

Greetings!

This is our second edition of *Umlungisi* for this financial year and I would like to take this opportunity to thank you for the feedback received on the previous edition. Our next edition promises to be even better with much easier methods to share articles of interest with your colleagues.

Legal Aid South Africa was involved in a number of activities this reporting quarter. Most notably, we launched our Integrated Annual Report 2015-2016 and are very pleased to report that the last financial year was another successful year for Legal Aid SA, particularly in the delivery of professional legal services as per our constitutional mandate. This is without a doubt through the support received from you, valued stakeholder. To read our Integrated Annual Report, please visit <http://bit.ly/2bLBFKf>

Through our network of over 128 offices countrywide and partnerships with stakeholders, Legal Aid SA made significant headway in advancing the course of human rights and the betterment of the lives of the indigent.

These partnerships include various government departments for the 60th Anniversary of Women's Day celebrations at the Union Buildings; the Law Society of South Africa and its constituencies during National Wills Week; the Department of Justice and Constitutional Development throughout Access to Justice Week as well as NGOs and CBOs during Mandela Month and on Mandela Day.

We were also pleased to host delegations from Sri Lanka, Namibia and Vietnam this quarter, in order to share our legal aid models and discuss ways to further improve access to justice for all.

As part of recognising the linguistic and cultural diversity within Legal Aid SA and the communities it operates in, the organisation aligns with the Use of Official Languages Act (No. 12 of 2012) and has been collating stakeholder comments and feedback on its Draft Language Policy and preferred stakeholder languages. Thank you all for the valuable feedback we have received so far and for being part of the development and promotion of all official languages within the operation of Legal Aid SA.

Please get in touch with us on [communications2@legal-aid.co.za](mailto:communications2@legal-aid.co.za) to discuss any partnership initiatives. Let us continue to work together to increase access to justice for all.

As this edition close off, I say to you: Thank you; Ngiyabonga; Enkosi; Dankie; Ke a leboga; Ndo livhuwa; Ke a leboha; Ngiyathokoza; Siyabonga; Ndza khensa!

**Janeske Botes**  
Acting Communication Executive

#### VISION

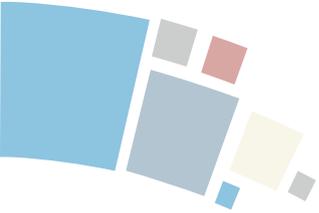
A South Africa in which the rights enshrined in the Constitution are realized and upheld, and responsibilities are complied with to ensure equality, justice and quality of life for all.

#### MISSION

To be a leader in the provision of accessible, sustainable, ethical, independent and quality legal services to the poor and vulnerable

#### VALUES

Passion for justice  
Ubuntu  
Integrity  
Accountability  
Service Excellence  
People-centred development



## LEGAL AID SA SPONSORS PROBONO.ORG AWARD

Legal Aid South Africa had the honour of presenting our sponsored award for the first time at the annual ProBono.Org Awards Ceremony held at Constitutional Hill on 6 September. The Legal Aid SA Award is awarded to a pro bono practitioner and service provider that has shown dedication and commitment to undertaking pro bono work for our organisation in 2015. The Award was also instituted in recognition of Legal Aid SA's long history of working with exceptional pro bono practitioners and service providers. It was only fitting to acknowledge their work through this Award.

Our organisation was represented by Chief Legal Executive Patrick Hundermark and National Operations Executive Advocate Brian Nair. They both also handed over the Award. The pro bono practitioner recipient of the Legal Aid SA Award was Mr Tsepiso Matubatuba of Matubatuba Attorneys. He is one of our Judicare attorneys and a product of our organisation, having commenced his legal career by serving his articles at our Germiston Justice Centre.

The pro bono service provider recipient was DNAbiotec®. They have assisted Legal Aid SA in pro bono matters for nearly 300 hours in the past year including liaising with our legal practitioners on DNA evidence and also training some of our practitioners in the basics of the science.



*Tsepiso Matubatuba receiving the Legal Aid SA Award*

## LEGAL AID SA CONTINUES TO FIGHT STIGMA AND DISCRIMINATION



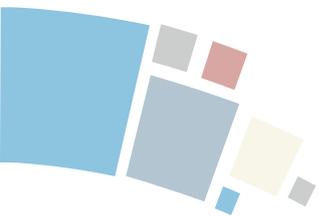
Moving forward from this year's 21st International AIDS Conference focus on *Access Equity Rights Now*, Legal Aid South Africa is proud to continue offering legal assistance at no cost to individuals who have been discriminated against based on their HIV or tuberculosis (TB) status. "This assistance is in the form of redress for rights violations, supporting access to HIV and TB treatment and prevention services, and ensuring protection from stigma and discrimination," says Janeske Botes, Legal Aid SA's Acting Spokesperson.

Legal Aid SA and the South African National AIDS Council launched the HIV and TB Stigma Project at the 2015 South Africa AIDS Conference. The Project is also supported by Section27, the International Labour Organization and Webber Wentzel.

"Access to legal aid and advice services for people living with HIV and TB, particularly those that are part of already vulnerable groups, is a critical concern in South Africa today. Legal Aid South Africa provides legal representation to low income and vulnerable sections of our population – the HIV and TB Stigma Project is an extension of this role," says Botes.

Through Paralegals based at our Justice Centres, Satellite Offices and Call Centre, we are able to offer a national network of assistance to those suffering from stigma and discrimination.





## LEGAL AID SA'S PEOPLE WITH DISABILITIES RECRUITMENT PROGRAMME



*Legal Aid SA Candidate Attorney Sabelo Nzuza*

Legal Aid South Africa strives to build a non-discriminatory South Africa in which the rights enshrined in the Constitution are promoted, respected and protected to ensure justice for all, including vulnerable groups in society.

We have committed to creating a socially cohesive and inclusive society by establishing a People with Disabilities Recruitment Programme.

The Programme invites and encourages job applications from people with disabilities for vacant positions at Legal Aid SA. The organisation is proud to record that 27-year-old law graduate Sabelo Nzuza, who has cerebral palsy, was recently appointed.

The People with Disabilities Recruitment Programme was developed in order to promote diversity and equal opportunities for all in the organisation. "We strive to create a workplace environment that is welcoming to all.

Legal Aid South Africa continues to work tirelessly to accommodate people with disability within our workforce; we currently have 50 people with disability in our employ," says Amanda Clark, Legal Aid SA's Human Resources Executive.

## WOMEN'S DAY CELEBRATIONS AT THE UNION BUILDINGS

Legal Aid South Africa joined scores of South Africans for the 60<sup>th</sup> Anniversary Women's Day celebrations at the Union Buildings.

Our National Office and Pretoria Justice Centre team joined many other stakeholders in a huge exhibition marquee set up for different organisations and businesses to educate the public, promote awareness of their services and allow for networking.

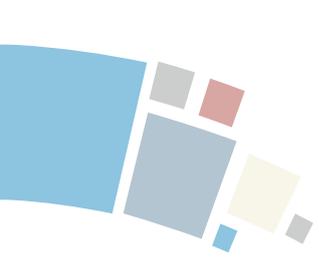
The attending women had many questions regarding estates of their late parents which had been taken away from them by their grandchildren without any legal proceedings followed. The procedures and consequences of divorce were also frequently asked about.

The exhibition proved to be a worthy exercise with Legal Aid SA consulting with and reaching over 1000 women and children who came to visit our stall.



*Legal Aid SA Citizens continue to protect the rights of the vulnerable*





## LEGAL AID SA PROVES THAT QUALITY LEGAL REPRESENTATION IS NOT ONLY FOR THE RICH

Legal Aid South Africa continues to demonstrate its commitment to providing the poor and vulnerable with quality legal services, which includes the appointment of expert witnesses. In a matter heard at the Bloemfontein High Court in July, a DNA expert was appointed by Legal Aid SA to ensure the best possible representation for our client, Mr Jeremia Ramotibe.

We are on record as the legal representative of Mr Ramotibe, who was charged with the murder of the deceased Ms Tatum Nel. Our client was represented by Judicare Advocate Jan Nkhahle instructed by our Bloemfontein Justice Centre. Mr Ramotibe was linked to the murder by his alleged confession and a bloodstain found on his t-shirt by the police. The matter was moved from the Bloemfontein Magistrate's Court and referred to the High Court due to its complex nature.

Legal Aid SA appointed DNA expert Dr Antonel Olckers to testify in this matter. She is the CEO of DNAbiotec® and testified as an expert witness on the scientific validity of the evidence submitted to the Court. Dr Olckers contributed her significant expertise to the cross-examination of the Forensic Analysts from the SAPS Forensic Science Laboratory. Their DNA analysis of the bloodstain found on our client's t-shirt was contested.

Legal Aid SA's Chief Legal Executive, Patrick Hundermark, says "The appointment of Dr Olckers demonstrates Legal Aid South Africa's ongoing commitment to ensuring that the poor also receive quality legal assistance, including the appointment of experts where this is required for a competent defence.

It is often heralded that the appointment of experts is the preserve of the rich which we as Legal Aid South Africa need to categorically dispel. We have standard operating procedures and budgets in place to ensure the appointment of experts where same is found to be legally necessary for a competent defence.

We also continually train our legal practitioners in the various expert sciences such as DNA, medical forensics, finger and palm prints, ballistics and questioned documents to ensure quality legal representation for our clients."

This matter highlights our mandate as set out in the Legal Aid South Africa Act (39 of 2014) and Section 35 of the Constitution of the Republic of South Africa, which impels us to ensure that every person who is arrested, detained or accused has a right to a fair trial, which further includes the right to have a legal practitioner assigned by the State. Legal Aid SA upholds the notion of being presumed innocent until found guilty by a competent court of law.



*Chief Legal Executive Patrick Hundermark*

## LEGAL AID SA CANDIDATE ATTORNEYS ACE BOARD EXAMS ON FIRST ATTEMPT



*The twins on both ends, Nyiko Patrick Hlongwani (with red tie) and Vutlhari Elvis Hlongwani, with Clitus Masekoameng in the middle*

Legal Aid South Africa's Candidate Attorneys (CAs) continue to achieve what many do on their second or even third attempts - passing all four of their Board exams on their first attempt.

Twin brothers, Nyiko Patrick Hlongwani and Vutlhari Elvis Hlongwani, did well in their Board Exams and credit their remarkable achievement to the exposure received while working for Legal Aid SA, describing the environment as friendly and resourceful.

They also mentioned the usefulness of daily case discussions, interval training and the experienced legal practitioners at Legal Aid SA who are always willing to help. Clitus Masekoameng is another high flyer CA who is enjoying his time at Legal Aid SA. "I have to say this is the best learning place that all CAs can hope to be trained at," he said.

Hulisa Vele also passed all four Board exams on her first attempt. She attributes her excellent Board Exam results to Legal Aid SA's exam preparation classes held over weekends.

## LEGAL AID SA'S FSNW REGION'S ACCESS JUSTICE WEEK ACTIVITIES

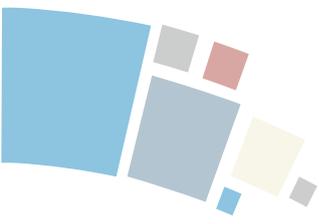
Legal Aid South Africa's Mafikeng and Rustenburg Justice Centres (in our Free State/ North West region) partnered with the Department of Justice and Constitutional Development and other stakeholders for Access to Justice Week in August.

In Mafikeng, the programme was launched at the Molopo Magistrate Court. Our Regional Communication Practitioner Thabo Koole attended the Rustenburg Magistrate Court event with colleagues from the local Justice Centre.

Community members at both events were informed of the mandate and services offered by Legal Aid SA and given legal advice on customary law marriages; divorce; succession and administration of estates; domestic violence; child abuse/violence against children; gender-based violence; child custody and access guardianship; foster care and maintenance.



*A long queue of clients at Rustenburg Magistrate Court during Access to Justice Week*



## **RICHMOND SMALL CLAIMS COURT OPENS IN KWAZULU-NATAL**

Legal Aid South Africa’s KZN Regional Office Executive Vela Mdaka was amongst the many stakeholders who attended the official launch of the Richmond Small Claims Court.

The Department of Justice and Constitutional Development aims to extend civil justice services through the establishment of Small Claims Courts for previously disadvantaged communities in rural areas, townships and smaller towns. There are currently 378 established Small Claims Courts nationally and additional Courts are being established on an ongoing basis.

Mdaka explained: “It is important that communities have access to justice. The Department must be commended for bringing such services to the doorstep of the Richmond community.”



*Deputy Minister of Justice and Constitutional Development John Jeffery officially unveiling the plaque*

## **LEGAL AID SA’S QUEENSTOWN JUSTICE CENTRE BRINGS WARMTH TO A COMMUNITY IN NEED**

Winter is a tough time for vulnerable groups in South Africa but the cold did not discourage Legal Aid South Africa’s Queenstown Justice Centre staff from taking their time to prepare meals and donate food and warm clothing to those in need. The initiative was part of the Winter Warmth campaign which forms part of Legal Aid SA’s Organisational Culture Programme.

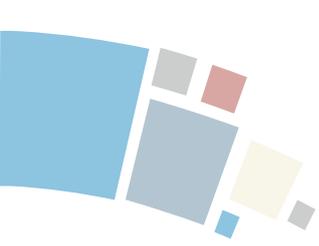
The staff visited the Sisonke Home-Based Community Care Centre in McBride. Legal Aid SA staff donated clothes, bought new blankets, contributed soup ingredients and purchased meat. The Justice Centre arranged with the local guesthouse to cook the soup.

The day was well attended by community members and leaders including the Chief.



*Legal Practitioners Rene Pillay and Asanda Madikiza serving soup to the community*





## LEGAL AID SA'S PRETORIA JUSTICE CENTRE TRAINS SOCIAL WORKERS



*Social Workers at the training session organised by Pretoria Justice Centre and Rata Social Services*

Legal Aid South Africa's Pretoria Justice Centre held a training session and public lecture at Wapadrand Hervormde Kerk in conjunction with Rata Social Services to assist Social Workers with investigations, the writing of reports and the procedures of Children's Court matters. The training was attended by 35 Social Workers from several provinces within Rata's structures.

The entire process these Social Workers engage in, from the intake of new clients, enrolment of the matter in the Children's Court and management of the matter until finalisation was discussed.

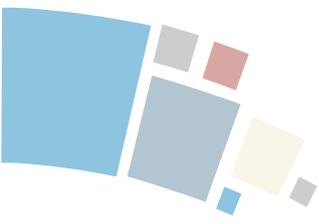
Legal Aid SA was specifically requested to assist with the formalities required by the Children's Act; report content; usage of Specialist Evidence; presentation of cases; cross examination of parties and court etiquette. The Pretoria Justice Centre's Supervisory Legal Practitioner-Criminal Bronwinn Marshall spoke on attorneys who appear on behalf of parents, as well as those who appear on behalf of children.

She emphasised the difference between a children's lawyer and a 'best interest' lawyer.

"We dealt with the different processes to be followed when dealing with the Child Justice Act and children in conflict with the law, especially where these matters are converted to Children's Court matters," she said. Questions were asked about the assistance of child witnesses who are now faced with the challenge of testifying in a Criminal Court, where Children's Court investigations have led to the arrest of abuse/rape/molestation perpetrators.

The Social Workers were advised on how Legal Aid SA can assist the National Prosecuting Authority in leading investigations and protecting the rights of child witnesses, as well as the services the organisation provides in Family and Children's Court matters.





## LEGAL AID SA ENSURES JUSTICE THROUGH SOCIAL MEDIA

Facebook is often synonymous with sharing moments, memories and connecting with friends. However, Facebook can now also be remembered as having been instrumental in solving a legal dispute.

Legal Practitioner Enrico Guarneri from our Johannesburg Justice Centre assisted a client in an appeal matter by perusing their Facebook messages. The client was initially convicted for robbery and sexual offence charges in 2013. Unsatisfied with the verdict, the client filed for an appeal against the ruling and approached Legal Aid South Africa.

The client was adamant that there were Facebook message exchanges between the two parties, which were ignored in court. Guarneri duly accessed the client's Facebook messages in an investigation. The messages contained vital evidence that corroborated his client's claim. The evidence was subsequently presented in court which led to the acquittal of the client.

Legal Aid SA is proud to have been involved in this precedent-setting matter.



*Legal Practitioner Enrico Guarneri*

## LEGAL AID SA ADOPTS NALEDI HOSPICE CENTRE IN TSHEPISONG



*Communication team members with Naledi Hospice Centre caregivers*

Legal Aid South Africa's Communication Department visited Naledi Hospice Centre in Tshepisoong, on the West Rand, Gauteng as part of celebrating Mandela Month.

Naledi Hospice Centre is a non-profit organisation established by a Sister who pays for all the basic expenses from her salary. She provides shelter, food, clothing and medical assistance to the elderly. This Centre takes care of abandoned and sick senior citizens.

The Communication team spent 67 minutes with residents of the Centre and donated food and clothing. The donations received were warmly welcomed, as the Centre has limited resources. The residents were also excited to receive visitors and were reminded that they too are important in society. While the visit was emotional for the Legal Aid SA Citizens, the experience helped to found a good partnership within the community while living true to one of the core values of our organisation, *Ubuntu*.

