker”.

The accused has been charged with housebreaking with intent to steal and theft on the basis of paragraph 262(1) and section 264 of the Criminal Procedure Act 51 of 1977. According to South African common law, housebreaking with the intent to commit a crime consists of unlawfully and intentionally breaking into and entering a building or structure with the intention of committing some crime, which in this case was stealing and theft.

Thereafter, the defence presented their version of events and how the elements of housebreaking and theft could not be established.

The volunteers and staff were then given the opportunity, as a jury, to carry out an examination on the submissions the respective parties had presented.

Both the prosecution and the defence then had the opportunity for a three minute rebuttal and make a closing statement. Following this, volunteers and staff deliberated on the case and reached a unanimous verdict that the accused is not guilty of either housebreaking or theft.

The moot was a great success, exposing the volunteers to the day-to-day realities of legal practice in South Africa, not otherwise possible in a lecture or tutorial. The moot provided an undeniable opportunity for significant learning, as all moot courts concern real cases that Sherwin Daniels undertakes.