

Monthly Report – October 2016

Projects Abroad Human Rights Office, Cape Town

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 local lawyers. 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.

This month we re-opened our three legal clinics which we suspended for the month of September. We were able to successfully close over 60 and in turn received over 67 new cases varying from walk-in and legal clinic clients. This making our current open case status 827 and our closed case status 2578. Our client numbers still continue to grow on a daily basis and as we have less than two months left before we close for the Christmas period we have decided our last day for client intake will be on the 15th December 2016.

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 45 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 attended our office in 2012 seeking assistance with resettlement. Our client's husband also a refugee had been murdered following a robbery on the train a few years prior to her coming to our office. Our client since then had struggled to provide for the family of 5 children. She was raped in front of her children and subsequently robbed and raped at gun point one evening on her way home from work. Due to the trauma experienced she became fearful to go to work and their living conditions deteriorated. We assisted her to obtain free trauma counselling, but she could not afford travel expenses to the centre. We lodged an application for a protection assessment ergo resettlement in 2013 with the UNHCR. We persistently followed up on the case, several volunteers have assisted on this cases since 2012.

The client is now being resettled to the USA in November. The client came in to thank us personally and encouraged us to keep assisting refugees.

Sherwin Daniels

Annelies Blondé – Criminal Case

I attended court with the Legal Services Co-ordinator where we represented our client in a murder trial. Our client is one of five accused charged with aggravated murder – allegedly being part of a gang and killing someone in a gang related activity during 2013. The state called two witnesses that testified; one being an eye witness, who had previously been charged for the same murder as all the other accused. He however, entered into an agreement with the State to give evidence against his fellow gang members. Upon giving testimony the eye witness' version of events differed from what he had previously told the police on the day in question. The attorneys cross examined him on these discrepancies to a point where he was no longer deemed a credible witness. The second witness, placed only our client and one other accused on the scene of the crime- but again, Sherwin and the attorney for the aforementioned accused manage to discredit his version of events. At the close of the State's case, all the defence attorneys made an application to the court in terms of Section 174 of the Criminal Procedure Act. The arguments placed by the attorneys resulted in the court agreeing with the value of the evidence by the State not being sufficient. Our client was then acquitted from all charges. The Court made an order that the eye witness will not be indemnified from prosecution in terms of Section 204 of the Criminal Procedure Act, due to him not being a credible witness.

Miriam MacDonald

Hugo Parnell - Property Matter

We are currently assisting a client with a property matter. He rented his property out to tenants for over 8 years, however they have now vacated the premises without our client's knowledge and other people have taken occupation. Our client does not know who these people are and has asked them to vacate, however a Protection Order was obtained against him. We do not currently know the allegations that were contained therein. I am currently doing research into the PIE Act in the hopes of finding information that could benefit the client and also currently drafting the necessary eviction documentation.

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.

Daniel de Jongh: We have been enlisted to assist a single mother of three to obtain a disability grant on the basis of being terminally ill with cancer. As a result of having cancer the client is unable to work and therefore not able to financially provide her family. We advised her to consult with a doctor in order for her health to be assessed and to obtain a medical report, which is needed to apply for a disability grant. The client therefore obtained the medical report and was successful in her application for the disability grant, which she will start receiving this November.

As the client has cancer, and needs more than just financial support, we have been in contact with CANSA (Cancer Association of South Africa) in order to see what else can be done to assist the client.

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.

Lasse Nitschmann: Recently various anti-bullying campaigns have been launched in South Africa due to a cyber-bullying video gone viral. This particular cyber-bullying video had social media buzzing and according to various psychologists one of the reasons for bullying stems from a low self-image. Thus it was important for us to talk to the inmates about how they perceived themselves and how they think the "outside world" perceives them. We talked about what a good self-image is, how to think positively about one self and how to deal with insecurities in a positive manor and not bullying people in order to feel great. This particular workshop promoted open discussion and allowed the volunteers and inmates to connect on a personal level by relating personal experiences to what has been learned.

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.

Emma Hagle: The month of October has been declared Mental Health Awareness Month and as such we took the opportunity to educate the inmates about the various mental health problems, the stigmas thereof and the discrimination people with mental illness face. Most of the inmates associated ones mental health with being "crazy" and were surprised to discover anxiety, depression, stress and substance abuse are all part of your mental health problems, which they have all suffered from. This workshop allowed the volunteers and inmates to share their personal experiences with mental health issues, as well as gave them the opportunity to give each other advice on how to deal with certain situations.

Bonnytoun

Bonnytoun 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.

Lasse Nitschmann: We did a workshop on "what to do when you get out". Many of the boys have become despondent due to being incarcerated and no longer having the freedom of doing as they please. The workshop entailed hyping the boys up about their future dreams, goals and getting them to reflect on their past decisions and how making better decisions will affect what they want to achieve. During the workshop we could see the physical changes in the boys as they became chatty and shared what they envisioned for their future. Some of the boys stated they regret making decisions which have led to them being at incarcerated and some stated they were lucky not to be in prison and that being incarcerated has changed them and made them want to better themselves.

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 high lights and low lights about the work carried out by our office. Below is some of the feedback we received.

Heather Newman

High Lights - Attending the Athlone legal clinic and being able to build a relationship with our clients.

Low Lights - When a father and his two daughters had a argument at the legal clinic which lasted for forty minutes.

Disco Lights - Wednesday nights at Brass Bells, abseiling and the initiation I did at Stellenbosch University.

Lasse Nitschmann

High Lights - The "what to do when you get out" presentation we did at Bonnytown.

Low Lights - Worrying the first few days, thinking that I would not have anything to do.

Disco Lights - Watching the cricket match with Hugo.

Rosalind Stanley

High Lights - I liked everything here. I especially liked working on refugee cases the most and it was nice to know that when I graduate that this is what I really want to do with my life.

Low Lights - I did not get to do social justice workshops, but I was here for the legal experience.

Disco Lights - I grew to love Brass Bells and I enjoyed abseiling.

Conclusion

The end of year is vastly approaching, our volunteer numbers have dropped significantly, we currently have ten volunteers.

As fate would have it our client numbers are ever increasing and the cases we are handling are seemingly more complex.

Be that as it may we take our cue from the Angolan freedom fighters of old – "alutta continua" The fight for human rights rages on.