



**BOWMANS**  
THE VALUE OF KNOWING

# PRO BONO & CSR

**ANNUAL REPORT  
2017/ 18**



Teaming up with Mandela  
Mighty Heroes



Awards and recognition



Protecting legal rights



Celebrating the spirit of giving

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6 Pro bono is an integral part of the fibre of our firm. I am humbled and privileged to be heading this portfolio and will ensure that we continue to assist those in need... 9

*Fatima Laher, Of Counsel and Head of Pro Bono*

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# INTRODUCTION



**Robert Legh**  
Chairman and Senior Partner

## FOREWORD

As lawyers, we are in a unique position to assist the people in the communities where we live and work.

It is a responsibility that we do not take lightly. Our focus is three-fold: to empower entrepreneurs with legal knowledge and advice; to help those in need to access the justice system; and to support lesser-known charities operating at grassroots level.

We are very proud of our pro bono and corporate social responsibility (CSR) achievements, some of which have been highlighted in this publication. This kind of contribution is not possible without the support of our staff members and the assistance of the organisations we partner with to identify worthy causes. I would therefore like to include a very sincere note of thanks to all who make our work possible.

I am also pleased to report that we have started coordinating our approach to pro bono across all the countries in which we operate, with the appointment of Fatima Laher as Of Counsel and Head of Pro Bono. We believe we can make a greater impact with this approach and look forward to reporting on our progress next year.

For now, I hope you will enjoy paging through this publication, which offers some insight into how we have helped those in need outside of our business environment during the past financial year.

## A YEAR IN REVIEW

### A PHENOMENAL YEAR

It has been a phenomenal year for our firm's pro bono work and CSR commitments.

**W**e have endeavoured to bring access to justice and legal services to those most in need. We have done this through the various clinics we have serviced, including: the SASLAW Labour Clinic, the Housing and Refugee Helpdesk hosted by ProBono.Org, the South Gauteng High Court Helpdesk, the Domestic Violence Helpdesk at the Randburg and Cape Town Magistrate's Courts and the Deeds Office Helpdesks.

We have also seen a number of individual matters being litigated as well as some of our public interest matters being aired in court.

Some exciting work was done by our lawyers in Kenya, Uganda and Tanzania, which not only benefited the social enterprises operating in these regions, but also saw us receiving heart-warming recognition from various international pro bono clearing houses. This gives us optimism, hope and encouragement that we are on the right path and staying true to our commitment to making a difference to the communities within which we operate.

We are thankful to the many people who we come across on a daily basis through our pro bono and CSR programmes, and consider ourselves to be fortunate in rendering a service to them when we are able.

Pro bono hours are captured no differently from billable hours.

All matters are stringently verified and vetted, from the applications that come in to the opening and closing of files.

During the 2017/ 18 financial year, across all its offices, Bowmans invested 10 274 hours in pro bono work. The rand value of this investment is over ZAR 23.2 million.

It is near impossible for me to pen all of the many highlights of the work we have done; the results have often left me too overcome to say anything. I am grateful for the work we have been able to deliver and am overwhelmed by the sheer commitment and dedication by so many lawyers across our firm in all of our offices. The results we have achieved would not have been possible without the support of all our staff, who for the most part have quietly gone about getting the work done.

Pro bono is an integral part of the fibre of our firm. I am humbled and privileged to be heading this portfolio and will ensure that we continue to assist those in need through our pro bono programmes and CSR initiatives.



**Fatima Laher**  
Of Counsel and Head of Pro Bono



## AWARDS AND RECOGNITION

In 2017, we received significant recognition for our pro bono work. Highlights include:

### ProBono.Org Annual Awards 7 September 2017

ProBono.Org Director's Special Mention Award for our work on Children's Court matters and legal assistance to non-profit organisations.

### African Legal Awards 8 September 2017

- Our Pro Bono team was highly commended in the CSR, Diversity, Transformation and Economic Empowerment Award Category for our work on gender and gender violence.
- Bowmans was the only firm that was 'highly commended' in the Litigation and Dispute Resolution Team of the Year Category. We received this recognition for representing the South African Human Rights Commission, against Mr Jon Qwelane in the Equality Court. (see page 13)



ProBono.org Annual Awards

### Thomson Reuters Foundation's TrustLaw Awards 28 September 2017

Bowmans was nominated for two awards.

- The first was for the 2017 Domestic Law Firm of the Year Award, recognising our work with TrustLaw's network of social enterprises and non-governmental organisations (NGOs) in Kenya, South Africa, Uganda and Tanzania.

- The second was for the Global Lawyer of the Year Award, with David Geral, head of our Banking and Financial Services Regulatory Practice, nominated. This was the first-ever African nomination by TrustLaw among approximately 1 500 law firms worldwide.

### Gauteng Law Council of the Law Society of the Northern Provinces 7 October 2017

Tori Herholdt and Richard Shein from our Litigation Practice, senior associate and partner respectively, received individual awards recognising their outstanding contributions to the Pro Bono Scheme of the Law Society and their contributions to the High Court Help Desk.

### Law Society of South Africa 18 November 2017

We received the Pro Bono Award in recognition of outstanding work for the South Gauteng High Court Helpdesk. Senior lawyers from our Litigation Practice service the helpdesk.

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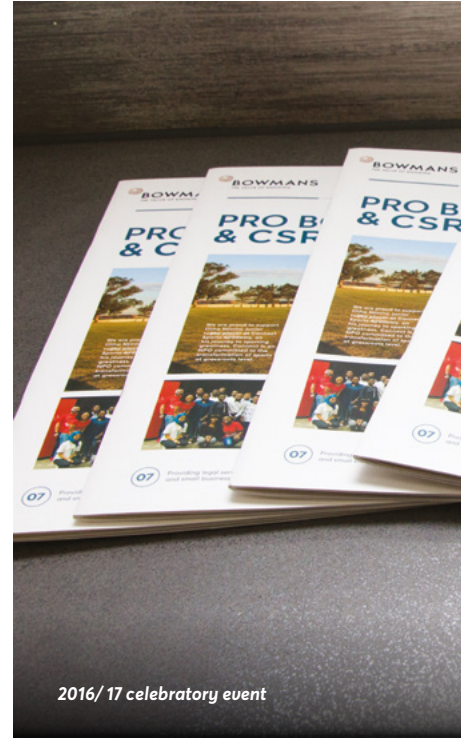
## CELEBRATING PRO BONO 2016/ 17

Our pro bono and CSR event for 2016/ 17 was held on 20 July 2017. This celebratory event is held each year to reflect on our pro bono and CSR work from the previous year and to acknowledge the contributions made by all members of our staff.

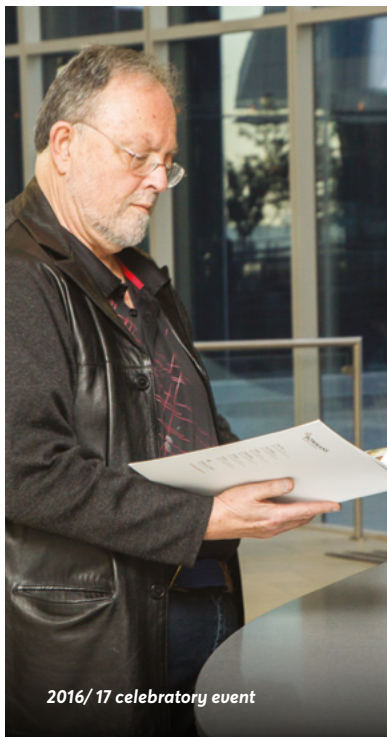
Our keynote speaker was Judge President Dunstan Mlambo, a distinguished alumnus of our firm, and a former public interest and trade union attorney.



2016/ 17 celebratory event



2016/ 17 celebratory event



2016/ 17 celebratory event



2016/ 17 celebratory event





2016/17 celebratory event



Judge President  
Dunstan Mlambo



Fatima Laher, Judge President Dunstan Mlambo  
and Robert Legh

# PRO BONO

## WORKING WITH OTHERS

### ISHISHINI LETHU BECAUSE IT'S 'OUR BUSINESS'

In 2013 we introduced our Ishishini Lethu (Our Business) Project to address the pressing legal requirements of entrepreneurs, non-profit entities and small and micro enterprises in South Africa.

Our intention is not only to provide legal assistance in the short term, but also to educate and empower entrepreneurs and small enterprises to appreciate, respect and exercise their rights and to participate more effectively in the legal and economic systems of the country.

We collaborate with various non-profit organisations that identify and refer small business and start-up clients to us. Our internal pro bono team then refers these requests for support to our attorneys, depending on their areas of expertise.

#### Some of our Ishishini Lethu partners:

- **Alexandra Chamber of Commerce:** a non-profit organisation that serves the small business sector in Alexandra, Johannesburg.
- **Shape eKasi Entrepreneurs:** a non-profit organisation that develops township entrepreneurs by hosting conferences and other events that provide training, development and access to information and finance.
- **Technoserve:** an international non-profit organisation that works with enterprising men and women in the developing world to build competitive enterprises in business, industries and on farms.
- **Adams & Adams:** a leading intellectual property (IP) law firm based in South Africa.



#### Some examples of clients assisted:

- **GN Lub (Pty) Ltd** identifies and recruits aspiring entrepreneurs who could benefit from the support of major corporates. Our role was to facilitate a share sale in which a new shareholder purchased a 49% share in the business from GN Lub, the initial sole shareholder. We drafted a share sale agreement and a shareholders' agreement to reflect the new shareholding structure, and also drafted a memorandum of incorporation and the relevant Board resolutions.
- **Karisani (Pty) Ltd** provides IT support to big companies in Cape Town. It has two shareholders, each owning 50% of the company. We drafted the shareholders' agreement and the memorandum of incorporation, and undertook the relevant company secretarial work.

Since the inception of the project in 2013, we have serviced 170 small businesses.

“ Since the inception of the project in 2013, we have serviced 170 small businesses. ”



## LOCAL INSIGHTS AND SUPPORT FOR LEX MUNDI

**A**s the Lex Mundi member firm for South Africa, we are an instrumental partner for the Lex Mundi Pro Bono Foundation and its clients in East Africa.

In the last six months of 2017 alone, we provided pro bono assistance to five separate social enterprises, operating in two countries, helping them scale their impact in the region as follows:

- **Echo Mobile** (Kenya): reviewing founding governance documents for this social enterprise, which uses cutting-edge mobile technology to measure impact.
- **Komaza** (Kenya): advising this innovative forestry initiative on culturally appropriate contracts with small-holder farmers in rural areas.
- **Landesa** (Tanzania): advising this US land-rights NGO on local employment laws in relation to hiring local professionals. Landesa partners with local government to help rural farmers secure rights and access to the land on which they are working. They hope to set up their first office in Africa. We provided employment law advice.
- **Peacemaker Corps** (Kenya): reviewing a contract for a partnership with a Kenyan University to set up a film studio to train and mentor students.
- **Trees for the Future** (Tanzania): assisting the Tanzanian office of this US NGO with employment law advice. Trees for the Future works on the revitalisation of degraded farming land and fights poverty by providing Tanzanian farmers with training and material for agroforestry practices. We advised on a number of employment-related matters pertaining to the injury of a worker and the process of claiming for workmen's compensation. We also advised on whether an employer was obligated to offer health insurance to employees under Tanzanian law, and further assisted with the reviewing of their standard employment contract.

Lex Mundi has acknowledged this contribution, saying that, "the Foundation greatly appreciates Bowmans' generous support of our clients in sub-Saharan Africa. The firm is playing an integral role in ensuring the success of many high-impact enterprises in the region".



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Rural farmer. Photo by rchphoto, Getty Images

# PROVIDING LEGAL SERVICES



“...chairman of the Board at GKEPF, thanked us for our support, unconditional commitment and dedication to getting this matter finalised.”

## GREATER KRUGER ENVIRONMENTAL PROTECTION FUND

**W**e assisted the Greater Kruger Environmental Protection Foundation (GKEPF) to obtain tax exemption from SARS. This will assist the organisation in raising funds. John Braithwaite, chairman of the Board at GKEPF, thanked us for our “support, unconditional commitment and dedication” to getting this matter finalised.

## TEACH A MAN TO FISH

**W**e helped the Teach a Man to Fish organisation to set up as a foreign company and register as a public benefit organisation. As a result, they are now able to hire staff.

Teach a Man to Fish is a non-profit organisation striving to make a long-term impact on global poverty by establishing sustainable, income-generating

schools in the poorest countries in Africa. The organisation is incorporated in England and sought corporate legal advice on the kind of entity it should establish in South Africa.

Susannah Marcowitz, programme and evaluations manager at Teach a Man to Fish, said, “...as a result of Bowmans’ support we are now able to hire staff members”.



6 ...as a result of Bowmans' support we are now able to hire staff members 9



## KADAFRICA

**K**adAfrica is a social enterprise providing knowledge, skills and assets for female school leavers in Western Uganda. The organisation helps these young women to start their own passion fruit farms, teaching them financial literacy and entrepreneurship while they generate an income through agribusiness.

We advised on their company re-structuring. This included filing



shareholders' and Board resolutions, advising on the allotment and sale of shares, and reviewing the memorandum and articles of association to reflect several changes by the company.



## ZANA AFRICA

**V**arious lawyers from our Nairobi office assisted Zana Africa, a social enterprise that provides reproductive education and sanitary pads to girls who lack access to both.

We assisted them with a range of legal matters including: drafting template employment contracts and a human resources policy; providing structuring advice and assistance to make their Kenyan operations easier; and advising on intellectual property.





## THE WORLD BLIND UNION

**O**ur offices in Kenya, South Africa and Uganda teamed up on a joint pro bono project to assist the World Blind Union (WBU), a global organisation representing an estimated 285 million people from 190 countries who are partially sighted or blind.

The project involved advising on the copyright legislation and analysing the readiness of these jurisdictions to ratify and/ or implement the WBU's Marrakesh Treaty, which is intended to enable blind people to access books and other published materials.

Matt Perriment, a lawyer from Dechert LLP (the international coordinators of the project on behalf of the WBU) said, "On behalf of Dechert and the World Blind Union, we'd like to thank you greatly for your hard work on the Marrakesh Treaty reports. The reports were of excellent quality and will be vital in ensuring the effectiveness of this important treaty."

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## AMNESTY INTERNATIONAL

**A**s a firm, we offer ongoing pro bono corporate legal services to Amnesty International.

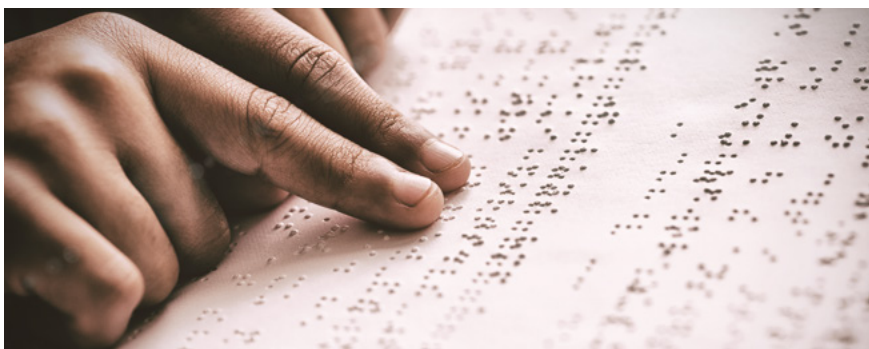
Salil Shetty, secretary general of the organisation, said: "... thank you for the legal support provided to Amnesty International during 2016 and 2017. We very much value your contribution in giving us the expert legal support we need, which allows us to focus our limited resources on our frontline human rights work. In this way, we are more able to work towards our vision of a world in which every person enjoys all of the human rights enshrined in the Universal Declaration of Human Rights and other international human rights instruments."

## BIOLITE

**W**e provided employment law advice and assisted in drafting a human resources manual and employment contract templates for BioLite in Kenya.

BioLite is a social enterprise dedicated to helping off-grid families in Africa to access safe, affordable energy for cooking, charging devices and lighting their homes.

Michael Mutemi, financial manager of BioLite Holdings, Kenya said: "We thank you for the assistance in getting our project initiated and completed to our satisfaction. The information we got from the lawyers was very useful and it will go a long way in helping us realise our mission of Bringing Energy Everywhere."



Children carry a BioLite HomeStove



# PROTECTING LEGAL RIGHTS



## ENSURING JUSTICE IS SERVED IN ONE OF SOUTH AFRICA'S MOST PUBLICISED HATE SPEECH CASES

We assisted the South African Human Rights Commission (SAHRC) to win a significant victory in a long-standing hate-speech matter.

**D**uring August 2017, the High Court of South Africa, Gauteng Local Division, ruled in favour of the SAHRC and three others and declared that comments made by former newspaper editor Jonathan Qwelane amounted to hate speech.

The timing of the ruling was enormously significant considering the spate of incidents of victimisation against members of the lesbian, gay, bisexual, transgender, intersex and gender non-conforming (LGBTI GNC) community

and the controversial publication of hateful and racist comments on social media at the time.

The complainants and other aggrieved members of society had waited a long time to see Mr Qwelane held accountable for his actions. The case arose in 2008 when the SAHRC received over 350 complaints from members of the public about the content of an article written by Mr Qwelane.

Members of the LGBTI GNC community are subjected to hate crimes on an ongoing basis and the judgment will positively impact all South Africans who have been exposed to sexist and racist speech and discriminatory behaviour.

## EMPOWERING A FAMILY TO CLAIM PENSION BENEFITS

We assisted Mrs Hilda Taliwe, a mother whose son had disappeared, to obtain a death certificate. This enabled her to claim pension fund benefits, offering substantial financial relief to the family.

**I**n May 1998, Mr Taliwe disappeared late one night on his way home after an evening out with friends. His family, friends and the community searched for him, but their efforts were futile. Despite Mr Taliwe's 18 years of service, his employer declared him a deserter and his pension benefits therefore remained unclaimed.

We assisted Mrs Taliwe in obtaining a presumption of death order in 2017. It was a challenging process because of the amount of time that had passed. Although records of a person were found in close proximity to where Mr Taliwe had gone missing, unfortunately they were not sufficient to identify the person and, on that basis, to obtain a death certificate. However, we prepared an application and briefed Adv Xolisa Hilita who appeared in the Johannesburg High Court, ultimately assisting Mrs Taliwe to obtain the presumption of death order and then the pension fund benefits.



## SECURING THE RELEASE OF MR DINEO KGATLE

We arranged for Mr Dineo Kgatle, who was unlawfully imprisoned for 24 months at the Baviaanspoort Medium Security Prison outside Pretoria, South Africa, to be released.

**T**he judgment confirms the supremacy of the Constitution and the inviolability of fundamental human rights. It will form the basis of a significant and precedent-setting damages claim against the State.

### The facts of the case were as follows:

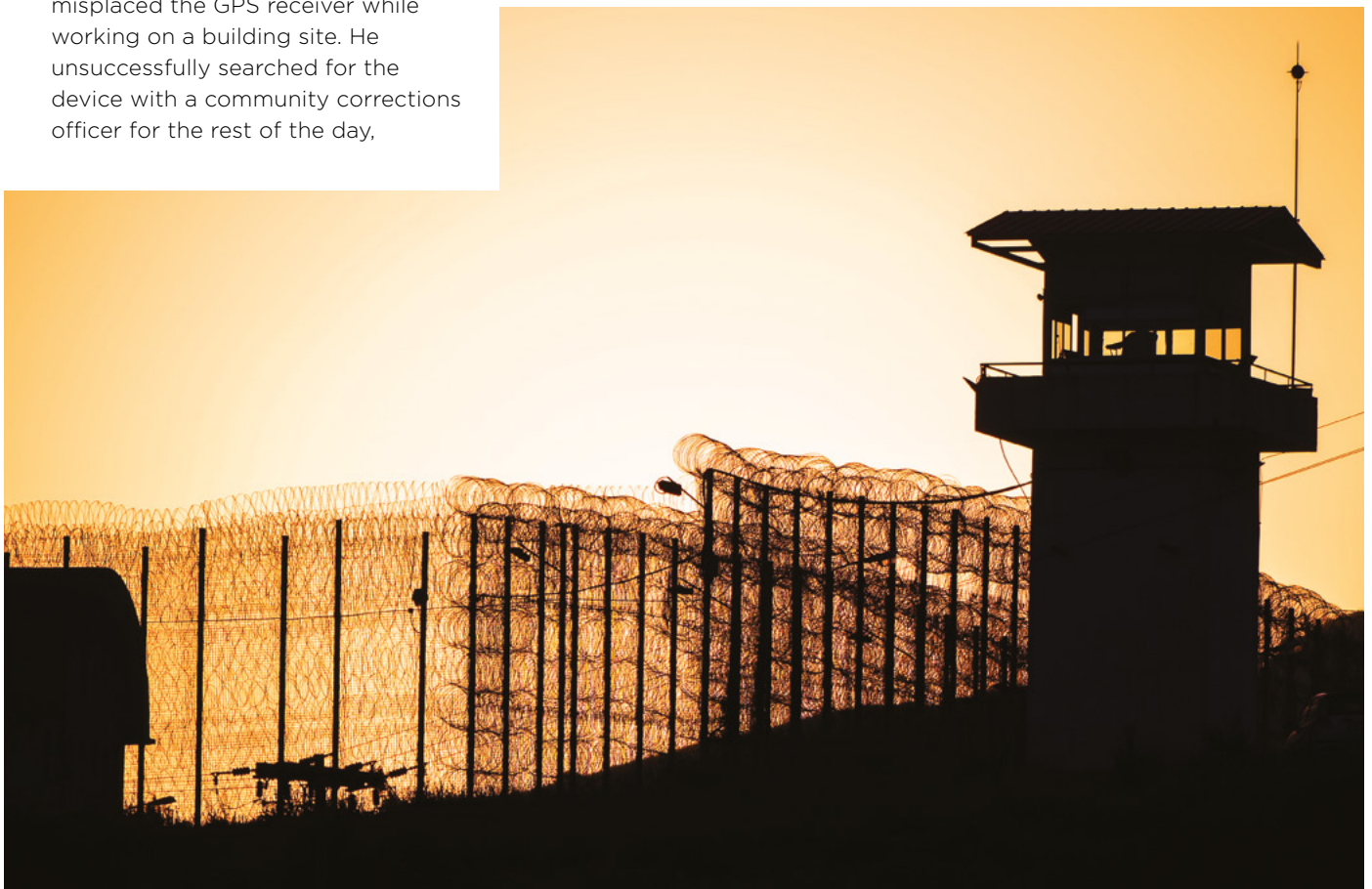
- Mr Kgatle was released on parole on 23 August 2013 on the condition that he be 'tagged' with an electronic monitoring device. The device comprises two separate instruments – an anklet and a GPS receiver.
- On 29 July 2014, he accidentally misplaced the GPS receiver while working on a building site. He unsuccessfully searched for the device with a community corrections officer for the rest of the day,

and was then told to go home and informed that the search would resume the next day.

- Later that evening he was arrested at his home and detained without any further explanation. He remained imprisoned for more than two years without appearing before a court.
- On 25 May 2016, we launched a *habeas corpus* application to secure his release. This application was dismissed for lack of urgency.
- We then re-enrolled the application on an expedited basis and took further steps to obtain Mr Kgatle's release.
- Before the matter was heard on 17 November 2016, we managed to secure Mr Kgatle's release on 31 October 2016 by petitioning the Parole Board.

On 28 September 2017, the High Court, Pretoria, ruled in favour of Mr Kgatle. The State's leave to appeal was rejected by the High Court on 13 December 2017.

6 This application was dismissed, for lack of urgency. We then re-enrolled the application on an expedited basis and took further steps to obtain Mr Kgatle's release. 9







## OBTAINING APPROVAL FOR SHACK-DWELLERS' MOVEMENT

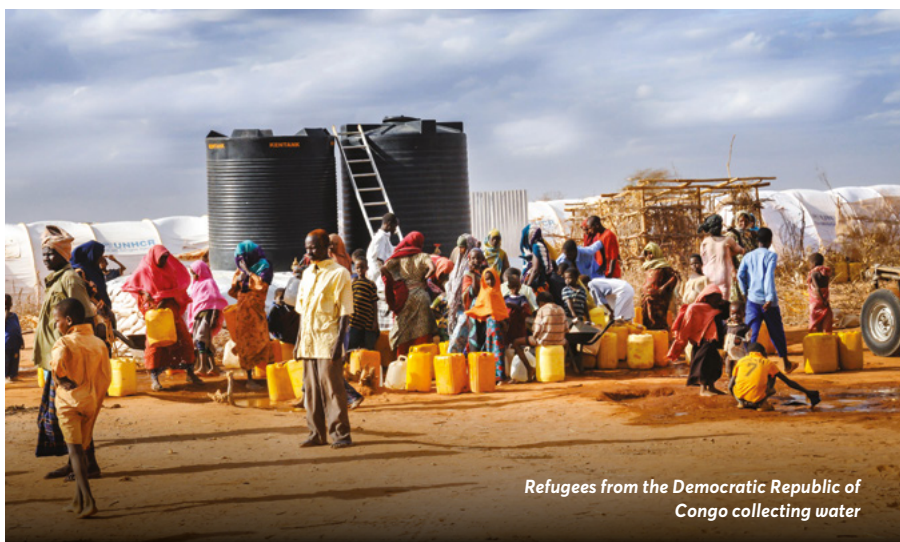
We helped 241 families – about 650 individuals across seven settlements in Durban – who were evicted from their homes to obtain court-sanctioned approval to rebuild their dwellings.

Acting on instructions from the Socio-Economic Rights Institute (SERI), we represented Abahlali baseMjondolo (a shack-dwellers' movement) and 241 other applicants in the KwaZulu-Natal High Court.

We sought interim interdicts against the eThekweni Municipality following ongoing

illegal evictions and demolishing of homes by the municipality in seven communities in and around the eThekweni metropolitan area.

The interim interdicts were granted on 27 July 2017. We will be returning to court in contempt of court proceedings against the municipality and other parties who demolished the rebuilt dwellings.



Refugees from the Democratic Republic of Congo collecting water

## RENEWING RECOGNITION OF REFUGEE STATUS

We successfully assisted Mr Deogratias Biembe Bikope from the Democratic Republic of Congo in obtaining a renewed formal recognition of his refugee status permit in South Africa. This enabled Mr Bikope to register as a university student and allowed his family to renew their refugee status. We plan to continue assisting Mr Bikope and his family to apply for permanent residency in South Africa through the Department of Home Affairs.

# STIMULATING DEBATE AND UNDERTAKING RESEARCH

## HOSTING AN INTERNATIONAL LEGAL AID CONFERENCE

In June, the 2017 International Legal Aid Group (ILAG) Conference was held for the first time on the African continent, co-hosted by Legal Aid South Africa. We provided a venue for one of the three days of the conference at our office in Johannesburg.

The conference focused on ensuring access to justice:

- considering models of successful and sustainable legal aid provision;
- discussing legal services and the needs of the poor;
- cementing access to justice through treaties and constitutions;
- exploring technology and self-help avenues to simplify the law for those who often least understand it;
- ensuring that high standards of quality are maintained while having a parallel conversation about cost and affordability; and
- guaranteeing that legal aid truly works for those who most require access to justice.

The output of these discussions links to the United Nations' Sustainable Development Goal which seeks to ensure access to justice for all by 2030.

We were proud to sponsor such a meaningful event and to strengthen our relationship with Legal Aid South Africa, which is widely regarded as one of the best models of legal aid service provision in the world. Legal Aid South Africa champions the rights of all people to access justice through the constitutionally mandated provision of independent, accessible and quality legal aid services in criminal and civil legal matters.

## ASSISTING WITH FINTECH RESEARCH

**T**he Bingham Centre for the Rule of Law (a constituent of the British Institute of International and Comparative Law) seeks to produce high-quality research and conduct training on rule of law issues, drawing on comparative examples and seeking practical outcomes.

In March 2017, the Bingham Centre initiated a research project on the regulation of FinTech (with a focus on mobile money) in Kenya and South Africa. The project entailed a review of the regulatory framework and its impact on the industry. With our assistance, the Bingham Centre published a report, detailing the challenges and outlook in each jurisdiction.

## HOSTING AN ANTI- TRAFFICKING WORKSHOP

**W**e hosted an anti-trafficking workshop at our Cape Town office in association with the National Association of Democratic Lawyers (NADEL) on 27 February 2017. The workshop provided legal training aimed at helping lawyers to understand the dynamics of human trafficking, empowering them to combat this crime and assist victims inside and outside the courts.



Attendees of the 2017 International Legal Aid Group Conference





## MAPPING NEEDS OF STREET CHILDREN IN KENYA

**W**e worked with Baker McKenzie to create a digital Advocacy Atlas mapping the legal context for children living in the streets in Kenya. This entailed thorough research into the current Kenyan legislation governing runaways, street workers and children who are abused, neglected and abandoned.

The initiative was part of a wider UN project to adopt a General Comment that interprets the UN Convention on the Rights of the Child as it relates to street-connected children and youth. The legal provisions in the General Comment are key principles that governments around the world need to work on implementing in their national legislation.

This project was particularly interesting as it highlighted the various lacunas in Kenyan law when addressing the needs of the street child. It also revealed the neglect by our society in creating an environment that fosters the emotional and physical growth of children. Hopefully when an international standard is set, a more comprehensive legal framework will be adopted.



Kenyan street children. Photo by Marius Ltu, Getty Images

“The initiative was part of a wider UN project to adopt a General Comment that interprets the UN Convention on the Rights of the Child as it relates to street-connected children and youth.”



# CORPORATE SOCIAL RESPONSIBILITY

## YOUNG GIRLS LEARN ABOUT THE WORLD OF WORK

Our South African offices once again participated in Cell C's annual Take a Girl Child to Work initiative, which was held on 25 May 2017.

The objectives of the programme are to:

- expose girls to the world of work and give them the opportunity to make informed career decisions;
- inspire and motivate girls to reach their full potential; and
- provide a platform for dialogue around their needs and their role in South Africa's socio-economic development.

The Cape Town office hosted seven girls (from Grades 10 to 12) from Esangweni Secondary School in Kuyasa, Khayelitsha.

The Durban office hosted three learners from Asoka Secondary School in Moorton, Chatsworth.

The Johannesburg office hosted 18 Grade 12 girls from Alexandra High School.

Each office ran a programme designed to give the learners some insight into life at Bowmans and into the world of law in general.



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## TEAMING UP WITH MALANDELA MIGHTY HEROES

We partner with Mandela Mighty Heroes Football Club, sponsoring the under-17 team.

As it is important for us to make our involvement meaningful – extending beyond the cheque book and making a real difference – we hosted our first Men in Training Day to mark Youth Month in June.

We invited 22 young footballers from Alexandra, aged 15 to 17, to join us in our Johannesburg office for a day. This was our equivalent of Take a Girl Child to Work Day for boys. The boys attended interactive sessions on careers, listened to motivational talks and gained some hands-on work experience alongside our candidate attorneys.

As part of the day's events, we handed out branded kits to the members of the football club and made a donation to the club.



Club members visit Bowmans' Johannesburg office



Club members pose with the Johannesburg skyline behind them



Chairman and senior partner, Robert Legh hands club members the donation from Bowmans





## 67 MINUTES OF SERVICE ON MANDELA DAY

Staff from our South African offices came together on 18 July 2017 to do 67 minutes of service for Mandela Day.

This annual initiative calls on people worldwide to dedicate 67 minutes to helping others in commemoration of former South African President Nelson Mandela's contribution to advancing peace and freedom in South Africa and globally.

**Cape Town:** We chose to partner with Home of Hope, an organisation that provides care for abused and abandoned children, with a special focus on children affected by Foetal Alcohol Spectrum Disorder. Home of Hope had purchased new premises and needed assistance with renovations. Ahead of Mandela Day, staff in Cape Town were asked to donate items on the home's needs list. On Mandela Day, an enthusiastic team of 25 set off for a day of manual labour, with paint brushes and rollers in hand. It was good to have such a wide range of Bowmans employees willing to leave the office for the day to get involved. By the end of the day, the team had successfully painted two living areas, the office and a bedroom.

**Durban:** We visited the La Lucia Baby House contributing items from their wish list and spending a delightful morning assisting caregivers to care for the babies.

**Johannesburg:** We visited Banakekeleni Orphanage in Alexandra, which houses 15 children ranging from babies to teenagers. The premises was originally a warehouse and was in need of painting and maintenance. We partnered with Global Camps Africa, a non-profit organisation and a longstanding pro bono client of the firm, to help upgrade the facility.

Thank you to all staff for giving so generously and participating in another successful Mandela Day!



“It was good to have such a wide range of Bowmans employees willing to leave the office for the day to get involved.”



## MAKING A DIFFERENCE ON THE DAY OF THE AGED

The United Nations recognises the International Day of the Aged (which is held each year on 1 October) as a day for acknowledging the basic rights, needs and preferences of the elderly.

Our first-year candidate attorneys in Johannesburg marked the occasion by visiting the grannies and grandpas of the St Joseph Gerard's Home for the Aged. This home looks after some of the most isolated and abandoned elderly people in our society.

The relationship between Bowmans



and the home began in January 2017, when first-year candidate attorneys visited it as part of their community outreach during induction. Since then, we have provided advisory and technical support to the home and taken the time to listen, acknowledge, engage and share a laugh with the elderly people living at the home.

## 'COUNT ME IN' CAMPAIGN FOR 16 DAYS OF ACTIVISM

Our offices across Africa observed the global campaign of 16 Days of Activism for No Violence against Women and Children from 25 November to 10 December 2017.

The aim of this annual campaign is to encourage everyone to participate actively in ending violence against women and children. As a firm, we strongly identify with these aims and aspire to having a society free of all forms of violence. All staff members were encouraged to visit our intranet page to take the pledge of no violence and wear a white ribbon.

We also made financial contributions to a women's shelter or charity in each of the cities in which we have offices, as follows:

- **Cape Town:** Saartjie Baartman Centre, which houses and rehabilitates abused women and their children.
- **Dar es Salaam:** Amani Orphanage Centre, which provides shelter for children, mostly orphans and homeless children.
- **Durban:** Open Door Crisis Centre, which supports victims of domestic violence and abuse.
- **Johannesburg:** Ikhaya Lethemba, which houses and empowers victims of domestic violence and abuse.
- **Kampala:** Oxfam, which is a NGO that lobbies for peace and supports people caught up in conflict.
- **Nairobi:** Shiphra Centre, which is a home for abandoned, sexually assaulted or physically abused children, and children from broken families.



## SANTA'S SHOEBOX FILLED TO THE BRIM WITH GIFTS

Our South African staff gave back during the holidays by giving gifts to children in need.

We once again participated in the Santa Shoebox Project arranged by Kidz2Kidz Trust, a non-profit organisation. Staff members were invited to participate by claiming one of 95 shoeboxes and taking responsibility for filling it with gifts for a particular child.

We know that, by participating, we helped put smiles on little faces during the festive period.



## CANDIDATE ATTORNEYS' DAY OUT IN ALEXANDRA

First-year candidate attorneys had the privilege of stepping out of their offices and into the vibrant streets of Alexandra. They were welcomed to the Alexandra Chamber of Commerce by the managing director, Mr Mxolisi Mngomezulu, who told them that former South African President Nelson Mandela once called Alexandra home.

Mr Mngomezulu also told the group about the partnership between the Alexandra Chamber of Commerce and Bowmans, who together empower small business owners through Bowmans' Ishishini Lethu Project. As newly inducted members of the Bowmans family, they were excited to hear how the firm gives practical assistance to residents of Alexandra, providing them with valuable legal services. Dr Penuell Maduna, former Minister of Justice and Bowmans' current deputy chairman,

then addressed the group. He emphasised the firm's desire to produce well-rounded lawyers who are able to contribute to society as active citizens.

With members of the Alexandra Chamber of Commerce as their guides, the candidate attorneys then embarked on a trip to the St Joseph Gerard Home for the Aged. The organisation houses 35 senior citizens who are cared for by full-time staff. In an emotional address delivered by the manager of the home, the visitors soon realised the harsh economic realities it faces, as well as the challenges its residents face.

The group then visited 'Neh', one of Alexandra's illustrious clubs. The locally owned restaurant/nightclub treated them to some traditional delicacies such as chicken feet, mogodu (tripe) and pig's hooves. And so, with the soundtrack of 'Sarafina!' playing in the background, the group enjoyed the afternoon.

The outing was a great opportunity for the candidate attorneys to enjoy another part of a city that was mostly unfamiliar to them and see how they could help their local community.



## SUPPORT FOR RULE OF LAW SYMPOSIUM

On 7 March 2017, our Cape Town office hosted a reception for the Youth and the Rule of Law in Sub-Saharan Africa Symposium held earlier in the day.



The cocktail function gave guests (including students, lawyers and various other members of the legal fraternity) an opportunity to network and socialise.

The symposium was an initiative of the University of South Carolina in conjunction with the US State Department. It addressed the particular issues that relate to youth and the rule of law by bringing thought leaders and stakeholders together.





## MARITIME INDUSTRY REACHES OUT TO LEARNERS

Our Durban lawyers participated in the Ethekweni Maritime Clusters' Second Careers Expo, which was held on 29 and 30 March 2017 in Durban. Learners from various schools attended and benefited from the opportunity to interact with young professionals in the maritime industry.



*Bowmans' representatives at the Ethekweni Maritime Clusters' Careers Expo*

## HELPING HAND FOR HOUT BAY FIRE VICTIMS

Our spirit of generosity came to the fore in Cape Town when we banded together to support the victims of the Hout Bay fire in March 2017.

We worked closely with the Thula Thula Disaster Relief Foundation, the NGO that spearheaded the relief efforts for victims, and collected necessities, including food and toiletries, to help those who had lost everything.



*Fire relief supplies collected by Cape Town office staff*

## KAMITI PRISON VISIT

Volunteers from our Nairobi office visited Kamiti Maximum Prison on Saturday 22 April 2017.

This visit formed part of our annual CSR activity in Kenya in collaboration with the African Prisons Project. Once again, we donated computers and food and participated in a friendly soccer match against the prison inmates.



*Participants in the soccer match at Kamiti Prison*

## DONATION LIFTS SPIRITS AT MALAIKA ORPHANAGE

A group of volunteers from our Johannesburg office visited the Malaika Orphanage Centre, in the heart of Hillbrow, and made a donation of much-needed supplies.

**M**alaika is a community initiative that was founded by Juma Sebichwu to address the plight of homeless and abandoned children on the streets of Hillbrow.

The orphanage is situated in a dilapidated block of flats. On any given day, Juma cares for around 75 children. During the day and after school, the children spend time at the orphanage where Juma prepares meals for them on a temperamental stove. At night, Juma has an arrangement with various residents to allow the children to stay with them in their flats.

Juma thanked the team, saying: "The Malaika Orphanage Centre would like to extend our heartfelt appreciation for your support and generosity in reaching out and helping our children".



Children at Malaika Orphanage



Volunteers at Malaika Orphanage

## GENERAL KNOWLEDGE FOR GOOD - WE QUIZ FOR CHARITY

On 8 November 2016, we hosted our inaugural quiz evening. Staff members were requested to form teams to participate in the quiz. In order to qualify for entry, each team had to make a donation to a chosen charity. The success of this quiz resulted in it becoming a frequent social event at Bowmans.

**T**he beneficiary of the first pub quiz was the SPCA. The second pub quiz was held on 30 June 2017 in aid of a blanket drive for various charities assisting the homeless. The third pub quiz was held on 3 November 2017. Monetary donations were used to buy various items for Ikhaya Lethemba, which houses female victims of violence.



Romane Paul hands our pet food collection to the SPCA, Sandton



Ikhaya Lethemba blanket collection



SPCA, Sandton



SPCA, Sandton



## WITS FOOD DRIVE ASSISTS STUDENTS IN NEED

It is well known that apart from academic pressures, many students face challenges such as a lack of financial and emotional support.

This year our candidate attorneys in Johannesburg started a collection of food items and toiletries for students in need at Wits University, as a way of ensuring that amid the many

struggles students face, a lack of food is not one of them. Bowmans staff contributed generously and the students were very grateful for the assistance.



## CELEBRATING THE SPIRIT OF GIVING

This year we celebrated the season of giving by remembering those less fortunate than ourselves. In lieu of year-end client gifts, and as an investment in the next generation, we supported charities that help children in the cities where our offices are located. These included:

- **Atlantic Hope:** provides accommodation and care for abandoned babies prior to their being adopted or going into foster care.
- **Amani Orphanage Centre:** shelters children who are orphaned, homeless and/or have suffered as a result of domestic violence.
- **Saint Monica's Children's Home:** provides a safe environment for children in need with the goal of reuniting them with their families and/or their communities.
- **Malamulele Onward:** creates opportunities for children with cerebral palsy in rural and impoverished communities.
- **Shiphra Centre:** houses children who have been abandoned, sexually assaulted or physically abused or who are from broken families.

# PERSPECTIVES

## SWITCHING THE COMPANIES ACT FOR THE CRIMINAL PROCEDURE ACT – MY EXPERIENCE AS A PUBLIC DEFENDER



By: Amy Gerson

You may be wondering how a corporate lawyer from Sandton found herself practising criminal law in the Johannesburg Central Magistrate's Court. My family, friends and colleagues had mixed reactions to finding out I had elected to do the last six months of my articles with Legal Aid at the Public Defender's Office. I received numerous and varying questions as to my current state of mind but to me the answer was simple, I love to litigate. With that notion, no indication of what to expect, my gown, my Criminal Procedure Act and I headed to the corner of Fox and Ntemi Piliso Streets and started an experience that changed my life.

**A**rriving at Legal Aid I knew no one and very little about criminal litigation, but I made it my goal to learn as much as I could in the little time that I had, drawing on my fighting spirit and thirst for knowledge. Senior lawyers at Legal Aid held daily case discussions where we debated matters that were currently on the roll, court procedure

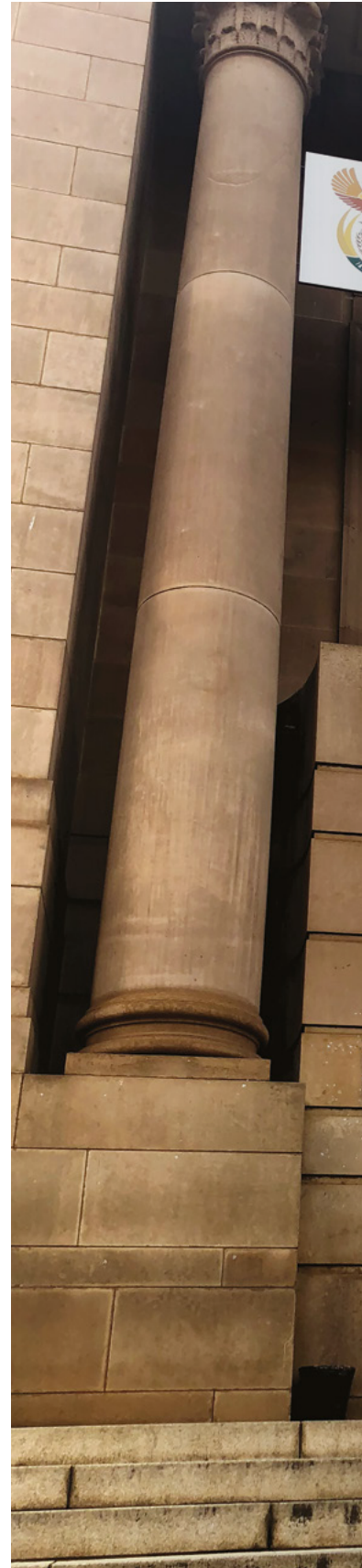
and various legal points in criminal law. We often had input from lawyers from both the Regional and High Court units.

I reunited with Snyman and Burchell, authors I had last read at university, asked questions and took every opportunity to observe. My Friday afternoons were spent sitting in the gallery watching my colleagues in the Regional Court dominate in cross examination and deliver reasoned and poignant closing arguments. My knowledge grew and as I gained my confidence in court, I knew I would be able to ensure justice was served.

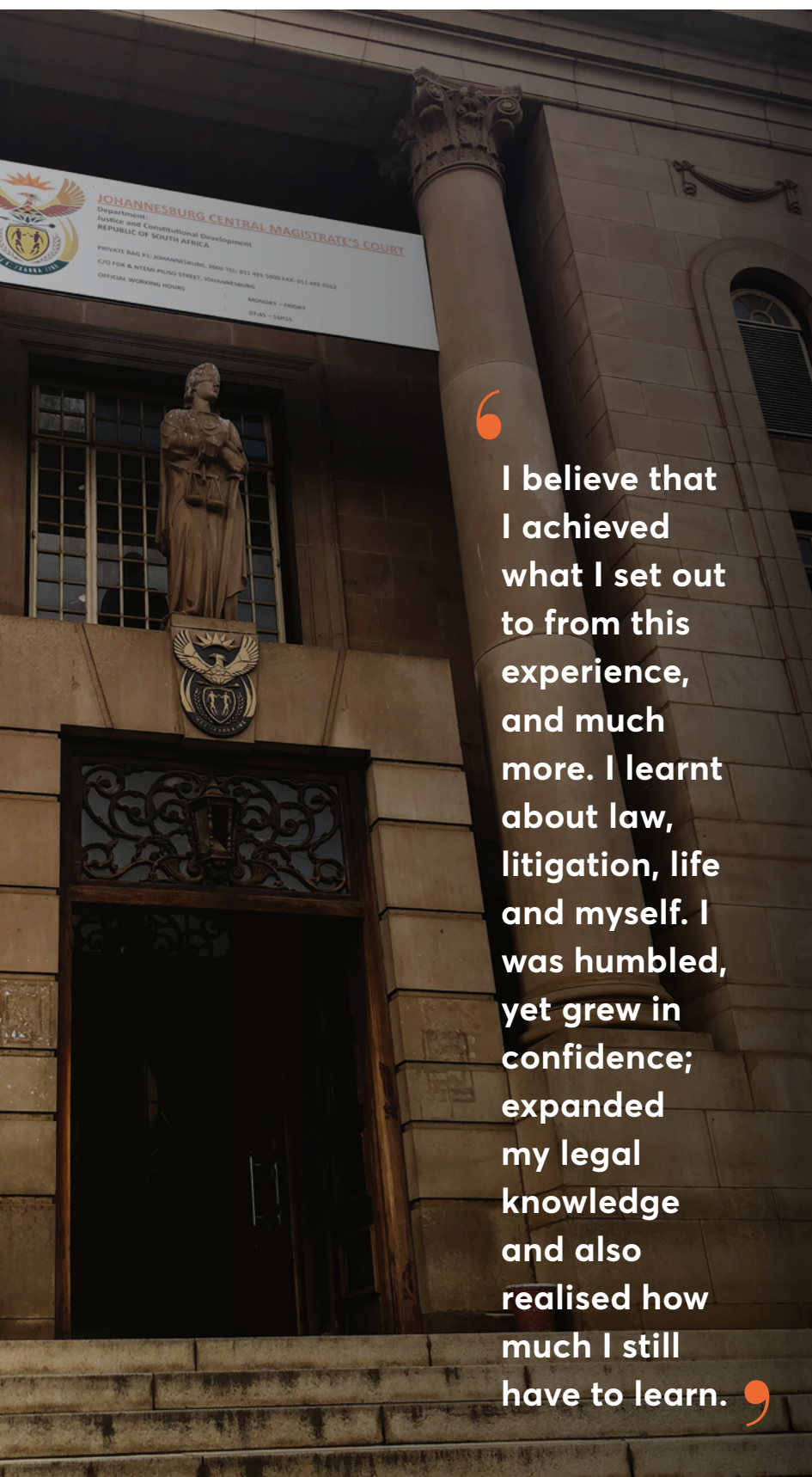
Nothing quite prepares you for your first appearance in court. Robed in my gown and with a knot of nerves in my stomach, I stood up and uttered the all-famous, "your worship," and the rest was history. I started in Court 4, reception court, which is the busiest courtroom in the building, often seeing up to 60 clients a day. Court hours are from 9h00 to 16h00 but with the limited resources and staff at Legal Aid and the number of accused persons entering the court system, these times were just a guideline. We would stay until every person on the court roll for that day had been read their rights and provided an opportunity to make an application for bail.

I dealt with bail applications, postponements, first appearances, guilty pleas, representations to the State and section 77 applications regarding mentally incapacitated clients. The days were long and the job demanding but each time I addressed the court, my ability grew. I interacted with all types of people and clients. People from across Africa, speaking all our official languages and foreign ones as well, men and women of all ages. I had to overcome language barriers and ensure my clients not only understood me but also trusted me.

There is no greater feeling than knowing your client is happy with the services you are providing. Interactions with clients were, however, not always happy: sometimes I had to be the bearer of







**I believe that I achieved what I set out to from this experience, and much more. I learnt about law, litigation, life and myself. I was humbled, yet grew in confidence; expanded my legal knowledge and also realised how much I still have to learn.**

bad news and advise on the worst case scenarios. It was never fun but it was my job and ensuring my clients were aware and prepared was crucial.

I remember my first direct imprisonment sentence. My heart dropped when I went to my client. He told me not to be sad, it was not my fault and that he was in this position because of acts of his own doing. He thanked me for assisting him and for treating him with respect and dignity and for never judging him. That reassured me that no matter the outcome of a matter, I would make sure to approach every one of my clients in the same manner. I got to know prosecutors, court clerks, magistrates, court orderlies, attorneys and interpreters. Friendly faces around the corridors brought comfort and Johannesburg Central became my second home.

For my first trial, file in hand, running on minimal sleep and anxious as ever, I entered Courtroom 7. My client was a 50-year-old gentleman from Mozambique who had been accused of theft from a construction site. The entire gallery was filled with his family members. He had been in custody for five months and maintained his innocence throughout. It was for me to convince the court that the State could not prove the elements of the offence. The trial ran over two days, with 40 minutes of cross examination, a lengthy closing argument on circumstantial evidence and a verdict of not guilty. The expression on his face and the eruption of elation from the gallery is something I will remember for a very long time.

I believe that I achieved what I set out to from this experience, and much more. I learnt about law, litigation, life and myself. I was humbled, yet grew in confidence; expanded my legal knowledge and also realised how much I still have to learn. My colleagues became my friends and my clients opened my eyes. This experience not only made me a better litigator but it made me a better person. It is something I will cherish for the rest of my life.

**Cape Town****T:** +27 21 480 7800**E:** info-cpt@bowmanslaw.com**Dar es Salaam****T:** +255 76 898 8640**E:** info-tz@bowmanslaw.com**Durban****T:** +27 31 265 0651**E:** info-dbn@bowmanslaw.com**Johannesburg****T:** +27 11 669 9000**E:** info-jhb@bowmanslaw.com**Kampala****T:** +256 41 425 4540**E:** info-ug@bowmanslaw.com**Nairobi****T:** +254 20 289 9000**E:** info-ke@bowmanslaw.com**Follow us on Twitter:**

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