

04 Conclusion

Cape Town HUMAN RIGHTS OFFICE

Monthly Report - September 2016



Busy season is officially over, and our volunteer numbers have decreased significantly, from 46 volunteers in August 2016 to 9 volunteers at the end of September 2016. In contrast, client numbers are always increasing. In order to cope with our current case load of 850 files, we have been forced to suspend client intakes at three of our legal clinics for the whole of September. We shall re-open legal clinics on 3 October 2016.

SOCIAL JUSTICE PROJECT UPDATES

■ Siyakhathala – Khayelitsha Township

Report: Emma Hagle

Our client is a mother who came to us for assistance regarding her 24 year old son who is a drug addict. According to the client her son is anti-social, abusive and has threatened to rape his 15 year old niece. We have assisted the client with getting a protection order (restraining order) against her son. The effect of the protection order is that he is interdicted from being verbally or physically abusive and in the event that he violates the terms of the protection order, he may be arrested and detained.

We have made an appointment for the client's son at a local rehabilitation centre. We hope that he will willingly attend and comply with the requirements of the centre.

■ Vredelus

Report: Antonia Tremmel-Scheinost

We hosted a workshop called 'relationship and me'. This workshop focused on the different types of relationships the girls will have throughout their life with different people. We talked about attributes that develop positive and negative relationships and what kind of people the girls should allow to influence their lives. This session enabled the girls to open up about the mistakes they have made due to the influence from the wrong people. Some admitted that it is a result of the negative influence that they are where they are today (incarcerated).

For most of the girls repairing their relationship with their family is the most important and they regret how allowing the wrong people to influence them affected their relationship with their family.

Lindelani

Report: Kasper Hedegaard

In the midst of the current #FeesMustFall protests happening at universities across South Africa, we decided to do a workshop on the importance of education.

We covered the benefits of being educated, knowing your rights, the difference between being street smart and joining a gang, as well as how technology influences our learning abilities. Our aim is to convey the message that education is not only limited to formal learning or being book smart, but that on a daily basis we are able to learn something new through being inquisitive and eager to learn. It was also important for the boys and girls to know that basic education was a right, and that it is also not limited by ones circumstances.

Bonnytoun

Report: Daniel de Jongh

We did a presentation on the biography of Nelson Mandela, as he is a role model and hero to millions of people worldwide. We wanted to get in-depth knowledge on who he was and his legacy.

We focused on how important it is to keep believing in oneself, keeping focused on what you want for your future and how your circumstances should not hold you back from living the life you envision. Many of the boys already knew a lot about Nelson Mandela and according to them, he gives them hope that they are able to turn their lives around and that they are still destined for greatness.

This workshop got the boys discussing their dreams, goals and the changes they would have to make in order to achieve them.

St. Anne's

St Anne's Homes is a shelter for abused or destitute women and their children. Given the delicate nature of the ladies' circumstances, these workshops are strictly for female volunteers.

Report: Rosalind Stanley

I was excited to join the conversation, although slightly nervous about how the workshop will go.

We did a workshop on self-esteem and self-image as this is a women's shelter. The women have suffered attacks on their character and self-esteem and it is important for them to begin a process of inner healing.

We wanted to assist the women to work towards boosting their self-image, and how they perceive themselves physically and mentally. We did a variety of exercises and showed videos about accepting yourself and learning to self-love, as well as not letting the media or people negatively affect how you feel about yourself. The women were actively involved throughout the workshop, and both women and volunteers openly shared their personal experiences.

LEGAL SERVICES

Despite closing off legal clinics, we still continue to receive walk in clients. This month we have opened 33 new cases.

■ Maria Mulindi

Rosalind Stanley – Residency Matter

Our client, a refugee from Burundi came to South Africa in 2004 and obtained a refugee status permit. The client married an Angolan refugee and she joined his refugee status permit, in order to have a conjoined family file. In 2013, South Africa decided on cessation of all refugee status from Angola and they were issued with Angolan passports. The office where a refugee's permit is renewed has refused to renew the permit for our client's wife and we are therefore assisting her with lodging an application for exemption for permanent residence. Our grounds for the application are the principle of family unity and the principle of non-refoulement.

There is an administration fee of R 1 350 when applying for permanent residency and our client is unable to afford it as she is unemployed. We therefore have drafted the necessary documentation and filed it with the Minister of Home Affairs, requesting to have the fees waved as this is the client's only option of obtaining documentation. We are currently awaiting feedback from the Ministers office.

■ Sherwin Daniels

Heather Newman – Criminal Matter

Our client is a security guard who came to us for assistance regarding a pending criminal case against him. Our client was shot in the base of his spine and is still recovering from the incident.

The client states that a few weeks ago he was on a train and witnessed a senior citizen being attacked and robbed. Our client therefore intervened and pulled out his service pistol to scare of the assailants.

According to our client, local police officers then arrested him and charged him with possession of drugs, which the client says is not true. We therefore contacted the police department to enquire about the client's arrest and case, and were issued with a copy of the charge sheet, which also states the client was in possession of drugs. No service pistol or any weapon was mentioned on it.

We will be representing the client in his court hearing, which will be on 28 October 2016. We are currently still investigating the client's version of events, as well as communicating with the police officials.

■ Miriam MacDonald

Housing Matter

Our clients first came to us in early 2015. They are a married couple who have been on the waiting list for a government subsidised house since 1992. The husband has severe health problems, concentrated in his respiratory system. They have been living in overcrowded and unhygienic conditions for years and, recently, the husband was forced to leave in order to be in care.

We have been following up with the relevant authorities since the client's first consultation with us. We also sent medical records every three months, proving that their living conditions were actively causing the husband's health to deteriorate. In August 2015, we were informed that they were being treated as a priority case due to his condition, and would be moved to the top of the waiting list. The following month, we were told that construction of the houses had yet to commence.

After continuously and vigorously contacting the Department of Human Settlements, we finally received news that the clients should be able to take occupation of their new home at the end of October 2016. Our clients are obviously very happy, and we will be following up towards the end of next month to ensure that everything is on track.

CONCLUSION

As at the end of September 2016, we have 848 cases open and have successfully closed 2561. The one thing that remains certain is that we are in desperate need of volunteers who are willing to stay for at least four weeks, and who have a legal background (law students or professionals).