

Monthly Report – January 2016

Projects Abroad Human Rights Office, Cape Town

PAHRO reopened on the 4th January 2016, our start to the New Year was somewhat slow, this is because our projects partners had not all resumed and our volunteer numbers were very low. Nonetheless, this gave the staff time to catch up on much needed administrative duties and put into effect the plans we made for this year. As we look at 2016, PAHRO seeks to improve its level of professionalism by raising the standard in both our client and project management.

Social Justice Project Updates

Siyakhathala

PAHRO has partnered with Siyakhathala based in the Khayalitsha Township. This is an organisation that assists at-risk youth by providing monitoring and social services. Our volunteers conduct home visits to children who have been identified as being “in need of care”, as defined in the Children’s Act, to determine what steps can be taken to provide resolution for some of the situations the children are facing.

Report: Daan Visseren

As it is the beginning of the new academic year, a lot of the cases we have faced deal with school registration of the children. We have received numerous cases in which boys have not been registered for school either due to lack of identification, because their parents did not enrol them at the close of 2015 year, because of lack of uniforms, or the children’s parents could not be reached in order to ascertain the problems regarding registration.

With some of these cases we have assisted parents with late registration of birth for their children. Some volunteers opted to do private fundraisers for school uniforms, buying children a full uniform including shirts tunics, trousers, socks, sweaters and shoes. For some of the students we have had to make application queries with the school to see if they can accept some of the children on late registration, in some cases we have been successful.

Case 1

One of the cases we are working on concerns a ten year old boy who is living with his ill grandmother and was expelled from school last year due to drug use. The boy has since stopped using drugs and would like to return to school, however the school refused to take him back.

We were communicating with the school regarding the above, as the boy states he has learned his lesson and would like to complete his education in order to make his grandmother proud.

After numerous days of back and forth communication with the school, the school has finally agreed to take the boy back.

It has now been a few weeks since the boy has been back at school and he seems to be doing well, and his grandmother is also very happy.

Case 2

We have been approached by a client who has tried to make an application for an ID, however has been experiencing problems in doing so. The client was born in the Eastern Cape and moved to the Khayelitsha Township when he was younger. The client's mother is still in the Eastern Cape and, according to the Department of Home Affairs, he either needs to go back to the Eastern Cape or get his mother to come to Cape Town in order to provide certain documentation. This is unfortunately not possible as the client and his mother are not financially stable.

We thus attended the Department of Home Affairs with the client. Mentally, we were prepared to speak to the manager or someone who would hear our plea; however the client was able to fill in the necessary forms and make his ID application without any hassle.

The client will be receiving his ID within a few weeks.

Report: Dltte Knusden

Case 3:

In one particular case a mother needed to enrol her child in a special needs school. We looked around for schools and, having found one, were informed that an occupational therapist would have to examine the child and make a referral to the school. The volunteer was finally able to find one such therapist and an appointment has been made, the earliest available date for the consultation being in March.

Isabella Hall – "I liked going to Siyakhathala and have found that even the smallest thing we do for the people there is a life changing experience."

Bonnytoun / Lindelani

These are young offender facilities where we present life skills, awareness and rehabilitation workshops to youth who are awaiting trial or have been sentenced. Bonnytoun houses boys between the ages of 13 to 17 years whereas Lindelani houses both boys and girls within the same age group.

Informal Session

As it is the start of the New Year, with the exception of Daan Visseren, none of the volunteers had attended any of the projects. In order to assist the volunteers with being at ease working at the juvenile centres, as well as familiarise them with the setting they will be working in and the youth they will be working with, we began the year with an informal interactive session. These sessions involved ice breaker games that required participants to mingle. This helps with nerves and tension that stem from stepping into the unknown. It also gives the inmates an opportunity to get to familiarise themselves with the new workshop facilitators. This encourages them to be more interactive and participate more enthusiastically.

"This was all of our first time attending Bonnytoun and Lindelani, so we were all nervous and did not know what to expect. Once we arrived at the facilities and had our ice-breaker games, we all felt less

nervous. We enjoyed getting to know each other, and the boys and girls have stated that they are looking forward to the workshops and seeing us every week.” – Emily Bowen

Goal Setting / New Year’s Resolution

The objective of this workshop was to enable the youth to think conscientiously about their future. We wanted to spark not just a hope or a dream, but clear concise steps to achieve those dreams. We asked the youth to jot down their goals for the New Year, and then discuss how they see themselves achieving these goals.

We wanted them to understand the benefits of having goals based on the following precepts;

- 1) Goals keep you focused.
- 2) Goals help you believe in yourself.
- 3) Goals give you motivation.
- 4) Goals help you overcome procrastination.
- 5) Goals give you purpose.

“The boys and girls were comfortable and eager to share their hopes and aspirations for the future with us. They seemed to already know how to achieve their goals, which is by hard work and staying positive. This workshop was definitely interesting, because it gave us the opportunity to once more visualise what we wanted for our future.” - Marie Winzap

St Anne’s

Informal Session

The women at St. Anne’s only stay for a certain period of time. All the ladies currently housed at the shelter are new. For this reason we had an informal discussion for our first session so that we can get to know the women and vice versa.

We started off the session by introducing ourselves and mentioning one goal which we hope to achieve for this year. Thereafter we talked about the goals we had for 2015 and the goals we have for 2016. We also did a short activity by completing a sheet with long term and short term goals for the current year. Many of the women’s goals were to find employment, complete their education, find a house, be a good mother for their children and leave their past behind.

We also asked the women questions which led to discussions, such as “what are your interests?”, “what workshops would you like to receive from us and why?”, “what do you hope to gain from our workshops?” and “what do you think we can learn from you?”

Based on past experience, we did not expect a new group of women to be so diverse, talkative, open and honest to sharing their thoughts and opinions in the first session. Surprisingly these women are all of the above, which immediately made us feel comfortable with them, and eager and excited to start our workshops.

“This was our first session and all the volunteers attending were very nervous, because we did not know if the women were going to be open to receiving us. The women weren’t shy and seemed comfortable with us, which made us also feel at ease and comfortable with them. The discussion based session was well received and we were able to get to know the types of women we will be providing workshops for and they got to know us too.”- Marie Winzap

Different Countries

Since our informal discussion of the previous week, the women requested to learn about the countries the volunteers come from.

With this particular workshop, the volunteers attending St. Anne's were from the UK, Norway, the Netherlands, the USA and Australia, so each volunteer had to create a slide show presentation which had to include:

- Interesting facts and myths about their countries.
- Different languages and culture.
- Traditional and common foods.
- Tourist attractions and land marks.
- Famous people and movies.
- Examples of what their countries are famous for.
- Any other interesting things about their country.

Prior the volunteers' presentation we asked the women what they knew about the different countries and what questions they are hoping to have answered by the end of this session.

We also did a short presentation on South Africa, where they women were able to inform us if the information we had research and presented on their home country was correct. Thereafter we also played a short video quiz on South African questions, which was very funny, but interesting.

This session was educational for both the women at St Anne's and the volunteers who got to learn a lot of anecdotal information on South Africa.

"This was a very good workshop for all of us. We all learned about each other's countries, the cultural difference, traditions, etc., which has made us more aware of the diversity our countries poses. The women were fascinated and asked a lot of questions, which led to discussions and them wanting to learn more about different countries." - Heidi Skar Lindstad

Women's Rights

Our workshop included a focus on women's rights, events leading up to Women's Day, the women's day march on the 9th August 1956, as well as the different women who played or play an important part in promoting gender equality.

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

- 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.

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

“At first we thought the information on the presentation would be a bit boring, but the women were very interested in what we relayed to them. All the women were from different cultures, it was really interesting to debate and discuss how the different rights apply to them and their cultural beliefs.” – Isabella Hall

Legal Services

Maria Mulindi

Ronojoy Raychaudhuri– Refugee Case

The client came to us for assistance regarding her application for refugee status being rejected as manifestly unfounded. The client needs to appeal this decision which needed to be submitted to the SCRA by the 27th January 2015 in order to be reviewed.

The client and her children are from the DRC and have been living in Cape Town for a few years. Prior to this while in the DRC, the client’s husband worked undercover for the government as “security” for Floribet Chebeya a well known Human Rights activist from the DRC who was murdered. The client’s husband was arrested and detained without trial following Mr Chibeya’s murder. At the time of unrest it was unclear whether they suspected he had been a perpetrator of the murder or it was to ensure that events leading to Mr Chebeya’s death were never divulged. The client realised a few years later that her husband had escaped custody when she was subsequently arrested and detained and questioned re her husband’s disappearance. She had no knowledge of what had happened to him and did not even know the circumstances leading up to his arrest. The client and her children were forced into a military camp to live there and resided there for some months till through the assistance of a friend they were able to bribe one of the guards who assisted them to escape. The client fled with her children to South Africa. The client lodged her application for refugee status which was subsequently rejected and we have now filed her Representation for review of the decision of the RSDO with the Standing Committee for Refugee Affairs.

Bridgette Nidh – Debt Collection

Our client purchased a laptop, from an electronic goods shop. Upon delivery, the client found he had been furnished with a tablet which was not what he had purchased. The client returned the tablet back to the shop immediately and had the sale cancelled. Unfortunately the client has been receiving phone calls and letter from the company stating that he owes them R 3000 for the tablet which he no longer has possession of and has not had possession of for almost 3 years. The client has been to the goods shop several times each time he has taken the cancellation slip and he is informed that this situation will be rectified with no success. He still receives phone calls and letters informing him that the matter has now been forwarded to the attorneys for follow up. We have contacted the shop on the client’s behalf and advised that should they persist in contacting the client we shall have no alternative but to assist the client with instituting legal proceedings for harassment.

We will monitor the situation for the next few months.

Sherwin Daniels

Isabella Hall – Property Matter

The client has been renting out a room in her house to a woman for the past three years. The woman has always been on time with her payments, and she and our client have always gotten along well, up until a few months ago.

The woman, who the client rented her home to, only moved in with her clothes and some kettles. Usually the client and the woman would see each other on a daily basis, however they have not seen each other since 29th October 2015. All of her personal belongings from the common area were gone.

The client looked through the key hole of the door to see if the tenant was there, however all she could see was the key from the other side blocking the view. The tenant has also put a lock on the door from the inside, which only she has the key for. Up to date the client has not entered the room as it would require her to force open the door. It has now been months since the tenant has been gone and the client has tried to contact her and made attempts to enquire from different people as to her whereabouts.

The client wants access to the room as she wants to paint it, however the client first sought advice about what her rights are regarding this situation and if she is allowed to break open the door.

Miriam MacDonald

Samuel Richards – Family Matter

The client came to us for assistance with three issues relating to family law:

- 1) Divorce Proceedings
- 2) Paternity Tests
- 3) Custody

The client is an unemployed, married female seeking assistance with starting divorce proceedings against her husband. She claims that he has been in and out of prison, therefore she does not see a stable future for herself and child/children.

The issue is that she has a young daughter, but she cannot say who the biological father of the child is; there is a chance that it is her husband, but she cannot be certain. We spoke to her about the possibility of carrying out a paternity test to find out.

There are different forms to apply for a divorce depending on whether there are or are no minor children born of the marriage, thus the client needs to decide in which direction to proceed. She wants full custody of the child, and does not think that this will be contested, but the question remains as to whether to declare the child as theirs or not.

Jessica Brake – Property Matter

The client attended one of legal clinics in the Township for assistance with transferring her late husband's property onto her name.

The client's husband passed away in September of 2015 and therefor she was made the beneficiary of his assets. The client has tried to have the property transferred onto her name, however she was asked to pay R41 000.00 to the bank, the reason for which is unclear. She has also tried to close her late husband's account, but has also had difficulty in doing so.

The client was not the executor of her husband's estate, and thus the estate has been transferred back to the Master of the High Court, which the client was unaware of until now.

We are currently awaiting a copy of the client's deceased husband's will, as well as having been in contact with the Housing Department and Master of the High Court to enquire about the status of the estate. Once we have obtained the necessary documentation and information we will be able to assist the client accordingly.

Conclusion

Most of our projects are now running, all of our legal clinics are open for new clients in Vrygrond, Lavender Hill, Mitchell's Plain and Athlone, and we are looking forward to an increase in client numbers as the year progresses. We have had an influx in refugee related cases specifically with those in need of drafting representations for review of Refugee Status Determination Officer's decision to reject their applications. We look forward to welcoming six new volunteers this February.