
Monthly Report – DECEMBER 2013

Projects Abroad Human Rights Office, Cape Town

December is upon us and therefore, most of our social justice activities have had to end. The reason for this is that during December most Social Justice Programs themselves close, due to school holidays or the lack of participants at the programs. Many of our partner organisations also closed earlier in the month.

Our Legal Services Department has continued to accept new clients during the first week of December. However, due to the office closing on 20 December 2013 and staff taking annual leave, we have decided to close our office to new client applications, and concentrate on the cases we currently have, until the New Year.

SOCIAL JUSTICE PROJECTS UPDATES

Bonnytown

We attended the Bonnytown Detention Facility once this month as it closed for December holidays thereafter.

Our office decided to have a year-end party for the boys in order to thank them for the amazing time spent with them during 2013. This also gave interns and volunteers the opportunity to connect with the boys on a social level, as opposed to being their mentor.

Vredelus house

Vredelus Huis held a graduation ceremony for the girls, which we attended. The graduation was held for those who were leaving Vredelus, those who have completed special classes and workshops and for the girls that have shown considerable personal growth.

We also had a year-end function for the girls, which comprised of a talent show, where some of the girls sang and danced. Thereafter, the girls were given snacks and interns and volunteers spent time socialising with them.

Capricorn Primary School

We were unable to do any workshops at the school this month due to school holidays which commenced on 2 December 2013.

WOMEN'S SHELTERS

St Anne's & Sisters Incorporated

We combined the end of year function for the ladies.

We divided the ladies from St. Anne's and Sisters Incorporated into two groups.

The first group of ladies were taken to a market to purchase party items and some arts & crafts for themselves.

The second group of ladies were taken to Limnos bakery in Claremont, where they enjoyed cake and tea, and the company of the interns and volunteers.

The female interns and volunteers especially enjoyed this event as they had the opportunity to speak to the women openly about the challenges they generally face, and thereafter, their personal challenges, within an informal environment.

LEGAL SERVICES

These are some of the cases interns are working on:

Sherwin Daniels

Preshanti Vigneswaran is currently working on a labour case with **Sherwin**, involving a truck driver who was over worked and had logged excessive hours. The aforementioned client was involved in motor vehicle accident while performing his duties as an employee, wherein he lost his thumb and index finger on his right hand. "We are currently making application for client to see if he has a claim in terms of COIDA" (Compensation for Occupational Injuries and Diseases Act). The deadline for this application is 17 December 2013, however client is in Zimbabwe, making it difficult to follow up with him. Client has a brother in Cape Town who seemed reluctant to give a forwarding address and it took 3 days to get a phone number from the brother in order to contact client. As per COIDA, loss of a thumb is equivalent to 15% disablement and the loss of an index finger is equivalent to 5% disablement. We, therefore, believe that our client has a claim.

Sabine Kraft has a client, with **Sherwin**, who is from DRC and came to RSA in 2008. He had initially obtained refugee status in 2008, but due to mental illness went back home hoping to get prayers for healing. Client's parents are Pastors who help poor people, housing and feeding them, and are constantly targeted by soldiers due to being part of this religious social group. Our clients' parents were subsequently shot dead, and he therefore fled back to RSA seeking asylum. His asylum application (second time round) was rejected as Unfounded as the RSDO (Refugee Status Determination Officer) averred that there was no war in Congo in 2012. We are now assisting our client in drafting a Notice of Intention to Appeal, coupled with an affidavit and filing notice.

Intern **Sandra Jocyonyte** together with **Sherwin**, have a client from Rwanda whose family was murdered by soldiers. She was sexually abused by soldiers, and consequently, attained HIV. Client has 2 children, both of whom are HIV positive and her husband is deceased. The client was assaulted in RSA and reported the case to police. However the case was closed as the perpetrators are unknown and therefore, cannot be identified. After our client was attacked, she informed us that her son also fell victim to an attack, of which she showed us pictures of the bruises, and reported it to police. Client feels unsafe and we are currently working on having her matter referred to the UNHCR in order for them to conduct a protection assessment.

Miriam MacDonald

Sabiha Rahman is currently working on a case with **Miriam**, wherein our client was the only surviving biological child of his deceased mother, who also had foster children. Upon the Mother's passing away, client had been in prison as he was serving a sentence of 21years. However, when he was released from prison, he occupied the house for a period of time, but did not consistently live in house. Shortly thereafter, he was evicted from the property by a foster sibling. The client wants our assistance in proving that he is the owner of the house. The Foster sibling however, denies our client access to the property. To follow-up on this, it was suggested that we contact the deeds registries with full address of property confirm in whose name property registered. Further, to confirm at Masters Office whether the Estate of the deceased mother is registered. If mother died intestate, he is the heir.

Maria Mulindi

Sandra Jocyonyte's case with **Maria** is an update on **Robert Bradshaw's** results from his hard work. Client had been boarded of work due to permanent disability resulting from injury on duty. He was entitled to a benefit from his pension Fund which would pay a lump sum for his incapacity due to ill health. The Fund had rejected his initial application stating that the medical certificate by doctor proved insufficient. He was Given 30 days within which to lodge appeal against decision. **Robert** Followed up on Doctor persistently for almost a month and obtained a more detailed medical report which he furnished to the Fund. We were awaiting the results which were due on the 25th November 2013. Sandra then telephoned the fund to find out results of appeal, who informed that the appeal was successful and client was awarded slightly over R 112,000.00.

Sabiha Rahman is currently working on a Refugee case with **Maria**, wherein the Client is a refugee from Angola. Clients' Refugee status is currently being withdrawn due to UNHCR cessation of refugee statuses of all refugees from Angola in agreement with RSA Department of Home Affairs. It was agreed with the Angolan government that Refugees would be furnished with passports to apply for alternative permits. However, these Passports had not yet arrived and Client was unable to access his salary as a consequence (bank froze account due to expired document). The client had not paid rent due to the aforementioned, and above this, his wife was pregnant and due to give birth. We then contacted the employer and asked that next salary not be deposited into client's bank account, but rather into his wife's account, to which the employer agreed. Further, we received news from the Angolan embassy (this morning) that the passports are ready for collection. The next step is to contact client and ensure that he has in fact received the passport.