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Reflections from our Interns

We asked our interns to give us feedback on their experiences at ProBono.Org. Here is what some of them had to say:



Molebogeng Manyako

I joined the Joburg office of ProBono.Org as an intern on 15 January 2018. I am working under the supervision of the head of the Family Law, Labour Law and Wills department.

My experience at ProBono.Org has really challenged me and kept me very busy. I consult with clients and their Family Law matters on Mondays and Thursdays. On Wednesdays I assist with clients' documents at the Family Law legal clinic at the office.

What I enjoy most is going to the Family Court every Tuesday to assist at the divorce help desk with consultations, drafting summonses and settlement agreements. Through this I have

managed to gain confidence and say no where necessary.

I have sometimes encountered difficult clients, as well as the sweetest. I enjoy working with the Wills clients, especially the elderly as they always appreciate our assistance when they come to collect their Wills.

The road has not always been easy and sometimes I have even shed a tear. I have enjoyed working with attorneys and advocates from different firms and groups. One of my biggest highlights was when Advocate Hugh Mbatha told me that I am going to be a good lawyer one day. These words really humbled and encouraged me.



Akhona Mthembu

My journey at ProBono.Org

As I look back on my days with ProBono.Org, I started off in 2015 as a volunteer at the Durban office. I remember the very first help desk I assisted at, which was Housing.

It shook me. I came away very emotional as I had listened to the story of an elderly lady who was being evicted from her own house. It had been transferred to her son fraudulently and she was responsible for three of her grandchildren, who were all receiving child support grants. She herself was also receiving a government pension.

The thought of her and her grandchildren not having shelter not only touched me, but made me determined that one day I would be at ProBono.Org as an intern, so that I too could begin my journey of giving

back to those less fortunate.

I started as an intern on 8 January 2018, and soon realised that being an intern is very different from volunteering. At my first three help desks we assisted more than 30 clients. Through this I gained vast knowledge about the law, as practice and theory have aspects that are different. I learnt that I would need to learn to link and apply what I had learnt to practice, in order to solve clients' issues. I have also had good experiences and relationships with other ProBono.Org staff members. We have taught each other a lot about the law and life itself.

The entire experience has given me a new and broader outlook on life, the importance of assisting the less fortunate, on ethics, morals and the legal profession.

Zunaid Latief



Upon graduating with a law degree from the University of the Western Cape at the end of 2016, the harsh reality was that I had failed to secure employment in my field of study and had no alternative but to explore other interim avenues in order to support my immediate family.

After months of drifting in mediocrity, I received an email from the HCI Alumni Programme, informing me that I had been

shortlisted for an interview under the Legal Internship Programme between ProBono.Org Cape Town and the HCI Foundation. The interview proved successful and I commenced employment with ProBono.Org on 2 April 2018.

Initially I felt overwhelmed and slightly doubted my ability and legal knowledge. However, after a couple of months and with the mentorship and encouragement of my colleagues, the development of my skillset was evident and I gained a lot more confidence. I was exposed to many different aspects of the legal profession and I looked forward to learning on the job on a daily basis.

The Legal Internship Programme has allowed me to grow exponentially, both as a person and as a professional. It has equipped me with the necessary tools and skills to pursue a successful career as a legal practitioner. More importantly, it has placed me in a position where I can continue the theme of giving back to society.

This opportunity has served as a rude awakening to the harsh realities that ordinary South Africans have to endure. The brutal truth is that people from disadvantaged communities quite simply cannot afford the services of an attorney or advocate; and access to justice is a mere illusion for many. However, it has ignited a flame inside of me and spurred on my passion for social justice, which is what I believe I will really take away from this internship.

As my time with ProBono.Org draws to an end, I cannot properly express my gratitude to the organisation for providing me with this opportunity. My legal knowledge has increased tenfold and my personal development has been significant. While I still have lots to learn regarding this profession, I am confident that this internship has done enough to secure me employment in the future. ●



Commemoration of International Human Rights Day

By Shamika Dwarika

ProBono.Org (Durban), in partnership with the SA Human Rights Commission and The Department of Justice and Constitutional Development, hosted an event to commemorate International Human Rights Day.

The event was held on 10 December 2018 at the University of KwaZulu Natal, Durban and was open to all legal practitioners and various organisations. The speakers were the Honourable Deputy Minister of Justice and Constitutional Development, John Jeffery MP, Judge

Radebe and Professor K. Govender, with the event being facilitated by Adv. D. Ainslie. The theme of the event was "Lets Stand Up for Equality, Justice and Human Dignity", with each of the three speakers dealing with one sub-theme.

The United Nations General Assembly adopted the Universal Declaration of Human Rights in 1948 and 10 December was declared International Human Rights Day. The year 2018 marked the 70th anniversary of the day. Partners saw this as an opportunity to celebrate the Universal Declaration of Human Rights and

highlight the need to honour and uphold human rights principles and standards.

Several sponsors came on board to show their support and we are grateful to LexisNexis SA, Aquacool, Shackleton Risk, Varsity College Westville (Business School), Virgin Active | Collection, Garlicke & Bousfield attorneys and the Durban University of Technology (Department of Applied Law) for their contributions. ●

Caption for picture (Left to Right)

- **Professor K. Govender** (Commissioner SA Human Rights Commission),
- **Benjamin Ntombela** (Legal Officer SA Human Rights Commission (KZN)),
- **Honourable Deputy Minister of Justice and Constitutional Development, the Hon. J.H. Jeffery, MP,**
- **Shamika Dwarika** (Regional Director: ProBono.Org),
- **Judge N. Radebe** (KZN High Courts) and
- **Asiya Khan** (Senior Legal Admin Officer: DOJ&CD, KZN Regional Office)

Unlawful Property Sales and Illegal Evictions by “Agents”

By Zunaid Latief, Cape Town intern

In South Africa the conventional purchase and sale of immovable property is administered by registered estate agents who analyse the property market, accompany clients to property sites, discuss and advise on conditions of sale and prepare agreements of purchase and sale between buyers and sellers. The process is further overseen by a conveyancer, who ensures that the necessary legal formalities are complied with and essentially ensures that transfer and registration take place.

Although it is legal for owners and prospective purchasers to buy and sell immovable property privately, it has become apparent that the Cape Flats and township areas within the Western Cape have been plagued by the presence of ordinary community members, who undertake to facilitate the process without the necessary mandate, or complying with the relevant legal framework. These individuals are often referred to as “agents” but are neither legal practitioners nor registered estate agents. In essence, their sole aim is to benefit from a healthy commission on conclusion of an unlawful transaction.

Common practice amongst these individuals entails the facilitation of a purchase and sale of immovable property by way of an affidavit and cash transaction. In the event that either the buyer or the seller has a legal dispute after the agreement has been concluded, it places them in a precarious position, as they find they have limited legal recourse available to them. At this stage, the “agent” has already received his or her compensation and is nowhere to be found.

The Prevention of Illegal Eviction and Unlawful Occupation of Land Act 19 of 1998 (PIE Act) safeguards South Africans from being unlawfully evicted from the land or property they occupy. It further sets out the procedure for the eviction of unlawful occupiers of land and avers that no person may be arbitrarily evicted from their home. Attorneys are therefore often appointed to ensure that eviction proceedings comply with the provisions of the Act. However, in light of consultations held with affected parties, it is evident that these “agents” blatantly disregard the provisions of the Act. In situations where the seller’s property is occupied by tenants or backyard

dwellers, the “agent” often acts as an enforcer and proceeds to eject these occupiers forcefully and illegally.

It has become clear that a number of underprivileged and marginalised individuals are completely misguided and have little to no knowledge regarding the legalities related to the purchase and sale of immovable property, as well as the eviction process, and they become easy targets for these so-called “agents”. In an attempt to combat this scourge, ProBono.Org Cape Town has embarked on a mission to host several community legal education workshops in affected areas. The aim of these is to empower and enlighten marginalised individuals with basic knowledge in respect of the acquisition and disposal of immovable property and the legal implications in respect thereof. These workshops also focus on and break down the PIE Act, with the aim of educating community members in respect of their rights and responsibilities relating to eviction disputes. ●



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