

# Monthly Report – November 2016

## Projects Abroad Human Rights Office, Cape Town

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The Projects Abroad Human Rights Office (PAHRO) engages with vulnerable members of the local community to provide free legal advice. Volunteers work under the supervision of qualified attorneys. The project has two departments; legal services and social justice. Volunteers are encouraged to participate in both departments however there are limitations depending on one's academic/professional background. This report highlights a snapshot of workshops presented and legal cases which were undertaken by volunteers.

### **Legal Services**

PAHRO has four legal clinics, which are in townships situated in the Cape Flats. Many of the townships suffer from many social ills including a lack of educational opportunities and employment prospects, a high level of substance abuse, inadequate housing, and gang violence. In such areas there is little or no access to legal assistance and the majority of the residents do not have the financial means necessary to travel to seek the help that they require.

This month we received 60 new cases from all the legal clinics in total.

Some of the cases volunteers have assisted the supervisors with are as follows:

#### **Maria Mulindi**

##### Refugee Matter

Our client migrated to South Africa with her parents at the age of 3 years and the family received refugee status in South Africa. Unfortunately her mother passed away when she was 9 years old and her father passed away when she was 17. At the time he passed away he was the principal applicant for refugee status. For this reason he was required to be present at the time of the renewal of all the family permits in terms of the law.

After the client's permit expired, the Refugee Reception Office declined to renew her permit and required her to make a fresh application for refugee status. This could only be done by making an application at the office in Durban, Musina or Pretoria, different provinces from where she resides and it would not be guaranteed that she would obtain refugee status. An asylum permit is valid for 3 to 6 month but a refugee permit is valid for 4 years. We made an application on her behalf to the centre manager for special consideration in these circumstances. We are pleased to report that her permit has been extended for another four years. In the meantime to avoid her having a similar problem we shall lodge an application for certification in order for her to obtain permanent residence status in South Africa. Their failure to renew her permit rendered her illegal and at risk of deportation.

## **Sherwin Daniels**

### John Williams – Debt Dispute

Our client is owed a large sum of money and as such is not eligible to file a complaint through the small claims court, therefore came to us for assistance.

The defendant signed an Acknowledgment of Debt, however to date has not made any payment to our client. We sent a Letter of Demand to the debtor, and subsequently drafted a summons which was served on him by the sheriff of the court. The debtor filed a Notice of Intention to Defend on the last day of the accepted period, however when our client enquired about this at court, he was informed that nothing had been filed. We thus proceeded to apply for a Default Judgement, but subsequently received a query from court informing us that the debtor had in fact filed his Notice of Intention to Defend. As he had not submitted a plea, we made an application for Summary Judgement, as we do not believe that the debtor has a defence.

## **Miriam MacDonald**

### Annelies Blondé – Family Matter

Our client has been verbally, emotionally and physically abused by her husband and consequently currently residing at a local women's shelter with her two sons.

She filed an application for a Protection Order in terms of the Domestic Violence Act. Subsequently, her husband also made an application, in which he listed the abusive acts which he committed as having been carried out against him by his wife.

We requested that the court hear both matters on the same day, which was then scheduled for November 10<sup>th</sup> 2016. On that day, our client's Protection order was granted, and her husband's was thrown out. Moments after the hearing, he continued to harass her, telling her that he would fight her for full custody of her their sons.

We then had to prepare her for a meeting with the family Advocate, scheduled for the following day. Her husband's threats had left her feeling disheartened and scared. We devised a structure for her husband's access to the children, and advised her on their rights and responsibilities.

She presented this to the family Advocate the following day, and it was made into an order. Our client expressed her gratitude for the advice and support offered to her by PAHRO.

## **Social Justice Project Updates**

### Siyakhathala – Khayelitsha Township

Siyakhathala's primary focus is to support at risk youth and children in need of care. The organisation is based at the Kuyasa Primary School in Khayelitsha. The cases of child neglect and abuse are identified by teachers and care givers at the school. Our volunteers, in partnership with the organisation, assess the merits of the claims with the view to resolution.

William Østgaard:

We were contacted by a local school in the Khayelitsha area requesting for us to assist an 11 year old female scholar who had been sexually assaulted numerous times. The 11 year old (now our client) has also since developed an eating disorder which her teachers are worried about and she often has to use the bathroom, which is a result of the sexual assaults. The assailant is a relative of our client, and knew that our client's mother would open a case against him and therefore he started threatening the client and her mother. The client's mother proceeded to open a case against him and soon after he was arrested, however was released within 2 months. As a result of him being released, the client and her mother fled to the Northern Cape, fearing for their lives. Whilst in the Northern Cape the client received counselling, but due to circumstances they had to move back to Cape Town.

Since being back in Cape Town, the client's matter has been at a standstill and she has not received the necessary help needed; i.e., getting counselling, medical checkups or being referred to a social worker. We have not yet met with the client's parents; as she is a minor, we need to get her parents' consent so that we can get her the help needed. The school is currently communicating with the client's parents and will confirm a meeting date between them and our office within the next few weeks.

### **Vredelus**

Vredelus Huis is a detention centre for juvenile female offenders between the ages of 13 and 17 years. It houses both awaiting trial and sentenced offenders.

Leon Klass – Following previous informal discussions with the inmates, we have come to realise that many of them have had relationships with other females, and were in denial about whether or not they were a lesbian or bisexual. We therefore chose to do a workshop on LGBTQ (Lesbian, Gay, Bisexual, Transgender and Questioning) in order to educate, raise awareness and create a support foundation for the girls.

We discussed the meaning of LGBTQ, how equality amongst individuals is important, how to accept, celebrate and support individuals with different sexualities and sexual identities, as well the importance of not discriminating against or disrespecting each other.

Surprisingly at the end of the workshop some of the girls opened up and stated that they were bisexual, while some were still questioning themselves. We also shared our personal experiences, asked each other questions and gave advice. The girls really seemed to find this session interesting and stated that they were more open minded to treating each person equally regardless of their sexuality and identities.

### **Lindelani**

Lindelani is a Place of Safety for youth, which houses both girls and boys between the ages of 10 to 17 years old, who have suffered abuse and neglect and, as a result of their experiences have behavioral problems.

Jared Campbell (Global Gap) – Since 98% of the boys in the detention facility come from poverty stricken areas and blame their living circumstance for the choices they have had to make, we thought it would be fitting to do a workshop on "How to Get Out of Poverty".

We started off by asking the boys "what are the major causes of poverty?", thereafter we explained the causes, as well as the different kinds of steps one can take in order to get out of the "negative situation", such

as completing your education, volunteering in your community and ensuring you make the right choices to benefit your future. The boys understood the presentation, asked us a lot of questions and shared their past experiences and their hopes for the future with us. The workshop promoted the opportunity for the boys to reflect about their past and be encouraged to make the right choices for a brighter future.

## **Bonnytown**

Bonnytown is a centre for juvenile male offenders between the ages of 13 and 17 years. The centre houses both awaiting trial and sentenced offenders. The young men in this centre have been charged with crimes ranging from minor offences, such as assault and theft, to armed robbery and murder.

Daniel O'Brein (Global Gap) – This week we did a workshop on tattoos, which is one of our repetitive and favourite workshops done every few weeks in order to remind the boys of the dangers of self-made tattoos.

A majority of the boys at the facility have tattoos and to them it might seem a sign of power having tattoos on their face, neck and various parts of their bodies, but to the outside world it would make them seem like delinquents without prospects of a future. With any form of needle usage hygiene is important as various diseases can be contracted if one does not properly sterilise it or use the proper materials. In our presentation we discussed the various types of tattoos, hygiene pros and cons, and displayed various images of tattoos gone wrong, as well as the physical symptoms of diseases contracted when not allowing a professional artist to do it.

The boys were quiet and listened attentively and thereafter we had an open discussion and shared our personal tattoo stories and experiences.

## **St.Anne's**

Iro-Zaira Pavli – This was my first time attending St.Anne's where we did a workshop on responsibility and self-reflection. In the beginning of the workshop the women did not seem excited to be present, however throughout the workshop they seemed to be more comfortable with us and interacted with us.

As responsibility and self-reflection are intertwined, we combined the two topics and discussed what responsibility means; the different types of responsibility we have towards ourselves, family, friends, the community and our environment; the importance of taking responsibility for our choices; and how accepting responsibility allows us to self-reflect about everything that has led up to this particular point in our lives.

Thereafter we completed a few activities, which led to an open discussion during which we shared our personal ups and downs with each other, giving us the opportunity to learn and motivate each other.

## **Last Fridays**

As is our tradition at our weekly Internal Review Meeting (IRM), we ask volunteers who are leaving the program (their last Friday at the office) to discuss their highlights and lowlights about the work carried out by our office. Below is some of the feedback we received.

### **Emma Hagle**

Highlights - I enjoyed my experience in Cape Town and loved meeting new people, as well as enjoying the work I did in the Social Justice Department.

Lowlights - Finalising one of my cases, only to have to re-open the matter due to the client not following through on our instructions.

Disco Lights - I enjoyed going to Brass Bells, the garden route tour and travelling to Namibia.

### Giovanni Torielli

Highlights - The work we do in the office, as well as the entire legal experience.

Lowlights - The lack of assistance from government services.

Disco Lights - I enjoyed the garden route tour, going to a club and sand boarding.

### Kasper Hedegaard

Highlights - I like that the office gets to help clients and impact their lives in a positive way.

Lowlights - Sherwin's handwriting, but there have not been any low lights. I enjoyed this whole experience.

Disco Lights - Visiting Brass Bells for 11 weeks in a row, then attending Shuan and Sherwin's birthday parties.

## **Conclusion**

With less than a month left before our office shuts down, we are currently under pressure trying to finalise our urgent cases.

This month our project partner, St.Anne's Homes held an award ceremony for their volunteers and our office was fortunate enough to be invited as guests. We were acknowledged for the work we do and as such Miriam MacDonald and Judy-Rose Cyster received a certificate of acknowledgement from them.

Since our office will be shutting down between the period of 23<sup>rd</sup> December 2016 to 03<sup>rd</sup> January 2017, our volunteers are welcome to join the Projects Abroad Holiday Program which starts on the 15<sup>th</sup> December 2016 to 06<sup>th</sup> January 2017.