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**LEGAL
RESOURCES
TRUST**

**LEGAL
RESOURCES
CENTRE**

South Africa

Report for the year ended 31 March 1998

MISSION STATEMENT

The LRC is an independent non-profit law centre which seeks to use law as an instrument for justice in South Africa. It works for the development of a democratic society which functions in accordance with the principles of social justice and human rights.

The LRC employs salaried lawyers and support staff to provide skilled legal services without charge. Its clients are the poor, homeless and landless of South Africa and those who suffer discrimination by reason of race, gender or social and economic and historical circumstances.

The LRC opposes all forms of discrimination and is committed to a policy of affirmative action, including the training of lawyers.

The LRC's financial base is a registered charitable and educational trust, the Legal Resources Trust. The LRC uses its financial resources in such a manner that its work has the widest possible impact and is focused on issues affecting large sectors of society. It seeks innovative and effective solutions, through the law, to the problems experienced by its clients. It carries out its work in a way which is calculated to assist people to gain practical knowledge of their rights and responsibilities and to develop self-reliance. It has knowledge and experience which it shares with others inside and outside South Africa.

The cases of the LRC deal primarily with

- ⊗ human rights
- ⊗ land, housing and development in both urban and rural areas
- ⊗ abuse of powers by public officials
- ⊗ fair labour practices
- ⊗ consumer abuse
- ⊗ pension and other welfare rights

When South Africa has a new constitution with a bill of rights the LRC will work to uphold, promote and give substance to such rights.

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south africa

report for the year ended 31 march 1993 1

COVER: Electricity is switched on for the first time in Oukase, Brits. (The Star). The LRC gave Oukase's 10 000 people legal help in their long struggle against forced removal. The LRC continues to advise the community in its new phase of development and upgrading.

INSIDE BACK COVER: LRC's Statement c: Strategy

Editor: Loraine Gordon
Printer: Westro

Access to Justice in the public interest

The Legal Resources Trust

Fundraising No: 011100024 000 0

The Trust is supported by development agencies, corporations, charitable foundations and concerned individuals. Trustees include judges, senior advocates, attorneys and legal academics. The chairman, Charl Cilliers, is a senior Johannesburg attorney.

The Trust controls and funds the **Legal Resources Centre (LRC)** established in 1978. The LRC's Director until September this year was Arthur Chaskalson, a senior member of the Johannesburg Bar. Its new Director is Geoff Budlender, a Johannesburg attorney, who was former Deputy National Director.

Trustees

Charl Cilliers (Chairman), Fikile Bam, Geoff Budlender, Arthur Chaskalson SC, Carveth Geach, Prof John Grogan, Felicia Kentridge, Sydney Kentridge QC, William Kerfoot, Pius Langa, The Hon Ramon Leon QC, Richard Lyster, The Hon Mr Justice Ismail Mahomed, David Mias, Mahomed Navsa, Chris Nicholson, Prof Kate O'Regan, Clive Plasket, John Price, Derric Reid, Richard Rosenthal, Lewis Skweyiya SC, John Smith, The Hon Jan Steyn SC, The Hon John Trengove QC, Hanif Vally, The Hon Mr Justice Andrew Wilson, Basil Wunsch.

Patrons

The Hon GPC Kotze QC, David Sampson

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REPORT OF THE CHAIRMAN OF THE LEGAL RESOURCES TRUST

The LRC, now in its fifteenth year, has established an impeccable reputation both in South Africa and abroad. In the past year, recognition was given to our work through the honour of being recommended for three international awards, one of which was awarded to the LRC. We were nominated for the European Human Rights Prize (awarded by the European Communities), by Ms Nadine Gordimer who was supported by Mr Nelson Mandela, Archbishop Desmond Tutu, and Ms Helen Suzman. This nomination was also supported by a number of people and organisations outside South Africa. Also in 1992 a Latin American human rights organisation - the Inter-American Legal Services Association - and the Canadian Ambassador to South Africa nominated the LRC for the International Freedom Award of the International Centre for Human Rights and Democratic Development in Canada. In 1993 Mellefolkeligt Samvirke, a Danish international development agency, gave its annual Prize for Participatory and Sustainable Development to the Durban office of the LRC. The award was made in recognition of the rural work done by the office, for the "pioneer effort being made to link law and development under extremely difficult circumstances".

In a study of the human rights sector in South Africa commissioned this year by the Commission of the EC it was reported that the LRC "has overwhelmingly demonstrated its capacity to effectively advance the cause of human rights". The Commission said "The LRC has been a driving force behind many of the human rights initiatives in South Africa. It is undoubtedly the most important organisation engaging in litigation in this field."

Judge Richard Goldstone, speaking in Cape Town this year, said "the importance of the Legal Resources Centre for many tens of thousands if not hundreds of thousands of South Africans is well known". He paid tribute to the role the LRC had played in maintaining the reputation and integrity of the legal and judicial system by helping to change the perception that the courts were merely part of the system enforcing apartheid laws. He said that the LRC had a tremendous role to play in the transitional period and in a future South Africa. "The border of human rights will have to be extended into areas that may be unique". In this respect the LRC's contacts with the grassroots and the trust it had built up were important. "Legal Resources is with the people and I think that is perhaps the greatest compliment that the organisation can be paid, and it is a wonderful springboard for it to continue to work in these and new areas".

Chairman's Report

We were privileged to be addressed at our Annual General Meeting this year by Mr Justice Ismail Mahomed, a founder trustee, who was recently appointed Chief Justice of Namibia. We congratulate him on his appointment and also the award of an honorary doctorate by the University of Delhi. In his address to us, the judge described the likely future constitutional commitment to a bill of rights in South Africa as a juristic revolution, which would permeate the foundations of our legal system, giving our lawyers a potential for innovation, creativity and social engineering in every relevant field of legal endeavour.

This will open up the field further for the work of the LRC. In a changing political context, many new opportunities for work which is truly developmental in nature have already arisen. The LRC has responded energetically and innovatively to the new challenges before it, and is well placed to continue to assist in the sustainable development of communities and the building of a human rights culture.

It is with sadness and the sense of the end of an era that I report that early this year Arthur Chaskalson informed the trustees of the Legal Resources Trust that he wished to retire from the position of National Director of the Legal Resources Centre. Arthur has held the position with distinction for almost fifteen years and his role in building up the reputation of the LRC is of course enormous. Arthur expressed the view that it was time that a younger person should take over this post. The trustees felt that they had to respect Arthur's wishes in this regard, and a process was set in motion to appoint his successor. At the Annual General Meeting of the Trust held in April, it was the unanimous wish of all the offices and the trustees to appoint Geoff Budlender as National Director with effect from 1 September 1993. Geoff has been with the LRC since its inception and has been Deputy National Director for the past two years. We are lucky to have someone of his calibre available to

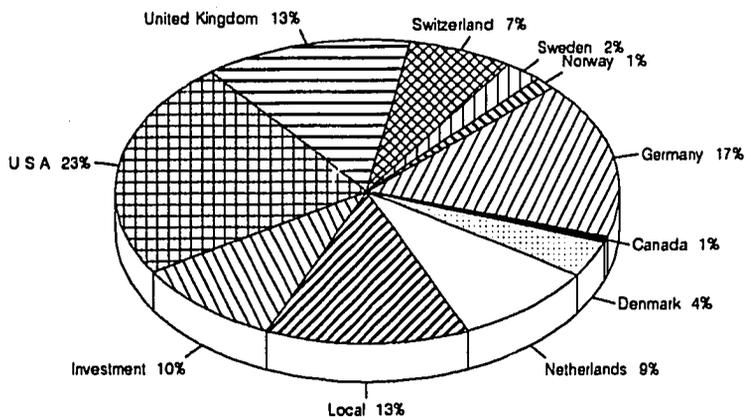
succeed Arthur. The trustees and the LRC staff are fortunate that Arthur has agreed to remain at the LRC, in the National Office, where he will continue to have responsibility for the management of the Trust and will undertake major legal work for the various regional offices.

On a purely personal level I would like to record how very much I have enjoyed working with Arthur and how comforting it has been to know, as Chairman of the Trust which funded the LRC, that Arthur's ability, integrity and dedication would ensure that the LRC functioned properly and efficiently. Arthur has during part of this year taken unpaid leave to serve as a member of the Technical Committee on Constitutional Issues appointed by the multi-party negotiation process. The Committee is addressing major constitutional issues which arise in relation to the negotiations and, as such, has an important role in the drafting of the interim constitution under which elections for the first democratic and non-racial government will be held.

Our budget for 1993/94 was set by the trustees at R12,2 million. It was agreed at the recent annual meeting of trustees that the LRC should go through a period of consolidation before considering further expansion. As I have mentioned previously, the trustees feel that it is essential to maintain and if possible increase our level of reserves, in order to have reserves adequate to fund the Centre for at least a year, if it becomes necessary to do so. This is viewed as prudent because the Centre has assumed responsibility for the affairs of very many clients and for its staff. The Trust continues to get significant support from overseas sources. The Trust also sees it as important that more of its income should come from sources within South Africa. The importance for the local community of the LRC's work, in helping to establish the legal framework in which democratisation can take place, cannot be stressed enough. A concerted campaign has been undertaken in this regard - Derric Reid has been working enormously hard, has seen many potential donors,

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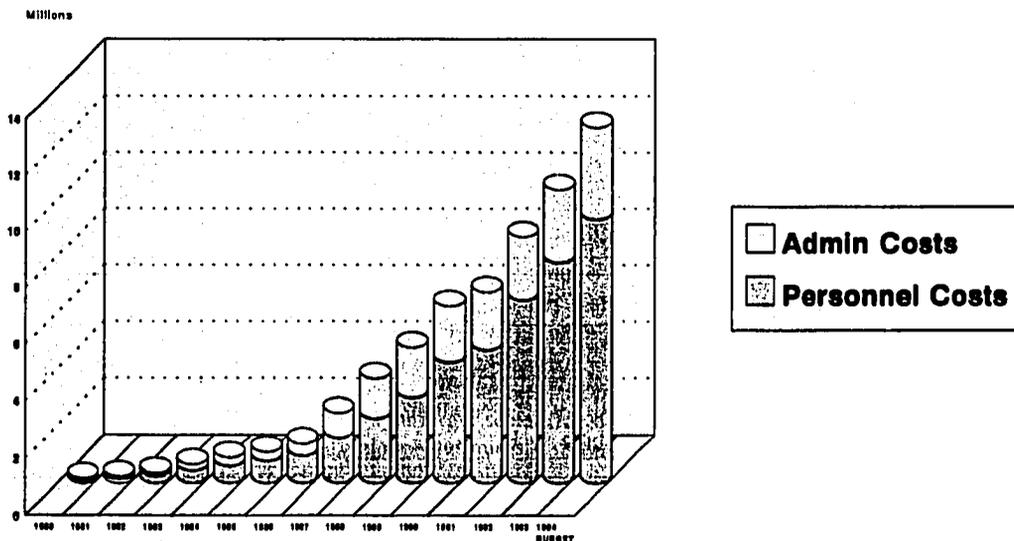
Income for 1992/1993



Excluding countries donating less than R50 000

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Actual Expenses from 1980 - 1994



Chairman's report

and has held many showings of our new video on the LRC's work. We record with satisfaction that we are receiving increasing support from the profession and from business in a difficult economy, but really need to find more corporate donors able to consider the substantial donation that helps to underpin our cash-flow. A full list of donors appears in our financial statements, and it is hoped that readers who are not already donors will become active supporters of the Trust. A demonstration of support is no less important than the size of a donation.

We are, as always, extremely grateful to the Legal Assistance Trust under the energetic guidance of Jill Williamson in the UK, and to SALSLEP, enthusiastically directed by Ann Satchwill in the United States for their efforts on behalf of the LRC. Despite the difficulties created by the recession, they have continued to manage to raise substantial funds and, with the support of their respective Boards, are constantly exploring and attempting to develop new areas of support.

Our trustees continue to give valued support to the work of the LRC, and I would like to record my thanks for their increased involvement in local fundraising. I would also like to thank Felicia and Sydney Kentridge, who took part in founding the LRC and continue as trustees to be active in its affairs, for the important role they have played in helping to build up the Legal Assistance Trust and in getting support particularly from the legal profession in England. Michael Richman, a trustee since the inception of our Cape Town office, has resigned as he is now spending most of his working time in London. I would like to thank him for the valuable contribution he made, and am glad that he will continue his association with the LRC through the LAT.

I welcome George Bizos, who is now working for part of the year for the LRC. Based in the Johannesburg office, he will undertake cases in

various parts of the country. He has an international reputation as a human rights lawyer, and his presence as counsel within the LRC is a tremendous asset, and will strengthen our capacity. George, together with Mahomed Navsa, director of the Johannesburg office and Clive Plasket, who has now been appointed Director of the Grahamstown office, has been involved in the Goniwe inquest, acting for the families of the murdered men.

I should like to thank David Knight SC, who has now left the LRC, for his work in the Cape Town office; also Harry Brighsh who, in his retirement, is generously devoting his knowledge and skills to the Cape Town office, and Judge John Trengove for giving the Pretoria office the benefit of his immense experience.

I am very pleased to report that Wallace Mgoqi of the Cape Town LRC has been appointed to the Council of the University of Cape Town and on behalf of the Trust congratulate him. The talents and experience of LRC lawyers are a national resource, and a number of our staff give their services on many relevant boards and committees throughout the country.

Finally, I would like to thank all the staff of the LRC for their commitment and enthusiasm, and wish them continued success in the year ahead.

□

Charl Cilliers
Chairman
September 1993

Director's report

In my report last year I mentioned that the LRC was equipping itself to deal with the future. It had started a process of evaluating its structures, of identifying the areas which would become the focus of its work in the future, and of acquiring the skills needed for such work. I concluded my report by saying:

"1993 will be the LRC's fifteenth year. It is an appropriate time for renewal, and in view of the changing social, economic and political environment, it is essential that there be such renewal. The LRC has both the will and the capacity to accept the changes that will be necessary and I have no doubt that it will do so."

When I wrote my report last year I realised that the renewal would almost certainly involve the appointment of a new director. I had occupied that position for almost fourteen years, and that is a long time for any one person to hold such a position.

We completed our evaluation during the past year. The LRC is now poised to implement the policies that have been agreed upon and to put in place the structures necessary for that purpose. It is an appropriate time for a new national director to be appointed to lead the LRC into what is still an uncertain future. I am very pleased that Geoff Budlender is willing to take on that responsibility.

Geoff was one of the founders of the LRC and over the years I have increasingly relied upon him for advice and support in the administration of the LRC. Nobody knows the LRC better than he does. He has all the skills that are necessary for the difficult challenges that will have to be faced as the LRC finds its place in the new and fragile democracy that awaits us. I have no doubt that under Geoff's leadership the LRC will flourish and become a vital institution in the social and political order that is unfolding.

I spoke about the future of the LRC at our Annual Meeting in May. What I said then is published in this report. I would like, however to make a brief comment about the past.

The LRC has achieved far more than we ever contemplated when we opened our first office in

Johannesburg in 1979 with a staff of 4 people, a budget of R150 000 for our first year, and plans for modest expansion which would take our staff to 6 or 7 and our budget to approximately R200 000. The progress which has been made since then is charted in the LRC's Annual Reports. We have been fortunate that the people who have chosen to work at the LRC have had a commitment to a shared ideal of a just society and have seen their roles within the LRC as contributing to the achievement of that goal. I am grateful to all of them for the skills and enthusiasm they have brought to their work, for their courage and for their friendship.

Felicia Kentridge, who was one of the founders of the LRC, now spends most of the year in London. She continues to play a creative role in the planning of the LRC and in seeking support for its work in different parts of the world. She has been a driving force in the establishment of the Legal Assistance trust in England whose efforts in support of the LRC are acknowledged in the Chairman's report. Much of the success of the LRC is attributable to Felicia's creativity and as this is the last report which I will write as National Director of the LRC, I would like to record that fact.

Charl Cilliers has been the Chairman of the Legal Resources Trust since its establishment in November 1978. He and the other trustees have guided us through difficult and stressful times. On occasions they were themselves subject to pressure because of their association with the LRC but they did not give in to that pressure and throughout the past 15 years they have been a source of strength and encouragement to all of us at the LRC. I would like to thank them all for the confidence they have shown in me during this period and for the support they have given to me in my job as National Director.

The years I have spent at the LRC have been the most rewarding years of my professional life. I am proud to have been associated with the LRC and I am glad that I can continue to be part of it.

Arthur Chaskalson

The LRC in the Future

*Address by the
National Director
Arthur Chaskalson to the
Annual General Meeting,
April 1993.*

We have lived through a very difficult year. It has been a year marked by failed political negotiations and violence. It has been the year of Boipatong, of Bisho, of the murder of Chris Hani and many other senseless killings and massacres. It has been a year of drought and of increased poverty, instability and insecurity. The country has gone through periods of hope, of despair, of anger, and inevitably this atmosphere must have affected all of us.

When the LRC started 15 years ago there was no doubt about the issues that faced us. The injustice of apartheid was obvious and the need to challenge that injustice was clear. That was the core of our work and informed everything we did, including even the handling of matters such as pension claims, unemployment insurance claims, workmen's compensation claims and other such cases. For they were all directly or indirectly a consequence of the way the state was organised.

By supporting communities who were the victims of those laws, by challenging abuses of power within the bureaucracy and the way that they applied unjust laws, and by challenging the mistreatment or exploitation of the individual clients whom we represented, we were identifying ourselves with a larger struggle against apartheid and injustice. And it was from that that we derived our energy. We had a purpose and we were successful. Our work was given recognition. Foreign governments, churches, development agencies and foundations stepped in to support us and the LRC grew and was affirmed inside and outside of South Africa. All this was also a source of energy.

And then came February 1990. We started thinking of our role in a new society in which law would offer new tools with which to challenge injustice. We talked about the apartheid building which would continue to stand after its scaffolding, the apartheid laws, had been removed. We were conscious of the fact that apartheid and its consequences would not be made to disappear overnight; that despite the repeal of discriminatory laws and the election of a democratic government apartheid was likely to continue to exist for many years in substance if not in form. We said that positive action would be required to dismantle apartheid; that lawyers

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would be needed for this and to help in the building of the foundations of a new legal order appropriate for a democratic and non-racial South Africa. And we saw a clear role for ourselves and for the LRC in the future.

All this has been tempered by the events of the past three years. The delays and frustrations surrounding the constitutional negotiations and the damage which has been done to the fabric of our society over the past three years have raised doubts which may not previously have been experienced. Things are no longer so clear. Will there really be a new democratic South Africa, and if so, when will it come and what will it be like? Do we have a role in helping to bring about the new society, and if so, what is that role now and what will it be in the future. And what about our funding - will we continue to receive support from around the world as we presently do, and if not, what will happen to the LRC?

I think that what has happened to us is that the uncertainties and strains of our society have found their way into the LRC, as they had to do and that this has made it more difficult for us to take decisions.

I do not suggest that we are not doing our work properly; rather, that it has become more difficult for us. The LRC is an important institution. It has a reservoir of knowledge, skills and human resources which, if correctly harnessed, can make a significant contribution to the future of our country. It is important that we harness these resources and use them constructively. We owe that to ourselves and to our country.

The issues that have an overwhelming influence on the day-to-day lives of the people in the LRC and the communities with whom we work are the violence and the lack of progress in political negotiations.

There seems to be no end to the violence and I think that we must assume that in the short term it will continue. There is one favourable sign, and

that is that in certain parts of the country the police seem to be more concerned about what is happening than was previously the case. It is essential that this should happen, for as long as the law fails to protect the victims, or to be seen to be taking action against the offenders, people will take the law into their own hands and a cycle of violence will continue and feed off itself. The question facing us is: does the LRC have a useful role to play in helping to address this issue?

The only avenues which seem open to us are through the peace structures, through monitoring marches and meetings, through the hearings of the Goldstone Commission, and through gathering evidence to make prosecutions possible. This is what is being done by the LRC particularly in Natal. It seems to me to be valuable and work which we should encourage our people to do. It must, however, be seen for what it is: short term crisis intervention.

Our longer term planning and the direction that the LRC takes in the future depend upon the outcome of the political negotiations. It seems to me that these negotiations are now at a point at which firm decisions have to be taken. If matters do not come to a head within the next few months the negotiations are likely to collapse, and in that event there is a great danger that our country will slide into anarchy and chaos. We should not plan for such a contingency. Indeed we cannot, because if it were to come about, we would be concerned with crisis management and would have to respond as best we can to the crisis as it unfolds. I believe, however, that the negotiations are more likely to succeed than to fail, and that we should plan on the assumption that the transition to democracy will commence during the course of the coming year and that there will be elections for a constituent assembly and legislature in 1994.

One of the structures of the transition will be a transitional constitution which is likely to guarantee fundamental civil and political rights. In the short term the pressing issues of the transition will be:

The LRC in the Future

- The levelling of the playing field
- The promotion of conditions in which free and fair elections can and will take place.

What, if any, will be the role of the LRC in regard to these issues? The LRC should not and can not participate directly in political activity. But there are a number of areas in which we may be able to make a contribution to the transition either as individuals, or as the LRC, without involving the LRC in direct political action.

First, there is the debate around the new constitution and new legislation which will be required to address the legacy of apartheid. Because of our experience we have knowledge and skills which are relevant to these debates. We should certainly make our knowledge available. We should consider new legislation that could help our clients to confront particular problems that are brought to our attention, and feed that into the public debate. What I have in mind is that we should not only encourage our people to participate in the debates that are taking place, but that we should make time for them to write about matters and to have their writings published. There need not be an LRC view on any particular issue. Indeed, that would be inappropriate and make the writing much more difficult, for how could we ever hope to have a single view within the LRC on any particular issue? But there could be LRC seminars at which papers are presented and criticised and ideas are developed and we should consider whether we have the time and capacity to do this, and whether or not we want to do it.

There are many laws and practices which have an impact on the levelling of the playing fields. We must know some of them from our own experience. Should we start our own internal project to catalogue these laws, and make them public so that they can be repealed? The government itself is involved in such a project and the senior government law adviser has asked if the LRC would bring to his attention laws which we think should be repealed. Allied to this are laws which may have to be

enacted to prevent practices which have or are likely to have an adverse impact on the levelling of the playing fields, and if we direct our attention to this issue, we should also consider what practices should be prohibited and how that can be done.

There is the question of voter education and related steps necessary for the holding of fair and free elections. The LRC has no special expertise in this field, but the education of voters is crucial and there are likely to be a number of independent agencies, including the independent Election Commission, which will see this as a vital task to be undertaken during the period of transition. If LRC people are called upon for assistance in this field, should we be willing to make space for them to do so? Related to this is the question of participating in structures set up to monitor events and promote peace during the election campaign. This too is likely to be vital during the period of transition and I am sure that the Independent Election Commission and other independent agencies will be looking around for people to assist in this process and are likely to approach institutions like the LRC for help. Should we make ourselves available to participate in such activities?

Finally there is the ordinary work we are involved with which is concerned with developmental issues, taking up infringements of human rights, enforcing social welfare legislation and the like. Our work around human rights issues is likely to be strengthened by the provisions of a transitional constitution and we need to equip ourselves to deal with such matters. We have agreed that we should do this and we are in the process of making arrangements for foreign lawyers to visit South Africa to impart their experience to us. The ordinary work that we do is crucial and is the core of our operations. The question is not whether we should give up that work; rather, it is whether we should make space within that work to deal with other matters which are likely to come to the fore during the next year. That may depend upon our ability to raise funds during this period, and I believe we must make every effort to ensure that we have the human and financial resources to meet the demands that are likely to be made upon us.

As far as longer term planning is concerned, we should consider changes which may take place once a democratic government is elected. The

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changes which may affect us are not only changes in the legal framework, but also changes in attitudes and the functioning of government institutions.

First, what sort of legal aid system will there be in the future? Presently the Legal Aid Board is the only institution through which government funds are directed for the purpose of providing legal aid. It has a history as all government institutions in South Africa have. What we must appreciate is that once a new government comes to power, the image and purpose of government institutions like the Legal Aid Board will change. We can already see that. The Legal Aid Board has a comparatively new director who has shifted the focus of legal aid towards meeting the greatest need, which is for the provision of defenses in criminal trials. In approximately 85% of the cases funded by the Board the clients are black. The Board is beginning to explore the possibility of shifting from a *judicare* system to one which is structured around employed lawyers. The pilot project for a public defender office is an illustration of this thinking. The project has been successful and is likely to become a permanent structure and to be expanded beyond Johannesburg and into other parts of the country. Legislation is to be passed to make it possible for law graduates to do "community service" instead of articles of clerkship. What is contemplated is that a graduate who works for a year at a recognised community service institution (such as the Public Defender office) will be able to gain admission to the profession after completing a four months course of practical education and passing a professional exam. That will not only encourage community service, but it will also remove a major obstacle which presently exists to the gaining of access to the profession - namely, finding a place as an articled clerk.

Then there are the advice offices. They too should be incorporated into the legal aid system in a formal way and not left as they now are, to fend for themselves. Ultimately what this country needs is a legal aid network consisting of *judicare* for those cases which the private profession can handle better than employed lawyers, a network of employed lawyers and advice offices working together to provide legal services in civil and constitutional cases, and a public defender system to address the needs of the unrepresented accused. This system can be given substance and energy by

requiring law graduates to serve internships at one of these institutions for a period of at least a year before being admitted to practice, in the same way as doctors are presently required to do. This will not only extend the scope of the legal aid services and bring them within the financial capacity of the state, but it will also have an impact upon young law graduates who will be brought into contact with problems of the masses of the people, and not only those of the people who can afford lawyers, which is largely the case under the present system of articles.

We have in various forums argued for such a system in the past and we should continue to do so. I think it is likely that we will win this argument and that a much more comprehensive legal aid network will come into existence in the future than is presently the case.

What would such a change mean for the LRC? The work which we are presently doing is concentrated around land, housing and related services and the facilitation of the development of communities who have been impoverished and disempowered by apartheid. We also take up human rights issues and a great deal of our work is concerned with that. We are increasingly becoming involved in the provision of legal services to rural communities. We deal with claims concerned with unfair labour practices. We provide support and instruction to advice offices in rural and urban areas. We handle damages claims, claims concerned with consumer protection, and claims concerned with the enforcement of social welfare legislation such as pension, workmen's compensation and unemployment insurance.

A proper legal aid service would be able to address most of the labour litigation, the damages claims, the welfare claims and ultimately the advice office network. That would leave the land, housing and developmental work, the human rights issues and consumer protection as fields in which the specialist capacity of the LRC would be most needed and most effective. The new constitution and legislation likely to be passed by a democratic government

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would increase our capacity to deal with these matters.

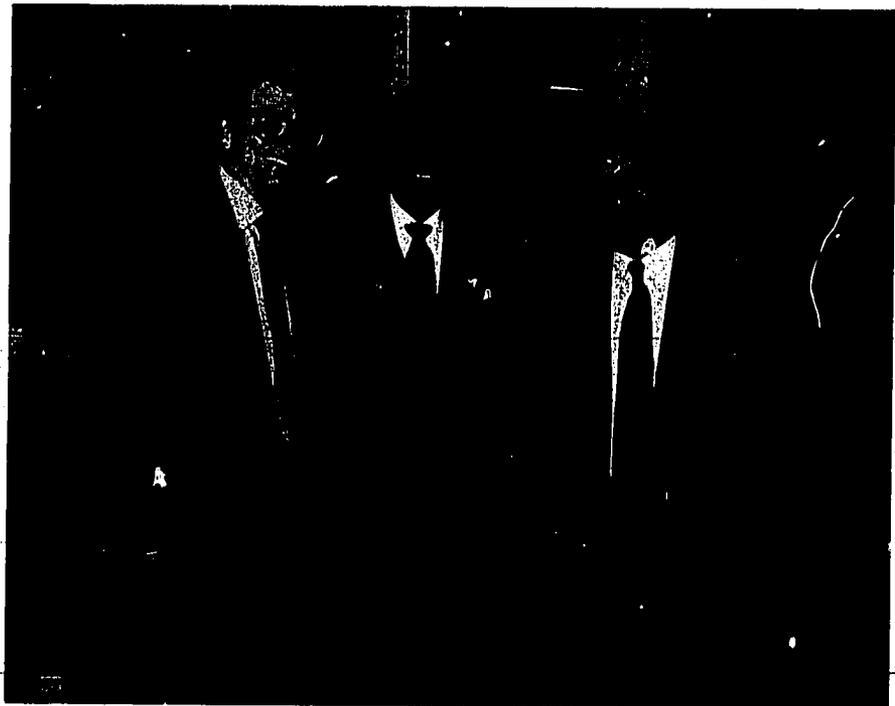
I believe that this is where the future of the LRC lies. There may of course be other fields in which we will want to become involved, but whatever choices may be made, we need to start preparing now for the future. In the field of human rights we need to have an understanding of constitutional litigation. In the field of land, housing and development we need to acquire a better understanding of development, and how lawyers can best work with communities for that purpose. In the field of rural legal services we need to have a better understanding of the needs of rural communities and how to work with them to attain those needs. We have those skills already within the LRC in some of our offices and we must ensure that they become available in all of the offices and that they are enhanced by discussion and research.

In the short term then I believe that we will continue with our existing work and possibly include within

it issues which will arise during the transitional period and which are fundamental to the laying of foundations for democracy in South Africa. During this period we should begin preparing ourselves for the work on which we are likely to focus in the future. This means that we must give priority to the training of our lawyers and paralegals, and also to the training of our articulated clerks. We are in the process of doing that and have made that commitment to ourselves. We have also attempted to become more focused in our work, and to develop a mission statement and a statement of strategies.

I believe that the work of the LRC is as important as it ever has been - that it is and will be crucial for all the reasons that we thought it would be in February 1990. We need now to prepare for our future. We have a rare opportunity to help create a new society, and to help shape the future of our country. We have the capacity to play a part in giving life and real meaning to the new constitution that we will surely have. We should take that opportunity.

□



Arthur Chaskalson, Nelson Mandela, Geoff Budlender: at a dinner on the occasion of Arthur Chaskalson's retirement as National Director.

The LRC's Work

DEVELOPMENT OVERVIEW

■ A noticeable trend in the work of the LRC over the past three years is its increasing involvement with development matters on behalf of community clients. All regions of the LRC serve both rural and urban clients in their efforts to gain access to land and develop a physical and social community infrastructure. Some clients were previously helped by the LRC to resist removal or eviction, while others are being assisted in their efforts to reclaim land from which they were previously dispossessed by apartheid. *The central aim is to help low-income communities to access resources on a sustainable basis.*

■ This work differs in some fundamental respects from the work usually undertaken by lawyers. In doing it in response to client needs, lawyers are venturing onto comparatively new ground, and learning from experience in the process. The work differs from litigation, is often non-adversarial and does not respond to an event or a once-off issue. Communities need help with securing tenure, acquiring more land, housing and services, education and health care, job creation and business development. Long-term forward planning is a key element, and the process itself is of critical importance.

■ Lawyers are not developers or community organisers. It is necessary to involve other professions and non-governmental

organisations. But lawyers have a key role to play. The developmental role lawyers play consists of advising clients - this may extend to helping them articulate and publicise their demands, explaining options and assisting them to make realistic choices - negotiating and drafting agreements, planning and designing legal structures and arrangements, monitoring the performance of legal obligations, and at times resolving disputes. Lawyers can also help client communities to gain access to other professional and technical expertise, and to finance.

■ Who the 'client' is requires careful consideration, as simple unity in the face of the apartheid adversary gives way in a changing South Africa to more complex struggles over resources and power.

■ Land, housing and development work is time and resource-consuming. Each 'case' represents actions over a long time span, usually for a large number of people, who often have to be seen at inconvenient times, in places considerable distances from the LRC offices. *Work on land, housing and development issues now takes up between 25% and 30% of the time of LRC lawyers on a national basis.*

■ The following examples have been chosen to illustrate the nature of the issues and the type of development 'sequence' which is now common to many communities.

Urban Issues

Several important long-term development relationships with communities mentioned in last year's report continue. These include the **SEVEN BUILDINGS** project in central Johannesburg, and the **HOSTELS TO HOMES** project in Langa, Nyanga and Gugulethu in the Cape.

- Both aim to transform residents' status from illegal tenants to lawful owners of upgraded properties.
- Both are noteworthy as demonstration scenarios which, with the lessons learned from them, could form prototypes replicable by other communities.
- Both go against the grain of apartheid planning which pushed low-income people to the urban periphery, and instead house people in relatively well-located land which would otherwise have gone to middle-income housing.
- As with other areas of its work, the LRC's development aim is to take test cases, with a view to innovative solutions.
- Both these instances and others show pioneering development in planning and financing, and in the solutions possible with a cross-fertilisation of disciplines and the meeting and working together of civic, municipal, provincial and private sector groups, some of which were in confrontation before.

The **Hostels to Homes** initiative upgrades the single sex hostels, and also infills buffer land surrounding them for family ownership. The hostels do in fact house families - about a hundred thousand people - twice the number for which they were originally designed. This pilot project aims to redress the physical manifestation of apartheid migrant labour policy, and to design double-storey units for family life in an environment planned for community quality. Planning also aims to create job opportunities (for example the ground floors may be used commercially), and a commitment to labour-intensive construction.

The scheme started in 1986 with a 'bottom-up' initiative via the Western Cape Hostel Dwellers Association. The LRC was involved from the outset. The Umzamo Development Project, a Section 21 company set up by the LRC and chaired by Wallace Mgoqi of the Cape Town office, took over last year from a previous trust and now drives the project. Considerable

Umzamo Development Project people. Centre: (In dungarees) Wallace Mgoqi.



Development

negotiation among former political antagonists yielded the Hostels to Homes co-ordination committee to receive state funds and oversee implementation. The committee comprises Umzamo, the Ikapa Town Council and the Cape Provincial Administration. The LRC negotiated the development agreement in this tripartite agreement.

The **Seven Buildings** project plans to upgrade seven blocks of flats in central Johannesburg as community share-block owned affordable housing,

managed by its owners. If successful, the scheme will deliver affordable housing to many who came there originally as Group Areas Act "illegals". The potential replicability of the scheme bodes well for the inner-city, where a considerable amount of potentially usable accommodation exists.

The LRC's involvement began as representative of tenants in confrontation with the landlord - the problems presenting themselves as rent boycotts and evictions. The LRC was involved as co-ordinator of

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protracted negotiations between tenants, owner, the city council, the private sector and development agencies.

The scheme's financial viability requires some form of subsidy. Precedent-setting ways are being sought to broaden state housing subsidy policy, presently geared to individuals in single homes. A gap in the development of policy for a new type of subsidy - for shareblock-owned multiple dwellings - is presently hampering the project's implementation. □



Swanieville: Residents move to their new, serviced sites.

Star

Development relationships also continue with the communities of **Oukasie, Wallacedene and Swanieville**. Approximately 80% of the Swanieville residents destined for the new 'Lusaka 1' have moved across to developed, serviced stands. Due to a collapse of the civic association, consultations with the new leadership are necessary before taking development issues forward.

Work with the community of **Zwelithle** at Hermanus is an example of how contact over an initial limited issue - in this case the use of private hostels - led to further initiatives. Five hundred serviced sites were subsequently developed by the IDT for the community of about 20 000 people. Negotiations have now been extended to an exciting development known as the Coastal Land Development Project, involving millions of rands. Thirty per cent of the

LRC case reports

proceeds of this development - of residential and business sites for the open market - will be ploughed back into a trust for further community facilities.

In Durban, the office continues to play an interventionist role in the many crisis issues flowing from an increasing in-migration from the rural areas, due to the drought and violence. Land is rarely allocated for permanent informal housing in the Durban area.

Second-phase work is also in progress. Several of the communities for which Durban acts have been granted IDT finance and, in the process, the office has prepared joint venture agreements, trusts, steering committee agreements and constitutions for them.

At Swanleville: Moray Hathorn, Johannesburg office attorney, poses alternative options to community members.



Ambitious double storey: In the Kennedy Road settlement, Durban.



In the area of KwaDabeka, adjoining Clermont near Durban, significant progress has been made since the LRC's initial crisis intervention in 1991 to halt shack demolition and removals. Now that they have tenure, families are building stable houses of brick or concrete block in phase one, comprising 245 sites. The official handing-over of strategically positioned water points, provided by the Durban Council's development fund, was celebrated recently.

Negotiations to develop the 'no-man's-lands' previously separating Clermont, KwaDabeka and adjoining white municipalities are succeeding. The upmarket borough of Kloof is to relax its building regulations to accommodate mixed low cost housing

Housing

in the buffer strip - a 'first' in Natal.

Established local authorities are now more ready to recognise civic structures as representative, and the more than ten residents' civic committees whose formation was assisted by the LRC have been helped to form a Joint Civic Forum in conjunction with the Provincial Administration, to take part in local authority decision-making. The KwaDabeka Peoples' Committee of Concern was helped to devise a joint project with a private developer, in terms of which job opportunities would be created by using community members for development work.

Development is proceeding speedily in the case of two large Mamelodi communities. One is on the edge of an active rubbish dump which threatened to collapse and another is settled on top of a stone quarry. Both were helped by the Pretoria office to organise themselves into representative committees, and to co-operate with the Mamelodi Civic and Council structures in a steering committee in order to obtain IDT funding for sites serviced with water and sewerage. The LRC advised the communities on developers' tenders, serves with the civic and squatters on a Consolidation Committee charged with creating the new community infrastructure, and helped draw up a trust for this purpose.

Representative structures in Pretoria's Mamelodi and

Eersterus districts - different 'group areas' in apartheid terms - have been encouraged by the LRC to join together to negotiate with the Pretoria city council on the land issue, rather than continuing separately.

In Port Elizabeth the LRC represented the community of the Motherwell township on a number of negotiation fronts. They have assisted the Civic organisation in negotiations with the Motherwell Town Council on service charge boycotts and the community's demand for electrification. These matters however have been subsumed in the broader One City Task Force negotiations with the PE municipality. The LRC serves on the PENCO legal task force in this regard. It has been agreed that the primary goal of the forum is to bring about a single non-racial local government body for the whole area. Two working groups have been established - Constitutional, and Finance/Administration. The LRC has been instructed to draft the terms of reference of the two groups.

Electrification at a quoted R3000 connection fee per stand seemed out of reach for the community of Makapanstad. The community consulted the LRC which established that they had not been informed of an alternative through Development Bank loans, repayable in the long term as part of increased tariffs, which would reduce the connection fee payable to R50. This option will be used.

□

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Urban Issues: Housing

Local authority malpractice in the allocation of houses and sites is inevitable, given the shortage. Cases have been seen for example where councillors have allocated land to themselves to sell to developers at a profit. In other cases clients, after having completed all application formalities and made payment, do not get transfer and find that the site has been allocated to someone else. Some cases are settled by an out of court offer of replacement alternatives. Court action or out of court settlement can succeed in curtailing but not in eliminating these practices.

Many thousands of tenants in township council housing have been given a new security of tenure following the outcome of the Toho case, a very important test case.

The Conversion of Certain Rights to Leasehold Act repealed the regulations in terms of which residential permits were issued, and declared that holders of those permits would be the lessees of the local authorities. However the Act does not indicate what rights the lessees have. There are more than 300 000 lessees country-wide. Some local authorities are now selling the houses, many of which have had the same tenant for decades, to other people. A test case argued on behalf of Mr Enoch Toho of Diepmeadow, Soweto, was the first in which the Supreme Court ruled on what tenants' rights are. The court held that the tenants have

a secure tenancy, which the council may only cancel for failure to pay rent or other charges.

The judgement also enhanced women's rights to housing. Most couples in rented housing in both urban and rural areas are married in community of property, but virtually all residential permits were allocated to men. The judge ruled that the tenancy of a council house is an asset in the joint estate and, on divorce, the wife would be entitled to a share of this asset. The husband cannot simply dispose of the house.

In Eersterus, Pretoria, low-income families paying rent in National Housing Commission-funded flats face homelessness due to city council plans to sell the flats on sectional title at prices they cannot afford. The LRC argued that although the local authority had a statutory right to sell, the tenants were entitled to a hearing before the decision was made. Further, the existing housing shortage (there is a waiting list of 3000 for sub-economic housing) meant that pricing tenants out of the market would in effect be dehousing them, whereas the Council, in terms of the Housing Act, has a duty to provide housing for low income groups. Negotiations have been terminated abruptly by the city council, and the LRC may now have to litigate on behalf of the tenants.

Problems continue to surface with inner-city tenants. The LRC

was approached for advice by the black tenants of seven blocks of flats in Yeoville owned by the same landlord, who claimed they were suffering from exploitation patterns similar to those experienced by many tenants in the inner city and Hillbrow. Advice was given on lease agreements, rent receipts, arbitrary increases and evictions, lack of maintenance, lack of proper meter readings, invasion of privacy, curfews and threats of assault by the landlord and his bodyguards.

Instead of instituting a spoliation claim on behalf of a client whose shack had been demolished in Bophuthatswana the Pretoria office tried to invoke the territory's Bill of Rights. The authorities' reliance on the South African Prevention of Illegal Squatting Act was challenged as being in conflict with the Bill of Rights, which included the right to family life, housing and privacy. A positive decision would have important consequences for many shack dwellers, as the removal of shack communities is presently widespread in Bophuthatswana. The application failed on other grounds, but the judgment is now being taken on appeal.

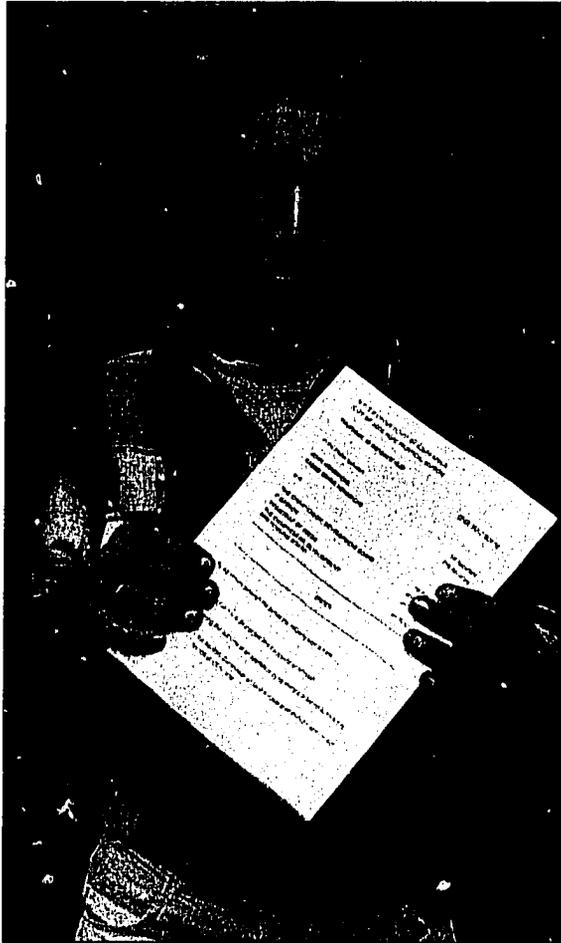
The LRC represented families whose Ivory Park shacks were demolished in the middle of winter. A highly publicised confrontation with provincial authorities has led to a greater sense of urgency on the part of the major local authorities in the area about the identification of further urban land for settlement.

Urban Issues: Land claims

An urgent Supreme Court interdict blocked the imminent transfer to a private speculator of land in Rondevlei, Cape Town, previously expropriated by the Community Development Board in terms of the Group Areas Act. The price to be paid by the purchaser was less than the original owners' compensation, and he planned to resell it at a large profit. The original owners of the land won an order that it could not be alienated until the government's Advisory Commission on Land Allocation had considered their claim to the land. The family had bought their plot in 1949, and were still living on it. An application was made to ACLA for the return of the land to its original owners. ACLA's decision is awaited. Application was also made to the Provincial Administration for the land to be declared a less formal settlement. At the hearing, the Development Board claimed it had a right to the land despite past group areas wrongs. They claimed the case fell outside the terms of reference of the commission, as the land had already been "allocated".

In Cape Town, the Board holds 3241 properties. Much state land has been sold, despite the government's stated land reform intentions. The LRC has been approached by a number of clients who were dispossessed by the Group Areas Act to investigate the possibility of redress. An example of many in a similar

Cape Times



Rondeville:
Family member
Mr Hendricks
holds the
order
of the court
blocking the
sale of their
land pending
application
to ACLA.

position is a pensioner who wants compensation for land her father was forced to sell. The land today forms part of the upmarket Cavendish Square shopping complex. Although the family received compensation at the time, if they had been able to keep the property they would have benefited from the subsequent rise in property values.

Urban agriculture

Instructed by the Uitenhage

Residents' Civic Organisation, the PE office researched how to give appropriate legal assistance to an urban agricultural project adjoining the KwaNobuhle township. The project - irrigated co-operative garden plots - could, if feasible and sustainable, play a key role in alleviating poverty and unemployment there, and was intended to eventually operate on a far larger scale. However it had many administrative, financial and planning difficulties. Information from

clients who are mostly illiterate, was systematised, and a report sent for comment to the relevant Ministers and community organisations with a view to future functional planning.

After having halted a planned sub-division of plots on which they had crops and livestock in KwaThandeka, Amsterdam, the LRC's community clients and their independent, commissioned advisers will cooperate with the local authority to formulate a proposal to the Provincial Administration for the development of a comprehensive urban agricultural scheme. Discussions between parties have resulted in plans to acquire an 80ha irrigation farm, to be held communally, and possibly further grazing land.

Rural issues

Eviction, restoration and land claims

Most regions have assisted clients wanting to reclaim land lost through forced removals to make use of the limited opportunity that exists through claims to the Advisory Commission on Land Allocation. Although ACLA's terms of reference have been questioned and the LRC, together with other lawyers, has suggested its replacement by a land claims court, some client communities do have some prospect of recovering their land through the ACLA process. While in some instances matters have simply been referred to

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Rural land

ACLA, in others a combined strategy of litigation has proceeded in tandem with application.

Over 100 people on a farm, **Allendale**, in the Cape were threatened with eviction after almost 30 years of undisturbed residence. They were all members of a community which had originally been removed from its land in Elandskloof in the 1960's. The LRC has been trying to assist in their return to Elandskloof, via both Supreme Court litigation and application to ACLA. An extremely favourable outcome of the eviction proceedings was achieved, whereby the community was allowed to stay on the farm rent free for another four years, during which time they will be able to focus on the campaign to return to their original land.

The plight of dispossessed people is graphically illustrated by the case of the small-farming community of **Riemvasmaak**, on the banks of the Orange River. In 1973, the community was 'sorted out' on the basis of ethnicity - more than 900 being taken to destinations as far apart as the Ciskei and Damaraland in Namibia. The rest of the community has dispersed over the north and west Cape. A representative committee has contacted almost all the displaced, who are united in their desire to return. The area is presently under the jurisdiction of the Defence force and the National Parks Board. Notice has been given to ACLA of a claim.

The case of the **Thornhill** community, historically one of the most infamous resettlement camps in the Eastern Cape, continues to be the Grahamstown office's largest land claim matter. The community's claims which go back a long way have been heard by ACLA and, although there was hope that they were at last on the brink of development, the Commission has yet to offer them acceptable land.

Negotiations continue on the terms of the state's offer to the **Mfengu** community of restoration of some of their original land and an element of development-related financial compensation. The settlement negotiations arose out of a Supreme Court application on

behalf of the community. Ahead of any settlement, fifty families - the first returnees of the five hundred family community which was removed at gunpoint sixteen years ago - returned from Ciskei to establish a presence in the area, building houses in the adjoining Clarkson Mission station.

Judgement was reserved in the Supreme Court in Pietermaritzburg in the case in which 2500 former landowners at **Crimen** in Natal attempted to have their 'Black Spot' removal of 1977 set aside. Central to their argument was the claim that their expropriation had been invalid as it had not been correctly carried out in terms of the applicable legislation.

In the long drawn out case of



Return of the Mfengu: Kobus Pienaar (right), attorney at the Port Elizabeth office, with a member of the community.

Rural

the communities at Welverdiend and Boschkuil, agreement has finally been reached that they can remain subject to the relevant portion of the land being purchased. This has important implications for other cases in which the legality of the original removal, some years ago, is doubtful.

The LRC represents a number of other communities which have also made claims to ACLA for land. These include the Mampuru tribe (Groblersdal), the Putfontein community (Lichtenburg), the Mathopestad community (Koster) and the Baphiring tribe (Koster).

The reconstruction of South Africa requires the restoration of land which was taken by apartheid forced removals. Representing claimants before ACLA is a limited part of what will be a much larger task. If (as expected) a land claims court is established, the ACLA experience should be very useful.

Capacity building

About a quarter of the time of the Durban office is spent in capacity-building, in the rural areas of Natal and KwaZulu. Close contact is maintained with communities, through structures developed by them, such as farmers' unions and civic associations. Lawyers analyse the communities' needs as defined by the communities themselves, and suggest appropriate mechanisms and structures to achieve them. Voluntary associations, trusts and co-operatives are established, and communities acquire the skill to function

formally through such legal entities. This enhances their ability to interact with the state, the commercial sector and other structures on a more professional basis.

The Durban office and Peter Rutsch, the lawyer most responsible for this work, recently received a prestigious award - the Prize for Participatory and Sustainable Development, given by the Danish Association for International Co-operation. The award was in recognition of the 'pioneer effort being made to link law and development under extremely difficult circumstances.'

A two to three-year pilot project of the European Community - Umthombo Pride - whereby EC funding will be channelled to rural communities in coastal Natal, has resulted in the establishment of a Council, representing non-governmental organisations and community-based organisations from six regions, to oversee the process. The Council appoints trustees to assess and distribute funding for projects. This initiative will influence how rural development in the area will take place, giving preference to community organisations on the ground. The LRC has played a substantial role in this initiative, and has advised several of the partner organisations in reassessing their own legal status and adopting appropriate constitutions and structures.

In Maputaland in northern Natal 280 000 people are threatened with removal to make way for nature reserves and tourist facilities. In one

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example, at Lake Sibiya, a local chief made a deal with a hotel group to build a 150-bed luxury lodge. A clash of interests ensued when local tribespeople who had not been adequately consulted found themselves fenced off from their traditional fishing resources. In conjunction with community organisations, the LRC is involved in negotiations with conservation authorities to ensure that the area's indigenous populations are involved in the decision making processes concerning conservation and the management of conservation and tourist areas, and that the income is channelled to these communities for their benefit. Conservation and the environment are linked to development in this type of joint venture.

The Durban office is active in numerous rural parts of Natal, assisting with matters such as development trusts, the title and management of agricultural projects, and community access to land, water and other resources.

The LRC acts for the co-owners of a farm near Hammanskraal in central Transvaal, registered in trust in the name of the Minister when it was purchased in 1923. Before the establishment of a KwaNdebele homeland the State President imposed a tribal authority on the farmers, in order to increase the number of tribes over which the fledgling Ndebele regime could claim authority. The authority has moved its supporters onto the land, and started developing it to the detriment of its original farming character. The farmers are resisting the undermining of

their communal rights of occupation, administration and use of their property by tribally appointed officials.

Farm labour

The LRC continues to deal with clients suffering hardship arising out of the semi-feudal relationship of labour tenancy. Litigation is not a long term solution, as the issue is a political one. The LRC, in conjunction with other attorneys and the National Land Committee, has attempted to foster an awareness of the issues in ACLA, at CODESA and in the Department of Regional and Land Affairs. The inclusion of farmworkers under labour legislation provides only part of the answer to the problems of labour tenants. At the heart of the labour tenants' claims is a claim to secure rights to the use of land they have occupied for generations. The labour legislation does not deal with this.

In one case, the LRC acted for ten families on a farm in the Wakkerstroom district of the Eastern Transvaal who were given three months' notice to vacate. One typical client aged 73, one of three generations of tenants on the farm, started work for the great-grandfather of the present owner. The original verbal labour tenancy agreement, confirming that the tenant families could remain on the farm until the breach of the agreement or for life, was cemented by its handing down through the succession of generations on both sides. A Supreme Court test case was launched. The farmer then

agreed to continue the tenancy arrangement with all the families.

The LRC is also handling several damages cases arising out of violence and assaults on farms.

In a case involving the jurisdiction of tribal courts the LRC had a tribal court's verdict of a fine of money and cattle revoked. Two labour tenants who had been taken to court by a white farmer were reimbursed. The court's decision had been of no force or effect as it contravened the Black Administration Act which governs tribal courts. Chiefs can only hear civil cases arising out of black law and custom. The chief concerned had failed to keep an adequate record, and had heard a case against people who did not belong to his tribe, brought by a white complainant who, in terms of the duality of SA legal systems, was restricted to use of the establishment courts.

A labour tenant family was given less than a months notice to vacate a farm in Hankey near Port Elizabeth on which they had lived for generations. The family had previously owned a share in the farm, bequeathed to descendants to the fourth generation. They sold in 1972, under the impression that the land was to be proclaimed a white area. An urgent interdict was obtained when the current owner, intent on evicting them threatened to kill the family head on being informed that their matter would be defended. It was subsequently settled.

The LRC helped a group of ten labour tenants who had leased and wanted to buy a white-owned farm in the Eastern Transvaal after having been evicted from other farms in the area. They were referred to a Nelspruit attorney for the formation of a close corporation, and to the Rural Finance Facility for continuing business and financial assistance. The LRC arranged and attended their first meeting.

Towards the end of 1992 it was revealed that the government was planning to incorporate further land into the homelands. The LRC made submissions to the Goldstone Commission, pointing out the risk of violence which this would create, particularly in Natal. It was pointed out that in the past, "homeland incorporation" has often led to violence, and that this was even more likely in the present situation.

After investigating the matter, the Goldstone Commission recommended in its report on the Natal violence that no further land should be incorporated into KwaZulu. The government apparently accepted the recommendation in its formal sense. However, it has nevertheless proceeded to give the KwaZulu administration powers over at least some of the land in question, even though the land has technically not been incorporated into KwaZulu.

□

Consumer housing

First-time home buyers and builders in the townships are being defrauded in a number of ways. They continue to bring many difficulties they encounter to the LRC. Their problems with builders, estate agents and lenders are caused by factors ranging from *incompetent performance to outright fraud, compounded by a lack of consumer sophistication.*

It is common to see a group of clients, all of whom have problems with the same builder. Defective construction is common. Two hundred householders who banded together to resist bond repayments on poorly constructed houses in Motherwell in Port Elizabeth have, after two years, and with the assistance of the LRC in negotiations with the local authority and building society, reached a point where reductions of R15 000 per house will be given on houses valued at between R32 500 and R50 000.

Similarly, a dispute between residents of Ennerdale and the Johannesburg city council about their defective housing is being settled by compensation offers by the council of an average reduction of R7000 on the price of each house.

Lending institutions tend to see disputes as involving only the borrower and the builder. An important outcome of a dispute in the case of eighty Dobsonville home buyers was an undertaking by the lending institution concerned to suspend further loans to the developer until he agreed to

make good all the defects. This followed a meeting between all parties and the commissioning of an architect's report detailing the problems commonly experienced by most of the clients.

In another Johannesburg case a builder was sentenced to seven years for fraud, suspended for five years on condition he refunded clients the deposits they had paid him for houses which were never delivered. A warrant for his arrest was issued after he failed to meet the first payment. Previously, it had proved impossible to execute judgements obtained against him as he had disappeared. The LRC helped to trace him in order to enable clients to lay criminal charges.

Housing Consumer Protection Trust. The LRC is concerned to try to prevent consumer exploitation in housing, rather than wait to react to each case. Together with the Built Environment Support Group, Development Action Group, the Housing Rights Unit of Lawyers for Human Rights, Planact, the Urban Foundation and SANCO it was party to a lengthy research process, including widespread consultations with civics and trade unions, which has now borne fruit as the Housing Consumer Protection Trust. The Trust aims to promote legislation to protect consumers, to promote desirable standards in the low income housing industry, and to extend consumer education and access to advice. The LRC as a founder organisation is represented on its board of trustees, and on the Executive Committee.

Consumer

Many cases the LRC sees concern the *unhappy experiences small consumers have had* with car dealers and financiers, salespeople in general, and even savings institutions.

The harsh economic climate is reflected in the large number of matters against debt collectors and debt administrators, credit houses, and enforcers of invalid credit sale agreements.

Most offices have had to threaten action against banks or building societies to get clients' savings refunded after unauthorised withdrawals were made from their accounts. Summons was issued, for instance, on behalf of a client with R12 000 at the Standerton branch of a building society. R3000 was taken from his account at different branches in Natal, then an unauthorised cheque for R8 475 was issued by the society's Piet Retief agency. A month later the society issued a card for his account to another person, and further money was withdrawn.

A scam calling itself the SA Development Institute was closed down after the Harmful Business Practices Committee was notified by the LRC about its activities. Job-seekers replying to employment adverts were lured into paying R350 for valueless 'self-improvement and business management' courses, prior to acquiring jobs. When applicants discovered the owner was not able to offer them jobs, and demanded their money back, they were told it was non-refundable.

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Cases involving the theft of pension or other cheques are regularly seen in the caseloads of the LRC's paralegals. For example a R12 600 Workmens Compensation cheque sent to a client was intercepted and cashed by a personnel employee of his company. The Workmen's Compensation Commissioner, after initially refusing, paid when the LRC pointed out that he was liable, as the client had not authorised him to send the cheque by post.

Cases have been found where clients have to cash their Unemployment Insurance cheques at certain shops, which will only cash them if they buy a lot. In other cases, it has been found that insurance deductions were being made from clients' pay slips although they hadn't taken out policies.

The LRC was instructed by the parents of ten youths to sue an unscrupulous entrepreneur who had pocketed a R15 000 cheque won by the children when they entered the Shell Road to Fame competition. The money was refunded.

Class action

Increasingly, issues are confronted which affect groups of people, and which demonstrate the need for a change in the law on standing to allow class actions.

An application on prison conditions demonstrates this need. After prison integration in 1991 clients who had been moved from reasonable conditions in 'white' cells to the squalid, unhygienic and gang-dominated 'non-white' section,

decided to challenge their conditions, which were allegedly in violation of prison regulations and standing orders. The planned action would have been a **test case on prison conditions**, but on the eve of the court action the prison authorities effectively sabotaged it by prohibiting further legal consultations, although lawyers had previously been allowed access to their clients. Some clients were transferred and technicalities were used to refuse access to others. The authorities stated that the prisoners no longer wanted to proceed with the application. In terms of the present law of locus standi, only the prisoners themselves or close relatives could be litigants. The law does not allow a public-spirited individual to bring a case clearly in the interest of the community.

The Cape Town LRC has acted for more than 30 people against **Snyman & Vennote**, a debt collector with a nationwide operation bringing in tens of millions of rands. Other offices also have cases against the same firm which, after having taken over debts, illegally adds charges for 'tracing', 'overheads' and interest. In cases the LRC has taken to court, the firm was successfully prevented from collecting from LRC clients. However, although the implications of these judgements are far-reaching, this type of abuse has continued. The firm merely concedes any matter in which the LRC is involved, but its lucrative business continues. The featuring of Matthew Walton, Cape Town office attorney fighting the fraudulent debt collecting, on TV's Agenda

Class action

programme led to a flood of clients' grievances against the firm and against various other creditors.

In a long-running battle concerning the local authority of Mamelodi's practice of charging interest on electricity account arrears, the LRC won a case in the Appellate Division which has implications for all residents of the township. In the light of the judgement obtained, theoretically all interest previously collected on arrears should be repaid or not be owed. Every person in a similar situation might have to take action, which is not possible in practice.

The locus standi issue is also pertinent to many cases in which environmental issues are involved.

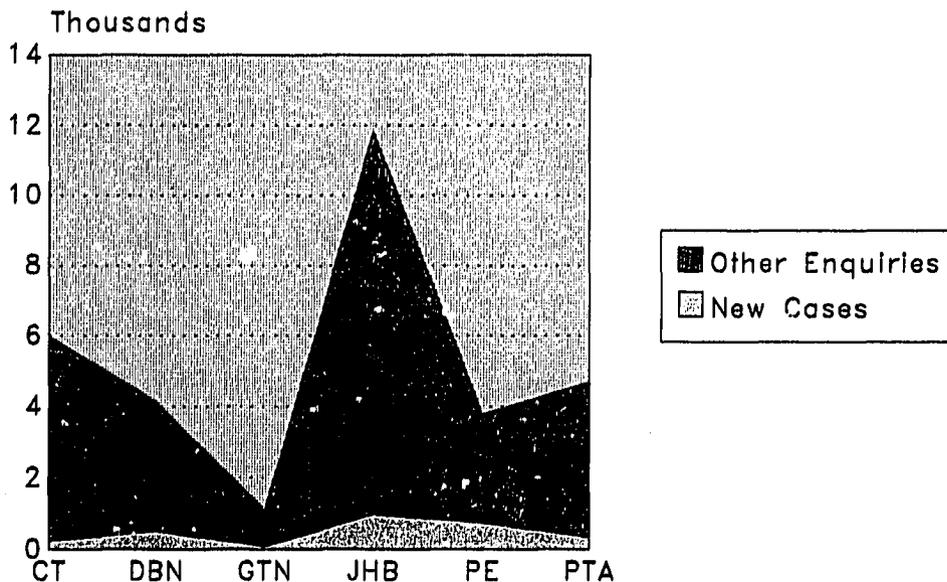
Shehnaz Meer has been appointed a member of a working group of the SA Law Commission which is investigating law reform in the area of of class actions.

Labour

The LRC is committed to precedent-setting public interest work in the labour field. But its involvement varies regionally, depending on the existence of other resources. Taking on matters referred by unions, for example, is contingent on whether unions have the infrastructure or finances to seek other legal help. Regional offices of the Department of Manpower are being encouraged to deal themselves with the many essentially

LEGAL RESOURCES CENTRE

CASE FILES OPENED AND ENQUIRIES



paralegal matters falling directly within their ambit which get referred to LRC offices.

Nevertheless, labour work forms a significant part of the practice of all regions. Many cases are short, though, or can be handled by paralegals.

The current recession has swollen the number of workers approaching LRC when their employers have gone insolvent or retrenched them. In Johannesburg, 316 of 1011 new files opened were labour matters. In Grahamstown 40% of new cases opened were labour. In this region particularly, action is often taken in small matters in order to change power relations and patterns of abuse. In Port Elizabeth 295 of 791 new cases

were labour matters, resulting in a decision to limit the numbers of individual dismissal, retrenchment and workmens compensation claims unless there was a special reason for taking them on. Consideration is also being given in the Eastern Cape to training for union officials, to enable them to deal with less complicated Industrial Court matters, using the LRC only where necessary to establish a precedent or serve the interests of an identifiable group.

When labour legislation - the Labour Relations Act, especially - is extended to farm and domestic workers, the most oppressed labour groups, the offices expect claims related to these categories to increase.

Unfair labour practices form one of the largest categories of complaint brought to the offices. All offices reached favourable settlements in numerous such cases. Another large category is firms' lack of consultation, adequate notice and severance pay when retrenching.

Numerous cases are seen of alleged unfair dismissals. A client was dismissed from a large company after eighteen years' service. He had given a list of the names of employees to a trade union. The employer considered this information to be confidential. After an application to the Industrial Court, and a two-week trial, the client was awarded five months wages.

Other cases concern dismissal

after unlawful strikes. Cases are regularly seen, too, of discriminatory treatment due to pregnancy or on returning to work after maternity leave.

Another case concerned the question of whether caretakers were covered by the Basic Conditions of Employment Act. The employers of a caretaker who worked thirteen hours a day all week and on public holidays, with no overtime payment, argued that they weren't protected. An issue taken up in another case was the nature of casual and temporary employment - whether workers had a legitimate expectation, after years of service in which their 3-month contracts were periodically renewed, to be regarded as permanent employees. The court held that they did not.

In another case, a union was forced to refund 20% of the severance pay of one of its members which it had deducted for legal fees, although no assistance had been rendered. In Grahamstown's first case in the Industrial Court of Ciskei, a client with ten years' service with the Ciskei Broadcasting Corporation was reinstated, with back pay and costs, after having been fired 'with immediate effect' while in hospital recovering from an operation.

In many cases administrative and labour law issues overlap. These involve the abuse of powers by government authorities, for example in the unfair dismissal or transfer of civil servants as a result of victimisation or on political grounds.

Most offices deal with Aids-related discrimination in the workplace, involving matters such as compulsory HIV testing, and dismissals. Some favourable settlements, usually in the form of retrenchment packages, have been achieved following Industrial Court reinstatement actions.

In one case, a Johannesburg old-aged home asked workers to 'donate blood', and then conducted HIV tests. Three clients who tested positive were dismissed. A reinstatement action argued that the tests had been conducted without prior consent, there was no employment-related purpose for testing, and the employers had acted capriciously and unreasonably in dismissals based on the clients' condition. Reinstatement was offered a day before the hearing. One employee who did not want her job back was paid R5000 (about three years' salary). The other two were dismissed later on frivolous grounds, but after action was threatened were paid R2000 each.

In Durban, a Supreme Court victory was won in a test case concerning the applicability of the Labour Relations Act to workers on off-shore oil rigs.

The office was also involved in a number of hearings in terms of the Machinery and Occupational Safety Act, following worker deaths, which resulted in findings of negligence on the part of factory managements. Applications were then lodged for increased workmen's compensation.

Workmen's Compensation

Helping clients to sort out problems related to UIF or Workmen's Compensation claims takes a lot of the time of paralegals and fellows. But it is important for the LRC to be and to be seen to be at the service of the most disempowered members of society. WCC claims encompass perennial objections to low assessments of permanent disability, and refusals to grant increased compensation. Exclusions from the Act and the Occupational Diseases Schedule are also challenged.

In Cape Town, for instance, a man who was severely injured when a wall fell on him was initially assessed at only 20% disabled, but on review this was increased to 75%.

The LRC objected on behalf of a widow to a ruling that her deceased husband, who had hit his head and died some months later as a result of the injury, had no claim. She got medical expenses of R50 000, plus a pension.

Action continued against a Natal subsidiary of a large multinational in the case of workers suffering illnesses from contact with chrome dust. The LRC objected officially to the findings of the Workmen's Compensation Commissioner, and assessment of disability was increased from 3% to 15%.

The Pretoria office was instructed by over 100 clients who had worked for a Bophuthatswana company mining vanadium, which is linked to numerous medical

Damages

problems. The National Centre for Occupational Health, which was involved in evaluating the situation, concluded in its report that a more comprehensive approach was needed to health and safety measures at the mine. Workmen's Compensation claims have been lodged in Bophuthatswana.

A consequence of expertise developed in legal work of this nature is that offices are getting many more referrals from industrial health units and doctors. The experience of the Cape Town office was reflected in a paper by Lee Bozalek published in the Industrial Health Journal on the need for publication of important case decisions in order to give guidelines. The Cape Town office also submitted proposals regarding the draft Bill to amend the Workman's Compensation Act, and collaborated with the University of Cape Town medical school on suggested amendments to the Occupational Diseases Schedule. In this regard, it is intended that test cases or cases where a degree of public interest is involved should be a primary focus.

Damages

Security forces

Most damages cases handled are against the Minister of Law and Order, and the increasing number of unlawful arrests, assaults, shootings and killings by the police is a matter of concern. The Johannesburg office opened 94 new case files

during the year. Damages claims settled and claims pending involve millions of rands, in amounts ranging from tens to hundreds of thousands. *The following cases are typical examples.*

The case of a youth who died in police cells the day he was arrested got nation-wide publicity, as it led to a claim by the late Dr Gluckman, independent forensic expert, of widespread police culpability in this and in similar cases. An inquest will be held.

At an inquest into events at a police raid in which a policeman claimed a shot had gone off and killed a suspect who had wrestled with him for his firearm, the magistrate accepted chilling evidence by a witness that the policeman had held his service pistol to the suspect's head and fired a point-blank shot which went in below his left ear and came out through his right eye.

A claim has been issued against the Minister of Law and Order for over R2m in the case of a Port Elizabeth, 22-year old shot by the police and rendered paraplegic. He later became quadriplegic and then tetraplegic.

A fifteen year old girl was raped by a policeman who had been sent to her family's shack in Khayelitsha to investigate a fight. In an unusual outcome for this type of case, he was sentenced to nine years imprisonment, and the Minister of Law and Order settled the claim for R17 000.

LRC case reports

R14 000 was paid to three family members after assault by the Brixton Murder and Robbery Squad while searching for a suspect. In one case, the client was punched, kicked, and ordered to take off his clothing. He was tied to a chair, a sack put over his face and a rubber tube tied across his face. Water was then poured on the sack, suffocating him. His penis was also pulled on a number of occasions.

Hezekiah Nkambule, a peasant farmer from the Eastern Transvaal, sued the police for unlawful arrest. His case was lost in the Magistrate's Court. His claim was upheld in an appeal to the Supreme Court, which gave an important judgement on what constitutes "reasonable grounds" for suspicion, justifying an arrest.

Goniwe Inquest

The LRC is representing the widows of the deceased in the second inquest into the murder of Cradock activists Matthew Goniwe and three others. As the inquest focuses on security force involvement in the murders, evidence and documents emerging which give an insight into the system of national security management and "counter-revolutionary warfare" in the '80's are of particular interest and importance. The case continues to get wide media coverage. A R1.6m civil claim has also been instituted against the Ministers of Law and Order and Defence on behalf of the widows of the four murdered men.

In Grahamstown, the LRC served on a Commission of

LRC case reports

Enquiry into policing, which aimed to recommend ways of improving the relationship between the police and the communities they serve. After the commission's report was assessed by all interested parties it was agreed that the existing community police forum should be transformed and used to implement reforms.

The Grahamstown office is acting in Supreme Court damages claims totalling R1.7m on behalf of eight clients severely injured in the shootings at Bisho when Brig Gqozo's troops fired on ANC marchers, killing 40. Summons has been issued in the Magistrates Court on behalf of a number of clients with smaller claims, and the office is also acting for the dependents of several of the people who were killed.

Representations by the LRC to the Attorney General regarding prosecutions of policemen, and to the Commissioner of Police on disciplinary steps do not often meet with success.

In a case which is not untypical, the LRC obtained an affidavit from a prisoner who had, without police knowledge, witnessed a fatal police station assault. A request for a formal inquest was refused, and at an informal inquest the magistrate ruled that nobody was responsible. After the LRC persuaded the Attorney General to instruct further investigations, a policeman was charged with culpable homicide. The prosecutor withdrew charges, alleging that the witness could not be traced. When the witness was traced, the case re-opened and the policeman charged again, he was acquitted.

The LRC has demanded, so far without success, the suspension of two Molteno policemen who were convicted of having necklaced a client as part of a general assault in prison. It is extremely disturbing that such members are being retained in the force.

As far as the LRC is aware,

Damages

there have been no decisions by the Attorney General regarding prosecution of any of the policemen mentioned in the substantial volumes of evidence submitted by the LRC to the Parsons Commission on the conduct of the police in KwaNdebele. The Commission, in its report, had endorsed the LRC's submissions of police misconduct, and these were referred to the Attorney General for decisions regarding prosecution of the policemen concerned. The matter is being pursued.

A judgement handed down by the Appellate Division significantly advances the rights of security detainees and their families. The court ruled that the medical report of a district surgeon who had visited a detainee could be seen by the family. The case concerned a Port Elizabeth teenager and hinged on the interpretation of what, in terms of the Internal Security Act, was deemed 'official information' to which the public was not entitled. The



Richard Lyster, Director of the Durban office, with Martin Khuluse, a 12-year-old who lost a leg when he was shot by the KwaZulu police. His claim for R800 220 in damages is being negotiated.

Natal conflict

court said the Act 'did not intend that evidence of unlawful conduct on the part of custodians and interrogators should be suppressed'.

Natal conflict

In 1989/90 the conflict accounted for 2% of files opened in the Durban office, while in 1992/3, it accounted for 15% of files, and 20% of time of office staff. The conflict is pertinent to most other events in the region and there is therefore ongoing involvement at various levels and forums. The Durban office interacts with a broad range of NGO's and other bodies, including the SA and KwaZulu police, the Defence Force, local peace structures and overseas pressure groups. The office continues to participate in monitoring. Structures have been formalised as the Network of Independent Monitors, and an attorney serves on the board. Monitoring has played a positive role in scaling down potential conflict.

Its action on behalf of victims of the violence includes civil actions for damages arising from security force actions; interdicts in cases of continuing unlawful behaviour; representing families at inquests, and working with police and special investigators on cases of importance.

The Goldstone Commission is another forum in which it is possible to focus on some of the worst aspects of the conflict. The office has worked closely with the Natal investigating arm and placed a great deal of evidence at its disposal.

Following the LRC/Human Rights Commission report "*Obstacle to peace: the role of the KwaZulu police*", the Commission announced an inquiry into the KwaZulu police. The recommendations in the Commission's interim report incorporated some of the LRC's submissions, in particular with regard to stopping the transfer of SA Police stations to KwaZulu, and the issue of automatic firearms. The Commission decided to focus on the role of the KwaZulu Police in five incidents, three of which were cases being dealt with by the Durban office.

The LRC continues to represent the interests of residents of Bruntville township in Mooi River. Following renewed violence, and the declaration of the area as an unrest area, an application was made to the Special Investigation Unit of the Goldstone Commission to investigate widespread allegations of a pattern of unlawful behaviour by the Internal Stability Unit, including assault, wrongful detention and the torture of detainees in isolated rural police camps.

Leave to appeal to the AD has been granted in two very important cases concerning the alleged use of police torture. The point at issue is whether the normal rules about giving the other side prior notice apply in the case of urgent applications to search for and preserve evidence of alleged torture equipment.

Negotiations with all concerned parties have been under way with a view to establishing an independent internal police

LRC case reports

unit to investigate police crimes.

Several large and important damages actions are pending against the KwaZulu and SA Police. One follows an inquest finding (possibly the first of its kind by a KwaZulu magistrate) that four senior KwaZulu policemen be charged with murder and obstructing the ends of justice. In this case it was found that the police had maliciously shot the deceased twice with an R1 rifle and then purposely delayed taking him to hospital for nearly two hours. They had also contrived a cover-up, including the entry of false statements in police documents.

In what is likely to prove a test case in our law, the claim on behalf of the deceased's mother includes damages for mental trauma and emotional loss. If this can be established, there will be many similar claims. As the law stands, the only amount that can be claimed for the killing of an unemployed youth is the funeral cost, although bereaved relatives may suffer acute mental anguish as a result of the wrongful death.

An illegal ban by the township manager of Sundumbill on the Natal north coast was set aside after an urgent application to the Supreme Court. The ban was on Cosatu's use of the community stadium for a meeting. The township manager may forbid the use of a premises on the grounds of public safety. But by refusing ANC and other formations any venue for meetings on these grounds - which has been standard practice throughout the area - the KwaZulu government and

LRC case reports

Damages

Port Shepstone killings: an eleven year-old shows the size of the gun used to kill four in this house, including a mother and baby. The LRC took statements, which have been referred to the Goldstone Commission.



its officials have effectively prevented free political expression. This victory therefore has implications in the run-up to elections. The LRC will continue to monitor the decisions of the KwaZulu authorities, to try to ensure that all parties have free and fair access to facilities for the holding of peaceful events.

Inquests continue to be an important legal forum for the establishment of culpability. To enhance the quality and independence of evidence at inquests and in civil matters, the Durban office has played a primary role in developing the concept of an independent medico-legal unit, due to begin operation soon. The state, whose agents are often suspects in cases of deaths in detention

or at the hands of the security forces and have an interest in controlling or suppressing evidence, has custody of the body and the first right of access to it. It is envisaged that independent forensic and other experts will be available without charge to families and their lawyers throughout the country, to be present at autopsies, to assist people who claim assault or torture and to examine detainees.

Other damages

Damages actions also involve other types of trauma. A Cradock man for instance was awarded R320 000 after he was pushed off a moving train by the conductor for allegedly not having a ticket. He lost both his legs as a result. A domestic

worker was compensated for post-traumatic stress and many unsightly permanent scars after she was severely bitten on two occasions by a number of vicious dogs her employer kept on the premises. She was paid R22 500 in settlement of her damages claim.

A considerable number of the LRC's cases such as Aids-related and occupational accident and illness claims, and those flowing from unlawful shootings etc, involve close cooperation with medical experts. The LRC is also required on occasion to sue the medical profession.

The Cape Town office is handing the matter of a young child who lost his legs as a result of medical mis-diagnosis in a Provincial hospital. A claim of R30 000 for shock, pain and suffering was made on behalf of a Cradock woman after the staff of the Provincial Hospital negligently left a needle in her uterus after a caesarian section. Claims in the case of the deaths of two babies negligently given a poisonous fluid in hospital instead of one to combat dehydration were settled at R20 000.

Other

Clients, who were Jehovah's Witnesses, were shattered to discover that their deceased son's eyes had been removed at the mortuary for corneal transplants without their permission, although their names and addresses were known. Although strictly speaking, in terms of the Human Tissues Act, this is not actionable, the LRC has

Pensions

suggested that a widely publicised policy be adopted, and the Chief District Surgeon suspended non-consent transplants pending legal opinion.

Franciscan friars, operating a suburban shelter for Aids victims are being defended against municipal efforts to close them.

Pensions

The importance of helping the poorest members of the community to get the pensions due to them has not diminished. Beyond the individual recipients, UIF and pension monies also have a communal impact, in that they help to alleviate the most crushing poverty by bringing at least

some money into circulation in very poor communities.

Homeland tribal authorities have, however, tried to misuse pension bureaucracy in order to extend their power. The Residents' Association of Zweledinga, for example, was helped to challenge a requirement that people applying for pensions had to report with their headman. This was an attempt to use pensions as a way of pressurising communities into accepting headmen and chiefs. After a letter of demand to the Minister a court application was not necessary as the practice was stopped.

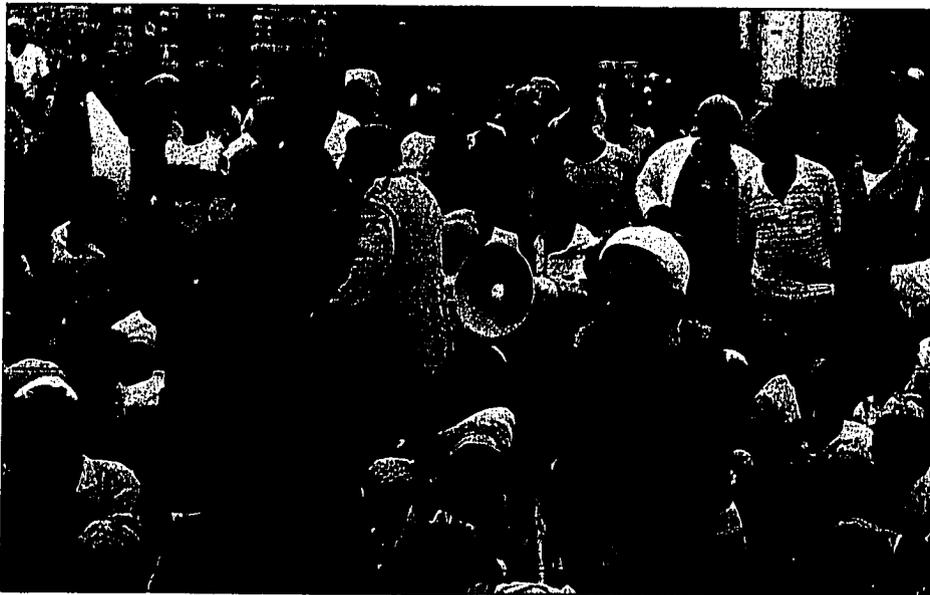
Tribal authorities also use pensions as a way of collecting levies. The Pretoria office defended a disabled old

LRC case reports

woman, living in terrible conditions, who was asked for payment of her tribal levy before getting a pension.

Forty-four Lebowa pensioners were excluded by a chieftainess from lodging pension applications until they apologised for allegations that a deceased headman had misappropriated money entrusted to him. A letter of demand to the relevant authorities indicating that the chieftainess was acting beyond her powers by involving herself in procedures for the lodging of pension applications and determining criteria for the allocation of pension moneys stopped this practice, benefitting the community substantially.

□



Aggrieved pensioners march on the Lebowa Administration.

Education

In line with its function of helping voluntary organisations to prepare appropriate constituting documents, the LRC helped a group of teachers and civic members from the four small Eastern Cape towns of Jansenville, Alicedale, Patterson and Kirkwood to formulate a constitution for the establishment of a voluntary education association. They plan to raise bursary funds for tertiary education for rural students, who will return later to work in their communities.

The LRC defended a client who was defrauded by a correspondence college, which took her deposit for a matric correspondence course, but failed, despite all requests, to send any of the necessary course books. They refused her request to cancel the agreement, and sent numerous threatening letters demanding payment of the full purchase price. This type of problem is common and, while it doesn't usually get to court, is significant as it represents fraudulent exploitation of peoples' basic needs and concerns, on which they are prepared to spend large sums. The Durban office currently reports far fewer problems with unregistered 'colleges' after the hard work previously put into trying to eradicate this type of educational abuse, for example by threatening action, making sure that colleges apply for registration, getting education authorities to inspect and possibly refuse licenses, and helping defrauded students with actions in the small claims court.

Although a significant court victory was achieved against the Minister of Education and Training in the Appellate Division last year regarding the cancellation of the results of whole groups if someone is found cheating, vigilance is still necessary against bureaucracy and lack of accountability. The withholding of exam results continues, and other work in education has focussed on the unfair exclusion of students from schools and training colleges, and other arbitrary actions by inspectors.

The LRC is representing 22 teachers from Nduleni near Inanda in Natal, who were ordered to leave the area immediately by the local "warlord", who is also a deputy minister, because they belong to SADTU. They were dismissed for having 'absconded' after being unable to risk returning.

On the instructions of a Lebowa chieftainess, 136 children were summarily expelled from the village primary and secondary schools they were attending. An urgent Supreme Court application succeeded in having them reinstated. An order was also made that they should receive extra tuition to catch up with the six months they had been forced to miss.

Exiles

The LRC has continued to handle various matters for returned exiles. In Port Elizabeth, instructed by the Projects Officer of the NCCR, a Deed of Trust was drafted for the creation of informal and formal sector employment projects, creches, clinics,

bursaries and other community projects for exiles and ex-political prisoners. The office continues to give assistance to the trust. Offices still deal with individual problems in connection with matters such as repatriation and applications for indemnity.

Advice offices

The regions continue serving community advice offices, the general pattern being closer links with certain offices, visiting some regularly or making circuits, while serving others when they ask for specific help.

The focus has shifted increasingly from urban to platteland and rural areas.

Grahamstown for instance travels monthly to East London, Queenstown and Fort Beaufort, while maintaining links with many other Eastern Cape offices either by way of ad hoc visits, taking referrals or giving telephone advice.

Offices are widely scattered. Cape Town serves twenty offices as wide apart as Port Nolloth, 1000 km to the north-west and Knysna, 400 km to the south-east of Cape Town. Of the 39 centres served by the Johannesburg office, 12 are in the Free State and Northern Cape. Seminars have been conducted in Bloemfontein and through OFSACA a further 20 centres will be served throughout the Free State.

Forty-six advice centre counsellors attended

Advice offices

Johannesburg's training seminar this year. While advice offices are responsible for their own work and management, the LRC has a role to play, in co-ordination with other organisations, in imparting paralegal skills to them as well as in educating the wider community. Paralegals from advice offices are sometimes also invited to spend time working at the LRC to upgrade their skills.

This type of help has been extended to other Southern African regions as well. The Johannesburg office hosted two advocates from the Lesotho Federation of Women Lawyers in preparation for setting up a legal clinic in Lesotho, and also gave practical training to two of their paralegals who will work in the outlying parts of Lesotho. The LRC has links with human rights centres in Namibia and Zimbabwe, and has been approached for advice by similar groups in Swaziland and in Zambia.

Although advice offices are at the grassroots of access to justice, with the potential to empower whole communities, a donor shift towards development has placed many offices the LRC serves in financial jeopardy. The number of offices served by Johannesburg, for example, dropped from 34 last year to 29 at the beginning of this year, and later to 25, a number of which are in difficulty.

The closure of offices affects the LRC, as people tend to come to the LRC directly, increasing work volumes. Some offices have approached the LRC to help them obtain funding and this help has been offered in some cases, but is limited to assistance in drawing up funding proposals, and sometimes in identifying potential donors.

□

Fellowship



Advice office at East Driefontein, Eastern Transvaal.

The Fellowship Programme

This programme has been important throughout the LRC's existence. Its aims are:

- To widen access to the profession by people from groups presently under-represented
- To enable legal graduates to gain experience in public interest matters during their practical training
- To foster the development of more lawyers committed to the field of human rights through public interest law.

One hundred and fifteen people have participated in the scheme since it started. There are nineteen in the programme in 1993. The cost during the year under review was R875 752. The estimate for the 1993/4 year is R1 168 149.

All offices are now recognised by the various provincial law societies for the purposes of training candidate attorneys. This means that the time spent at the LRC now counts towards the statutory requirements for qualification as an attorney.

During 1993 the Attorneys Act was amended in two important respects. It is now possible for candidate attorneys to reduce the period of articles to one year if in addition they attend a four-month full time training course. The option of community service as an alternative to articles was also introduced. As the LRC already has recognition for training candidate attorneys this does not impact directly on the LRC.

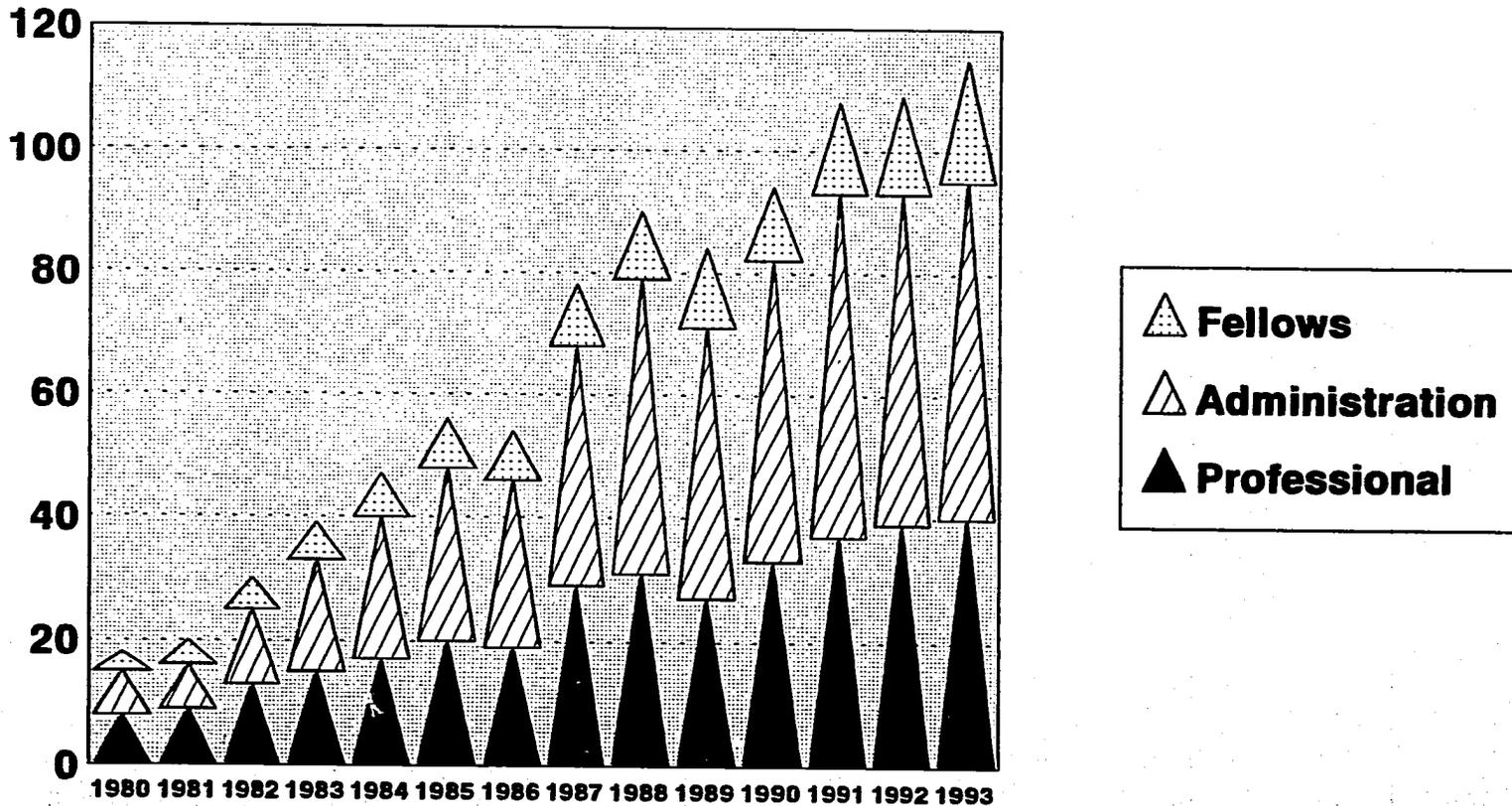
One of the prime purposes of training has always been to open access to the profession. The recognition of the LRC for articles, and the shortened period will enhance the impact of this programme.

LRC STAFF
YEAR ENDED 31 MARCH 1993

<p>Cape Town</p> <p><i>Advocate</i> L Bozalek</p> <p><i>Attorney</i> A Andrews S Kahanovitz W Kerfoot (<i>Director</i>) Y Meer W Mgoqi H J Smith M Walton</p> <p><i>Paralegal</i> S M M Makalima M Nodliwa</p> <p><i>Librarian</i> P Allen</p> <p><i>Administrator</i> P Osman</p> <p><i>Secretary</i> M Carolissen N Davids N E Hendricks</p> <p><i>Receptionist</i> N Hans</p> <p><i>Office worker</i> M Sajini</p> <p><i>Fellow 1992/3</i> A Bonga O Kolkanyang O Mokgatle</p>	<p><i>Fellow 1992/3</i> F Kathree S Moodlar S Samuel B R Simelane</p>	<p><i>Secretary</i> M Campbell Y Middleton N Njikelana S Wood C Zulu</p> <p><i>Receptionist</i> C Mogorosi</p> <p><i>Messenger</i> L Maqubela</p> <p><i>Office Worker</i> I Sigwill</p> <p><i>Fellow 1992/3</i> D Chilli I Haffegoe N Moodie W Roskin W Sekwati M Thulare A K Baholo N R Magoai</p>	<p>Pretoria</p> <p><i>Consultant</i> The Hon J Trengove</p> <p><i>Attorney</i> D Gillfillan C P Kimble M B Monama H Vally (<i>Director</i>)</p> <p><i>Paralegal</i> M J Maake M Skhosana</p> <p><i>Administrator</i> J Browning</p> <p><i>Secretary</i> J B Surridge I Rangata</p> <p><i>Receptionist</i> D M Khoza</p> <p><i>Messenger</i> L P Ntshabele</p> <p><i>Fellow 1992/3</i> A Dhlamini P M Mannyana M Pienaar S L Sing A Thakor</p> <p><i>Librarian</i> F S Nxumalo</p>
<p>Durban</p> <p><i>Attorney</i> R Lyster (<i>Director</i>) M Mdhladhla R J Purshotam P J Rutsch H Varney</p> <p><i>Paralegal</i> N Mchunu G Mncwabe</p> <p><i>Librarian</i> S Clarke</p> <p><i>Administrator/</i> <i>Paralegal</i> M Moodley</p> <p><i>Receptionist</i> C Mote</p> <p><i>Admin Assistant</i> T N T Mkhwanazi</p> <p><i>Office Worker</i> M Ntuli</p>	<p>Grahamstown</p> <p><i>Advocate</i> J Pickering L Mpati</p> <p><i>Attorney</i> G Bloem J C Collman P R Hathorn C Plasket (<i>Director</i>)</p> <p><i>Paralegal</i> D Sandi</p> <p><i>Secretary</i> S Stewart</p> <p><i>Receptionist</i> N Somandi</p> <p><i>Office Worker</i> N Yeye</p>	<p>Port Elizabeth</p> <p><i>Attorney</i> V Brereton L Lupondwana J N D Mhlaba D Mias (<i>Director</i>) S Moodlar J Pienaar</p> <p><i>Paralegal</i> B Haya D Mankazane</p> <p><i>Administrator</i> G P Brennan</p> <p><i>Secretary</i> N Fredericks V Kolele S Lagerdien N Lallie E Stradling</p> <p><i>Receptionist</i> V Mtsulwana</p> <p><i>Messenger</i> M Mnono</p> <p><i>Office Worker</i> D Landule</p> <p><i>Fellow 1992/3</i> S Sigodi R Tee</p>	<p>National Office</p> <p><i>Advocate</i> A Chaskalson SC (<i>National Director</i>) F Kentridge</p> <p><i>Attorney</i> G Budlender (<i>Deputy National Director</i>) D B Reid</p> <p><i>Accountant</i> O Meyer</p> <p><i>Administrator</i> C Landsberg</p> <p><i>Bookkeeper</i> S Chetty D Cooper</p> <p><i>Publications</i> L Gordon</p> <p><i>Secretary</i> A Kean H Tankard</p> <p><i>Receptionist</i> V Smith</p>
<p style="text-align: center;"><i>7 advocates, 37 attorneys, 19 candidate attorneys, 12 paralegals and a support staff of 49.</i></p>			

LEGAL RESOURCES CENTRE

Personnel Analysis



LEGAL RESOURCES TRUST

Fund Raising Act Ref No. 01 100024 000 0

FINANCIAL STATEMENTS

for the year ended 31 March 1993

The report and statements set out below comprise the annual financial statements presented to the trustees.

Auditors' report
Income statement
Balance sheet
Cash flow statement
Notes to the financial statements

The financial statements set out below were approved by the trustees on 10 August 1993 and are signed on their behalf.

Arthur Chaskalson

.....

TRUSTEES

Charl Cilliers

.....

**REPORT OF THE INDEPENDENT AUDITORS TO THE TRUSTEES OF
LEGAL RESOURCES TRUST**

We have audited the annual financial statements set out on pages 2 to 18. These financial statements are the responsibility of the trustees. Our responsibility is to report on these financial statements.

We conducted our audit in accordance with generally accepted auditing standards. These standards require that we plan and perform the audit to obtain reasonable assurance that, in all material respects, fair presentation is achieved in the financial statements. An audit includes an evaluation of the appropriateness of the accounting policies, an examination, on a test basis, of evidence supporting the amounts and disclosures included in the financial statements, an assessment of the reasonableness of significant estimates and a consideration of the appropriateness of the overall financial statement presentation. We consider that our audit procedures were appropriate in the circumstances to express our opinion presented below.

In our opinion these financial statements fairly present the financial position of the trust at 31 March 1993, and the results of its operations and cash flow information for the year then ended in conformity with generally accepted accounting practice and in the manner required by the Fund Raising Act.

LEGAL RESOURCES TRUST
INCOME STATEMENT

for the year ended 31 March 1993

	Notes	1993 R	1992 R
Income			
Gross current collections			
- overseas	2(a)	8 851 249	7 107 448
- local	2(b)	1 296 215	1 203 447
Dividends and net realised gains on equity investments		269 204	130 702
Interest on investments		684 235	1 255 955
Reversal of provision for diminution in value of investments			58 472
		<u>11 100 903</u>	<u>9 756 024</u>
Expenditure			
Auditors' remuneration			
Current year		18 537	16 119
Less: Rebate		(6 077)	(5 319)
		<u>12 460</u>	<u>10 800</u>
Bank charges		1 696	1 162
Investment management fee		24 822	24 201
		<u>38 978</u>	<u>36 163</u>
Net income for the year		<u>11 061 925</u>	<u>9 719 861</u>
Transfer to the Legal Resources Centre		10 585 450	8 665 895
Net movement on special trust funds		(902 371)	829 647
		<u>9 683 079</u>	<u>9 495 542</u>
Net surplus for the year		<u>1 378 846</u>	<u>224 319</u>
Unexpended funds at beginning of year		<u>1 179 577</u>	<u>1 580 884</u>
		<u>2 558 423</u>	<u>1 805 203</u>
Transfer to general reserve		(250 000)	(750 000)
Transfer from development fund		122	124 374
Unexpended funds at end of year		<u>2 308 545</u>	<u>1 179 577</u>

**LEGAL RESOURCES TRUST
BALANCE SHEET**

at 31 March 1993

Notes	1993 R	1992 R
FUNDS EMPLOYED		
Accumulated funds		
General reserve	6 250 000	6 000 000
Development fund	753 870	753 991
Other unexpended funds	2 308 545	1 179 577
	<u>9 312 415</u>	<u>7 933 568</u>
Special trust funds	70 683	973 054
Non-distributable reserve	59 111	59 111
	<u>9 442 209</u>	<u>8 965 733</u>
EMPLOYMENT OF FUNDS		
Investments		
Land and buildings at valuation	207 000	207 000
Managed portfolio	8 413 581	8 605 880
Other	27 055	27 055
	<u>8 647 636</u>	<u>8 839 935</u>
Current asset		
Bank balance	814 682	143 328
Less:		
Current liability		
Accounts payable	20 109	17 530
Net current asset	<u>794 573</u>	<u>125 798</u>
	<u>9 442 209</u>	<u>8 965 733</u>

LEGAL RESOURCES TRUST
CASH FLOW STATEMENT

for the year ended 31 March 1993

Note	1993 R	1992 R
Cash flow from operating activities		
Cash generated by operations	10 108 486	8 274 732
Funds provided to the Legal Resources Centre	(10 585 450)	(8 665 895)
	<u>(476 964)</u>	<u>(391 163)</u>
Cash utilised to increase working capital		
Accounts payable	2 579	236
Cash utilised in operating activities	(474 385)	(390 927)
Cash generated by investing activities		
Investment income		
Dividends and realised gains on listed equities	269 204	130 702
Interest on investments	684 235	1 255 955
	<u>953 439</u>	<u>1 386 657</u>
Decrease/(increase) in managed portfolio	192 299	(1 352 135)
Net decrease in other investments	-	198 245
	<u>1 145 738</u>	<u>232 767</u>
	<u>671 353</u>	<u>(158 160)</u>
Cash effects of financing activities		
(Increase)/decrease in bank and cash balances	(671 353)	158 160

LEGAL RESOURCES TRUST
NOTES TO THE FINANCIAL STATEMENTS

at 31 March 1993

1993

R

1. Accounting policies

The following are the accounting policies used by the Trust which are consistent with the previous year.

(a) Collections

Donations are brought to account as and when received.

(b) Investment income

Interest on investments is accounted for on an accrual basis and dividends are brought to account as at the last date of registration.

(c) Investments

i. Land and buildings

Land and buildings are regarded as investment properties and are independently valued on an open market basis with existing use every three years.

ii. Managed portfolio and other investments

Investments in listed equities are stated at cost and are written down only where, in the opinion of the trustees, there is a permanent impairment in value.

2. Gross current collections and income

(a) Overseas

Abel, Richard	2 321
Cafod	95 000
Canadian Catholic Organisation for Development and Peace	89 179
Christian Aid	91 442
Church of Norway	129 033
Church of Sweden	152 944
Coghan, A	9 000
Comic Relief (UK)	227 410
Danish Association for International Co-Operation	387 243
Diakonia	21 921
Nauta Dutilh	1 683
Embassy of Switzerland	650 000
Commission of the European Communities	840 000
E Z E	719 185
Ford Foundation	525 182
French Embassy	36 111
Friedrich Naumann Foundation	781 401
Help Age International	63 330
IBM South Africa Projects Fund	250 000

LEGAL RESOURCES TRUST
NOTES TO THE FINANCIAL STATEMENTS - continued
at 31 March 1993

	1993 R
(a) Overseas (continued)	
Joffe, Joel	32 000
Keulen, F B	894
Legal Assistance Trust	620 975
Lutherhjalpen	68 138
Katholische Zentralstelle für Entwicklungshilfe e.V.	186 000
Netherlands Embassy	833 333
Oxfam (Canada)	52 368
Oxfam (UK)	53 637
Rosenwald, Mr & Mrs E John	28 470
Rowntree Charitable Trust	179 582
Southern African Legal Services and Legal Education Project Incorporated	256 232
Swedish Bar Association	2 501
Trocaire	40 301
United Nations Trust Fund	277 950
US Office of Development Affairs	1 079 931
Van Benthem and Keulen	814
Vastenaktie	64 382
Western, Dr John	918
Withers, Norma	400
	8 851 249
(b) Local	
3M South Africa (Proprietary) Limited	35 000
African Oxygen Limited	2 500
African Realty Trust	1 000
Anglo American & De Beers Chairman's Fund	300 000
Anglovaal Group of Companies	15 000
Argus Printing and Publishing Co Limited	1 500
Automotive Safety Glass	5 000
Baker Hughes Mining Tools (Proprietary) Limited	2 500
Bearman Nathan Foundation	5 000
Beckman Instruments (Proprietary) Limited	5 000
Bell Dewar & Hall	500
Bertelsman Adv E	500
Bowman Gilfillan Hayman Godfrey Inc	2 000
B P Southern African (Proprietary) Limited	13 500
Browde Adv J SC & DR S	500
Burger Adv S J SC	500
C E International Incorporated	95 590
C G Smith Sugar Limited	1 000
Caltex Oil (SA) (Proprietary) Limited	120 000
CBI Constructors SA (Proprietary) Limited	10 000
Cliffe Dekker & Todd	1 000
Colgate - Palmolive Foundation	5 000

NOTES TO THE FINANCIAL STATEMENTS - *continued*

at 31 March 1993

	1993 R
(b) Local (continued)	
Cuzen and Woods	500
Donald Gordon Foundation	30 000
Douglas Murray Trust	11 500
Edward Nathan & Friedland Incorporated	5 000
Engen Limited	25 000
Envirotech (Proprietary) Limited	20 000
Eric Samson Foundation	2 500
Fasson Products (Proprietary) Limited	5 000
Felix Schneier Foundation	4 000
Findlay & Tait Incorporated	2 500
First National Bank Limited	20 000
Foschini Group (Proprietary) Limited	2 300
Friedman C	500
Gandar L O V	600
Garlicke & Bousfield Inc	1 000
Gencor Development Trust	26 000
Gie Herold & Broadhead	500
Glenvaal Limited	500
Gold Fields Foundation	15 000
Gordon Gerald	3 300
Grice D C	1 000
Haggie Charitable Trust	5 000
Henderson C E W	700
Hodes Adv P SC	500
Howie The Hon Mr Justice C T	500
Indian Ocean Export Co	500
Israel S A Foundation	2 000
JCI Group of Companies	25 000
Jowell F B	500
Kahn Dr Pauline	1 000
Krecek Prof R C	1 500
Kurt & Joey Strauss Foundation	10 000
Kuschke Adv L S	500
Liberty Life Foundation	125 000
Loxton, Adv C D A	500
Melamet The Hon D A	500
Metal & Electrical Workers Union	500
Mones Michaels Trust	5 000
Moodie & Robertson	1 000
National Beverage Services (Pty) Ltd	5 000
Nedcor Chairman's Fund	5 000
OK Bazaars Limited	1 250
Oral-B Laboratories (SA) (Proprietary) Limited	5 000
Otis Elevator Company Limited	10 000
Pammenter Adv C J	750
Pampallis & Randles	700
Pick 'n Pay Stores Limited	2 000

LEGAL RESOURCES TRUST
NOTES TO THE FINANCIAL STATEMENTS - continued

at 31 March 1993

	1993 R
(b) Local (continued)	
Pretorius Adv G C	500
Rabinowitz B	550
Ray Hulett Will Trust	15 000
Rex Trueform Clothing Company Limited	500
Rogers, Owen	500
Rosenthal, Richard	500
Rupert, Dr A E	25 000
Sage Foundation	1 000
Sellgson Adv M SC	500
Shell South Africa (Proprietary) Limited	100 000
Shepstone & Wylie	1 000
SmithKline Beecham (Proprietary) Limited	28 500
Sonnenberg Hoffmann & Galombik	1 000
South African Breweries Limited	20 000
Southern Foundation	3 000
Southern Sun Group of Companies	750
Southwood Adv B R SC	500
Spoor & Fisher (Proprietary) Limited	2 500
Standard Bank Foundation	30 000
Stegmanns	500
Steyn, The Hon J H	1 000
Syfret Godlonton Fuller Moore Inc	2 500
Teriton (Proprietary) Limited	2 500
Trengove Adv W H SC	4 000
Tupperware South Africa	10 000
Tusk Music Co (Proprietary) Limited	20 000
Viljoen Adv H P SC	1 000
Webber Wentzel	1 000
Werksmans	1 000
White & Williams	500
Woods Estate E G	800
	1 285 290
Sundry donations (less than R500)	10 925
	1 296 215

Sundry donations were received from:

Barker H J; Bell Dewar & Hall; Bernadt H; Blieden The Hon Mr Justice P; Bowens; Bozalek S J; Caldwell J N R; Cekiso I; Cohen Adv C SC; Coleman The Hon G; Cox Yeats; Daly E H; De Klerk The Hon Mr Justice M C; Delta Electrical Industries; Fagan The Hon Mr Justice J J; Festenstein M H S; Francis Thompson & Aspden; French P T; Friedman The Hon Mr Justice G; Galgut The Hon Mr Justice O; Gassner Adv B D; Gerald Rubenstein Charitable Trust; Gilfillan T C; Goldberg & De Villiers; Goldin H (Clicks); Goldstein The Hon Mr Justice E L; Harding L; Harvey Nossel & Co; Hofmeyr R T; Holtzhausen P J; Israel ADV G M; Johnson D B; Kony D A SC; Labe M B, SC; Manca Adv B J; Melouney Mr & Mrs R; Mittel M L; Monakedi M; Moss-Morris Mendelow Browde Inc; Parenzee H; Pijper J C; Ploos van Amstel Adv J A; Preiss The Hon Mr Justice H J; Robertson A J; Rynheath Trust; Scott The Hon D G; Stegman The Hon Mr Justice M S; Swersky Adv A J SC; Unterhalter Adv J SC; Uys D A J; Van Der Heever The Hon Mr Justice Leo; Van Der Merwe Adv J L; Van Der Riet Adv J G; Wilke Adv F; Wise Adv R M SC.

LEGAL RESOURCES CENTRE
INCOME STATEMENT

for the year ended 31 March 1993

	Note	1993 R	1992 R
Income			
Funds provided by the Legal Resources Trust		10 585 450	8 665 895
Interest received		12 940	11 084
Profit on sale of fixed assets		6 091	-
		<u>10 604 481</u>	<u>8 676 979</u>
Expenditure			
Staff costs			
Salaries and wages			
Professional staff		4 222 864	3 264 741
Other staff		2 455 644	1 888 626
Contributions		1 077 550	1 262 989
Transport and office expenditure			
Subsistence and travel		353 411	357 175
Telephone and postages		268 610	236 416
Printing and stationery		145 404	129 798
Books and periodicals		35 077	26 546
Insurances		74 324	44 996
Maintenance of equipment		75 817	55 046
Publications		238 785	112 421
Land and buildings			
Rent, lights, water, rates and taxes		403 012	329 936
Domestic expenditure			
Teas and food for lunchtime meetings and evening seminars		55 487	45 186
Professional and special services			
Auditors' remuneration			
Audit fees			
- current year		33 018	30 429
- underprovision prior year		642	766
		<u>31 403</u>	<u>31 195</u>
Less: rebate		(10 896)	(8 232)
		<u>20 507</u>	<u>22 963</u>
Bank charges		15 022	10 825
Other professional services		449 475	492 259
Sundries			
Depreciation		372 738	311 623
Loss on sale of fixed assets		-	8 222
Operating lease charges for office equipment		43 090	39 305
Research		399	4 374
General expenses		38 453	17 678
		<u>10 345 669</u>	<u>8 661 125</u>
Total expenditure	2		
Surplus for the year		258 812	15 854
Transfer to asset replacement reserve		-	(500 000)
Accumulated funds at beginning of year		566 420	1 050 566
Accumulated funds at end of year		<u>825 232</u>	<u>566 420</u>

LEGAL RESOURCES CENTRE**BALANCE SHEET***at 31 March 1993*

	Notes	1993 R	1992 R
FUNDS EMPLOYED			
Accumulated funds		825 232	566 420
Asset replacement reserve		500 000	500 000
		<u>1 325 232</u>	<u>1 066 420</u>
EMPLOYMENT OF FUNDS			
Fixed assets	3	1 406 759	1 079 857
Leasehold improvements in progress		147 270	-
Current assets			
Trust funds	4	-	-
Accounts receivable		146 044	102 173
Bank and cash balances		194 651	274 323
		<u>340 695</u>	<u>376 496</u>
Current liability			
Accounts payable		569 492	389 933
Net current liability		<u>(228 797)</u>	<u>(13 437)</u>
		<u>1 325 232</u>	<u>1 066 420</u>

LEGAL RESOURCES CENTRE**CASH FLOW STATEMENT***for the year ended 31 March 1993*

	1993 R	1992 R
Cash flow from operating activities		
Surplus for the year	258 812	15 854
Adjustment for non-cash items		
Depreciation	372 738	311 623
(Profit)/loss on sale of fixed assets	(6 091)	8 222
	<u>366 647</u>	<u>319 845</u>
Cash generated by operations	625 459	335 699
Cash generated from a change in working capital:		
(Increase)/decrease in accounts receivable	(43 871)	17 655
Increase in accounts payable	179 559	22 330
	<u>135 688</u>	<u>39 985</u>
Cash available from operating activities	761 147	375 684
Cash utilised in investing activities		
Purchase of fixed assets	(887 690)	(178 285)
Proceeds on sale of fixed assets	46 871	14 115
	<u>(840 819)</u>	<u>(164 170)</u>
	<u>(79 672)</u>	<u>211 514</u>
Cash effects of financing activities		
Decrease/(increase) in bank and cash balances	79 672	(211 514)

LEGAL RESOURCES CENTRE
NOTES TO THE FINANCIAL STATEMENTS

at 31 March 1993

	1993	1992
	R	R

1. Accounting policies

The financial statements are prepared on the historical cost basis. The following is the principal accounting policy of the Centre which is consistent with the previous year.

Depreciation of fixed assets

Depreciation is calculated to write off the cost of fixed assets on the straight line basis over their lives. The annual rates used for this purpose are:

Furniture and fittings	- 10% per annum
Library books	- 33,33% per annum
Leasehold improvements	- 10% per annum
Motor vehicles	- 20% per annum
Office equipment	- 10% per annum
Computer equipment	- 20% per annum

2. Expenditure

An analysis of expenditure over the various projects of the Centre is as follows:

National office		
Service activities	1 343 665	1 227 941
Fellowship programme	875 752	560 465
Seminars	158 739	140 005
Litigation fund	369 101	276 627
	2 747 257	2 205 038
Development fund	122	124 374
Johannesburg		
Service activities	1 163 615	941 398
Advice office project	726 824	543 517
	1 890 439	1 484 915
Cape Town		
Service activities	1 579 064	1 341 670
Durban		
Service activities	1 315 431	1 140 556
Port Elizabeth		
Service activities	1 306 573	1 167 540
Pretoria		
Service activities	844 304	628 648
Grahamstown		
Service activities	662 478	568 384
	10 345 668	8 661 125

LEGAL RESOURCES CENTRE
NOTES TO THE FINANCIAL STATEMENTS - continued

at 31 March 1993

	1993		1992	
	R		R	
3. Fixed assets				
	Cost	Accumulated	Net book	Net book
	R	depreciation	value	value
		R	R	R
Computer equipment	724 685	419 102	305 583	350 873
Furniture and fittings	520 269	206 141	314 128	236 964
Improvements to leased premises	143 224	91 171	52 053	66 767
Library books	325 053	225 474	99 579	83 820
Motor vehicles	502 104	169 474	332 630	138 499
Office equipment	503 148	200 362	302 786	202 934
	<u>2 718 483</u>	<u>1 311 724</u>	<u>1 406 759</u>	<u>1 079 857</u>
4. Trust funds				
Trust funds represent:				
Funds held in trust bank accounts			192 949	208 869
Less: Amounts held in trust for clients			<u>192 949</u>	<u>208 869</u>
			<u>-</u>	<u>-</u>

Statement of strategy

THE LRC USES THE FOLLOWING METHODS TO ACHIEVE ITS MISSION:

- ⊗ It litigates in test cases in order to obtain legal rulings which promote human rights, democracy, social justice and development.
- ⊗ It litigates in cases in which legal rights have been ignored, where this forms part of a pattern of abuse of power.
- ⊗ It provides legal advice and representation to communities and community groups in negotiations over matters affecting large numbers of people.
- ⊗ It works with communities and community groups to promote access to land, housing and services in such a manner as to promote development of those communities.
- ⊗ It works with community-based advice offices to assist them to obtain the necessary skills. It provides them with back-up support, as well as direct legal services to people who consult them.
- ⊗ It runs a professional training programme aimed at widening entry to the legal profession by people from groups which are presently under-represented in the profession, and at fostering the development of more lawyers who are committed to the type of work which it does.
- ⊗ The staff of the LRC have special and expert knowledge of the areas in which they work. It is important that effective use be made of this resource.
Therefore:
 - The LRC responds to requests or needs to make this knowledge more widely available.
 - The LRC seeks to promote innovative and effective solutions, through the law, to the problems experienced by its client community, and to the improvement of the administration of justice.
 - Staff of the LRC are encouraged to write and publish on matters related to their work.

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