

ANNUAL REPORT 2019





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Mohamed Randera

Letter from the Chair of the Board

Yet another change in leadership occurred towards the end of the 2019 financial year. Michele Odayan resigned as National Director in July 2019 and the board undertook a search for her replacement. We were fortunate to secure the services of Teresa Yates, who was formerly the deputy national director of the Legal Resources Centre. As well as legal training, she has a background in human rights and development on the continent. In her 22 years of experience, she has worked at NGOs, for government and as an independent researcher and evaluator. She has acquired a range of important management skills and has also been directly involved in strategic planning, law reform and policy development, fundraising and budgeting, monitoring and writing, and leading diverse teams. Teresa led substantial design work on Alternative Dispute Resolution in the Department of Land Affairs in the 2000s, where she worked in the Tenure Directorate. She has also worked as gender justice coordinator with Oxfam in Tanzania, the South African government and Nkuzi Development Association, a South African land organisation focusing specifically on farm workers, land rights and land reform.

Since her appointment Teresa has brought a measure of stability to the organisation and has gained the support

of the staff, as well as forging good relations with our various donors, our panel of legal practitioners and our partners in the social justice sector. We are confident that the organisation is moving forward with renewed vigour and confidence, borne out by the fact that the number of clients assisted with access to justice continues to grow each year without an increase in the human resource base. We are most grateful to our volunteer lawyers across the country who commit their time and energy to assisting the many desperate people who seek our services.

I would also like to extend my gratitude to my fellow board members for their additional work and support during the leadership transition. Two board members' terms of office ended during the year. I would like to thank Ayanda Ngubo (formerly of Webber Wentzel and now with the SA National AIDS Council) and Sushila Dhever of Fasken for their contribution to the work of the board for the past few years.

Mohamed Randera

National Director's Report



I am delighted to be writing this report and sharing some of the incredible highlights of the ProBono.Org 2019 year. I joined the organisation in September 2019, the final month of this financial year. It was a relief to meet staff, including interns and volunteers who are dedicated to ensuring that access to justice in South Africa is not reserved for the wealthy and well connected. I feel a deep sense of gratitude for the support I have received from the staff and Board in helping me to settle into this new role.

ProBono.Org provides paralegal training and advice to ensure that many issues can be properly resolved without having to be referred to an attorney.

The special projects this dedicated team have worked on to provide quality legal services, especially the work with community advice offices, is so important in reaching people who are economically and spatially marginalised. Partnerships with advice offices ensure that pro bono services are reaching beyond urban centres. Advice offices are often the first point of entry in clients' search for legal assistance. ProBono.Org provides paralegal training and advice to ensure that many issues can be properly resolved without having to be referred to an attorney. This is an important way in which problem solving and sometimes dispute resolution are localised and communities become empowered to create lasting solutions.

The Family House Project presented ProBono.Org with the opportunity to work in partnership with Birmingham University academic Max Bolt to conceive of a form of tenure that recognises the specific experiences of housing dispossession caused by the ongoing impact of old apartheid laws which profoundly limited Black South Africans' ability to own property. If, as expected, this project is successful there will emerge for the first time since 1994 a new tenure regime that is specifically designed to incorporate African family practices and relationships to homes and houses into law that helps minimise dispossession and the threat of homelessness for millions.

Amongst ProBono.Org's most important partnerships are those we maintain with private attorneys, advocates and mediators, through our clearinghouse. Without the ongoing commitment of these professionals ProBono.Org would not be able to have the reach we have or provide the

quality or quantity of legal services to our clients. I would like to extend our gratitude to all who have supported our mission and vision in the past year.

Amendments to the Legal Practice Act, which require that practitioners participate in mandatory "community service" without specific mention of pro bono services, have created some uncertainty and frustration amongst practitioners. There remains an urgent need for the regulations to be published so that the legal framework is clear and so that systems and approaches for recognising pro bono hours can be adapted to accommodate the shifting landscape. While we await clarity on the place of pro bono services in the regulations, our approach continues to be one in which we emphasise that the provision in Section 29 of the LPA promotes community service, and although pro bono is not specifically mentioned, the strongest mechanism that lawyers have to contribute to their communities is through the use of their legal skills and expertise to ensure that the most marginalised have access to justice.

We would not be able to have the impact that we do without the generous support from our donors. Moving forward we will be focused on deepening our impact through providing the highest level of legal services, strengthening strategic partnerships, and building organisational resilience through ensuring financial sustainability. This is what we owe to the clients who continue to rely on and trust ProBono.Org to provide them with access to justice.

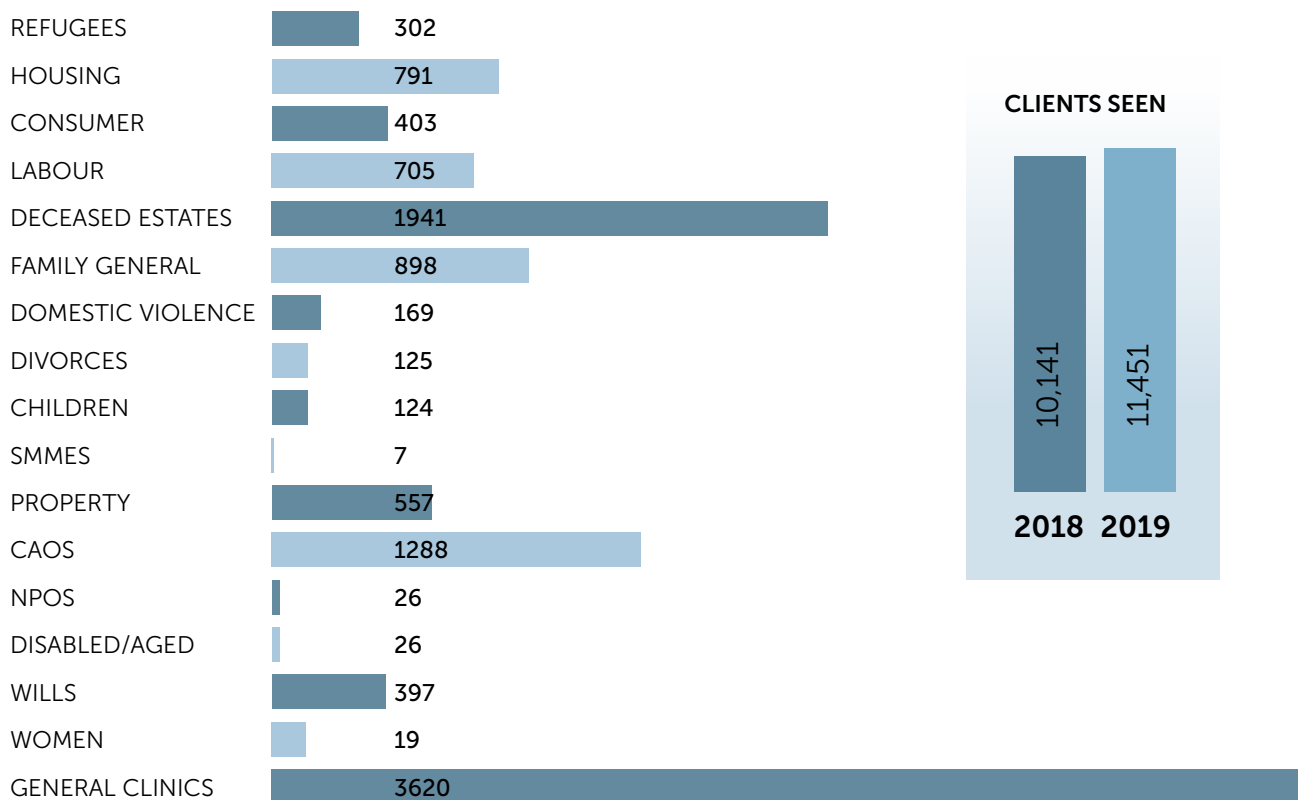
Teresa Yates



Legal Clinics and clients

ProBono.Org has continued to hold free weekly legal clinics dealing with housing, labour, refugees, family and consumer issues. In addition, there are help desks at various magistrate's courts, the Deeds Office, the Master's Office and in townships in Durban and Cape Town.

CASES 2019



CLIENTS SEEN



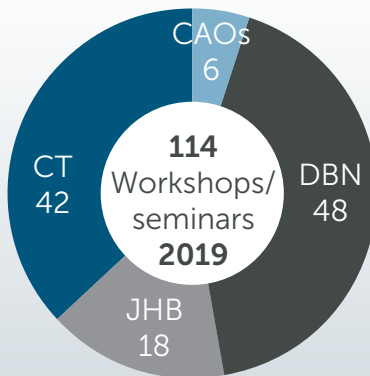
2018 2019



Legal empowerment

Throughout the year we have conducted workshops and seminars for the legal profession and community members. We choose topics dealing with issues that our clients bring to us regularly. While some of these information sessions are presented by our staff attorneys, the majority are conducted by legal professionals giving up their time as well as providing venues for the workshops.

COMMUNITY

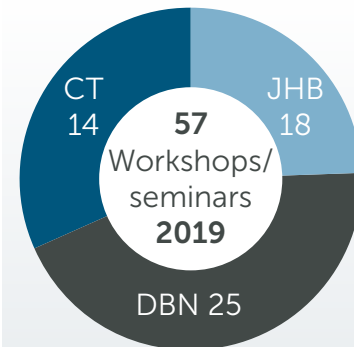


TOPICS

- Domestic workers' rights
- Migration and statelessness
- The Maintenance Act
- Domestic Violence
- Sexual Offences Act
- Protection orders
- Landlord and tenant rights
- Gender based violence and femicide
- Land and housing
- Evictions

4,509 community members attended

LEGAL PROFESSION



TOPICS

- Rights of unmarried fathers
- Refugee Act amendments
- CCMA and Labour Court Rules
- Customary marriages
- Children's Court Rules and Forms
- LGBTQI training
- Maintenance
- Estate planning and Wills

917 legal practitioners attended



Special Projects

One Child a Year – Johannesburg Office



Apart from the upsetting news around the daily plight of children in South Africa, there were major movements in the legal field impacting on children during the reporting period. On the agenda was the controversial proposed amendment to adoption

legislation. The controversy lies in the proposal, firstly, to change the legislation preventing government social workers from conducting an adoption and, secondly, to disallow all fees pertaining to the adoption process (currently only to be undertaken by independent accredited social workers and child protection organisations for a fee). The reasoning behind this proposed amendment has been criticised widely and the issue has not yet been resolved.

Secondly, South African social workers have exceedingly high caseloads - over 100 on average, despite South African norms and standards recommending a maximum of 60, and in developed countries like the UK and US, at around 20 to 30 children per social worker. The consequences were clearly visible in South Africa as all provinces, excluding the Western Cape, were faced with thousands of backlogs in foster care cases which needed to go to court. The system became so dysfunctional that the North Gauteng High Court has had to repeatedly issue orders extending all foster care cases in the

country to prevent orphaned and vulnerable children from being left in legal limbo, and to ensure that they can receive SASSA grants. The extent of the problem became clear when the High Court directive to the National Department of Social Development (DSD) to finally eradicate the foster care backlog by no later than November 2019 had to be extended.

A third issue that was and is still controversial, is the Constitutional Court judgment in the so-called “corporal punishment of children at home” case. The application to challenge the High Court’s order in the Constitutional Court was brought by FOR SA, one of the friends of the High Court. FOR SA averred that it acted on behalf of its members and the public at large who “believe that the scriptures and other holy writings permit, if not command, reasonable and appropriate correction of their children”. The issue before the Constitutional Court was whether the High Court’s declaration of unconstitutionality of the reasonable chastisement defence is correct. In a unanimous judgment, Mogoeng CJ (with Basson AJ, Cameron J, Dlodlo AJ, Froneman J, Goliath AJ, Khampepe J, Mhlantla J, Petse AJ and Theron J concurring) reasoned that because children may still be effectively disciplined without resorting to moderate and reasonable chastisement, less restrictive means to achieve discipline are available. Therefore, the Constitutional Court held that the common law defence of reasonable and moderate parental chastisement is inconsistent with the provisions of sections 10, 12(1(c), and 28(2) of the Constitution.

Realising that society has to be informed of and educated on this new development in the law, the OCAY project held a discussion session with 23 members of the public as part of the project's participation in the International Children's Day festival on 6 December 2019 held at Constitution Hill. It was clear that a long process will be needed to address this issue.

Apart from its core function of acting as a clearing house in securing legal representation for qualifying clients, the OCAY project presented two one-day training workshops on Children's Court practice to a total of 56 practitioners.

The project further presented a series of Strategic Platform Dialogues in four regions in Gauteng. The aim was to create a platform for recently admitted and young legal practitioners to engage with each other and with more experienced colleagues. The topics of the Dialogues were all very practical and focused on the professional/client relationship; the unwritten lessons of practice only learnt the hard way; and appropriate billing practices, which addressed overreaching, underreaching, deposits and fee estimations. A total of 51 practitioners attended these sessions. The value of the Dialogues, facilitated by two attorneys lay in the fact that practising law is challenging and although one is often fighting a losing battle, successful cases are rewarding and allow us to be part of the process of justice.

This experience was especially true for the OCAY intern and the legal practitioners assisting the many South African and migrant children who are undocumented because their own parents are undocumented. The Children's Project has combined forces with several stakeholders - the Children's Courts, Lawyers for Human Rights, the Home Affairs Stakeholder Forum (HASF) and others in addressing their needs. Despite all efforts and support, it remains a mammoth challenge on many levels.

The project successfully exercised its clearing house function in that it referred 40 cases to legal practitioners. In total 79 new clients were consulted, for which 57 files were opened and the balance of 22 received once-off advice. The number of open files fluctuated between 70 and 80 as cases involving children take many months to finalise and many files are carried over from previous years.

Elsabe Steenhuisen

The system became so dysfunctional that the North Gauteng High Court has had to repeatedly issue orders extending all foster care cases in the country to prevent orphaned and vulnerable children from being left in legal limbo, and to ensure that they can receive SASSA grants.





Community Advice Office (CAO) Support Project

The continued support from the C S Mott Foundation has seen a growth of this project over the years. As a result of this support the project is expanding in three areas: legal education, awareness and community outreach programmes; private law firm and legal practitioner recruitment in the regions where the community advice offices operate; and the training of paralegals who manage these community advice offices.

During 2019 we worked with four CAOs, namely Ntsu Community Advice Centre, Women and the Law (WATLA), Sibongile Advice Centre and the Orange Farm Human Rights Advice Centre. These offices received a monthly stipend as part of our support to assist them with the expenses of running an office including rentals, hosting of workshops and general administrative costs. The CAOs make it possible for us to provide legal services and to have a reach within the greater province of Gauteng and its indigent communities as well as in townships such as Mabopane, Orange Farm, the Vaal, Evaton, Soweto and Tembisa. The advice offices are responsible for planning, organising and facilitating pro bono training workshops for their respective communities, primarily around issues of land, housing rights, labour, maintenance, Small Medium and Micro Enterprise (SMME) support and issues on LGBTQI rights, amongst others. As part of the skills development of the paralegals, a training seminar was conducted with a special focus on SMMEs, hosted and facilitated by Fasken

Attorneys. The topics were influenced by the queries that the paralegals received from their community members who wanted to venture into business. The seminar dealt with tax clearance certificates, commercial contracts, employment contracts and service level agreements. The paralegals were further provided with training on Sexual Orientation and Gender Identification. This training focused on the health and justice services needs of the LGBTQI community, especially those targeted with hate crimes because of their sexual orientation or gender non-conformity and sensitising the paralegals to improve access to legal services for vulnerable groups. The event was hosted at The Other Foundation and facilitated by ENZA, a non-profit organisation that works to improve the lived experience of South Africa's LGBTQI community by enabling social, health and justice services and addressing gender-based violence.

Since our clients are indigent and it can be difficult for them to travel to our offices, the paralegals play an important role in bridging the gap as they are able to advise their community members and refer the cases to us if necessary. Through our clearing house facility we then refer the cases to an attorney for legal representation. The CAO paralegals have assisted over 2,000 members of their communities with legal advice and have conducted 13 community workshops with topics ranging from Media Law, Wills and Estates, Domestic Violence, Child Protection as well as Land and Housing matters. Our annual Women's Day and Housing Day events hosted at our head office enable us to bring together all the various CAO offices and communities

and the events each draw a crowd of over 100 members of the public. Through these events we are able to fast track the process of providing legal advice to clients. Apart from presentations on relevant topics, legal practitioners volunteer their services on these days to provide individual consultations. At the end of the day people leave with legal knowledge and the relief of having received assistance with their personal legal matters.

The third aspect of this project involves pairing CAOs with law firms so that they can provide pro bono training, legal support, advice and development to both the community and the individual paralegals. WATLA is supported by Hogan Lovells, Sibongile Advice Centre receives support from Cliffe Dekker Hofmeyr, Ntsu Advice Office continued its relationship with Gildenhuis Malatji Inc, De Korte Du Plessis, Scheepers Marius Attorneys and Mkhumbeni Attorneys, and they have more recently formed a relationship with Mphela & Associates. The Orange Farm Human Rights Centre still works closely with the Sebokeng, Vereeniging-Kopano and Meyerton Courts. Through this collaborative network we have been able to provide access to justice to the vulnerable and indigent communities in the public interest and through our clearing house, for which we are most grateful.

Nomaswazi Malinga



Refugee Project

Efforts in 2019 were directed at setting up a help desk for refugees and asylum seekers in conjunction with the Messina Advice Office and several meetings were held with law firms in the area. Most of the law firms are reluctant to provide pro bono legal assistance but we have made progress with the Polokwane Bar Association and have been given an office in the space used by Lawyers for Human Rights.

A highlight of the project this year was an invitation to attend a series of workshops by Norton Rose Fulbright SA dealing with refugee law.

As many of our clients request assistance through our refugee legal clinic, the information was of particular importance. It is well known that refugees and asylum seekers are vulnerable and marginalised and face institutionalised xenophobia from governmental institutions, at clinics when accessing basic healthcare services and in the process of applying for their documents. The high permit/visa rejection rate (90%) caused by the failed and poorly managed asylum process reflects this ill treatment and further exacerbates the plight of refugees. There is also a failure to implement existing laws, policies and court orders.

The workshop on the Refugee Act focused on equipping legal practitioners with the necessary knowledge and skills to deal with refugees, migrants and asylum seekers who require legal assistance. This included understanding the meaning of key terms such as refugees, asylum

seekers, internally displaced persons, foreigners, economic migrants, illegal foreigners, prohibited persons and undesirable persons. We also discussed South Africa's legal obligations, both international and domestic, who qualifies to be a refugee in terms of the Act, the grounds for persecution in the country of origin (race, tribe, religion, nationality, political opinion, membership of social groups and gender), the standard of proof to demonstrate a refugee claim, understanding the role of the Refugees Affairs Board in the status determination process, and that the enquiry in itself is inquisitorial in nature.

With the rights of asylum seekers being denied, the highlight of the workshop was the detailed explanation of the application and documentation requirements from border entry, first and second interview, obtaining a permit/visa, and what steps to take when the application is rejected (we assist our clients with judicial review applications once we appoint an attorney or counsel).

Our rights advocacy and awareness work on behalf of Refugees, Asylum seekers and Migrants ensures that they enjoy the full legal protection of the Bill of Rights such as access to education, health care, social grants, employment, self-employment, housing, bank accounts, identity documents, and that they may not be arrested arbitrarily and without due process being followed (unlawful arrest and detention) and abuse of power by the police, often in a bid to obtain bribes.



On 4 September 2019, Lawyers for Human Rights (LHR) and the Consortium for Refugees and Migrants in South Africa (CoRMSA) called an emergency meeting to address the renewed spate of violence against foreign nationals. Civil society, faith-based organisations, trade unions and community leaders gathered at Constitution Hill. The large turnout was unexpected, and the organisers were forced to change the venue twice to accommodate the numbers. The Human Rights Room at Constitution Hill quickly ran out of space. This was the second venue to prove too small for the gathered crowd.

The gathering was eventually ushered into an open-air courtyard of the former prison and a discussion followed on how to tackle the scourge of violence. Many shared their ideas on how to address the current challenges facing foreign nationals. The one idea that seemed to garner the most support was that of a march in the inner city to show support to the victims of the violence, which took place on 14 September 2019. An estimated 1,000 people marched from Joubert Park, through Hillbrow and onto Mary Fitzgerald Square. The march seemed to strike a chord with the large migrant population of Hillbrow, many of whom were seen weeping as they witnessed the march proceed under their windows and balconies. Given the level of trauma suffered by some in that community, such a reaction is understandable. The march proceeded in a disciplined manner and was well covered by the media and protected by the SA Police Service.

Mpho Mogodi







A broad engagement with these and other stakeholders has led to a committed effort and partnership to see this project and its recommended approach to tenure security and housing rights succeed.

The “Family House”

The concept of a dwelling in township and peri-urban areas as a “family house” is widely recognised in custom but not supported in law. These are houses that primarily fell under the old Black Administration Act which were then transferred to permit holders (usually the head of a household). This person could then sell the property or leave it to a spouse or anyone apart from family members who may have been living in the house for many years. The project seeks to include this concept in our legal system to secure the rights of family members. If successful, a new tenure right will be established. Our housing department has been working for some time on advocating for this new tenure regime. Some of our activities in this regard include: developing a position paper, drafted in partnership with Dr Maxim Bolt of the University of Birmingham. This paper has been presented at seminars and community events with expert speakers, it was shared with the Department of Human Settlements, the Deeds Office, City of Johannesburg, the Master of the High Court and other civil society organisations. A broad engagement with these and other stakeholders has led to a committed effort and partnership to see this project and its recommended approach to tenure security and housing rights succeed. A working group of legal practitioners has been formed to work further on this with ProBono.Org and a proposal will be presented to the MEC for Housing in Gauteng in the near future.

SMME Project

A strategic partnership between law firm FASKEN, the University of Johannesburg Centre for Entrepreneurship (UJCE) and ProBono.Org resulted in the establishment of a business law clinic, YAKHA ISIZWE (Building a Nation). The objective of the clinic is to assist small start-up businesses and entrepreneurs within Soweto to obtain free legal advice.

This clinic came at an opportune time as the South African economy continues to be hindered by high unemployment amongst young people and continued increases in retrenchments. Through this clinic, members of the public are encouraged to become entrepreneurs and are also given legal advice and knowledge on how they might start their own businesses. The clinic is based at the University of Johannesburg's Soweto Campus. Clients who are assisted at the clinic



range from members of the UJCE programme, clients who approach ProBono.Org and other members of the public. A monthly roster is compiled and the clients are booked to have legal consultations with a qualified attorney from FASKEN.

The clients are assisted with drafting of service level agreements, leases and finance agreements, advice on the different types of enterprises, tax clearance and the appropriate entities to register. The clinic has also assisted numerous clients who are not based in Soweto but travel from outside for assistance.

In an effort to grow and create more awareness about the clinic a very successful Entrepreneurship Fair was organised and hosted at the University of Johannesburg's Auckland Park campus. A diverse panel was convened to address the various concerns of aspiring and established entrepreneurs. The panel included a labour law attorney from FASKEN, a representative from the South African Revenue Services, E-Squared (Excellence in Entrepreneurship) and a representative from the Companies and Intellectual Property Commission (CIPC). The Yakha Isizwe team continues to provide legal empowerment services to Probono.Org over and above its clinic duties by assisting with various SMME queries and has also hosted a training seminar for paralegals in line with the clinic's continuous commitment to encourage and empower aspirant entrepreneurs.

Nomaswazi Malinga

AFSA/Global Fund

ProBono.Org is a sub-recipient of a grant made to the Aids Foundation of South Africa (AFSA) by the Global Fund. This is a three-year programme to address human rights violations suffered by people living with HIV/AIDS and TB. It involves training lawyers, community paralegals in 25 districts in eight provinces, identifying cases that are potential strategic impact cases and obtaining legal assistance and advice. We have hired a project manager and a financial administrator to assist with the project and will report on implementation results in our next annual report.

This clinic came at an opportune time as the South African economy continues to be hindered by high unemployment amongst young people and continued increases in retrenchments.

Durban Office



It has been a year of change, both within the legal fraternity and at ProBono.Org. The KZN Law Society (KZNLS) ceased to exist as of 1 October 2018 and made way for the Legal Practice Council, KZN Provincial Office, a transition which had an impact on ProBono.Org. Leading on from this change, we received calls from attorneys asking whether they needed to undertake mandatory pro bono work. The pro bono Rule was adopted at the 2010 AGM of the KZNLS, making it mandatory for members to perform a minimum of 24 hours of pro bono services per calendar year. Pro bono services were defined as the delivery of legal advice, opinion or assistance in matters within the professional competence of a member in order to facilitate access to justice. The changes in the LPA drop any pro bono requirement and therefore have left practitioners uncertain as to whether pro bono service is still seen as a priority. We await the regulations that we hope will provide some clarity and continue to provide the same quality legal services to our clients.

Whilst we await the changes and shifts in the legal landscape that are anticipated to emerge with enactment of new LPA regulations, the Durban office continues to assist the vulnerable and needy in KZN. Our labour, refugee, consumer, Verulam, housing, Chatsworth, deceased estates, family, Ntuzuma and Umlazi help desks functioned as usual. Regrettably, the KZN LPC was unable to follow in the footsteps of its predecessor, the KZNLS, and discontinued funding for our Durban High Court help desk. This was a setback in our legal services and meant that it had to close. As a result, other help desks, such as

the Family Law help desk, saw a substantial increase in the number of clients coming through, evidencing the value that the help desk had.

While we have continued our work with existing stakeholders and other NGOs, we have also engaged with several new organisations. Our commitment to the physically disabled and more vulnerable members of society remains a priority for the Durban office. We achieved so much in 2019 and some highlights of the year were our monthly seminars for the KZN Deaf Association, our specialised help desks for Women's Month, Wills Week and 16 Days of Activism. We have been fortunate to have had the support of several private companies, such as Lexis Nexis SA, Virgin Active | Collection, IIE's Varsity College, as well as stalwarts of the legal profession, such as Professor Karthy Govender, Andrea Gabriel SC and Judge Johann van der Merwe. With their support we were able to host our fourth annual Appreciation Day Event honouring legal practitioners and partners with whom we work and the public lecture commemorating International Human Rights Day.

Shamika Dwarika, Regional Director



Whilst we await the changes and shifts in the legal landscape that are anticipated to emerge with enactment of new LPA regulations, the Durban office continues to assist the vulnerable and needy in KZN.

Cape Town Office



The regulatory uncertainty created since the LPA came into effect in 2018 has presented some challenges in facilitating the provision of pro bono services. The Cape Town office however has experienced success this year largely due to the dedication of the Cape Town office team, the commitment of the private legal profession and the key partners and donors who support our work. During the reporting period we recruited twelve new law firms to our pro bono panel and an independent advocate. We also have a retired attorney who assists in an advisory capacity when

necessary, and two accredited mediators who provide pro bono assistance via mediation and alternative dispute resolution mechanisms when required.

One of the Cape Town office's notable collaborative partnerships was the national rollout of the sex work sensitisation training seminars in collaboration with Sex Workers Education and Advocacy Taskforce (SWEAT), South Africa's leading sex worker human rights organisation that has been providing services to sex workers since 1996. Currently, full criminalisation is the law which has been in place since 1957, with clients being specifically criminalised since 2007. This has resulted in high levels of violence, a lack of access to basic services, including healthcare services, and abuse of sex workers. These training seminars were therefore part of a series of workshops that were rolled out in Johannesburg, Durban and Cape Town, with the aim of sensitising legal practitioners about sex work and the experiences of sex workers in order to broaden their perspectives and encourage them to avail themselves when their skills and expertise are needed by this vulnerable group, as well as to assist people understand why SWEAT is calling for the full decriminalisation of sex work in South Africa.

Moreover, the Cape Town office currently has one monthly general law legal clinic situated in Langa in collaboration with the Langa Community Advice Office and Norton Rose Fulbright SA Inc, while it is important to note that our Gleemore, Gatesville, Heideveld and Kuilsriver legal clinics ceased to exist due to unfavourable numbers, limited legal practitioner

capacity and questionable viability. The Cape Town office proceeded to establish a bi-monthly general law legal clinic situated in Khayelitsha in collaboration with Ikamva Labantu and Cliffe Dekker Hofmeyr Inc, a housing referral help desk in Khayelitsha through the Transaction Support Centre in collaboration with 71Point4 and Norton Rose Fulbright SA Inc, as well as a monthly general law clinic held in Sir Lowry's Pass. Furthermore, we held ad hoc legal clinics in Delft, Fisantekraal, Mfuleni and Eersterivier during 2019, while a total of 27 Wills were drafted during the Annual National Wills Week.

In addition, the Cape Town office accredited a number of requests for assistance on behalf of non-profits. Some of the organisations that we assisted included, among others, Ikamva Labantu (working with active community leaders providing access to resources and opportunities), Beyond Bars Akademie (rehabilitation institute offering training in hospitality management to women formerly incarcerated), AfrikanLII (providing free access to the law of African countries and hosting the largest database of African case law on the internet), African Association of Environmental and Resource Economists (AFAERE - a continental academic association with the primary objective of promoting research, capacity building, collaboration, information sharing, advocacy, visibility and impact of environmental and natural resource economics) and the Aadil Moerat Medical Bursary Fund.

Despite being ProBono.Org's newest office, being regulated by a low means test and having limited staff capacity, the Cape Town office still managed to

extend and further its reach within Cape Town and the surrounding communities by assisting over 1,500 clients during the reporting period. We also held over 40 legal education community workshops and rights awareness interventions with over 1,700 attendees, and identified the following:

- The key interest groups identified were women and elderly persons;
- The key areas of law covered were wills and deceased estates; property: title deeds / transfers / RDP housing and evictions; customary marriages; domestic violence; harassment and parental rights and responsibilities (all areas of law which greatly affect the large majority of our client base); and
- The key communities were Mitchells Plain, Ravensmead, Macassar, Driftsands, Mfuleni, Khayelitsha, Delft and Sir Lowry's Pass.

The Cape Town office has come a long way since its inception, but we remain proud of the tremendous progress we continue to make and are pleased that things have taken shape.

Uzair Adams, Regional Director

Pro Bono Awards 2019

On 21 November 2019 we held an award ceremony at Constitution Hill to pay tribute to the many legal practitioners and others who made an exceptional contribution to pro bono work in 2018.

Our guest speaker was Judge Jody Kollapen, who pointed out that access to justice is way outside the experience of far too many people in the country. “How can the scales of justice be balanced if the judge only hears one side of the story? Legal representation is essential”, he said. “Pro bono services make rights real for those living in poverty.”



These were the award winners:

Family Law - Joseph Sithole, Ceri Von Ludwig Attorneys

Labour Law - Manager Gumbo, K M Legal Consultants

Wills - Liesl Williams, Norton Rose Fulbright SA

Community Advice Office - Sibongile Advice Office (Zola) Represented by Thandekile Mkhize

Large Law Firm - Bowmans (Fatima Laher)

Medium Law Firm - Clarks Attorneys (Sithembiso Mabaso)

Small Law Firm - Sumadhi Naidoo Attorneys (Sue Naidoo)

Refugees - Dakalo Singo, Werksmans

Children - Suné Bosch and Jonathan Small, Ramsden Small Attorneys, Vera Kruger, Abrahams & Gross

Housing - Naledi Motsiri and Dakalo Singo, Werksmans

Estates - Corncelia Chauke, Sonkosi & Ngalonkulu Inc.

Conveyancing - Chrysi Kripotos, Chrissi Kripotos Attorneys (for Johannesburg), Illse Nieuwoudt (for Pretoria)

Outstanding student at a university law clinic - Jarrod van der Heever, University of Pretoria Law Clinic

Advocate Award - Basil Joseph, Thulamela Group



There were also a number **of Special Mentions:**

- Susan Harris, Harris-Morgan Attorneys and Nikola Daniels were mentioned for working as a team on a long Germiston Children's Court case going back to 2017
- Dawn Grabe, Grabe Attorneys for attending at the Johannesburg Deeds Office every Tuesday and drafting wills
- Charl Albasini, Albasini Attorneys received a special mention for two children's cases he has been running over a period of two years
- MVC Inc. represented by Marinus Labuschagne for taking on family law cases and staffing the Domestic Violence Help Desk
- Rita Ozoemena, Grayston Chambers was mentioned for volunteering many hours to staffing the Refugee and Labour Law clinics as well as the Master's Office Help Desk

We are grateful to all the winners who dedicated so much time to our clinics and cases. Special thanks to our sponsors, Lexis Nexis, AJS Business Management Systems, The Millennium Trust and Spier Wine Estate.





Johannesburg Staff 2019

Teresa Yates	National Director
Pretica Singh	Finance Manager
Margaret Fish	Grants, Operations & Communications Manager
Nomaswazi Malinga	Family, Labour and Deceased Estates attorney
Elsabe Steenhuisen	Children's Project Manager
Mpho Mogodi	Housing and refugee attorney
Phumzile Ngenelwa	Office Manager
Fina Diba	Administrator
Nonkulumo Zuke	Receptionist
Nonkululeko Nomatshaka	General Worker
Tshenolo Masha, Michelle Odayan Resigned	

Interns

Mukhetwa Chauke
Phindiwe Cele
Muchengeti Hwacha



Durban Staff 2019

Shamika Dwarika

Regional Director

Trisha Dhoda

Staff Attorney

Seshni Govender

Staff Attorney

Gugulethu Makhanya

Administrator

Interns

Gracia Biganda

Neliswa Ncama

Akhona Mthembu

Sanele Zondi

Sethabile Sithole

Sinothile Zondi

Thulisile Buthelezi



Cape Town Staff 2019

Uzair Adams

Regional Director

Naeelah Williams

Staff Attorney

Asanda Conjwa

Administrator

Interns

Melissa Engelbrecht

Yolanda Mnyengeza

Siphesihle Mayedwa

Ellen Boriwondo

Courtney Cheri Cupido

Zekhethelo Cele

Zunaid Latief





Directors 2019



Teresa Yates



Mohamed Randera



Ayanda Ngubo



Ilan Lax



Janet Love



Khalik Mayet



Sushila Dhever



Wendel Bloem



Michelle Odayan
(resigned)



Financials 2019

STATEMENT OF FINANCIAL POSITION AS AT 30 SEPTEMBER 2019

PRO BONO ORGANISATION NON
PROFIT COMPANY REGISTRATION
NO. 2007/002099/08

ASSETS

Non current assets

Equipment

Current assets

Accounts receivable

Investments

Cash and cash equivalents

Total assets

RESERVES AND LIABILITIES

Reserves

Accumulated surplus

Equipment fund

Current liabilities

Accounts payable

Deferred income

Provision for leave pay

Total reserves and liabilities

2019	2018
R	R
14 124 945	12 980 909
176 455	225 791
176 455	225 791
13 948 490	12 755 118
232 504	282 062
9 632 888	9 071 913
4 083 098	3 401 143
14 124 945	12 980 909
14 124 945	12 980 909
4 682 726	3 885 679
4 506 271	3 659 888
176 455	225 791
9 442 219	9 095 230
209 830	85 228
9 004 301	8 768 000
228 088	242 002
14 124 945	12 980 909

STATEMENT OF COMPREHENSIVE INCOME FOR YEAR ENDED 30 SEPTEMBER 2019

PRO BONO ORGANISATION
NON PROFIT COMPANY
REGISTRATION
NO. 2007/002099/08

INCOME

Grants and donations
Interest received
Administration fees received

EXPENDITURE

Advertising and marketing
Annual report
Assets expensed directly
Audit fees
Award ceremony
Bad debts
Bank charges
Computer expenses
Consulting fees
Courier and postage
Directors emoluments
Equipment hire and maintenance
Evaluation
Insurance
Interest and penalties - SARS
Office supplies
Printing and stationery
Provision for leave pay
Refreshments and entertainment
Rent, parking, water and electricity
Repairs and maintenance
Salaries, wages and contributions
Secretarial fees
Seminars and workshops
Staff recruitment
Staff training
Subscriptions
Telephone
Travel and accommodation
Website costs
Workmen's Compensation

SURPLUS/(DEFICIT) FOR THE YEAR
BALANCE AT BEGINNING OF YEAR
TRANSFER TO EQUIPMENT FUND
BALANCE AT END OF YEAR

2019 R	2018 R
10 782 771	12 082 724
10 059 320	11 470 542
691 502	612 182
31 949	-
9 858 161	10 854 195
-	-
32 688	34 869
5 518	7 246
48 184	49 168
-	6 147
-	-
22 315	22 148
53 799	53 367
130 893	154 331
6 883	5 185
1 242 944	1 610 375
328 015	287 607
-	-
51 971	66 385
-	-
151 738	85 665
60 826	72 591
(13 914)	40 326
2 261	25 520
1 297 445	1 144 191
8 061	10 101
5 425 822	5 696 538
4 632	8 545
489 701	861 382
-	96 170
9 410	34 101
25 475	16 323
233 606	259 940
193 528	156 993
27 370	27 983
18 990	20 998
924 610	1 228 529
3 659 888	2 584 399
(78 227)	(153 040)
4 506 271	3 659 888

GRANTS AND DONATIONS FOR THE YEAR ENDED 30 SEPTEMBER 2019

PRO BONO ORGANISATION NON
PROFIT COMPANY REGISTRATION
NO. 2007/002099/08

GRANTS AND DONATIONS RECEIVED

GRANTS

Anglo American Chairman's Fund
Constitutionalism Fund
CS. Mott Foundation
AFSA/Global Fund
H C I Foundation
Millennium Trust
Open Society Foundation
Raith Foundation
The ELMA Foundation

DONATIONS

AAC Fund
Birmingham University
Bowman Gilfillan Attorneys
Butterworth LexisNexis
Cliffe Dekker Hofmeyr
Cape Law Society
Fasken
Foundation for Human Rights
Gauteng Law Council
Investec Women's Trust
R B Hagart Trust
Johannesburg Bar Council
KwaZulu-Natal Law Society
Legal Aid SA
Open Society Foundation for South Africa NPC
Other Foundation
Webber Wentzel
Werksmans Attorneys
Sundry donors

2019	2018
R	R
200 000	200 000
1 500 000	2 000 000
1 059 203	978 134
86 383	
308 000	229 000
2 232 360	1 390 000
800 000	-
2 134 667	2 728 000
-	1 855 000
90 000	-
70 907	-
185 000	-
30 000	40 000
100 000	50 000
150 000	-
200 000	150 000
48 000	93 000
150 000	-
250 000	50 000
250 000	
200 000	-
31 500	73 500
-	30 000
-	1 303 288
21 900	
200 000	200 000
-	40 000
11 400	60 620
10 059 320	11 470 542

Donors 2018

Anglo American Chairman's Fund

Birmingham University

Bowmans

Cape Law Society

Cliffe Dekker Hofmeyr

Constitutionalism Fund

Fasken

Foundation for Human Rights

Gauteng Law Council

HCI Foundation

R B Hagart Trust

Johannesburg Society of Advocates

KwaZulu-Natal Law Society

Lexis Nexis

Millennium Trust

Charles Stewart Mott Foundation

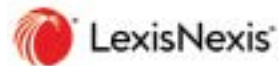
Open Society Foundation for South Africa

The Raith Foundation

Webber Wentzel



FASKEN



ALUTA CONTINUA

VIVA



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