



Congratulations on 40 years in the legal profession – Elsabe Steenhuisen, Manager of the ProBono.Org Children’s Project

3 July 2024 marked 40 years since the High Court in Pretoria, the then Transvaal Provincial Division, admitted me as an advocate. In 1984 the RAU Law Clinic (now UJ) required an admitted practitioner to assist at one of the law clinics on a part-time basis. I fit the bill as I had been one of its law clinic students two years before and preferred having flexi-time, looking after our first born.



and theoretical components of the final year LLB subject, Applied Legal Studies; and overseeing four law clinic offices with their staff and students, I had to raise funds. Together with two of my clinic colleagues and one secretary, we designed a handsome lucrative two-year paralegal diploma in 2000, which is still ongoing.

Besides my academic role as senior lecturer and obtaining the LL.M degree in 1995, I had many responsibilities as a director and participated often in high level managerial planning at the university.

So, my career started as a clinician and academic, whilst being allowed to take on private work. In 1990 I became the director of the RAU Law Clinic until 2007 when I resigned to accompany my husband to the USA. Both my contributions and functions at the university were diverse in nature, duration and exposure. Apart from running different law clinic offices at different times; teaching law of civil procedure; being responsible for designing both the practical

Upon our return from the USA in 2009, I gave training at the Johannesburg Bar; LEAD; different law firms; and to SASSETA paralegals, whilst practising in family law and mental health law. Upon securing permanent residence in Canada, I completed the Canadian LL.B in 2016. I volunteered my services to

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Write for us



We would like to invite legal practitioners to contribute to our bi-monthly newsletters by writing an article of up to 400 words (one page) on a topical issue of law. Please indicate your interest to the editor at margaret@probono.org.za

The deadline for articles for the next issue will be: 1 October 2024

ProBono.Org in 2012 and, until the end of 2018, ran the Johannesburg divorce help desk once a week with students enrolled at LEAD. Since 2012 I was involved at various help desks of ProBono.Org and in June 2016 ProBono.Org appointed me as a legal consultant on its children's project.

When looking back over one's career, one does realise what and who shaped it. Apart from my Christian upbringing, two communities played a central role: the diverse rural highveld communities in the then Eastern Transvaal - Breyten, Carolina and Ermelo – and the urban Rand Afrikaans University in Johannesburg. Principles of hard work, honesty, ambition, life-long learning and good citizenship were central to all. School and university mottos like "Werk en dien" (work and serve); "Non veribus sed vertute" (not



Adv. Elsabe Steenhuisen (first from right) is joined by dedicated staff members of ProBono.Org, some of whom have been with the organisation for many years.

by strength but by virtue), and "Diens deur kennis" (service through knowledge) imprinted the principle of service to others and the wider community. Upon taking the oath as counsel in 1984, the notion of justice became the benchmark in fulfilment of duty and influenced the exercise of

choice in my personal and professional life.

Human rights took on a new meaning when the Constitution came into effect, highlighting the vulnerability of the poor, the marginalised and the children, and the responsibility on us as legal practitioners. "Pro bono for all" presented its own challenges, often being a changing, slippery notion, stingy in presenting a successful remedy for each client. Such is legal practice – hard, tough, soul-wrenching, but also highly rewarding and often humbling. As a first-year law student in 1978 I wrote to my parents: "ius est ars boni et aequi" and today I

confirm that to me the law is still the art of goodness and fairness.

I am grateful for a blessed legal career and thank everyone whose path I have crossed over the years.●

Welcome to our new Board Member – Nolufefe Memeza

Ms Memeza is a chartered accountant by profession with more than 10 years' experience in financial management, and currently an MBA candidate. She has worked in the motor industry, consulting both in public and private sector and auditing of various manufacturing companies. She is an Associate Director at ANF Incorporated, a wholly

black-owned firm of chartered accountants and auditors in Johannesburg, and is responsible for the Accounting and Financial Management division of the business.

Ms Memeza brings a valuable financial oversight function to the board of ProBono.Org and we are honoured to be able to make use of her expertise.●



Attorney Refugee Law Training 2024

By Pearl Khumalo, Staff Attorney, Durban



On 19 July 2024, ProBono.Org Durban, in collaboration with HIAS South Africa practitioners, candidate legal practitioners and paralegals. The purpose of the event was to capacitate the pro bono panel to assist ProBono.Org with refugee law matters.

The event commenced with a welcome address from Alana Pugh-Jones Baranov, Country Director for HIAS South Africa. She outlined the role and mandate of HIAS South Africa in providing essential services and legal protection for asylum seekers and refugees, highlighting their partnership with ProBono.Org in refugee projects.

Dr. Hupenyu Makusha from the Catholic Archdiocese of Durban Refugee Pastoral Care delivered an insightful presentation on the needs and challenges faced by refugees in South Africa, providing a crucial social context for the attendees.

The programme continued with an overview of the Refugees Act (130 of 1998), focusing on the asylum seeker process and principles of international

refugee law, presented by Mellisha Hurchund from Mellisha Hurchund Attorneys. Nyiko Manyusa, Head of the Lawyers for Human Rights Durban office, gave a detailed presentation on the role of the Refugee Appeals Authority of South Africa and the mandate of the Standing Committee for Refugee Affairs in reviewing applications, certifications and withdrawals of refugee status. He also highlighted the issue of unlawful arrests and detention of asylum seekers and their efforts to hold the Department of Home Affairs accountable.

Advocate Senzo Luthuli from the KwaZulu-Natal Society of Advocates concluded the event with a presentation on the Promotion of Administrative Justice Act (3 of 2000) and provided attendees with practical drafting tips.

The HIAS-ProBono.Org refugee project aims to expand its reach in providing free legal assistance to asylum seekers and refugees. To achieve this goal, ongoing training of legal practitioners is essential. We encourage all attorneys on our panel to attend our training workshops and take on refugee law matters.●

Mediation Training for Teachers

By Elsabe Steenhuisen, Children's Project Manager



"Mediation is often used to resolve conflicts in various contexts, including conflicts within the school environment."

On 19 July 2024, ProBono.Org and the mediation Network Africa teacher training programme. The goal of the training was to empower teachers on various methods of conflict resolution that could be held between learners-teachers and teachers-parents. In attendance was a vast network of 34 Life Orientation teachers from schools throughout the Gauteng region.

ProBono.Org provided a brief legal insight on the applicable rights in cases of child pregnancies. In terms of the Choice on Termination of Pregnancy Act, females under the age of 18 can obtain an abortion and receive contraceptives without parental consent. However, if the female is under the age of 16, a health care provider has a duty to report the abortion to the National Department of Health.

Theresa Luyt from the Mediation Network Africa facilitated the training. She highlighted childhood trauma as being a contributing factor, explaining

to the teachers that such trauma can result in an array of mental illnesses, including depression and other personality disorders. She trained the teachers on the various symptoms to look out for while interacting with their learners.

Ms Luyt explained that the Children's Act and the Constitution expressly provide for the best interest of the child in all child-related matters. She unfolded formal family mediation (FFM) as a process where a mediator assists parties in resolving a dispute void of conflict. Mediation is often used to resolve conflicts in various contexts, including conflicts within the school environment.

The teachers received resources which they can refer to when conflict arises in their schools. They were also provided with extra conflict-related content to use in practice. When a dispute arises relating to a pregnant learner, the options available are: termination of the pregnancy; placing of the child in a foster

home; or adoption. Further, the prospective parents/guardians can conclude a parenting plan. A parenting plan agreement is a written document that outlines the arrangements for the care and upbringing of children after a separation or divorce.

A roleplay scenario was introduced to the teachers to provide them with a practical opportunity to implement their conflict resolution skills. The scenario included a pregnant learner who had had sexual relations with one of her classmates. The teacher noticed the pregnancy and approached the learner. The exercise aimed to establish how the teachers would mediate between the learners involved and their parents. The teachers were fully engaged in this exercise and had an opportunity to exercise the skills they had acquired during the training.

The training was a remarkable success. Many teachers expressed a wish to receive similar training in different alternative dispute resolution matters. ●

EVENTS

World Refugee Day

World Refugee Day Commemoration in Durban

By Pearl Khumalo, Staff Attorney, Durban

20 June 2024 marked World Refugee Day, an international day of recognition for asylum seekers and refugees.

To qualify for refugee status in South Africa, an applicant's circumstances must fit within the scope of Section 3 of the Refugees Act (130 of 1998), namely, that the applicant must have a "well-founded fear of persecution". In recent years, South Africa has seen an increase in the number of refugees and asylum-seekers seeking protection within its borders, particularly from conflict-affected countries in the region. The Refugees Act plays an important role in ensuring these individuals are able to access the protection, support and services they need to rebuild their lives and integrate into South African society.

On 21 June 2024, Refugee Pastoral Care (Catholic Archdiocese of Durban) together with ProBono.Org Durban, Lawyers for Human Rights, Africa Unite, Refugee Social Services, Church World Service and HIAS South Africa hosted a World Refugee Day Commemoration for the asylum seeker and refugee community at the Denis Hurley Centre in Durban. The event was refugee-focused and sought to raise the voices of asylum seekers and refugees. The event began with a welcome address from Dr Hupenyu Makusha from Refugee Pastoral Care, as well as music



and poetry performances.

This was followed by an insightful panel discussion led by Durban staff attorney Pearl Khumalo and Lawyers for Human Rights candidate

legal practitioner, Linda Dlamini. The discussion focused on the background, cultures and lived experiences of the panellists, who were a combination of asylum seekers and refugees. Emphasis was placed on the need for refugees to take the initiative to integrate into their new communities. Panellists also highlighted challenges faced with discrimination, documentation as well as access to some basic services.

It was acknowledged that more work needs to be done to provide social and legal support for asylum seekers and refugees. In light of the above, we encourage private legal practitioners to join our panel to take on our refugee

matters and make a difference.●

World Refugee Day in Musina

By Aphiwe Nonyukela, Staff Attorney, Johannesburg

ProBono.Org in collaboration with the Messina Legal Advice Office (MLAO) and the Consortium for Refugees and Migrants in South Africa (CoRMSA), celebrated World Refugee Day in Musina this year. Situated in the north of Limpopo and close to the Zimbabwean border, it has a refugee reception centre which receives thousands of refugees a day. Musina was therefore the perfect location to host a World Refugee Day event which is celebrated on 20 June each year to honour the courage, strength and determination of women, men and children who are forced to flee their homes under threats of persecution, conflict and violence.

Our event was aimed at celebrating and honouring refugees and the response we received from the community shows that we achieved our purpose. Community members came out in their numbers. There were performances by the Youth Group from Purpose Driven Ministry and a very touching performance from the Refugee Group. This all reminded us that we need to treat each other with humility and kindness.

A social worker from the Department of Social Development spoke on the services that they offer and that these services also extend to refugees. We also had a representative from the Department of Health who stressed the importance of building inclusive healthcare systems. We were also joined by various stakeholders such as Future Families, the Red Cross, International Organisation for Immigration

and the Outreach Foundation.●



Youth Day

ProBono.Org celebrates Youth Day 2024

By Yonela Yame, Johannesburg Intern

On 17 July 2024, ProBono.Org held a belated celebration to mark Youth Day. We hosted a dialogue discussion at Fort High School in Dobsonville, Soweto, in collaboration with Africa Unite, a human rights and youth empowerment organisation that aims to enhance social cohesion and promote socio-economic development.

The increase in incidents of learners assaulting their educators in schools is concerning and cannot be ignored. Just recently, a principal at Primrose Primary School, Germiston, was allegedly shot by a Grade 6 learner, aged 13. Our conversation, facilitated by Africa Unite, centered around

harassment, bullying and the constitutional rights and responsibilities of young people, particularly high school learners in South Africa. This dual-purpose dialogue condemned all acts of violence, at the same time empowering the young people with their rights so as to encourage them to become agents of change.

This event was another testament to ProBono.Org's commitment



to upholding human rights and contributing to a just and safe society. Youth empowerment is necessary for democracy to thrive; our country's greatest resource is the energy and potential of its young people. ●

Mandela Day

Mandela Day Food Parcels

By Precious Maredi, Johannesburg Intern

July 18 is not only an important day for South Africans but the world at large as we celebrate Nelson Mandela International Day on his birthday. Every year on this day many people around the world honour the life and legacy of Tata Madiba through acts of service.

Mandela Day encourages people to spend at least 67 minutes engaged in acts of community service and to make a positive difference in the world, reflecting Mandela's legacy of service and social justice.

On 18 July 2024, ProBono.Org had the privilege of collaborating with Ashraf Aid, an international non-profit organisation working to provide support to a wide range of vulnerable groups, including children and women. The Nelson Mandela International School of Social Justice also joined us as we commemorated this day.

We spent this day at the Wanderers Cricket Stadium where we packed food parcels for those in need, reflecting on the values Mandela stood for and the need to embody them in our lives through acts of service, kindness and the promotion of social justice and equality. Various other organisations and companies were also part of this special day. Nelson Mandela's unwavering commitment to fighting for human rights and his ability to inspire unity and reconciliation continue to resonate around the world. ProBono.Org has committed itself to participating in the Ashraf Aid drive for Mandela Day every year. ●



The Cape Town team celebrated Mandela day by making sandwiches for the residents of the Haven Night Shelter Welfare Organisation

The ProBono.Org Durban team gave 67 minutes of their time to support the Association for the Physically Challenged and the Umhlanga Women's Association. Their commitment honours Nelson Mandela's legacy by embodying the spirit of giving and empowerment



Women's Day

Empowering Women in Law – Durban Women's Day Breakfast

By Nicole Laljit, Regional Manager, Durban

In celebration of Women's Day, ProBono.Org Durban in collaboration with Shepstone and Wylie Attorneys hosted a special breakfast for female legal practitioners. The event, designed to honour and recognise the contributions and challenges of women in the legal profession, commenced with a warm welcome from ProBono.Org Regional Manager, Nicole Laljit.

Candice Pillay, Head of Social Impact at Norton Rose Fulbright, delivered an insightful talk on policies for women in the workplace, highlighting the importance of creating inclusive environments that support female professionals. This was followed by a wellness talk from Clinical Psychologist, Dr. Samantha Ramkissoon, who emphasised the significance of mental and physical well-being for women in high-stress professions.

The event concluded with closing remarks from Amanda Zwane, a partner at Shepstone and Wylie Attorneys.



Her address underscored the necessity of solidarity among women in law, encouraging attendees to support one another in navigating the male-dominated legal field.

A special thank you goes to Shepstone and Wylie Attorneys for hosting this impactful event and providing a welcoming space for discussion and empowerment. The breakfast served not only as a platform for networking and empowerment but also as a reminder of the resilience and strength of female legal practitioners. By fostering a sense of community and shared purpose, ProBono.Org continues to champion the cause of women in law, advocating for a more equitable and supportive professional landscape. ●

Joburg Women's Day - Friday 16 August

In celebration of Women's Month the Joburg office held a special event to celebrate the achievements of women legal practitioners. The remarkable speakers were (L-R) Anthea Platt, SC, Asiphe Funda (Section 27), Martha Chauke (Dobsonville Human Rights Centre), and Nwabisa Dlova (Women Against Abuse)



Adv. Elsabe Steenhuisen and her team from the One Child A Year project hosted a High Tea on Friday, July 26th, inviting diverse stakeholders involved in children's issues. This event followed a support webinar held in March 2024, focusing on mediation and providing assistance to teachers, child support organisations and legal practitioners.

First Female Chief Justice of the Republic of South Africa - Mandisa Maya



The Board of ProBono.Org, along with the National Director and Staff, extend their heartfelt congratulations to Chief Justice Mandisa Maya on her recent appointment. This milestone is a significant and inspiring step forward for the South African judiciary. In a country where women have historically been under-represented in the judiciary, her appointment is an encouraging milestone. We look forward to her impactful term in championing the constitutional rights of all South Africans and wish her every success in this important role. ●



Constitution Hill – a UNESCO World Heritage Site

UNESCO has proudly named Constitution Hill a World Heritage Site, joining a select group of prestigious landmarks. This is a major achievement, and ProBono.Org is thrilled to have our head offices located here. Being so close to the Constitutional Court strengthens our mission to make justice more accessible, making this recognition even more meaningful. ●

Tribute to Dr Zonke Majodina

ProBono.Org extends its deepest condolences to the family of the late Dr Zonke Majodina, who was the former Deputy Chairperson of the South African Human Rights Commission in the post-democratic South Africa.

Her remarkable human rights career has spanned nearly four decades, leaving a legacy for human rights, locally and globally. We celebrate a life well lived. May she rest in peace. ●



Call to Action – Cape Town Attorney Association

Join the Cape Town Attorney's Association at the Cape Town Magistrates' Court staffing the Domestic Violence help desk. These will be hosted every Tuesday from 09:00 to 13:00. Email Masi@probono.org.za for further information or alternatively, click on this link:

https://www.linkedin.com/posts/ctaa-cape-town-attorneys-association_domestic-violence-activity-7223629581633613824-lDEb?utm_source=share&utm_medium=member_desktop

source=share&utm_medium=member_desktop



Cape Town Offices move

We are excited to announce that our Cape Town team has relocated to the following address:

JDN House
26A Shortmarket Street
Cape Town 8001

Congratulations to our Cape Town Regional Manager, Masi Ncube, and his team! We wish them every success in their new premises.



VISIT OUR WEBSITE AND FACEBOOK PAGE
WHERE YOU CAN READ MORE ABOUT OUR
WORK

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