

# THE BLACK SASH

## Cape Western Advice Office

### Annual Report 1994

#### Introduction

*"NGOs have no choice but to adapt or die"*

Article Title, Weekly Mail & Guardian, November 1994

*"NGOs are very much part of an open society, the kind the president talks about"*

Michael O' Dowd - Anglo American Chairman's Fund,  
quoted in the WM&G November 1994.

In analysing and reflecting on the year's work, it is useful to see it in the context of change, as viewed in the Media.

In November and December of 1994 the Media started documenting the funding crisis NGOs found themselves in. The comments above show the nature of the arguments for and against the continuation of what were in many cases organisations against apartheid. Many NGO's have crucial input for the reconstruction of South African Society because of their experience in fighting for a civil society.

1994 was the culmination for what many people in Sash had been hoping for. Change was abundant: a national election, the first black president, a new flag, a woman speaker in parliament, an interim bill of rights. These changes implied an instant turnaround for South Africa. NGOs however, were and are still wary of the election promises made in April 1994.

Caseworkers know that a right is still something you have to claim for yourself. It is not a handout, and might prove a difficult and expensive process in order to get. Sash out of all the NGOs I know, is best placed to assist in communicating the avenues open to people to claim their rights.

#### **"Death in the Afternoon"**

warned the November editorial of the Weekly Mail and Guardian, of the looming closures of NGOs. The advice office (along with many other NGOs) having seen the process of transformation realised that our survival rested in our ability to redefine our role as much as the government has had to. "Out of crisis" Sarah-Anne Raynham remarked, "comes opportunity". The crisis has to help us change. The opportunity is for us to say goodbye to what we need to leave behind.

At this time in South Africa's history it gives the Sash and its advice offices the chance to evaluate our current work and to assess how it needs to clothe the shape of change.

# People

## VOLUNTEERS

### Advice Office Committee

Betty Davenport	Chairperson
Anne Greenwell	Monitors rep. from Regional Council
Carol Lamb	Regional Council Rep (until August)
Sue Cooke	Regional Council Rep (from August)
Sue Philcox	Trustee
Noel Robb	
Lou Shaw	Treasurer

### Management Committee

#### (For The Region)

Sue Philcox	Chairperson & Trustee
Betty Davenport	Advice Office Rep & Chair
Dot Erlank	Regional treasurer
Sue Joynt	National treasurer
Lou Shaw	Advice Office treasurer
Carol Lamb	Regional Council Rep.
Sue Cooke	Regional Council Rep
Bastienne Klein	Ex-Officio

(One paid staff representative also on Management Committee)

### Caseworkers and Backup Workers

Donna Ambrogi  
Di Andrews  
Monica Bates  
Sue Cooke  
Michelle Daniels  
Val Goldschmidt  
Beulah Greshoff  
Trudy Haeck  
Mimi Lahause  
Mary Livingstone  
Cameron Mc Connachie  
Jacqui Nee  
Julia Ortmann  
Noel Robb  
Gail Strong  
Anna Zieminski  
Esther Zwarenstein

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  
Esther Zwarenstein  
Danchurchaid Volunteer  
Nana Gadegaard-Nielsen

## PAID STAFF

### National

Annemarie Hendrikz	National Advice Office Co-ordinator
Thisbe Clegg	National Financial Administrator

### Cape Western Advice Office

Hilda Boikanyo	Caseworker, Maintenance Project Officer
Paula Cardoso	Monitoring/Assistant AO Co-ordinator (3.5/7) (until March 1994)
Bastienne Klein	Advice Office & Campaign Co-ordinator & Bookkeeper (5/7)
Nombuyiselo Maloyi	Caseworker/Interpreter (4/7) (until February 1994)
Nomahlubi Nabe	Advice Office Organiser
Thandiswa Ngqakaza	Caseworker/Interpreter (4/7) (From February to November 1994)
David Viti	Caseworker/interpreter (4.5/7)



## Staff

*'Black Sash, operating on "a miserable budget and volunteer staff" provided a more efficient information service than the Pretoria based SACS (South African Communication Services) with 600 staff and a budget reported to be R60 million a year.'*

Jeremy Cronin, SACP spokesman, quoted in Business Day November 14 1994 article  
"A New approach to communication".

While we are pleased with the acknowledgement of our capacity and efficiency as expressed by above, and whilst it may be said that the Black Sash is capable of "running an election with one hand while holding a cup of tea in the other" the reality of the situation for paid staff is a different one. Volunteer management was stretched to breaking point, and staff changes came aplenty.

In a time where NGO staff are being headhunted for government departments, and other jobs it is a credit to the Black Sash that most of our staff members even in times of possible retrenchment pledge their commitment to this work.

We were very sad to lose Paula Cardoso, our Monitoring and assistant Advice Office co ordinator. Paula helped the Advice Office immensely with her knowledge on Labour related cases, her empathy with refugees, and her maintenance work. We will miss her point of view on many issues particularly her watchful eye on policing. We wish her well with her studies. After much strategic planning the post was unfortunately frozen and the monitors regrouped themselves into a Provincial Legislation Watch group.

We were delighted when caseworker Nombuyiselo Maloyi joined the Weekly Mail's journalist internship training programme. We have followed her progress in that newspaper and have seen her by-lines develop into leader page articles. We believe that her time with us has helped her skills development.

Thandiswa Ngqakaza replaced her and we found her to have great empathy with the advice seekers. However, we felt that she didn't have what it took to be a caseworker, and we learnt the hard way about the complexities of employing people. We are now less one caseworker, and we hope that we can make a temporary arrangement for a caseworker in the new year.

Many of the National staff were unable to be on Advice Office structures this year, due to National pressures. We missed their wisdom and muddled on. Betty Davenport was involved in almost every single structure in Sash, and felt pulled in many directions. We couldn't have managed without her.

We were saddened by the deaths of Lu Harding and Norah Henshilwood, who contributed to the Sash Advice Office in unique ways. Norah was moved by the queue, and donated money for the tea and sandwiches, which were used extensively in the voter education campaign namely the "Peanut butter party". Lu Harding was a devoted monitor and an enthusiastic voter education trainer. We will miss her calmness.

The year brought many new volunteers, some of whom stayed for a short time, but who delivered stunning work. Cameron Mc Connachie updated "Tracking a Bill through Parliament", Jacquie Nee continued Nana Nielsen's work building up the resource centre and Donna Ambrogi found all the nasties in the Social Welfare Regulations. Nomahlubi wrote of Donna's Advice Office commitment, *"We will always miss her serious strict facial expression when she's doing her work and her smile when she's finished working."*

Trudy Haeck laboured over the statistics and made them presentable every month, until computerisation overwhelmed us in June. Mary Livingstone archived pass law cases of the 80's. Monica Bates managed to look undaunted each week when she arrived to find a new telephone system with new instructions.

Noel Robb continues to amaze us with her gusto for the work, and her twice weekly commitment is a challenge to us all. Esther Zwarenstein was our star filer this year, and she devoted one full day a week to our advice office. Beulah Greshoff learnt new skills this year when she was faced with a group of 30 cases all in one room- at once, and she managed it against her own better judgement! Volunteer Mimi Lahausse helped me to reorganize my filing system, finance cupboard and accounts.

Val Goldschmidt was the best companion and worker any staff could hope to have; she went with us to Knysna, was a devout Voter Education trainer and accompanied us into the townships on maintenance workshops.



Elsewhere in this report you will find evidence of Sue Cooke's analysis of the food voucher situation. Her research and input into the AO committee meetings was always appreciated.

Our volunteers have done a sterling job through thick and thin this year, and to all of them a big THANK YOU!

## **Administration and Supervision**

The co-ordinator's office moved back into No 5 Long Street, with National Executive joining forces with Annemarie and Thisbe, moving into No 7 Long Street. To my relief they took the modem with them!

The year brought an immense amount of paperwork in the form of grading committee decisions, performance standards which needed to be agreed upon, options for merging regions and not merging with advice offices, endless reporting and strategising.

Supervision sessions have seen us strategising about how to manage our work, and to set monthly objectives. These sessions seem to highlight all the other work we get done in our offices, but that were not necessarily objectives! I think we need more practice with this. The annual objective advice setting is a time to hone our focus further, based on the past year's successes and needs. The satisfaction of a project that achieves its goals makes the focusing worth it.

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 resolving misunderstandings about process and procedures. We faced a management crisis, often battling to 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 management responsibility again. I hope that we can continue with these structures; despite the doubts, staff issues are taken seriously and people do get heard and affirmed when they have problems.

However, to free up volunteers to do the work they want to we have to professionalise our management structures and consider the option of paid management.

## **Strategic Planning and Goal Setting**

When we looked at the previous year's strategic planning notes we found that we had achieved many of the goals we had set ourselves. Those that were not achieved but still relevant for 1995, were taken forward.

### ***Goals We Set and Achieved:***

- acquired more staff as permanent posts
- gave volunteers more structured training (ongoing goal)
- practicalities of better communication between region, other advice offices and national.
- acquired an interpreter for the monitors
- recanvassed old brilliant members (OBMs) and broke down work for them into more manageable tasks.
- spent more time on casework
- bought another computer
- better management of staff
- made sure legislation was on the agenda
- lobbied around legislation
- better utilisation of space
- heater for the advice office
- organised the resource centre
- got bookshelves for advice office and resource centre
- librarian for resource centre (ongoing goal)
- election monitoring and voter education
- seeing more people in the Advice Office
- another telephone instrument for Room 7
- a television/video for voter education
- waiting room education (ongoing goal)

- volunteer job descriptions (ongoing goal)
- carried on monitoring
- managed the car, & tried to find a garage
- standardised procedures especially refunds, costs between region, advice office and national
- improved system of communication among staff and volunteers (ongoing goal)
- clarified the relationship between monitoring group, Regional Council and the Advice Office to ensure that we're fulfilling the objectives of the Black Sash
- measured our work against the aims of the Black Sash
- took discussion of what advice office work is politically relevant in terms of Sash aims to the October 1994 advice office workshop

## Goal for 1995: Follow Up Work

In December 1994 it started to become very clear that we had to change our follow up system as most of the people we see are old cases who keep returning to follow up on their progress. We are concerned that in doing so they spend their money coming to Mowbray unnecessarily. Also, we can't cope with the numbers as new cases are on the increase too. One way of doing this is asking volunteers to do follow up work, instead of working directly with the advice seekers. This would allow caseworkers to do their jobs and without slowing down the process by translating for volunteers. We want to stress, however, that if any volunteers still wish to work directly with advice seekers they are free to do so. We will try out this new system in January 1995.

## The Context of our Work

We are not a community based advice office and our mandate is usually a Sash one, prompted by the information we receive through our casework. Most of the advice seekers who come to our office in Mowbray, live in the surrounding townships, and at the least, have to take a taxi or bus to get to us. Most of them live in appalling conditions, some areas are without electricity, water and sanitation. Many families live in cramped rooms. Noel Robb recently reported a case which was ostensibly a housing problem, where 8 and more people were living in a township room, and the fighting and frustration had reached such a point, that a woman one day threw a bucket of boiling water over her husband.

Many of them have not eaten anything, by the time they arrive, and David Viti reported that some people sit in the queue so that they get their cup of coffee and eat a sandwich and then leave. We are seeing more women than last year, and they often bring their children with them. We recognise that it is often much more difficult for them to get to see us, with all the responsibilities they shoulder.

On reflection, the people who come to seek advice do so with dignity and patience and often it is silently and painfully obvious to us that they are battling to survive out there.

## Statistics 1994

This year we saw a total of **6552** advice seekers, which is 1761 more than 1993, and 2694 more than the 1992 statistics.

Of these, **2671** were new cases and **3881** cases we'd seen before.

This year we saw more men - **3748** than women - **2804**, but the gap between these two figures is closing.

The statistics show a dramatic rise in the Social Welfare grant sector, with Disability Grants coming in at 841 cases, nearly triple the 1993 amount of 313 cases. This was followed by Paternal Maintenance at 812 cases (most of whom were women) compared to 643 cases in 1993. Private pensions, at **632** cases was lower than last year's 1011 (the highest category in 1993). Dismissals at **571** were up on last year's 437 cases. State Maintenance grants were also a high category (again mostly women) at **543** compared with last year's 238



## ANALYSIS OF CATEGORIES FOR ALL CASES

Accidents/injury claims/assault .....	233
Applications for new/dup dates .....	11
Assaults/abuse by employers.....	18
Assaults/abuse by police.....	15
Bank Problems/financial management.....	37
Birth Certificates.....	2
Changes/mistakes in ID dates .....	5
Changes/mistakes in ID name.....	8
Construction workers .....	8
Consumer problems .....	46
Death Benefits.....	57
Disability Grants.....	841
Dismissals .....	571
Domestic workers/gardeners .....	95
Education.....	10
Estates.....	9
Evictions .....	2
Extended UIF benefits .....	8
Family problems .....	63
Farm Workers.....	5
Foreigners .....	2
Foster Care Grants.....	68
Funeral benefits .....	5
Gender abuse .....	1
General Housing problems .....	35
Health.....	11
Hire purchase/lay-by .....	15
Illness benefits .....	5
Informal Settlements .....	1
Information .....	5
Insurance.....	98
Long service queries .....	12
Maintenance grants .....	543
Maternity benefits.....	39
Medical Aid .....	1
Mental illness.....	6
Miscellaneous .....	229
Old Age Pensions .....	342
Parental maintenance.....	812
Pay/conditions of service.....	352
Prison problems.....	8
Private Pensions.....	632
Problems with lawyers .....	34
Rape/sexual abuse.....	5
Resignations .....	18
Retrenchments .....	260
Returnees/refugees .....	11
Security workers .....	34
Small Claims Court.....	3
Tax.....	37
Temporary/casual workers .....	7
Unemployment (Destitution) .....	39
Unemployment benefits.....	311
Unions - problems.....	1
Welfare referral .....	44
Widows' pensions .....	152
Workmen's Compensation/Mines and Works claims.....	330



## **Voter Education**

Many volunteers got involved in this task, and it was as varied as going to Pollsmoor Prison and the Transkei.

Noma and Hilda, Val Goldschmidt, Betty Davenport, Sybil Noble and Betty Emmett and Sue Cooke went to do voter education in Pollsmoor Prison. They reported on the comments from prisoners like: A possible amnesty? Will it help if we join the Black Sash?, and so on.

Nomahlubi reported that the Advice Office got many calls asking "Why isn't the Black Sash standing for Parliament?" and "Why haven't you registered as a political party yet?".

Watching the workshops, it struck me that the Sash has a particular way of educating people that is a capacity building in itself. Trainers worked in an empowering manner, so that individuals who had attended one workshop, could share the information with their families and pass on the details. Extensive use was made of "You and the Vote" booklets which were translated into all 11 South African languages.

We were relieved and exhilarated that all our efforts paid off when the elections went the way they did.

## **Casework**

Advice offices originally arose out of struggle based needs. At some point we need to say that in part, we have achieved what we've struggled for. Our casework documentation bears testimony to these struggles and is in itself a social history particularly of women's struggle against the iniquitous pass-laws.

Today's casework still reflects the struggles of the people who live in the fast growing peri-urban townships surrounding Cape Town. The issues are different as our statistics revealed, elsewhere in this report.

Most of the problems we saw in 1994 were categorised as queries on dismissals, UIF rights, wage disputes, non-support maintenance and so on. However, it is clear that people are trying any means possible whether through a state welfare grant, a belligerent father, or a long forgotten UIF claim in order to keep them going or alternatively to try and get their jobs back. It is rare that we find an advice seeker who will come and tell us that they are destitute. Every other possible means will be tested first.

Once the possibility of a social grant or other resource seems possible, advice seekers have to run the obstacle course of paperwork, forms and an unfriendly bureaucracy. This was borne out in the post election euphoria, when Nomahlubi Nabe reported:

"Our work is growing everyday and we seem to be seeing people from all racial groups and all sorts of cases. Most of them are desperate for money, others come with cases which arose + - 30 years ago, but in which nothing was solved. Now however, they think the new government can or must do something."

These advice seekers must be the tip of the iceberg. Those who do get to us are the ones who still have some financial resources and have been somehow empowered, to believe that they have been wronged or that there must be a form of getting social security when all else has failed.

Considering the way in which we work now it is hard to reach many people, teach them about their rights and empower them to know the law and take action on it themselves. If we see ourselves as human rights educators in our advice offices we need to change the way in which we work. We often get caught up in our own zeal to get the case solved that we forget about the person we are trying to help and how we could educate them about the law. In acknowledging this problem, we have experimented by changing the way we work on the issue of non-support maintenance.

## **Social Welfare Grants**

### **TRENDS IN WELFARE ADMINISTRATION**

#### **Fingerprinting**

We are still appalled that grant receivers have to fingerprint a card before getting their money though we understand that the new NISEC system is being implemented. Furthermore the system is leading to abuse in the Western Cape. Pensioners receiving large amounts in backpay were "helped" by the pensioner committee members who fetch the money from the official (the CPA consents to this - it speeds up their payout) and take it to the pensioner waiting in the hall. Pensioners are now reporting that when they go home and count the money, they are often about R50.00 short. It is not clear where the corruption is happening but we would not



be surprised if the officials are colluding with these pensioner committees.

Recently while going through Social Pensions Act Regulations at the LRC, I came across a recent regulation concerning fingerprinting and payout. It seemed to imply that the fingerprinting was a form of receipt, and was to be given to the pensioner after receiving the money. I think it would be worth testing the validity of this regulation, before going through a class (constitutional) action.

## **Cashmaster Payout System**

In the Western Cape, this is being done by a private company called NISEC

Sue Cooke attended its launch. "NISEC" apparently doesn't stand for anything. However, we do know that NISEC is a branch of DENEL, which we understand to be linked with Armscor.

Sue relates that the food was expensive, there was marching music (!) and the star of the show (for no apparent reason whatsoever) was Naas Botha. The provincial minister for Health and Welfare, Mr Ebrahim Rassool was present, as were all the pensioner organisations Sash is familiar with. The black pensioners felt that the entire system was racist, and wanted nothing to do with it. Sue also says that "coloured" pensioners have rejected it.

NISEC is being headed by (surprise surprise) Mr Rudi Joubert, Ex CPA head of pensions. This is confusing the pensioners, because they think he is still CPA and so on. In the past, the delivery of pensions via this system was demonstrated to pensioners, who were skeptical and said it was racist because whites and coloureds were not paid out in the same way.

In the new system a pensioner will receive a pension by being identified through a card, and a handprint. The pensioner will put their hand on glass scanner and insert their card (similar to a bank card) which has their details in it. This means that if your card gets stolen, nobody else can draw the pension. It is not clear if it means you can draw the pension by handprint alone.

The changeover to the new system has to be smooth and there should be plenty of officials around to assist with queries. There should also be a manual payout backup system in case of problems.

One group of pensioners from Paarl (Mbekweni) insists that this system made things a lot smoother, safer and quicker for them, and they did not find it racist. I don't personally find it racist, and I would hate to think what would happen if the CPA started delivering like they do for Whites - through the post office. A few million rand was recently stolen when pension money was being delivered to a post office. Coloured people often go to home affairs where the effective administration can deal with all problems there.

It is racist of course, in that it is different but it is an improvement on the past delivery systems and on the face of it cuts down on corruption (no fingerprinting by officials possible).

The real need is to get more Welfare administration offices (as in actual buildings) in the townships so that admin and payout could be more flexible and secure. However CPS may be a good bridge for this, as it is a mobile system which could become a fixed office hours arrangement if funds were made available for this purpose.

## **Old Age Pension Applications & Disability Grant refusals**

We are seeing pensioners who are being turned away for OAP grants, without any apparent reason given to them. We are also seeing more and more people whose original applications have been "lost" - according to the CPA. We have even seen those who have re-applied and are still waiting. It is now common for more and more Black pensioners to wait up to 6 months for one year, to get their application accepted.

## **Deliberate Obstruction or Bureaucratic Inefficiency?**

In June, Nomahlubi reported on the need to monitor the pensions queues.

*... "I wish I could be at the pay points because lots of our cases are going to get large sums of money in backpay, plus minus R7000,00 in some cases"*



and later on in June:

*"We heard in June that apparently 50 000 files were lost over the past few months, but according to the CPA the scanner should have records up to date by July"*

The high amount of pensioners we saw this year was clearly through the fault of the CPA administration. Despite the merged departments we find this an ongoing problem and are considering a test case to get the paperwork moving.

Disability Grants are hardly given anymore to those who are 60 or 70% permanently disabled. We're trying to deal with one case where the person was 100% permanently disabled and was refused. The doctor who ultimately decides, is not a welfare department employee and has to do all the decision making for an entire province plus other work on her own. It is not known what criteria she uses for assessing the district surgeon's medical report.

Thandi reported on a disability Grant case:

*"Mr S. came to the office with his DG problem. He applied for a grant in November last year and was told to come back in July and then was told there is no money. I phoned Miss Munnik who then said that Mr S will receive R3700,00 in September"*

The money from a social grant will often go into feeding an entire family. R3700,00 may be spent very quickly as people's debts have mounted up while waiting for the grant in the first place.

## **Social Relief and Integration of Departments**

After the election the various CPA departments had integrated (new name: "Provincial Administration of Western Cape - Directorate of Social Services") the Black Sash Advice Office in Cape Town decided to test this integration by sending five black pensioners whose applications for pensions had taken much longer than the 3 months usually taken for this. We sent them to the old "Coloured Affairs" dept who referred us to their Belville office and they were really only given social relief money because of our pressure as Sash. They asked us not to send too many more people. Later that week, news spread and 500 people from townships went to the administration which they knew would deliver the goods - ie. the old Coloured Affairs dept.

The next week the word about social relief had spread and there were 3000 angry hungry people outside these offices and we were called in to mediate. (Nomahlubi Nabe did this brilliantly) The coloured affairs department see themselves as united with other departments, and feel strongly about delivering the goods. They shuffled 13 social workers outside, we organised the people into queues, and the work began. But it couldn't go on that way.

Social relief is not as yet an entitlement. (When the Social Assistance Act of 1992 is enacted, it will be.) It was granted as early as 1979 to certain racial groups when (presumably) the minister issued a memorandum stating that those in need who could prove that they were waiting for a social grant, could apply for food vouchers (Whites, Coloureds & Indians) and for food parcels (Blacks). The contents of the food parcel were minimal. An amount of R21,00 was granted for a period of up to two weeks, for up to six people per family. After the two week period they had to reapply. Other categories of people who could apply for the food vouchers were those who were unemployed because of recent retrenchment. A once-off only amount (R21,00) for those who have no work at all, and have been unable to find any employment was also available.

Due to the smooth administration for some racial groups, it was not necessary to use this fund excessively. The food parcel, by contrast, was hardly publicized and impossible to receive administratively speaking.

ex-Coloured Affairs officials were horrified when they learnt of the real effects of the apartheid administration. Mr Baard of Wynberg called emergency meetings, and saw the task as streamlining this social relief into the townships. However, residents, notably SANCO members, had other ideas. To cut a long story short, the old CPA administration "consulted with the community" and (notably) a SANCO member/Civic leader, suggested that either everybody gets social relief or nobody at all. This was the perfect way out for the CPA who have now stopped administering it altogether.

Sash reacted by writing a letter to the press, saying that the criteria are clear in the memorandum: at least those waiting for social grants should get it. Our point was also that if the administration for black people would work



in the first place one wouldn't have to be spending 1,9 million rand on social relief for people waiting for grants. Obviously those unemployed/retrenched is another problem.

So SANCO now report they still don't have a mandate on the issue. The CPA are focusing on implementing the CPS payment system, and aren't paying the slightest bit of attention - whereas the ex coloured affairs see it as their duty "because we are one department now" to improve the administration to Black people.

### **Maintenance Grants (Paternal Non-support)**

The maintenance campaign was one of our priorities in 1994, and was a case category which showed a growth in the number of women, who were battling with a complicated system of referral from Home Affairs to the Justice Department. Hilda Boikanyo reported: "Some of the women are referred to us by the Mitchell's Plein court themselves..."

The maintenance grant cases informed us of the inability of the legal system to cope with the onerous tracing of fathers who won't pay maintenance, and the children who suffer as a result. Our waiting room is often filled with mothers and their children: it's easier to get tougher on an official when you've got a child looking at you from across the desk!

### **Frustrations**

Hilda often sees the brunt of the issue that many women bear. She writes:

"On 16.03.1994, a group of women hired a taxi from Home Affairs to Black Sash in protest of their treatment at Home Affairs. They claimed the clerks were drunk and the women were dissatisfied at the way their cases were handled. They wanted us to 'phone the media and expose the setup. We reasoned with them and read the copy of the letter we faxed to Home Affairs, and asked them to be patient as we were trying one more time."

and even more frustrating...

*Ms X sued Mr Y for maintenance in September 1993. He has ignored calls by Home Affairs on three occasions. In November 1993 the case was referred to this court and was postponed to January 1994, then to February and then again to March. We discovered that there was no record of this court hearing in the court Diary. They 'phoned Home Affairs and spoke to Mr Mpahlwa. The file was still at Home Affairs. The case was postponed to May 1994. A summons was issued by the court.*

The second case is Ms A vs Mr B

*This case was postponed in March to April 1994, for expenditure calculations. Mr B said he could not afford to pay more than R60.00 per month. He earns R866,00 per month and claims that he's got five other children to support. The case was once again postponed to May. When Sue Cooke and I got there we were told that the case had been postponed again."*

In an attempt to address the gross maladministration happening between the court and Home Affairs, we requested a meeting with Home Affairs officials, particularly with the new woman employee dealing with these cases. It was a fascinating morning. Hilda, Noma and I went. At least two of the men officials, were totally and obviously drunk, hardly able to speak properly. Some of the older officials remembered the "pass law days"... when Sash was also in conflict with the same officials.

Another fascinating aspect of this campaign is the fact that men have come to us for advice on this issue. This means that our role changes a bit: we not only educate women, but men, specifically to be responsible for their children.

In addition to pressurizing Home Affairs for a better system and to employ more women to deal with queries and queues, we decided to monitor pertinent court cases. However, none of this actually helped the women to apply the law for themselves, and realise their rights with regard to the way they were being treated by the police and the magistrate's officers.

The maintenance campaign highlights Sash's continuation as an NGO is important in assisting the State,



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"On 16.03.1994, a group of women hired a taxi from Home Affairs to Black Sash in protest of their treatment at Home Affairs. They claimed the clerks were drunk and the women were dissatisfied at the way their cases were handled. They wanted us to 'phone the media and expose the setup. We reasoned with them and read the copy of the letter we faxed to Home Affairs, and asked them to be patient as we were trying one more time."

and even more frustrating...

*Ms X sued Mr Y for maintenance in September 1993. He has ignored calls by Home Affairs on three occasions. In November 1993 the case was referred to this court and was postponed to January 1994, then to February and then again to March. We discovered that there was no record of this court hearing in the court Diary. They 'phoned Home Affairs and spoke to Mr Mpahlwa. The file was still at Home Affairs. The case was postponed to May 1994. A summons was issued by the court.*

The second case is Ms A vs Mr B

*This case was postponed in March to April 1994, for expenditure calculations. Mr B said he could not afford to pay more than R60.00 per month. He earns R866,00 per month and claims that he's got five other children to support. The case was once again postponed to May. When Sue Cooke and I got there we were told that the case had been postponed again."*

In an attempt to address the gross maladministration happening between the court and Home Affairs, we requested a meeting with Home Affairs officials, particularly with the new woman employee dealing with these cases. It was a fascinating morning. Hilda, Noma and I went. At least two of the men officials, were totally and obviously drunk, hardly able to speak properly. Some of the older officials remembered the "pass law days"... when Sash was also in conflict with the same officials.

Another fascinating aspect of this campaign is the fact that men have come to us for advice on this issue. This means that our role changes a bit: we not only educate women, but men, specifically to be responsible for their children.

In addition to pressurizing Home Affairs for a better system and to employ more women to deal with queries and queues, we decided to monitor pertinent court cases. However, none of this actually helped the women to apply the law for themselves, and realise their rights with regard to the way they were being treated by the police and the magistrate's officers.

The maintenance campaign highlights Sash's continuation as an NGO is important in assisting the State,



*her to ensure her well being. When Mr K was informed about this he was very angry and he chased her away with the twins. When we interviewed him, he seemed not to understand things at all. We explained to him that his wife must have signed her consent when she was in pain.*

*We advised him to bring the hospital card so that we can get hold of the doctor and hear about the details of the operation. We also begged him to ask his wife to come back."*

Hilda Boikanyo outlined the situation further at an Advice Office Committee meeting, saying that on further interviewing, Mr K admitted that his wife had signed some consent form, but that she led him to believe that it was for her clothing. Hilda believes that the woman might well have consented to her sterilization, because of her husband's insistence on her continuation to have children (the reason for his anger concerning her sterilization), without any choice on her behalf. However, it was felt that the woman might have lied about this to protect herself from her husband's anger, blaming the hospital doctor for this decision.

We were left in a difficult situation. We did not have the woman's side of the story. We only knew she had been kicked out of her home, with two-week old twins. We support the view that women should have choices over their own bodies, as this woman might have tried to exercise. We tried to reason with her husband, and this was difficult enough, says Hilda. On the other hand, we did not know whether or not the hospital had illegally sterilized the woman. This case illustrates some of the dilemmas women are faced with: Do you give your consent to sterilization, even though your husband might throw you and your children out of your house? Do you simply go on having children because it's what men want?

On a lighter note we learnt that people refer to Sash Advice Office as "Emantombazeni", meaning "the girls". Noma tells me this works in translation like this:

Q: "Hayi! Where are you going today?"

A: "I am going to the girls" (Emantombazeni)

## **Visit to Knysna**

Nomahlubi, Hilda, Val Goldschmidt, Betty Davenport, Margaret Nash and myself went to Knysna at the beginning of October. Some of us had not seen the Knysna Advice Office and we were eager to learn about their new projects, meet with some of their members and assist them where we could.

Knysna feel that they would like to become a region of their own, and no longer a "branch" of Cape Western. They have had new members joining them with interest in the project on the counselling of battered women. They are also interested in starting up a maintenance project similar to our one, and we are eager to support them in this venture. They want to be involved in the voter education for the Local Government elections, particularly to service the local communities and forestry workers.

It was a very informative visit, as actually being there and discussing projects face to face helped us to understand how the work there differs from ours. Knysna may not have the queues we do but they have much closer contact with their communities and it easier to set up projects there. It was very social and enjoyable, and we say thank you to Knysna, and to Margaret, Val and Betty for driving us, and Margaret Nash for her brilliant chairing the meetings so successfully.

## **Rural Advice Training Forum (RAT)**

Attendance by organisations at the RAT forum dwindled this year. Most people's focus seems elsewhere. Sash's input at RAT is mainly for the updating of the Para-legal manual, and issues around translation and fundraising for it.

## **Para-Legal Manual**

RAT has organised the next set of updates for the existing manual which will be ready for distribution in 1995.

The RAT group approached Jutas with the idea of a co-publishing venture. Essentially, Black Sash and LEAP (Legal Education Action Project - at UCT) would be the co-publishers, advised by an editorial committee, consisting of two members of the co-publishers, a writer/researcher, and three other members of RAT. The



writer/researcher would be selected by the co-publishers, but employed by Jutas.

The idea is that by Jutas publishing it, it becomes nationally more accessible with an easier updating systems. It will be marketed especially to law firms, companies and those who can afford the actual price of the manual, who would be subsidising the cost of it for the advice offices. Any profits/royalties made by RAT/Co-publishers, would go towards any costs incurred by RAT, and whatever is left would go towards subsidising the purchase of the manual by bona fide advice offices and other appropriate organisations.

## Discussion of Access Proposals

RAT convened a meeting at Sash to discuss the Access to Justice proposal drafted by the Association of Law societies. This document claims to address the issue of certification of para-legal workers. It defines para-legal workers rather narrowly, leaving behind community para-legals, who may not have had a formal education.

Perhaps Sash workers are not para-legal workers. The term is taking on new dimensions, which seem to include climbing an academic ladder, the ultimate goal being able to represent people in court. Academia is not the only place where knowledge is passed on. What is clear here is that people are seeing empowerment of para-legals before the empowerment of communities.

Advice Offices have the potential to become centres for human rights education or alternatively centres of training of local people who can take back the law, in an accessible way to their communities. We can monitor their progress, and be the input, back up and support for the communities out there, whom we could not normally reach, at present.

## Conclusion

1994 was a year of working towards a Civil Society. A lot of our energies went into ticking off government departments when they were not accountable to the public they serve. In many of our conflicts and meetings with them, we were the mediators on behalf of a public who didn't know that it is their right to claim such rights. The Black Sash's role in Advice Office work while assisting people to claim these rights, has also been to pressurise many government departments into getting their administration right. Our task has been one of working towards a Civil Society.

A Civil society is one, hopefully, in which we can actually expect "civil" service from a government which serves its people. With the elections over, Sash Advice Offices are in the best ever position to give advice: we've seen faults in the past and can suggest creative solutions.

A healthy Civil society is also one which has flourishing NGOs. They stand outside of government, monitor it and provide the creative tension which is needed to make this country a country which is "whole" in itself.

When we thought we might close due to lack of funding, Noma reported:

"We would like to voice our appreciation for the courage and strength that our Advice Seekers showed when they heard that we might close. Their reactions have been very touching. They all said "Never! You will never close" they even took our Advice Office cards to take to their church ministers to pray for BLACK SASH.

Ms Munnik of the CPA phoned saying when she read this in the paper she and her mother prayed and asked how will Cape Town be without the Black Sash Advice Office? So we must go on and we mustn't despair"

If we can shake-up, restructure and meet the demands of change, there is no reason for Cape Town to be without its Black Sash.

Bastienne Klein  
Advice Office Co ordinator