

## Monthly Report – July 2015

### Projects Abroad Human Rights Office, Cape Town

#### **Social Justice Project Updates**

##### **Khayelitsha – Holiday Program**

In conjunction with Siyakhatala we organised a school holiday programme which ran on Monday to Thursday 9:00am to 12:00pm from the 29<sup>th</sup> June to the 17<sup>th</sup> July. The purpose of this holiday programme is to provide school students with a healthy productive way to spend their school breaks. It keeps the children off the streets and engaging in delinquent activities that would in the long term cause them to deviate from school and their goals. Almost 200 hundred children attend the programme this year!

The volunteers planned and prepared workshops and interactive games that were presented to the children who were of varying ages.

##### Workshop one

On the first day we assisted with the registration of the children at the holiday program. Once this was done, the children were split into age groups, and volunteers were assigned to the groups. The

To begin with we played some ice-breaker games to encourage the children to be open and participate. We then played football and volleyball all with the goal of encouraging the children to get to know one another. The children are from different schools and in order to get them really engaged in coming days we need to devise ways in which they are open to working with different people.

The volunteers then got the opportunity to teach the children some of the games they had played when growing up like “duck – duck” and “hokey pokey”. This enables the volunteers to interact more with the children and the children to know the volunteers. It also made the volunteers appear less intimidating to the children.

“All the children seemed to be getting a lot out of the holiday program and more importantly, enjoying themselves.” – Alasdair MacDonald

##### **Bonnytoun / Lindelani**

##### Anger Management

South Africa has been characterised as an angry nation. This is seen by the increase in levels of violent crime, the state of anarchy during service delivery protest, xenophobic attacks on foreign

nationals on South African soil, the increase in road rage and incidents such as the Markiana miners saga which led to public outcry leading to an adjudication on the level of force used by police against striking mine workers. Today's youth bear the brunt of this anger.

According to Psychologist Colinda Linde, we have been trained by society (parents, school) to "keep anger in" which unfortunately leads to physical illness, depression overtime or having explosive outbursts. In certain instances where we are unable to express out anger we find outlets in alcohol, drugs or we explode in anger on innocent people starting with our own families where we feel safe to do so. Many of the youth in today's society are struggling with unresolved anger issues this is especially true of the children in the facilities we attend.

We do this workshop on anger as often as possible to teach them that anger is a human emotion and is normal however; when it gets out of control it is destructive. It can lead to problems—problems at work, in your personal relationships, and in the overall quality of your life and it can make you feel as though you are at the mercy of an unpredictable and powerful emotion.

We discussed:

- What anger is
- What makes us angry
- What suppressing negative/anger emotions does to your mind and body
- Recognizing when anger is being expressed negatively
- The effects of negatively expressing anger
- How to deal with anger constructively and in a positive manner

In order for us to carry out an in-depth discussion and really give the boys and girls an opportunity to express themselves on this topic we divided them into groups and assigned volunteers to each group to facilitate the discussion. It was great to hear what they had to say. Some opened up about instances where they acted out in anger and they have had regrets about their actions.

"This was my first visit with the Social Justice program. The girls were well- behaved and a joy to be around. They were very interested in the topic and many of them participated in the discussions. Our message of being aware of different ways to manage the feeling of anger came through." - Christine Skorstad

## **Lindelani / Vredelus**

### Life after detention

We make a point of doing this workshop as often as possible to get the boys and girls at these facilities consciously thinking about their future and how best to reintegrate into society and rebuild their lives. Through our conversations with the boys and girls we noted that they presume that they are not employable as they have criminal records. Most do not believe they have options once released.

We did a presentation on different options available to them which included how to go about completing their High School education and obtaining a matric (GED). Technical colleges that offer skills training and apprenticeships, we discussed bursary applications available at different institutions of Higher Learning in Cape Town. We also encouraged them to get involved in

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community based projects which in turn enable them to test their strengths and weaknesses see what it means to work in unity with others for positive results

We worked in groups, the volunteers facilitated group discussion on hopes and dreams for the future, as well as what steps could be taken to achieve them. Each group also discussed their individual strengths and weakness, this was done in order for the boys and girls to acknowledge and realise the qualities that are positive and what they need to improve on.

The boys and girls were also able to form a bond with each other by sharing their past experiences, as well encouraging one another to think positively, be positive and work hard towards a positive enriching life.

“Breaking up in smaller groups work really well, as the boys and girls feel more comfortable to share their experiences and opinions. The inmates were able to take from this workshop the experience of having hope for the future, recognising their strengths and weaknesses, developing a positive mentality and working hard towards being positive role models.”- Victoria Byrne

## **Bonnytoun**

### Workshop one - Peer Pressure

We were given an opportunity to work with a different dormitory housing ‘awaiting trial’ boys. Seeing that we had a new group to work with we presented the workshop on peer pressure. A number of the boys are likely to be released so we thought it an opportune time to discuss this topic so that in the event they are not sentenced to serve time at the facility they can be smarter about their associations.

A lot of the boys already knew what peer pressure meant, but they only associated peer pressure with negative connotations, and we wanted them to recognise positive peer pressure, as well as encourage them positively influence their peers.

“This was a really interesting workshop. The group discussion was also very good as the boys felt comfortable sharing their experiences of “negative “peer pressure with us. They have also acknowledged that they were victims of negative peer pressure, so for them to acknowledge that is a start for them in recognising what is negative and positive for the self-growth.” – Stefan Belchev

### Workshop two - Shuan’s Bio

Every now and again, Shuan Solomons the Social Justice Coordinator shares a mini biography. Shuan is born and bred in Cape Town. He currently lives with his family in the Vryground Township. His background enables him to understand the struggles and challenges faced by the boys in Bonnytoun and he understands the pressure related to joining a gang and trying to find a sense of belonging. He shares his life story to encourage the boys to make right choices and remind them that they are able to rise above their present circumstances.

He addresses the mindset some boys who have grown up in the township have such as; they are doomed to fail, or life is unfair or to survive you have to be a member of a gang or steal from other people. He addresses issues of poverty and self pity that can prevent one from rising to their full potential.

“The workshop was really great. Not only did Shuan inspire the inmates, but the volunteers as well. The inmates could relate to everything Shuan was saying, so he should definitely be doing this workshop again as he is a role model for everyone and inspires people to believe that a better life can be achieved.”- Alissa Barette

## **Lindelani Report**

### Workshop one - Responsibility

Popular culture has conveyed the message that if it's not fun, interesting or easy, we should not have to sit through it. A lot of emphasis is placed on the fast paced lives of the rich and famous focusing on their luxurious living as opposed to the hard work that is required to achieve success.

The youth in this facility are growing up in environments where they are not always encouraged to be responsible. Simple responsibility towards their education and having a proper work ethic or taking care of fellow family members or taking care of friends and people intimate relationship is not a topic of discussion.

The workshop was designed to get the youth talking about responsibility starting from the basics where we asked them to explain the word and give examples of responsible behaviour. We discussed responsibility in the home with family, with friends and at school.

“This presentation was really important to give and we received a positive outcome. They were responsive and I am glad that they will now be thinking about responsibility as a concept and they will start making positive changes in their attitude and future behaviour.” – Eric Abrams

## **Vredelus**

### Workshop one – HIV & STD's

HIV/AIDS in South Africa is a prominent health concern; South Africa has the highest prevalence of HIV/AIDS in the world with 5,6 Million people living with HIV and 270,000 HIV related deaths in 2011 (UNAIDS).

Research has shown that there are high levels of knowledge regarding the transmission of HIV and the preventative measures that could be taken. Unfortunately this has not translated to HIV preventive behaviour (AIDS Foundation of South Africa).

The purpose of this workshop is to emphasise the importance of preventative measures and encourage the girls to practice safe sex. After the presentation the girls were required to do a quiz to see how much they had understood. We then broke into group sessions with volunteers assigned to the different groups. The group session was to enable us to hear from the girl how this topic impacted them and hear what else they know. We realised they were knowledgeable about HIV and AIDS but were uninformed about other STDs and their symptoms which the volunteers took time to discuss with them

“This was an interesting and educational workshop and I feel we all learned a lot.”- Robyn Clark

## **Vredelus Huis**

### Workshop two - Domestic Violence

In 2009, statistics revealed that South Africa's rate of intimate femicide (female homicide) was five times the global average. Since the Domestic Violence Act came into effect in 1999 women have constituted the greater majority of applicants for protection orders (ISS Africa Policy Brief 71). Bearing these statistics in mind, PAHRO presents regular workshops on this topic to educate youth on their rights in the event that they are victims or know people who may be victims of domestic violence. We also hope that in the event they may be perpetrators of domestic violence to understand the legal implications of their conduct.

On this occasion we looked at forms of domestic violence other than physical violence. Many of the girls did not know that economic abuse and verbal abuse are covered by the Domestic Violence Act. They did not realise that they have been victims of domestic violence repeatedly in different ways. We worked in groups and discussed how domestic violence has impacted their lives and how they can now seek legal remedies in the event that they are victims. They also understood how they could also be prosecuted as perpetrators of domestic violence as the Act is not limited to physical violence as the only form of abuse.

"Workshops like these are important and raise awareness on topics which every young woman should be educated on. The girls have been victims of domestic violence, yet many of them did not know the different forms or realize that their rights were being violated. This workshop was beneficial to the girls at Vredelus, but not only to them, but to us volunteers as well."- Kristen Van Tine

### ***St Anne's (Women's Shelter)***

#### Workshop one – The Power of Me

Often when a person is forced to endure constant negative attacks on their character their self esteem diminishes. In the case of the women at the shelter, they have borne the brunt of verbal as well as physical attacks which have left them feeling powerless and vulnerable. In response to this we prepared a workshop on the "Power of me". In essence it was to motivate the ladies to harness their inner strength and rise above the adversity they have faced.

The workshop was presented in three parts:

The first introduced the topic enabling the ladies to understand what is meant by the phrase power of me. We then discussed famous people who had overcome difficulties in their past and become an inspiration to others E.g Oprah Winfrey and JK Rowling. The best part was when one of the volunteers Jessica Nguyen shared her life experience of moving from Vietnam to Canada as a refugee and the struggles and challenges she has faced in her road to success. Her account had some of the ladies and volunteers in tears. It was great to have a volunteer be the one to share her story it made the ladies relate to her better and it challenged them not to wallow in self pity or focus on the hardship they had faced.

We then discussed 8 steps to becoming a positively empowered woman. Finally, we discussed what made us as individuals feel powerful so that we could focus on these to build up our esteem. For

Example Rosalie Forget Lacoursiere said “what makes me feel powerful is when I express myself without holding back”

At the end of the workshop we watched three motivational videos that were geared towards boosting self confidence and encouraging women not to give up on their dreams.

“I feel we all learned so much from this workshop and that we have all come to realise that the power to be happy and fulfilled lies in our hands.” - Lucia Rodzinakova

### Workshop two – Women’s Rights

Following the previous workshop on the “Power of Me” we realized that the ladies did not know their rights based on some of the personal experiences they shared with us. As we are working with a new intake of women at the shelter we decided to do a workshop on human rights.

Our workshop included a focus on women’s rights and events leading up to Women’s day and the women’s day march on the 9<sup>th</sup> August 1956.

After the workshop the volunteers facilitated an activity requiring the ladies to answer certain questions. The questions dealt with were:

- What would you tell your younger self if you knew years ago what you know now?”
- Which of your rights do you feel have been violated?
- If your rights are violated now, what would you do?
- Name a woman you feel has contributed to gender equality and why

In answer to the question, “what would I tell my younger self?” one of the ladies had this to say,

“I would tell myself to not be a victim of abuse and let a man treat me the way I did not deserve to be treated. I would say, I am a mother and I have children and as a mother it is my duty to protect myself and be a role model for my children. I don’t want to feel so powerless anymore.”

Not only did this workshop evoke powerful emotions in the women, but it also helped them recognize that as women they have endured a lot, are courageous, and are strong and most importantly they are the starting point of taking back their power.

“Definitely an interesting workshop, powerful as well. The women are on their path to re-discover themselves and we as an office are in a fortunate position to help them build their self-esteem back up.”- Tamara Wong

### Workshop three - Divorce, Maintenance and Children’s Act

With every new intake of women at the shelter we take the time to do a workshop on Divorce and Maintenance Procedures and cover certain aspects of the children’s Act. The women, having moved to the shelter as protection measure following domestic violence often do not know the next step to take or if they do know the step do not actually know how to go about enforcing their rights.

Most of the women do not know their matrimonial property rights and they are entitled to maintenance for themselves and their children following divorce. We therefore hope to equip them

with this information and enable them to get started if this is the course of action they would like to take.

At the end of the workshop, we handed the women leaflets and informed them of the services rendered by PAHRO in as far as Divorce Maintenance and Children's matters are concerned. They were relieved to find out we provide these services pro bono.

"During the workshop we could see how important this workshop was to the women as they were very interactive, by asking questions and making notes. This was a really great informative session, whereby we were able to provide the women with emotional support and legal advice." - Rosalie Forget Lacoursiere

#### Workshop four - Hitting Rock Bottom

Many of us at some point in our lives have hit rock bottom. "Hitting rock bottom" is a mental state of mind, wherein you feel your situation cannot get any worse than it possibly is. For most of the women, being at the shelter is their rock bottom. Often by the time they find themselves in need of care and protection they are dejected and some have even been suicidal.

We hope to direct the ladies to seeing that hitting rock bottom is sometimes the start of something new. The workshop included motivational slideshow that included discussions of people who hit rock bottom but used this as a spring board for their success. This workshop reinforced what we had discussed in the Power of Me workshop.

"I feel that the presentation went really well, all of the women joined in and agreed that hitting rock bottom was a good thing and that they are able to learn a lot, as they are open to new ways to better their lives and grow mentally." - Vicky Byrne

#### ***Soup Kitchen***

On Friday, 03 July 2015, we had a soup kitchen in the Delft Township.

Delft, like many other townships in Cape Town is poverty stricken. On occasion an organisation or good Samaritan has a food drive, whereby soup or sandwiches are given to the residents.

The purpose of the soup kitchen was twofold. The first was, to share food with the less fortunate members of the community. The second, was to engage the community and tell them about the type of legal assistance Projects Abroad Human Rights Office, provides.

We catered for 150 people but a larger number of people turned up.

"The soup kitchen was a great idea, many people showed up and we were able to provide something for them to eat, when some of them were already starving. The bread and soup we had were up within two hours, so it was sad seeing the large number of people who are left poverty stricken." - Kristen Van Tine

## **Legal Services**

### **Moot Report**

On Friday 10<sup>th</sup> July 2015, the Projects Abroad Human Rights Office conducted a moot court on a murder case which was set for trial the following week. The reason for the moot court was the following: In case plea bargain presented by the defence was not accepted, Mr. Daniels wanted to have an idea of how the real trial would play out by holding a moot court. The following report summarises the moot:

#### ***Facts:***

On 22 June 2014 at around 22h00, the deceased together with the accused, was at a stand by Samora Machel. The deceased's fellow gang members, the Rasta's, were also present. A heated verbal argument ensued between the accused and deceased, which developed into a physical fight. A friend of the accused got hold of the murder weapon/knife and put it in a close-by house. The accused was overcome with rage and ran over to the house, recovered his knife and stabbed the deceased 14 cm deep in to his heart. The accused then fled, and the deceased's friends attempted to chase him down, but were unsuccessful. They then returned to be with the deceased, who was dying from the wound. The accused sustained a stab wound in the upper chest. The deceased had an incised wound of the left ear, two abrasions near the abdomen area, and a stab wound of the chest that perforates the heart. The cause of death was the stab wound to the chest.

#### ***Prosecution:***

Participants: Juliette Beigelman  
Kiia Kela  
Kate Miller  
Emily Wright  
Kevin Winkler

The prosecution argued that the accused was guilty of murder. They held that, as the accused was responsible for the stab wound to himself, he was the aggressor and did not act in self-defence. As the accused foresaw that his actions could reasonably lead to the death of the deceased, and he was neither intoxicated at the time nor suffering from a mental disability, there was intention on the part of the accused to commit the crime, thus covering the three elements of murder.

#### ***Defence:***

Participants: Rosalie Lacoursière  
Justine Schuttevaer  
John Jeffcoat Mészáros  
Kani Kundu  
Robyn Clark

The defence argued that, because the DNA test/ analysis of blood found on the murder weapon (knife) did not include the DNA or blood of the accused (which should have been there if he had stabbed himself as well), the accused was stabbed by the deceased. They further stated that this

disproved the two witnesses' testimonies as they both related how the accused had stabbed himself—the witnesses' testimonies were from two Rasta gang members who were friends with deceased, so it would not be surprising that they came up with similar stories to cover for their deceased Rasta friend. As the deceased was the aggressor and verbally threatened to take the life of the accused, and because there was a previous incident at the dance hall when the deceased assaulted the accused and stabbed him, there was reasonable cause for the deceased to fear for his life, and the only reasonable response to the aggression by the deceased was to react with a similar force, by using the knife, in self-defence. The defence further raised "battered woman syndrome" and illustrated how the mentality of the accused in this case was similar to that of a battered woman—due to the gang environment he was surrounded with and because of the deceased's personal aggression against him. The defence relied on the accused's version of events and formed their argument on self-defence accordingly.

***Outcome:***

The accused was found not guilty on the charge of murder with a sweeping majority of the judging table.

***Volunteer Experience:***

"The moot court was a very good experience—very intellectually stimulating. I found it [to be] a very effective avenue for learning a good deal about South African criminal law." – Juliette Beigelman

"This was my first moot court. In my opinion, it was a truly valuable experience. Working with other volunteers, doing research, thinking outside the box and speaking in public – I am glad I had the opportunity to take part in the process." – Kiia Kela