

THE BLACK SASH ADVICE OFFICE

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Advice Office Co ordinator
Cape Western

Annual Report
1993

OFFICE HOURS: MONDAY - THURSDAY 9 a.m. - 1 p.m. • 2 p.m. - 4 p.m. CLOSED ON FRIDAYS

UNDER THE AUSPICES OF THE BLACK SASH AND THE SOUTH AFRICAN INSTITUTE OF RACE RELATIONS

THE BLACK SASH

women for human rights

Our Vision is a South Africa in which human rights are recognised in law and respected in practice, and in which the government is accountable to all its people and attends to their basic needs.

Our belief is that through individual and collective non-violent action people have the power to change society.

Our aims are to promote:

- the constitutional entrenchment and protection by law of human rights for all;
- equal access to justice for all;
- the establishment of democratic and accountable government;
- an awareness of the roles of civil society as well as the state in the achievement of social and economic justice.

Our immediate goals are:

- to monitor infringements of political and socio-economic rights;
- in all our work to monitor how the rights of women are affected;
- to engage in para-legal work which strengthens people's capacity to understand and claim their rights;
- to campaign for justice in legislation and state administration;
- to research and debate human rights;
- to develop those membership and staff capacities necessary to fulfil our aims.

THE BLACK SASH
WOMEN FOR HUMAN RIGHTS

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Introduction

The Sash Vision statement, which was launched this year, is an appropriate mirror to have on one's advice office wall. Every time I look at it, I'm reminded of why so many of us joined Sash in the first place: because we had a vision of a South Africa in which human rights *should* be enshrined.

We wanted to be human rights workers. It's a sentiment that gets muttered sometimes when we get stuck on a management issue: "I didn't join Sash to manage people, I joined to do human rights work". We sigh, and muddle on.

I would like to hold up this mirror, to our Advice Office here in Cape Town, to illustrate just why Sash's vision is such a necessary one.

Our numbers didn't increase as dramatically compared to last year's. In 1993 they went up 21% from 1992's figures, but with the morning cut a bit shorter by doing voter education, the office often had 30 people by 11h00. We felt helpless, at times, particularly when approached by the utterly destitute, and those traumatised by the violence in local townships.

We were horrified by the violence that shook our country in 1993, and hope that it will not destabilise the 1994 election which we hope will bring peaceful and democratic change.

There were staff changes aplenty this year. Annemarie Hendrikz was appointed to the new post of National Advice Office Co ordinator, and has discovered the joys of computers, fax machines, to keep in contact with NINE advice offices. She does this with dogged perseverance, and not even a fractured arm will stop her! Her superb organising skills shone through with the constructive advice office workshop held in P.E. Thisbe Clegg was appointed to National Financial Administrator, and her chairing skills are sorely missed in the management committee.

Bastienne Klein and Nomahlubi Nabe were appointed to fill the gap Annemarie left. Nomahlubi was promoted to Advice Office Organiser with the responsibility of day to day running of the advice team in room seven, including volunteers and management of the filing system; Bastienne is responsible for research and campaign work as well as management of finances and paid staff.

Both Annemarie and Nomahlubi went on long leave this year, leaving others feeling very stretched at times. We wondered how we would cope without Nikelwa, when she left in March; In the wings, was Hilda Boikanyo, one of our voluntary trainees from Katric who was employed temporarily until the end of the year. She became indispensable, and we welcome her, and have taken her on to our staff next year.

It was a year of simply trying to cope with demands from new staff, 2
trying to catch up with information from other regions, and
realising that we had to be focused in order to survive. Practical
details and meetings took up a lot of our time this year, but I see
that our office is starting to work more proactively than before.

Annemarie left a team who were on good terms with everybody. They
have an amazing capacity to adapt to a neverending flow of new co-
ordinators - and their different ways of doing things.

After our exhausting annual appraisals, 1993 appears to have been a
year of great growth for all of us. Growth never seems to come
without pain or doubts, but I think that we are prepared for what
is to come in 1994.

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STATISTICS 1993

Our statistics and our advice office workers tell us that this government is not accountable to all its people, most of whom have been excluded from decisions both in law and practice, which pertain to their basic needs.

These statistics show a rise in retrenchment (1992: 84 cases 1993: 207 cases); desperate attempts to survive on six months of UIF payments (1992: 312 cases 1993: 470 cases), as dismissals rise (1992: 176 cases 1993: 437 cases). Women battle to claim maintenance from fathers (1992: 252 cases 1993: 643 cases) and their children suffer. Persons between 50 and 60 years who are retrenched try to cash their private pensions, in an attempt to keep a living and a roof over their heads (Private Pension cases 1992: 468 cases 1993: 1011 cases).

We saw a total of 4791 cases, which is 21% up on 1992 (3858 cases) of which:

(2206) 46% were new cases, (2585) 64% were old cases
(1928) 40% were women, (2863) 60% were men

Year totals	---Old---			---New---			Ttl
	M	F	T	M	F	T	
	WCA	128	18	146	64	6	
Tax	4	0	4	14	0	14	18
Security Guards	1	2	3	1	0	1	4
Pensions (state OAP)	87	44	131	50	29	79	210
Pensions (private)	514	150	664	270	77	347	1011
Disability Grants	113	68	181	67	65	132	313
Foster-care grants	1	23	24	0	12	12	36
Maintenance (state grants)	4	118	122	12	104	116	238
Parental maintenance	9	360	369	9	265	274	643
Psychological	0	2	2	0	1	1	3
MVA/accidents	20	21	41	31	22	53	94
Medical	1	1	2	0	1	1	3
Legal	22	5	27	16	6	22	49
LABOUR: Assault at work	11	7	18	19	9	28	46
Bankruptcy	5	3	8	4	4	8	16
Dismissal	179	23	202	200	35	235	437
	0	0	0	0	0	0	0
Security guard	0	0	0	0	0	0	0
Domestic worker	6	29	35	11	80	91	126
Farm worker	2	2	4	3	1	4	8
Retrenched	80	6	86	110	11	121	207
UIF	192	32	224	197	49	246	470
Wages	43	5	48	58	5	63	111
Insurance	12	2	14	7	5	12	26
Identity documents/citizenship	30	16	46	37	19	56	102
Housing	12	13	25	7	11	18	43
Fraud	30	7	37	11	9	20	57
Family/domestic/marital	25	26	51	32	47	79	130
Welfare/destitution	11	10	21	22	25	47	68
Consumer/hire purchase/finance	17	7	24	16	7	23	47
Health	1	0	1	0	0	0	1
Referrals	0	0	0	2	0	2	2
Miscellaneous	12	13	25	21	10	31	66
TOTAL	1572	1013	2585	1291	915	2206	4791

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*** to develop those membership and staff capacities necessary to fulfil our aims."**

PEOPLE

Volunteers

ADVICE OFFICE COMMITTEE

Mary Burton	
Thisbe Clegg	Treasurer and Bookkeeper (to July)
Betty Davenport	Chairperson (From July to December)
Jenny de Tolly	(until October)
Anne Greenwell	Monitors rep. from Regional Council
Carol Lamb	Regional Council Rep
Sue Philcox	Chairperson (From January until July)
Noel Robb	
Lou Shaw	Treasurer (from July)

MANAGEMENT COMMITTEE (FOR THE REGION)

Thisbe Clegg	Advice Office Treasurer & Chairperson
Betty Davenport	Advice Office Rep.
Jenny de Tolly	National Executive Rep (until October)
Dot Erlank	Regional treasurer
Sue Joynt	National treasurer
Carol Lamb	Regional Council Rep
Sue Philcox	Advice Office Trust Rep.
Sarah-Anne Raynham	National Executive Rep (from November)
Lou Shaw	Advice Office Treasurer (From July)
	(One paid staff rep also on MComm)

CASEWORKERS and BACKUP WORKERS

Donna Ambrogi	Beulah Greshoff
Lynne Aschman	Trudy Haeck
Di Andrews	Claire Harkin
Monica Bates	Bastienne Klein
Sue Cook	Mary Livingstone
Muriel Crewe	Noel Robb
Lisa Durrell	Gail Strong
Betty Davenport	Esther Zwarenstein
Val Goldschmidt	
Roma Gottlieb	

Some joined us during the course of the year, and some left before the end of the year.

VOTER EDUCATION VOLUNTEERS

Betty Emmett
 Val Goldschmidt (Co-ordinator)
 Jean Goode
 Lu Harding
 Annemarie Hendrikz
 Sybil Noble
 Esther Scher
 Ann Snadden

Khayelitsha Training Resource Information Centre (KATRIC)

VOLUNTEER TRAINEES

Hilda Boikanyo
 Martin Jooste

DANCHURCHAIID VOLUNTEER

Nana Gadegaard Nielsen

Paid Staff

NATIONAL

Annemarie Hendrikz National Advice Office Co -ordinator
 (from June)
 Thisbe Clegg National Financial Administrator

CAPE WESTERN ADVICE OFFICE

Hilda Boikanyo Interpreter (From July)
 Paula Cardoso Monitoring/Assistant AO Co-ordinator
 (half time)
 Nomthandazo Gaqa Karoo advice and Field worker
 (until June)
 Annemarie Hendrikz Advice Office Co-ordinator (until June)
 Bastienne Klein Advice and Campaign Co-ordinator &
 Bookkeeper (Half time)
 Nombuyiselo Maloyi Interpreter
 Nomahlubi Nabe Advice Office Organiser
 David Viti Caseworker (part time)
 and
 Nikelwa Tengimfene World University Services (WUS) 12 month
 trainee placement (until March 1993)

PAID STAFF

With Nomahlubi no longer doing casework in the mornings, she is able to take over the volunteer training, and supervises the team in room seven. One notable change in the way we worked in 1993, was doing group work if there are 2 or more cases in one category; e.g. private pensions, where up to 10 or more advice seekers at a time were dealt with. Nombuyiselo Maloyi had great successes with private pension schemes, by making one enquiry concerning many cases.

Hilda Boikanyo did the same with Maintenance (Non-support) cases, and it must help the women battling with maintenance issues, to see that there are others fighting too.

We talk about these matters at our weekly staff meetings, and our hits of the week often cheer everybody up and make the battling seem worthwhile.

The Sash's goal is to develop staff capacities which enable us to do our human rights work. This is partly done by setting individual and group objectives at our annual appraisals, and know that they will guide and enable us to work positively in our jobs. Thanks to Annemarie for guiding us through the process, and helping us to reach this goal.

VOLUNTEERS

Roma Gottlieb stopped working this year, and we miss her calm, measured way of dealing with cases. Noel Robb, who turned 80 in 1993, doggedly continues despite asthma and another operation to her hip. We missed her expertise for two months while she was away. We also missed Beulah Greshoff's thoroughness, while she was on a two month break.

Some volunteers were happy to do backup work: Monica Bates answered telephones while we were in meetings, Lisa Durrell filed cases when things were hectic; Trudy Haeck did the annual statistics, and developed a better form for filling in their details. There are many more who helped, and we thank each and every one of them for their valuable contribution.

We realised the importance of training new volunteers on issues, in concentrated sessions, rather than leaving it to the once a month slot. Nomahlubi arranged these sessions well. Not many volunteers seem able to attend the monthly meeting, and so we are looking at changing this format in 1994.

DANCHURCHAIID VOLUNTEER

Nana Gadegaard Nielsen has been with us since the Advice Office workshop in October. She has sorted, categorised and literally built up the Sash's W Cape resource centre. She is demystifying the process of tracking a bill through parliament, for the Legislation Watch, and this document will be available soon. She has also observed advice office work. As if all this is not enough, she has taken on analysing the submissions made by Sash to the Goldstone Commission on the taxi war, with Sash monitors. She monitored the Amy Biehl trial, and has stood in a Black Sash stand on human rights day.

ADMINISTRATION AND MANAGEMENT

With Annemarie and Thisbe moving into No 7 Long Street, with Paula and Bastienne (and later our Danchurchaid volunteer), and Hilda Boikanyo being the 4th person in Room 7 (at No 5 Long street) we realised that we were growing again.

Room seven has a new coat of paint, shelving and a fourth desk. There is a resource centre set up at No 7 Long Street. All these administrative tasks take up time and are often not realistically incorporated in what you can do in a day.

We purchased two computers and a dot matrix printer, which eased the demand on the caseworkers' computer and printer, previously shared between 4-5 people.

Annemarie, in her role as national advice office co-ordinator, sent us memos on many issues for national consideration. This resulted in much debate at our committee and management meetings.

The Management and Advice Office committee were worked very hard this year, debating overtime at length, conditions of employment, and dealing with staff representations, and misunderstandings about process and procedures. We face a management crisis in 1994, if we cannot fill the quorum needed to have management committee meetings, and make decisions. Many volunteers say they feel quite burnt out at the thought of taking on the responsibility again. I hope that we can continue with these structures; despite the doubts, at least these issues are taken seriously, and people do get heard and affirmed, when they have problems.

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TRAINING

Training in our advice office, is a way of empowering volunteers and paid staff to be knowledgeable about how they can protest injustices, in an individual way, through their casework. Collectively, the knowledge our trained advice office workers accumulate about grassroots situations, can be used to lobby and protest in a non-violent way.

This year we trained volunteers and ourselves on a number of levels: The Wynberg dept of home affairs gave us facts and forms, on how to get an ID. Sarah Christie spoke to us about labour law, and how to deal with retrenchments. I went on an AIDS training course and we held a staff workshop on this. We had a useful talk from Lionel Beerwinkel from the Centre for Rural Legal Studies in Stellenbosch. He told us about the changes to the Basic Conditions of employment Act, with regard to farmworkers. Nomahlubi and I workshopped using a casesheet, what it felt like to be an advice seeker, etc, for the newer volunteers and Noel did a slot on pensions.

It was a pleasure to have Rubina Maguga with us in early August, for a two week training course, to enable her to work more effectively. It made us aware that our own staff need this kind of intensive training from time to time.

KATRIC volunteers Martin and Hilda were initially trained by Sue van der Merwe & Nomahlubi, and they spent at least one day a week in the office.

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** the establishment of democratic and accountable government;"*

VOTER EDUCATION

Voter education started this year with a group of Black Sash women who are expertly motivated and co ordinated by Val Goldschmidt and staff. A half hour programme based on a play with questions and answers afterwards takes place from 08h45 to 09h15 Mondays to Thursdays in the Advice Office. It involves approximately 30 people per week, and 120 per month.

Volunteers and caseworkers do voter education for the advice office queue first thing in the morning. Mock voting, on a ballot paper with a choice of the Jam party, the Marmite party and the Peanut Butter party (the all time winner) is held. Voters get to eat the result(s) on their teatime sandwiches.

In August, Annemarie Hendrikz and team held a very successful weekend in Faure, training women from Zwelethemba (Worcester) and various "African" areas of Grabouw, to be trainers themselves. Particular problems relating to women voter were addressed. In October, Val Goldschmidt and her team held another successful workshop led by Annemarie Hendrikz, in Faure - with women participating from Lower Crossroads, Hermanus, Unathi, Bredarsdorp, Gansbaai, Stanford and Somerset West. In October A workshop for 187 workers was held over two days at the Freddy Hirsch factory.

In this work, we try particularly to allay the fears of women voters. We explain that their vote is really their secret: no husband, lover, brother, father or employer will ever know who they have voted for. They cannot lose their jobs because they have voted for the party of their choice. We try to assure that there will be peace keeping forces to check that no intimidation takes place at election centres. Through voter education work, we try to promote the idea that the vote is one of the many tools which may assist in electing a democratic and accountable government.

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Pensions: In 1993, Monitors were checking on pension queues, and reported that in some townships pensioners were very vulnerable due to the location of certain payout sites. We were alarmed Anne Greenwell, one of our monitors, reported that the CPA were ignoring agreements made with pensioners made at consultative meetings about payout venues. The excuse was that the CPA had announced the payout changes on Radio Xhosa.

We received disturbing reports from pensioners about the possibility of the pension payouts taking place in Observatory, Cape Town, for next year. The CPA decided to consult only with the pensioners themselves, and no other organisations were invited. We were requested by one of the pensioner committees to attend the meeting. On enquiring with the CPA if we could come, we were refused access.

After complaining to the CPA it was decided that all groups should meet as the Crisis Committee had in the past. Betty Davenport, Noel Robb (who represented Sash here in the past) and I, have attended these meetings where, Sash is often asked by the pensioners to chair. These meetings are very constructive, as all the stakeholders are usually present. It is encouraging to have monitors at these meetings too, as their grassroots observations of the CPA's delivery system fuels our arguments for including the pensioners in their decisions as to how the payouts should happen.

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- * to engage in para-legal work which strengthens people's capacity to understand and claim their rights;"*

Part of engaging in para-legal work includes defining what our advice office workers understand by the term Para legal itself, and Sash's common understanding of the term and its application. More about this later

One of the areas in which we constantly assist, is labour. It is one of the areas where we engage in para-legal work at its best; often even if one cannot help an advice seeker directly with a problem, then the least one can do is send them away, educated about what they should know for future employment. Employers get away with a lot, and one of our biggest problems this year was where employers defaulted on registering their employees, with UIF.

UIF

Our UIF caseload increased this year. We were distressed when extended benefits were discontinued as of September. This left many retrenched and dismissed people, (especially those in the 50 - 60 year age group) with only six months worth of UIF to survive on, with little chance of finding a job after that. This case was a particularly unhappy one:

Mr X came to us in September. He was 55 years old and had been retrenched from a company, for whom he had worked for 30 years. He had built up many UIF credits in that time, and would have qualified for extended benefits, for at least a further three months. He had been on unemployment for six months and now could not get a job. We sadly had to advise him that the extended benefits fund was not available

PRIVATE PENSION FUNDS

These problems accounted for the largest part of the case load this year. The problems seems to lie with the massive amount of red tape workers have to wade through in order just to ensure that the correct form is filled in correctly, and posted to the correct bureaucracy. However, Nombuyiselo Maloyi keeps trying, and successes include a man who reported to us in November that he received R12,000 from the fund through our assistance.

Through our communications particularly with rural areas, listed below, we remain aware of how important it is to empower people to claim their rights, so that they in turn may empower others. It is sometimes a slower process to empower somebody to do it themselves; but it is necessary if we are to strengthen an advice seeker's capacity to do so. It is too easy for a para-legal worker him/herself to do the case quickly themselves. Would it perhaps raise our consciousness on this issue if we called ourselves Human Rights workers?

Colesburg

In June this year, Thandi Gaqa accepted a full time post with Lawyers for Human Rights in Colesburg. Although this means that the Sash office will be closed, Thandi will still be working in the the same area, but now under LHR. We know that Thandi's success is partly due to the training and management by Annemarie Hendrikz, and we commended her for this success.

Her work there included fighting for a better pension delivery system, mediating between PASO, COSAS members and a School principal, conducting voter education workshops, starting up a drama group for local youth, and maintaining contact with people in surrounding towns

Thandi will be involved with the Karoo Mobile Law Clinic, which will service 44 rural towns, with the aim of spreading the "gospel of Human Rights Education", as Thandi puts it. We feel poorer without her input, but richer for having enabled the process of empowering a woman to do this work in a rural area.

Knysna

This year both David Nxgale and Phumlani Bukashe took long leave, and so David Nxgale shared some of Phumlani's fieldwork and some co-ordination. Phumlani took on most co-ordinating functions and Rubina Maguga was appointed as administrative/trainee case worker. She requested training on specific issues, and came to Cape Town for two weeks, where she started enjoying the hectic pace of our advice office!

Mads Vestergaard, another Danchurchaid volunteer, is involved in the voter education workshops which are happening in Knysna. Phumlani reported that factories and schools were approached. Rubina reports that voter education workshops take place at the Knysna Sash Offices.

RAT

Phumlani and I have alternated going to the Rural Advice Training meetings this year. Attendance fell off toward the end of the year, but we hope to reassess interest in RAT in January 1994. RAT is a good listening post for what the para-legal movement is doing in rural areas. Voter Education has been a focus of many of the groups attending. Local Government and Land problems for rural communities were also discussed. Since Annemarie had been redeployed, and due to Thandi working for Lawyers for Human Rights, there is no Sash rural fieldworker. At one of the meetings LEAP expressed that a Sash fieldworker was needed in the Boland. The Advice Office Committee considered this, but think time, it would be difficult to train and sustain management for such a worker.

Sash's input at RAT is mainly for the updating of the Para-legal manual, and issues around translation and fundraising for it.

SITE 5 (NOORDHOEK) COMMUNITY

We were asked by SPP (the Surplus People's Project) to monitor the ID Mobile Clinics and also the CPA's pension application clinic in Noordhoek, which we did with Sash monitors. We have subsequently been approached by the newly formed Civic about training people to set up an advice office there. Our committee also received a similar request from the Langa Civic. We are still considering the requests, pending discussion around our training capacity.

NATIONAL ADVICE OFFICE NEWSLETTER

Marj Brown's national advice office newsletter has become a vital way of communicating with other regions. It provides a regional roundup, and through it Marj alerts us about legislative changes which will affect the advice we give.

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ADVICE OFFICE WORKSHOP

Our National Advice Office Workshop gives insight into current human rights debates. Our strategic planning for the future includes co ordination around: Workmen's compensation, Hire Purchase, Gender (our contact people on gender are Hilda Boikanyo, and Nana Nielsen), issue of ID books, and violence monitoring;

Research work includes a working group on para-legals, and will be co-ordinated by Penny in East London. Bastienne and June Crichton (PE) will co ordinate the AIDS focus.

ADVICE OFFICE ASSOCIATION CONFERENCE

Our Advice Office was invited to speak on lobbying, at a conference of 42 Western Cape Advice Offices, held at the Belville College of Education, from 29 October 1991 to 31 October 1993. The conference was facilitated by Lawyers for Human Rights. I spoke on behalf of the advice office on Lobbying, and stayed on as an observer. There was much debate over who defines what a paralegal worker does, to whom should such a worker be accountable to, and so on.

Delegates agreed that an association of advice offices should be formed. This regional structure could serve to fundraise, lobby, train and network on issues which affect W Cape Advice Offices.

REFUGEES

On one day at the end of November, our resourcefulness was tested by the arrival of two Angolan refugees, as well as a completely distraught and destitute woman.

While the refugees captured our attention, we felt torn between working flat out to help them and attending to those who come to us daily with similar problems of: no employment, destitution and traumatising through living in violence wracked communities. We are grateful to Paula Cardoso for translating from Portuguese into English, and to Nomahlubi Nabe, who both worked tirelessly to find help (& accommodation especially) for the respective advice seekers.

Our advice office is facilitating meetings with other organisations, Churches, etc, to find a way of assisting refugees, and to put pressure on the relevant parties to deal with the problem.

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STATE WELFARE GRANTS

After years of lobbying, 1993 saw parity in state welfare grants. We were involved in looking at the new Social Assistance Regulations (in draft form). As we were not consulted, or even given copies of this draft legislation, we were not able to comment as the Black Sash, but had to feed in our reservations through the National Council for the Aged.

Marj Brown spoke on the "Special Report" radio programme saying how conservative the new regulations are. She has written: "The regulations themselves...reflect the old disjointed approach to welfare rather than an attempt to improve the safety net that is vital and intrinsic to a secure society in which development can take place".

Disability Grants: more and more applications for 100% disablement, were turned down this year; Hilda Boikanyo, Betty Davenport and Sybil Noble are collecting information, and we hope to raise this at the next CPA consultative meeting.

THE WELFARE SUMMIT

The Welfare Summit was an attempt to bring together the formal welfare sector, professional social workers and non-governmental organisations to address critical issues facing welfare during the transition period, and to debate the viability of establishing a National Welfare forum.

Marj Brown (Sash's National researcher) was on the Ad Hoc facilitating Committee for the Welfare Summit, and encouraged us to get involved, and invite as many grassroots community based organisations as possible. I represented Sash (Cape Western) at two regional briefings, before the Welfare Summit itself on 06 November 1993. The summit itself was a large gathering at the World Trade Centre, very packed, and there was debate, both in the working groups and in the plenary, as to whether such a forum was viable or not.

It was decided at the summit that the Ad Hoc Committee would carry the process forward toward the establishment of an interim national structure which ends in February 1994 and would hand over to this structure. On a regional level, a post summit meeting will decide whether or not a regional welfare forum should be established.

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HOW OUR WORK AFFECTS WOMEN

As a women's organisation, Sash has a particular interest in advocating women's rights. Our advice office deals with women's issues on a daily basis: domestic worker problems, maintenance grants where husbands don't support their wives, rape, abortion issues and so on. It interesting to note, however, how we are perceived by the women who come to see us - possibly because we are women sympathetic to the cause of women's justice.

Women seem to feel freer to speak their problems out to our caseworkers (most of whom are women), and maybe they feel safe telling us their problems. As Nomahlubi says: "Maybe it's because they know we're special".

We often hear women advice seekers telling us about their interactions with, for example, the police or government officials, usually men. Often, women are shouted at, not taken seriously, and sometimes even ignored. In the past month we had a case which reflected this.

Ms X had originally asked us for help with her maintenance (paternal non support) problem. The case progressed to the point where she had given the warrant for the arrest of the father of her children, to appear in court about maintenance payments, to the police. She went to the police station the next morning and saw him there, standing in a row, with other maintenance defaulters waiting to be taken to court. A policeman then started questioning each man in turn, as to why they did not pay maintenance. Ms X's father of her children said that he could not afford to pay for his children, due to unemployment. Ms X countered that he had his own business and was lying. The policeman shouted at her "Shut your mouth, woman, you are not in your own house now". She arrived upset and angry at our offices. We telephoned the Police officer in charge and laid a complaint, stating that it was not up to a policeman to question maintenance defaulters, and that it was totally unacceptable to shout at women in this rude way.

Women who come to our office, often do so when they know they have been unlawfully treated. We hope that by standing up with them on these occasions, we empower them in their struggle for their right to be treated fairly.

In Cape Town, the Department of Home Affairs (DHA) administer this work for the Department of Justice. Our office was increasingly frustrated with the inefficiency of the DHA, and Nomahlubi, Val Goldschmidt and Annemarie met a group of women at the Nyanga offices to take up grievances to senior responsible persons. Lost files, not returning calls from advice office workers, confusing court procedures, all contributed to delays in women claiming maintenance. Ms Ntlabathi, the new supervisor, has made an impact in the delivery system; we now fax a list to her every week, and receive replies mostly within a week of faxing her. This means that advice seekers don't need to return time and again to our office.

VUKANI MAKHOZIKAZI

Nomahlubi and Annemarie had previously worked with a group of women concerned about maintenance called "Vukani Makhozikazi". They were originally working with Sandra Burman of the Socio-legal unit at UCT, with whom they made a slide presentation which was to be taken to women in local communities/church groups, to educate them about the process involved in getting non-support maintenance problems dealt with. They were also working with Lawyers for Human Rights (LHR). The networking seems to have collapsed, but they approached us again and we are continuing our association with Vukani Makhozikazi, and have decided on a plan of action for 1994. In an attempt to empower women to take up their cases, we will be setting aside time once a week and training up to two women from each township area, to take back the information on how to claim their rights.

Hilda Boikanyo has been working in groups with advice seekers on this problem, and she will be working with the women this year.

"ONDERHOUD SE BOETEKINDERS"

We faxed the new SABC board, to request them to investigate why the programme "Onderhoud se Boete Kinders" (produced by Hanti Schraeder for AGENDA - TV1), has not been screened, now that the Dept. of Justice's pamphlet has been published. (Their original excuse for not screening it...). On doing some investigation, we were told that one of the reasons for not screening it was because "It portrays men in a negative light".

Paula and Sue Cooke have completed pamphlets on how to get State and paternal maintenance. We hope to translate and publish them next year.

Paula Cardoso continues to monitor maintenance cases in court. She has a creative suggestion for men who are able to, but don't pay maintenance for their children: that if the father of the children should renege on his agreement to pay maintenance, the state itself should pay the mother the amount, and claim the money back from the father. A very good idea. This is a creative solution which we should all lobby for, particularly when you consider the plight of Ms X, who originally came to see us in September 1992.

The father of Ms X's children been summonsed twice to appear in court, but did not arrive

10/92 Case was remanded to December 04/12/92. He is supposed to pay R130 for 2 children.

10/12 Father appeared in court with lawyer who didn't not allow her to state her case, saying "he didn't argue with women, he would hit her". Case referred to court on 14.01.93. Lawyer claimed that since there were five children in Transkei he could only pay R40.00 for these 2 children.

28/01 Ms X submits list of school uniform costs to court. Case postponed to the 01.02.93

25/02 Father ordered to pay R175.00 for two children, by 01.03.93

05/03 No money received. Case will be heard at Belville Court on 23.06.93

23/06 Paula monitors case in court; father asked for postponement to get a lawyer - postponed until the 05/07

05/07 Ms X goes to Belville court, told a summons will be issued at a later stage.

17/08 Paula and Annemarie monitor court case. Father has letter from employer showing that he has retired. Magistrate's questioning reveals he was pensioned with a lump sum of R8000,00 which was apparently sent to the Transkei in April 1993. Case postponed to 01/09.

01/09 Father appears, but lawyer does not. Case referred to court for an enquiry, in terms of section 13 of act, - magistrate is of opinion that the father cannot pay the amount required.

23/09 Father not in court today. Next court date set for 10.11.93

28/09 We advise Ms X to apply for a State maintenance grant as she now qualifies for this. She is told at the counter services that under the abovementioned circumstances, she needs a letter from Home Affairs, stating that she is not receiving any maintenance money from father. Home affairs is unable to give such a letter because according to instructions from CPA, the case has not been finalised.

09/11 Ms X tells us that Home Affairs will only give maintenance grant to one child.

The case continues.

Due to all these delays in justice, Ms X's children have really been the ones who are suffering the most. What did they do to deserve this?

"Our aims are to promote:

*** the constitutional entrenchment and protection by law of human rights for all;"**

CUSTOMARY LAW

Nowhere is this aim more relevant than when it comes to this issue. Although Noel Robb points out to us that customary law isn't going away because women may claim their rights through the interim

constitution, we experience that women do want to claim their rights, as shown in the case below: 16

Mrs X, a widow (married by customary law) lost her only son, aged 30 years, in a car accident in April 1993. As he was a teacher since 1990, he had pension money owing to him. Mrs X was told by the DET that it would be 6 months before she would receive this money. Six months later she took her son's savings card to the deceased estate office at Mitchells Plein. An official told her that she should wait next year and that she should bring "a man" to give the money to, because she had already been given some money. Mrs X explained that she did not have any living male relative. The official replied that he would write to the State President to ask whether the money could be given to her. A month later she returned to tell us that the official (a man) had done nothing about this case at all. We advised her to make an affidavit as regarding her status, and the case continues.

These are the kind of cases which informed our stand to make sure that customary law was not excluded from the equality clause in the interim constitution.

"Our aims are to promote:
*** equal access to justice for all;**

A recent case made me think of how important this aim really is.

A "coloured", pregnant woman came to Cape Town all the way from Upington, to fetch the body of her dead husband. He had been killed a few nights before, when two students had run him over as he crossed a road in Woodstock. She had been to the police station to press charges. She was told that she did not need to do anything, make a statement, or lay a charge as the two students had reported the "accident". She came to our offices ostensibly to see if she could obtain any financial help in transporting the body back home. We informed her that it was her right to press charges, and that she should go back and do this.

Often, we get cases in which there seems very little access to justice, because of racial and gender discrimination, and sometimes because people simply accept what they're told, by officials, usually men. When people come to us with these kinds of problems, it seems to me it is with the knowledge deep down that they have been wronged.

"Our aims are to promote:

** an awareness of the roles of civil society as well as the state in the achievement of social and economic justice.*

INFORMAL TRADING

We were approached for help by an informal trader who sold cooked food outside our offices on a large traffic island opposite the station, who ran into problems with the local ratepayers, because his stall was "unsightly".

We held a meeting at our offices, with the traffic department, the City Councillor for our ward, the traders and legal advisers, in which we agreed on a plan of action; the trader would get a business/health license, and permission from the city council to trade there. It was a useful meeting in that we learnt much about deregulation and trading by-laws.

Soon after this, we learnt that the Business Amendment Act would regulate vendors and hawkers more tightly, possibly taking away many people's livelihood.

CONCLUSION

We come to the end of this year, feeling stretched and strengthened. Our work is reflected in our vision, belief, aims and immediate goals. In being women working for human rights, we bring a non-violent creative way of dealing with our work. We ARE human rights workers; we achieve our goals. I think the Sash is something we can proud of.

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