



## CONTENT

### 02 Social Justice

02..... Siyakhatala

02..... Bonnytoun/ Lindelani

02..... Lindelani / Vredelus

03..... St Anne's (women's shelter)

### 04 Soup Kitchen

### 04 Legal Services

04..... Moot Report

# SOCIAL JUSTICE

## ■ Siyakhatala

### Holiday programme

The school holiday programme, which took place at Siyakhatala, ran from 29 June to 17 July 2015. Around 200 children from the local township attended the programme, which was organised by our volunteers. The volunteers prepared workshops and interactive games; they succeeded in keeping the children off the township streets during their school holiday.

The children were from different schools and in order to get them to fully participate it was important the volunteers made them feel comfortable enough to work with different people. The volunteers also had the opportunity to teach the children some of the games they played when growing up. This enabled the volunteers to interact more with the children and allowed them to appear less intimidating.

## ■ Bonnytoun/ Lindelani

### Anger management

According to psychologist, Colinda Linde, society has trained us to “keep our anger in”; this unfortunately leads to physical illness, depression and outbursts. Many South Africans, especially those in disadvantaged areas, find outlets in alcohol, drugs and taking it out on innocent people (often their own family).

During our workshops at the youth centres, volunteers explained that anger is a human emotion and it's only destructive when it is out of control. We discussed topics like how to constructively deal with anger. During the group sessions, many of the detained youth opened up about instances where they acted out in anger.

### 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 was an opportune time to discuss this topic.

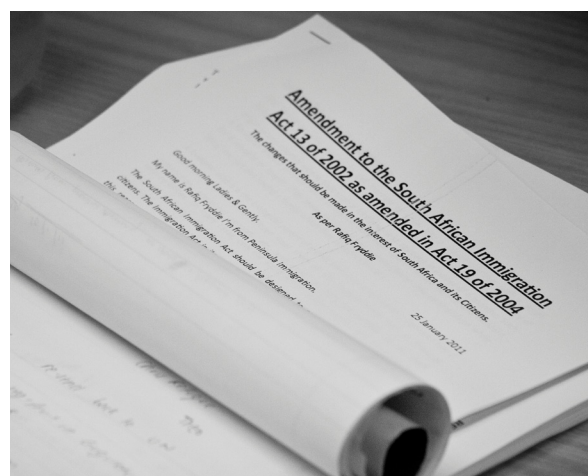
A lot of the boys already knew what peer pressure meant, but they only associated peer pressure with negative connotations. We wanted them to recognise positive peer pressure and encourage them to positively influence their peers as well.

## ■ Lindelani / Vredelus

### Life after detention

We make a point of doing this workshop as often as possible to get the youth at these facilities to think about their future, and how best to reintegrate into society and rebuild their lives. Through our conversations with them we noticed that they assume they are not employable, due to their criminal records.

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). We also mentioned technical colleges that offer skills training and apprenticeships, and we discussed bursary applications available at different institutions of higher learning in Cape



Documents available in the Office

Town. We encouraged them to get involved in community based projects, which in turn enable them to test their strengths and weaknesses.

Each group also discussed their individual strengths and weakness, this was done in order for the youth to acknowledge and realise their positive qualities 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 and work hard towards an enriching life.

### HIV/Aids & STDs

HIV/Aids in South Africa is a prominent health concern; South Africa has the highest prevalence of the disease 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 was to emphasise the importance of preventative measures and encourage the girls to practise 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 knew. We realised they were knowledgeable about HIV/Aids, but were uninformed about other STDs and their symptoms which the volunteers took time to discuss with them.

### Domestic violence

In 2009, statistics revealed that South Africa's rate of 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 hosts 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.

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.

## ■ St Anne's (women's shelter)

### 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 best part of the workshop was when one of the volunteers shared her life experience of moving from Vietnam to Canada as a refugee, and the struggles and challenges she faced in her road to success. Her account had some of the ladies and volunteers in tears. It was great to have a volunteer share her story, as it allowed the ladies to relate to her and it challenged them not to wallow in self-pity or focus on the hardship they had faced.

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

## Women's rights

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 in South Africa.

After the workshop the volunteers facilitated an activity requiring the ladies to answer certain questions. One of the questions was: what would you tell your younger self if you knew years ago what you know now? To answer, one of women said, "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 recognise their courage and strength.

## Divorce, maintenance and children

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. The women, having moved to the shelter as protection measure following domestic violence, often do not know the next step to take or 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. They were relieved to find out we provide these services pro-bono.

## SOUP KITCHEN

---



Volunteers prepare soup for the local township community in Cape Town.

On Friday 3 July 2015, we had a soup kitchen in the township of Delft. Delft, like many other townships in Cape Town is poverty stricken. Occasionally, 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 provided by the PAHRO.

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

## LEGAL SERVICES

---

### ■ Moot Report

On Friday 10 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 in the heart (14cm deep). 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:

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 intent on the part of the accused to commit the crime, thus covering the three elements of murder.

#### Participants:

- Juliette Beigelman
- Kiia Kela
- Kate Miller
- Emily Wright
- Kevin Winkler

### Defence:

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 the deceased, so it would not be surprising that they came up with similar stories to cover for their deceased Rasta friend.

#### Participants:

- Rosalie Lacoursière
- Justine Schuttevaer
- John Jeffcoat Mészáros
- Kani Kundu
- Robyn Clark

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. 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.