

## **Monthly Report –FEBRUARY 2014**

### **Projects Abroad Human Rights Office, Cape Town**

#### **Social Justice Projects Updates**

##### **Bonnytown**

The first workshop we did was on the different countries our interns are from. The countries were Sweden, Switzerland, Italy, Netherlands, Tunisia, Canada, Austria, Australia, America and Denmark. The interns had prepare a presentation for the boys on what their country is famous for, the landmarks, language/s, famous actors/musicians, religions and different food that they have. The boys at Bonnytown asked lots of questions and requested to learn more about the different countries.

We also did the workshop on Basic Human rights. We did this workshop in order to educate the boys about their rights, even though they are in a detention facility we still wanted them to know that they have rights. Most of the boys felt their rights were violated before they even came to Bonnytown and if they were aware of their rights they would have most probably not have ended up at Bonnytown.

As many of the boys have tattoos we then did a presentation on tattoos. We discussed the right and wrong ways of getting a tattoo done, and the implications thereof. We emphasized that if a tattoo is not done by a professional tattoo artist that the boys could get various infections, such as HIV/Aids, Hepatitis, etc. We also showed them graphic images of what these infections look like.

We also made the boys aware that getting a tattoo done while being young or a tattoo without any symbolic meaning could make them regret it when they get older and that it might cause problems in their relationships and careers.

##### **Vredelus house**

We did the same workshop as at Bonnytown with the different countries. The girls at Vredelus also seemed to enjoy this a lot as many of the did not know anything about the countries. The girls at Vredelus asked various questions about the different countries,

We also did the presentation on the basic Human Rights. One of the girls at Vredelus was happy to receive a sheet with the basic Human Rights on as she was abused and felt she did not have any rights. The same with Bonnytown, a lot of the girls felt their rights were violated prior to being at Vredelus. However with each workshop we do we try and give the girls and the boys at Bonnytown hope for a better future and that they alone do have the power to shape their future.

The same workshop as the one on tattoos at Bonnytown was done at Vredelus. Most of the workshops we do at Bonnytown and Vredelus are similar as both the girls and boys are in similar situations.

##### **Capricorn Primary School**

Our first workshop we did was on puberty/gender conscious. This was an awkward topic and the children did not pay much attention as we constantly had to silence them. With the topic being such an awkward one we then decided to make it more interactive by asking questions and having the children do certain exercises.

We also presented a class on the different types of relationships they have with their peers. Intern Isabelle arranged for the children to write letters and make new pen-pals at a school in Sweden. The children were excited about writing letters to their

new pen-pals. This class gave the children the opportunity to meet new people and be creative.

The following week we did the importance of reading and studying. Before starting our presentation we asked the children what their thoughts are on the importance of reading and studying is, and examples of the answers they gave us were: reading helps you become smarter, getting good grades, etc. With this presentation we wanted the children to learn that reading is one of the most important skill you will need as learners who read have a better understanding of things and with a better understanding you have a better chance of succeeding at school. We also encouraged the children to read more as the more they read the more knowledge they will also gain.

We were unable to attend some of the classes as the children were busy with review questions. The classes that we were able to attend we did 'How you can help when people are fighting'. This was an interactive workshop as we divided the children in groups to see how they would assist when people are fighting. Some of the children in the group said they would join the fight, find out why the people are fighting and then seen if they will join or try and stop the fight.

We then gave our presentation, informing the children that fights can be stopped or avoided through doing mediation and peacekeeping skills. Some of the things we mentioned were: respect other peoples things, understanding that we are all different and come from different backgrounds, be tolerant of other peoples ways and beliefs, listening to other peoples point of views, taking responsibility and being willing to cooperate.

In this presentation we also wanted the children to learn to recognise when there is a problem and to find a way to help before it becomes a major conflict.

### **Women's Shelters**

#### **St Anne's**

At St. Anne's we did an exercise on the "tree of life". We printed large sheets of paper with trees on it and the women had to either write or draw on their tree various things:

- The ROOTS represent the family and community you come from and other people or things that influenced you when you were young (both good influences and bad influences).
- The TRUNK represents everything about your life today: what you do, who you live with: your work, family, community.
- The FRUITS represent all your achievements: the things you were able to achieve through your efforts (whether small, every-day achievements or big achievements). Give each one a separate fruit.
- The BUDS represent the women's hopes for the future.

It was important that the volunteers participated in this activity as well, so that the women can see that even women from different countries have the same experiences. We also wanted the women to support each other so that we can overcome gender imbalances.

The next workshop we did was on lifestyle, how to cope with stress, good healthy eating and yoga. We also did the cup song, from the movie Pitch Perfect. The ladies really seemed to enjoy the cup song as they sang with us and asked us to teach them the hand movements of the song. The ladies also seemed motivated to start a vegetable garden in order to grow their own vegetables to eat healthily.

The following week we did a workshop on job interviews. What the ladies need to wear, how they need to present themselves, questions they need to ask and what to do before going for the job interview.

The ladies asked lots of questions and informed us that this workshop has helped them feel more confident in going for the interview and applying for jobs. Before this workshop many of the ladies did not know what to say or do when preparing or going for the interview, so we hope that the things the ladies learned will be beneficial to them in obtaining a job.

## **Sisters Incorporated**

We did the same workshop on lifestyle as done at St. Anne's, excluding the cup song though.

The ladies really enjoyed the yoga session and requested for us to do this again as they felt more relaxed when doing yoga.

A couple of weeks prior, the women had mentioned their curiosity regarding sushi, which was something that they had never tasted and considered to be very exotic. We had hoped to make sushi with them, but the process would have been both expensive and complex. We took a couple of platters to Sisters as a surprise, and the ladies were overjoyed. They had a lot of fun learning how to use chopsticks to dip the rice into the soya sauce, and were a bit overwhelmed by the taste of wasabi!

Some of the ladies enjoyed it and some didn't, but they were grateful that we brought sushi for them.

The following week we also did the job interview workshop as previously done at St. Anne's. Although there was unfortunately only one lady there (the others had been called to do work experience at the last minute), it was very useful for her. She had an interview the following day, and felt much more confident following the workshop, and was actually looking forward to the real thing.

In the last week of the month we were unable to attend Sisters, as the ladies were busy preparing for the charity clothing sale on Friday, 28th March.

Interns attended the charity clothing sale on Friday morning in order to purchase a few items to support the event.

## **Legal Services**

### **Criminal Law and Child Justice Department:**

February has been an extremely challenging and busy month for the Criminal Law and Child Justice Department. Sherwin and Pro interns/ volunteers have extensively prepared for and attended court throughout the month in order to ensure that the rights of our clients are complied with in terms of the Constitution of South Africa.

#### **Case 1:**

Charge: Murder

On 4 February 2014, Sherwin together with Regina and Karine attended the Athlone Magistrates' court in order to place Projects Abroad Human Rights Office (Hereinafter referred to as PAHRO) on record. It was at court when we were informed that our client requested that he be released on bail, to which the investigating officer and social worker disagreed. The State prosecutor therefore, opposed the release of our client on bail, resulting in Sherwin making an application on behalf of the client for a formal bail application hearing. Our client is one of five accused persons charged with murder, and is 15 years old. The matter was then remanded to 12 February 2014 for PAHRO to prepare for the aforementioned application.

On 12 February 2014, our case was called in court. The State prosecutor requested a postponement as there seemed to be a conflict of interest in respect of the four co-accused persons appearing with our client, and their respective attorney. Sherwin objected to this request on the basis that it would not be in the interest of justice that our clients' bail hearing be remanded. The Magistrate overruled the objection and the matter was consequently remanded to 20 February 2014.

On 20 February 2014, two different attorneys were appointed for representation of the co-accused persons appearing with our client, in order to rectify the conflict of interest discussed above. The matter was remanded to 10 March 2014 to afford the legal representatives of the co-accused persons an opportunity to prepare for the formal bail application.

#### **Case 2:**

Charge: Rape

On 5 February 2014, Sherwin together with Frederique and Marie-Claire attended the Wynberg Magistrates' Regional Court in order to represent our client in a rape case. This client was previously represented by the Legal Aid Board. However, our office was instructed to take over the mandate and subsequently went to court for legal representation of the accused person. Whilst at court, it was brought to our attention that numerous legal remedies and strategies were currently in progress in order to ensure that the accused received the best possible outcome in this case. It was explained that a plea bargain in terms of section 105 of the Criminal Procedure Act 51 of 1977 was underway, and that should the State and Magistrate agree with such plea bargain, the

accused would receive a sentence of 3 years imprisonment for the crime of rape of 5 minor children. Our client is currently 15 years old and admits guilt to the charge of sexual assault. Sherwin therefore decided to not proceed as attorney for the young offender, and to allow the current legal representative to continue with her approach.

**Case 3:**

Charge: Murder

On 10 February 2014, Sherwin together with Tina Domm and Jacomajjn attended Wynberg Regional Court in order to represent our client, who is charged with murder. Our client is currently 17 years old and is detained at a children's detention facility.

This matter involves the murder of a gang member, and our client allegedly identified by an eyewitness as being at the scene of the crime as well as belonging to a rival gang who is alleged to have committed the offence of murder.

We have received the further particulars in this case, which details all the evidence contained in the police docket/ investigation. The particulars contain, inter alia, medical reports; witness statements; post mortem reports; official police documentation of arrests made; etc. Our office is therefore in a position to prepare for trial.

The court case was postponed to 25 February 2014 in order for all the accused persons to be brought to court, as on the previous occasion, our client was not present.

Sherwin also held a moot court on this matter on 21 February 2014, wherein two interns argued their case against each other, one being for defence and one for the prosecution. After arguments were completed, the remaining interns in the office had to cast their vote (with reason) as to which party in the criminal moot was more convincing. The defence attorney won the moot.

**Case 4:**

Charge: Murder

On 11 February 2014, Sherwin and Pro volunteer Sarra attended Athlone Magistrate Court for the legal representation of our client on a charge of murder. We were informed by the court that the investigation of the police was now complete, and that the matter is ready for trial. Murder is a charge that can only be adjudicated by a Regional Magistrate or Judge. The matter was therefore postponed to 17 March 2014 for transfer to Wynberg Regional Court.

**Case 5:**

Charge: Armed Robbery

On 24 February 2014, Sherwin attended Athlone Magistrates' Court in order to represent our client on a charge of Robbery. Whilst in court, the Social Worker informed Sherwin that she would complete a pre-trial report in this matter, and recommend that the minor accused be diverted. Diversion is a process whereby an accused person is given a punishment which is aimed at betterment of the accused and/or community, as opposed to removal from society. In most cases the accused will be sentenced to community service. This process also ensures that the young offender does not receive a criminal record. We now await the pre-trial report which is due on 20 March 2014, being the remand date.

Consultations were also held during the month, between court appearance dates, where interns/ pro- volunteers conducted interviews with our clients at the detention facility (under the supervision of Sherwin). These consultations assisted our office in gaining further insight in relation to our criminal cases, and in preparation for court.