



**BOWMANS**  
THE VALUE OF KNOWING

# PRO BONO & CSR

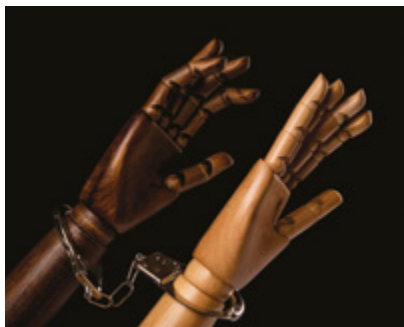
**ANNUAL REPORT  
2018/ 19**



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For the financial year ending 28 February 2019, we have delivered 10 024 hours in pro bono time which equates to a value of ZAR 28 247 089 across all of our offices. 9

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



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# INTRODUCTION

## FOREWORD



**Robert Legh**  
Chairman and Senior Partner

It is when doing pro bono work that a lawyer's true colours can often be seen. The kind of matters they choose to take on, and the zeal with which they pursue them, can speak volumes about the person's interests and passions.

**T**his is especially accurate when it comes to pro bono work at Bowmans, where every effort is made to achieve the best possible match between the matters we take on and the lawyers who work on them. Paging through this report, a few powerful themes stand out, revealing much about the passions that drive our lawyers.

Under the umbrella theme of facilitating access to justice, there is a strong emphasis on protecting the rights of women and children, as well as a clear predisposition towards assisting those subjected to racial and other forms of discrimination, whether at the workplace or in other walks of life. Importantly, the focus on women, children and youth cuts across all our offices, from Kenya, South Africa, Tanzania and Uganda. It was also evident in many of the corporate social responsibility

(CSR) projects our staff members undertook and the charities they chose to support in the past year.

To my mind, these commonalities highlight the cohesive culture we strive for as an integrated African firm.

Another prominent theme of our pro bono work is empowering entrepreneurs with legal knowledge and advice, which is key to creating greater economic inclusiveness.

As in previous years, our lawyers (in South Africa particularly) spent a considerable amount of time and effort addressing the legal requirements of entrepreneurs, non-profit entities and small and micro enterprises. This reflects, in no uncertain terms, the understanding within our firm about how vital it is to address inequalities in the economy.

When reading this report, what also stands out for me is the enthusiasm and determination of our people, who pursued their matters and causes with pride and passion. This was not a question of doing one's duty but of making a difference to real people with real problems.

To everyone who participated, thank you for showing your true colours.

“...we have concentrated on smaller charities in need of support and our staff across all offices have been directly and intimately involved with charities we have supported.”

## A YEAR IN REVIEW



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

The past year has been a fulfilling and rewarding one for our Pro Bono Department. In this report we have given insight to the highlights of the work we have undertaken across all of our offices. Our core focus, however, remains access to justice for the poor.

**W**e continue to service the SASLAW Labour Law clinics and Domestic Violence Helpdesk in Cape Town and Johannesburg. In Johannesburg, we serviced the South Gauteng High Court Helpdesk as well as the Housing and Refugee Law Clinics coordinated by ProBono.org.

We have continued to ensure pro bono is a critical and integral part of who we are as a firm and what we stand for.

Our firm's model requires all of our lawyers to engage in pro bono work delivering their hours in their personal area of expertise and passion.

We are extremely proud of the quality of work delivered by all of our east African offices. It is through the commitment of our East African lawyers that we won the Lex Mundi Pro Bono award.

For the financial year ending 28 February 2019, we have delivered 10 024 hours in pro bono time which equates to a value of ZAR 28 247 089 across all of our offices.

On the CSR front, we have concentrated on smaller charities in need of support and our staff across all offices have been directly and intimately involved with charities we have supported.

Our pro bono and CSR programme is fully supported by our lawyers and support staff who have given generously throughout the period.

This report is a tribute to our staff across all offices.

I hope that you will enjoy reading this report and find it to be informative. It has been inspirational and rewarding for me to have been on this journey.

# AWARDS AND RECOGNITION

## GLOBAL AWARD FOR PRO BONO WORK IN EAST AFRICA

Our pro bono work in East Africa earned us the distinction of being one of only five member law firms, and the only African law firm, to receive a Lex Mundi Pro Bono Award in 2018.

The ninth annual awards event was held in New York during the 2018 Lex Mundi Leadership Summit and Annual Conference at the end of April. The awards are intended to honour Lex Mundi member firms that have provided critical pro bono legal services to social entrepreneurs. The other winning law firms were from Colombia, the Netherlands, Pakistan and the United States.

### Our contribution included:

- Reviewing founding governance documents for Echo Mobile, a social enterprise in Kenya that uses cutting-edge mobile technology to measure impact.
- Advising Komaza, an innovative forestry initiative on culturally appropriate contacts with smallholder farmers in rural Kenya.
- Advising Landesa, a land-rights non-governmental organisation (NGO), on employment laws related to hiring local professionals in Tanzania.
- Assisting the Tanzanian office of Trees for the Future, an NGO working on revitalising degraded farming land, with an employment matter.
- Completing a contract review for Peacemaker Corps, a partnership with a Kenyan University, to set up a film studio to train and mentor students.

The award was the first major award presented in recognition of pro bono work completed by our lawyers in East Africa, a milestone that highlights one of the benefits of bringing our pro bono efforts across the group under one umbrella.

Our pro bono work in East Africa earned us the distinction of being one of only five member law firms, and the only African law firm, to receive a Lex Mundi Pro Bono Award in 2018.





## LAW SOCIETY AWARD FOR DEBORAH SEBOLA

**D**eborah Sebola, an associate in our Litigation Practice and Pro Bono Department, received this year's Law Society Pro Bono Award in recognition of her outstanding contribution to the pro bono scheme. She received the award at the AGM of the Gauteng Law Council on 15 September 2018.

Deborah's recent experience includes representing SME's in both High Court and Magistrate Court matters and has represented State Owned Entities in litigation matters. She obtained her LLB at the University of Pretoria and is a court annexed mediator.



*Deborah Sebola with this year's Law Society Pro Bono Award*

## CELEBRATING PRO BONO 2017/ 18

Our annual pro bono and CSR celebratory event was held on 10 April 2018.

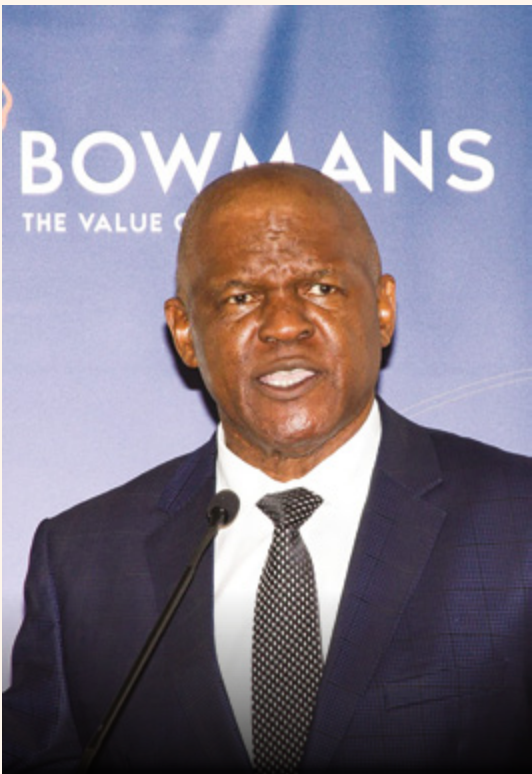
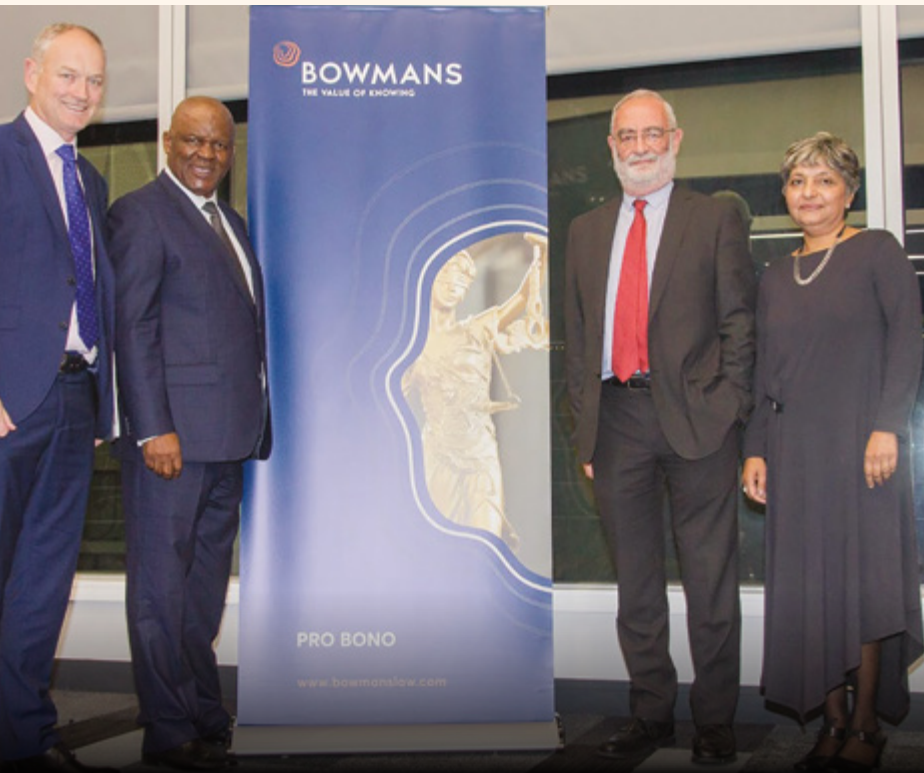
In his welcome message, chairman and senior partner Robert Legh said that as lawyers, we are in a unique position to assist people in the communities where we live and work. He also expressed his appreciation for the pro bono and CSR efforts of everyone who contributed their skills and time in the previous financial year.

Keynote speaker, Advocate Budlender said it is important for lawyers to do pro bono work for the following four reasons:

1. The State gives lawyers the monopoly to practise the law. Therefore, it is an essential service to people who have no access to justice.
2. Legal practice is adversarial in nature and can cause damage to people's dignity for example when people stand to lose their homes. Lawyers therefore need to play a moderating role in preventing such damage to the poor by protecting their rights.
3. Our own self-interest is at risk if there is no access to justice for those unable to afford it. We uphold the Rule of Law by providing access to justice.
4. It is a most rewarding practice and truly changes people's lives, especially those of the poor.







# PRO BONO

## WORKING WITH OTHERS

### ISHISHINI LETHU

Seven years ago, 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.

**T**hrough Ishishini Lethu, we provide legal assistance to entrepreneurs and small enterprises in the short term and empower them to exercise their rights and to participate more effectively in the economy in the long term.

Alongside various non-profit organisations, we identify small businesses and start-ups who need help. Our internal pro bono team then refers these requests for support to our attorneys, depending on their areas of expertise.

### Some examples of clients we assisted in the past year:

#### Impact Africa (Ashoka)

Social entrepreneurship is gaining ground as a means to address social, cultural and environmental challenges in Africa.

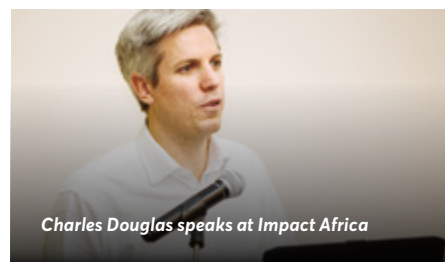
We were invited to lead a 90-minute discussion at the Impact Africa Social Entrepreneurship Summit under the auspices of ProBono.org.

The summit was hosted in Johannesburg by Ashoka, an international organisation that promotes social entrepreneurship, and the British Council.

Charles Douglas, who heads our M&A Practice in South Africa, gave a presentation entitled 'Legal considerations from startups to scale ups'.

#### Township Invest Summit and Expo

We were proud to attend the inaugural Township Business Investment Summit and Expo, which was held at the Soweto Theatre from 6 to 8 June 2018 and hosted by eKasi Entrepreneurs and O360.



Charles Douglas speaks at Impact Africa

The aim of the event was to provide mentorship, guidance and insights on setting up businesses that can take advantage of opportunities in the economy, regardless of where they are in the production value chain.

Various financiers and small business hub organisations were there to assist business owners. We provided free legal advice to attendees.

Partner Phetole Modika was one of the panellists in a discussion on 'Corporate investment in township businesses and the pros and cons of accessing financing from funding institutions'.

#### Chamber of Entrepreneurship and Biz Expo

On 28 July 2018, candidate attorneys, Lebogang Latakomo and Sfiso Nxumalo, attended the Chamber of Entrepreneurship and Biz Expo to market and offer the services of Ishishini Lethu. The Expo



Township Invest Summit and Expo





*Entrepreneurs from Phaphama SEDI hosted at Bowmans, Cape Town*

was highly successful and we can confidently say that Bowmans was well represented.

### **Phaphama SEDI**

On 26 May 2018, our Cape Town office collaborated with the Phaphama Small Enterprise Development Initiative (Phaphama SEDI) to host 14 entrepreneurs and facilitate a workshop on basic company law principles.

Phaphama SEDI is a non-profit organisation that was established in 2014 by a group of students from the University of Cape Town. The organisation is committed to promoting leadership, entrepreneurship and small enterprise development in communities in and around Cape Town.

The workshop focused on key provisions of the Companies Act, 71 of 2008, the role of broad-based black economic empowerment in South Africa, and the practical steps for incorporating a private company.

The workshop facilitators were Aaron Ohm, former associate and Richard Bryce, candidate attorney.



*TSiBA's Leading Financial Sustainability Programme*

The entrepreneurs who participated in the workshop are also participants in Phaphama SEDI's business mentorship programme.

### **TSiBA**

The Tertiary School in Business Education (TSiBA) is a non-profit business school that provides emerging leaders with full tuition to study on its campus.

Rob Hare, senior associate, and Lebo Motsumi-Nkoloti, associate, from our Tax Practice presented a lecture as part of TSiBA's Leading Financial Sustainability Programme,

aimed at enabling non-profit organisations to develop sustainable sources of funding that are not necessarily dependent on donors.

The Programme, which we have participated in for the past few years, was held at the offices of Deutsche Bank and attended by emerging leaders and representatives from a variety of non-profit organisations.

Our presentation focused on the tax considerations for non-profit organisations, and the opportunities and risks they need to consider when raising funds from business activities as opposed to donors.



# PROVIDING LEGAL SERVICES



“...whose vision is to empower a new generation of young leaders to drive innovation, sustainability and prosperity in Kenya.”

## GREAT MINDS CHALLENGE

**W**e assisted Great Minds Challenge, a social enterprise whose vision is to empower a new generation of young leaders to drive innovation, sustainability and prosperity in Kenya. We drafted their trust deed, registered their trust, and reserved the company name in preparation for the registration of a private limited company.



## INVESTING IN CHILDREN AND THEIR SOCIETIES

**I**nvesting in Children and Their Societies is a non-profit organisation that operates in Tanzania and Uganda. It seeks to strengthen the socio-economic capabilities of families through programmes on skilful parenting and child protection within an agri-business framework.

A team from our office in Dar es Salaam advised on the NGO registration process and outlined the advantages and disadvantages of registering as

an international NGO versus a local NGO. We also addressed the question of whether there are any restrictions on foreign nationals becoming board members of an NGO upon registration.





## KIDOGO

**K**idogo is a social enterprise based in Kenya that seeks to assist East Africa's low-income communities to access high-quality, affordable early childhood care and education.

We carried out a review and revision of Kidogo's employment contract templates and human resources handbook. Our involvement extended to consolidating the company's various stand-alone policies and ensuring the handbook included all policies required by law.



## MERCY BEYOND BORDERS

**M**ercy Beyond Borders is a small non-profit organisation based in the United States that assists women and girls in other countries suffering from extreme poverty by empowering them through education.

We advised Mercy Beyond Borders on the registration of a non-profit entity in Kenya. This included providing a summary and checklist of the requirements for registering an international NGO and the statutory forms and various other documentation required.



## MOTIVATION CHARITABLE TRUST

**W**e reviewed the legal structure of the Motivation Charitable Trust and advised on its suitability for the activities it undertakes in Kenya. Our involvement extended to advising on the advantages and disadvantages of the existing legal structure in Kenya in comparison to other, less favourable structures.

Motivation, a non-profit organisation based in the United Kingdom and operating in seven developing countries, strives to assist disabled people to have greater independence and opportunity through the design and provision of wheelchairs, services and training.

## MWAMBA MINING

**M**wamba Mining is a social enterprise working to enable the artisanal small-scale gold mining industry in Tanzania to access modern processing technologies that will improve the productivity and health of labourers and their communities.

We advised on corporate governance, a control structure, as well as operational considerations and licensing requirements under Tanzanian law. The focus was specifically on what the company must do to maintain its classification as an indigenous company under the local content regulations.

We also addressed queries about the transfer of shares and the requirements for foreign shareholders to transport minerals out of Tanzania.

## VIAFRICA

**V**iafrica is a Kenyan non-profit organisation that aims to improve education through digital tools, e-learning and teacher training and coaching.

We advised Viafrica on laws governing funding options for public schools wishing to obtain ICT equipment. We also advised on sources of funding available to schools in Kenya, the differences in funding requirements for public and private schools and on tenders.



# PROTECTING LEGAL RIGHTS

Public interest litigation is a component of what we do on a pro bono basis. However, in our selection of public interest matters, we assist only when the outcome of the matter will benefit marginalised and vulnerable groups within our society.



## Racial discrimination in the workplace

Justice was finally served in the matter of *September and Others v CMI Business*. Judgment in our clients' favour was handed down in the South African Constitutional Court more than six years after we had taken on the matter through the SASLAW Labour Law Clinic.

We acted for Theo and Dean September and Ronald Paulsen on a pro bono basis from the end of 2011. The judgment came following two trips to the Labour Court (both of which we won), one to the Labour Appeal Court (LAC) (which we lost), and the final one to the Constitutional Court.

Our clients claimed to have been subjected to significant racial discrimination; they had consequently resigned from their positions and a claim of an unfair constructive dismissal was referred to the Labour Court. A judgment granted

on 12 February 2013 ordered that compensation of ZAR 672 000 be paid collectively to the three employees, equating to a maximum of 24 months' remuneration.

Following a rescission application to the Labour Court from the company, which was unsuccessful, the company appealed this rescission ruling at the LAC and was successful. We then approached the Constitutional Court.

The main issue to be decided at the Constitutional Court was whether evidence relating to discussions held during a conciliation hearing at the Commission for Conciliation, Mediation and Arbitration (CCMA) was privileged and could not be relied upon by the Labour Court. This required the Constitutional Court to interpret Rule 16 of the CCMA Rules (prior to its amendment). In a majority judgment written by Justice Theron, the Constitutional Court held that the rule did not impose

a blanket ban on evidence led at conciliation proceedings. Accordingly, the LAC judgment was set aside.

Congratulations to our lawyers who worked on the matter, namely Luway Mongie, Douglas Ainslie, Kirsten Serrurier and Leni Bruinders. We are also grateful to advocates Greg Fourie and Zinhle Ngwenya who appeared for us at the LAC and Constitutional Court proceedings on a pro bono basis.

## Custom vs the law

Judgment was handed down in our client's favour in the case of *Nkhensani Christinah Motomokgolo v Hlayiseka Rikhotso and 20 others*, in the Limpopo High Court in April 2018. We had been acting for Ms Nkhensani Motomokgolo on a pro bono basis from December 2017 when the Legal Resources Centre referred the matter to us.

Our client is a widow whose son passed away in August 2013 in a motor vehicle accident. The family identified the body of our client's son in May 2014 and his body was subsequently buried in his hometown of Shawela, Limpopo on 18 May 2014. Eight days later, on 26 May 2014, the body of the deceased was illegally exhumed and taken to the applicant's home by members of the community who alleged that the body that had been buried was not that of our client's son.

Mediation between the applicant, the traditional leaders of the community and members of the community failed and, after a DNA test proved the identity of the deceased as being our client's son, our client brought an urgent application to the Provincial Division in Limpopo. She was seeking an order interdicting members of the community from interfering in the reburial of her son in the family cemetery, and ordering members of the



police to assist in ensuring peace and order during the funeral.

The urgent application was unsuccessful, for lack of urgency, but was subsequently heard on the special allocations motion roll on 15 March 2018.

The respondents opposed the application on the grounds that the custom practised in the Shawela village prohibits reburial of a body that has been exhumed, in the same grave. They argued that the applicant's son must be buried in a municipal cemetery away from where his father and other family members are buried. The applicant disputes the existence of such a custom.

The court found in favour of our client. The finding was that the respondents had failed to prove the existence of the custom on two counts. First, exhumation of a body in the community was unprecedented. This made it impossible to show the existence of the custom or that such a custom had been developed and practised for a long time within the community. Second, the respondents' argument that the custom prohibits reburial in the same grave is in conflict with a confirmatory affidavit deposed to by a traditional healer for the respondents. The confirmatory affidavit stated that the custom prohibits reburial in the same cemetery.

The court found that the respondents failed to prove the existence of the custom and that the custom as alleged by the respondents failed to satisfy the reasonableness test and would thus not pass constitutional muster. The respondents have appealed the matter, which was unsuccessful and the deceased has since been buried.

The legal team on the matter included Bongumusa Sibiya and Busisiwe Vilakazi, with Advocate Lunga Siyo of Thulamela Chambers acting as counsel.

### Muslim marriages

Over the past two years, we have acted on a pro bono basis for the South African Human Rights Commission (SAHRC) in



litigation addressing the lack of recognition of marriages concluded in accordance with the tenets of Shari'ah law (Muslim marriages).

The SAHRC was requested by the Western Cape High Court to present its views on the international law obligations of the State regarding the protection of women in, and children born of, Muslim marriages.

The hearing took place over three weeks in November 2017 and April 2018. It was argued on behalf of the SAHRC that the State has a duty to protect, promote, respect and uphold the rights to equality, dignity and access to the courts of all persons, including women in, and children born of, Muslim marriages. This duty stems from both the Constitution and the various international human rights treaties which South Africa has ratified.

Judgment in favour of both the SAHRC and the Women's Legal Centre (WLC), which was the main applicant, was handed down on 31 August 2018. In essence, the Court agreed with the SAHRC and the WLC and found that the State did indeed have a duty to protect and uphold the rights of Muslim women and children, but had failed to do so.

Accordingly, the Court gave the State 24 months to address this failure (but did not prescribe how it must be addressed). As an interim measure, the Divorce Act will apply to the dissolution of Muslim marriages, regardless of whether those marriages were solemnised under the Marriages Act or not, to ensure women and children are not prejudiced.

Adam Anderson, Bongumusa Sibiya and Kirsten Bailey advised on the matter. Two advocates, who are both Bowmans alumni (Richard Moultrie and Sha'ista Kazeem), represented the SAHRC in Court.

The state has appealed the decision which will be heard in the Supreme Court of Appeal at a later date.

# STIMULATING DEBATE AND HELPING EDUCATE



## KADAR ASMAL LECTURE

**W**e hosted the Kadar Asmal Lecture on 12 July 2018 on behalf of the Council for the Advancement of the South African Constitution. The keynote speaker was Justice Leona Theron who delivered a moving lecture entitled 'Education – The Passport to Change'. The event was well attended by members of the legal fraternity, students and the public.







## DIALOGUE WITH LEGAL PROFESSION ON EXPROPRIATION OF LAND WITHOUT COMPENSATION

There has been widespread discussion and speculation on the impact and effect of land expropriation in South Africa, so ProBono.org partnered with us and the University of the Witwatersrand to gather members of the legal profession together to discuss the topic.

The context for the dialogue was the Constitutional Review Committee's mandate to propose constitutional amendments to secure future land tenure and expropriation. Any review or possible amendments to the Constitution will have a direct impact on the legal profession and how law will be practised in respect of land and any associated rights.

In Johannesburg, Nompumelelo Seme from the University of Witwatersrand facilitated the dialogue, which sought to clarify

the legal position around what land expropriation is and understand the effects it could have on the various spheres of society.

### The panel included:

- Nomzamo Zondo from the Socio-economic Rights Institute of South Africa;
- Pierre Venter from the Banking Association of South Africa;
- Professor Elmién du Plessis from North-West University;
- Stephen Grootes, a journalist and political commentator; and
- Tebele Makhetha, director of Policy and Legislation at Business Leadership South Africa.

After this successful event, Bowmans Cape Town in partnership with ProBono.org held a similar dialogue on the expropriation of land without compensation on 18 October 2018.

- The dialogue was facilitated by Mbekezeli Benjamin.
- The panellists were Zenande Booï, Monica de Souza Louw, Lwazi Mtshigo and Tshenolo Masha.

The legal profession will have to keep up to date as developments unfold and be fully aware of the legal ramifications. These dialogues were a positive step towards this.

## SAB CADDIES EDUCATIONAL TRUST

The SAB Caddies Educational Trust is a non-profit organisation that awards bursaries to scholars and university students. We have a long-standing relationship with the organisation and regularly assist by providing corporate legal services.

Alec Erwin, chairman of the trust, said, 'The Caddies Trust has been going for many years now and we are pleased to say we have produced many young, university graduates. We are always in need of legal advice and assistance and we are very grateful to Bowmans for the ongoing support. This year, we awarded bursaries to 50 scholars, of whom seven are studying for university degrees.'



# CORPORATE SOCIAL RESPONSIBILITY

## COMMUNITY OUTREACH

### PLAYPUMPS

As part of our support to rural communities, we made an annual donation to PlayPumps, a system that uses the energy created by children playing to operate a water pump. We assisted them with the maintenance of their product at Ukukhanya Junior Secondary School in Mpumalanga.

There are 591 children and 22 educators at the school and although they have another tap, this often gets cut off leaving them dependant on the PlayPump for water. The school is very grateful to have had its PlayPump serviced.



### VISIT TO REAKETSETSA CENTRE

On 24 May 2018, a group of candidate attorneys from our Johannesburg office visited Reaketsetsa in Linbro Park, a centre for physically challenged people that services the community of Alexandra.

The candidate attorneys spent valuable time engaging with the centre's residents, who shared stories of how they came to have their physical challenges.

A day filled with fun and laughter ended in a warm farewell and a song from the residents as the visitors returned to the office fulfilled and grateful to have had the opportunity to make a difference.



## TAKING A STAND FOR WOMEN AND CHILDREN

Sunday, 25 November marked the start of the global campaign of 16 days of activism for no violence against women and children. The objective is to raise awareness of the negative impact violence and abuse have on women and children and to rid society of abuse permanently.

**A**s a firm, we strongly identify with this objective. Once again, we participated in the campaign by identifying and supporting organisations that combat violence against women and children in each city where we have an office:

- **Cape Town:** Philisa Abafazi Bethu SA is a non-profit organisation situated in Lavender Hill, Cape Town. It advocates for the rights of women who are victims of domestic violence. One of its projects is the Emergency Battered Women Safe House which provides an overnight facility to survivors of domestic violence and rape.
- **Durban:** Open Door Crisis Centre is a non-profit outreach organisation established in 1997 at the request of the South African Police Services. Its aim is to provide a holistic, one-stop crisis and trauma centre, offering counselling, social services and support to victims of abuse.
- **Johannesburg:** Lil Choices is a non-profit organisation that cares for young pregnant women who have nowhere to go. It was created to protect the unborn child of pre-teen or teenage mothers as well as the pregnant mothers. Lil Choices



gives these mothers the choice of either keeping their babies or having them adopted.

- **Kampala:** End Acid Violence Uganda is an NGO working to end acid violence and empower acid attack survivors. The organisation provides a number of services including:
  - drawing media attention to the problem of acid violence;
  - providing skills training;
  - visiting survivors; and
  - delivering supplies to Mulago Hospital, including gauze, bandages, and nutritional supplements.
- **Nairobi:** Feed the Children meets the immediate and long-term needs of caregivers and their children in areas of food and nutrition, health and water, education, and livelihoods.

“The objective is to raise awareness of the negative impact violence and abuse have on women and children and to rid society of abuse permanently. As a firm, we strongly identify with this objective.”



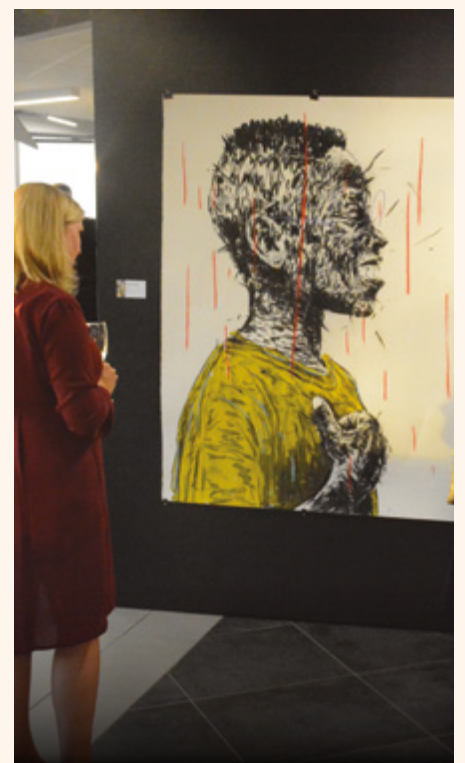


## ART EXHIBITION IN COLLABORATION WITH GALLERY MOMO

**W**e hosted an art exhibition in our Johannesburg office in collaboration with Gallery MOMO, showing artwork by up-and-coming African artists and auctioning a select number of contemporary pieces by popular artists.

Proceeds raised at this event were donated to Orange Babies South Africa, a non-governmental organisation that funds initiatives aimed at preventing mother-to-child HIV transmission and cares for vulnerable children infected or affected by HIV and Aids.

The event successfully raised ZAR 392 440 for Orange Babies.





# GOING BEYOND THE CHEQUEBOOK

## AFTERNOON OF MUSIC WITH A SPECIAL GROUP OF MUSICIANS

**T**he winds of change are blowing fresh air and sweet music through the streets of Ocean View in Cape Town, where 25 young musicians have formed an initiative called Izivunguvungu, which means 'sudden strong wind' in Isizulu. This is both unique and apt as these musicians mainly play trumpets and trombones.

The group, ranging in age from nine to 28, have made the decision to stay off the streets and not succumb to drugs and gangsterism, which are prevalent in their community. Making music has become their preferred choice.

The initiative came about as a result of a music project started in 1996 by the South African Navy Band and their director, Commander Mike Oldham. Izivunguvungu MSC Foundation was established in 2005 as a non-profit organisation affiliated to the SA Navy and partly funded by the Mediterranean Shipping Company (MSC).

Staff from Bowmans spent an afternoon at our Cape Town office with Izivunguvungu, who treated us to a wide repertoire of different musical genres. Our staff interacted with the young musicians and handed them each a snack box filled with treats and a small gift to show our gratitude for sharing their talent and passion for music.



# GOOD SPORTS

## MALANDELA MIGHTY HEROES FOOTBALL CLUB

This past year saw the continuation of Bowmans' ongoing commitment to Mandela Mighty Heroes Football Club (MMHFC) in Alexandra.

For the past three years, we have sponsored the team's under 15 boys. On 28 September 2018, we hosted a graduation ceremony for the team.

We also took the opportunity to arrange career guidance and motivation workshops for the graduating boys. The aim was to provide practical guidance on how to approach the next chapter of their lives, whether seeking further education or employment. Each had the opportunity to draft his own curriculum vitae.



Graduation ceremony for Mandela Mighty Heroes Football team

## FUTURE MASTERS FOOTBALL CLUB

On 30 August 2018, we handed football kit to Future Masters Football Club.

Future Masters is a soccer team from Khayelitsha in the Western Cape. The team has three different age groups, u12, u14, and u18-open, and strives to provide a safe space for young people from the community to pursue their dreams. Their new kit enabled Future Masters to complete the 2018 league in attire that radiated prestige and professionalism.



Future Masters Football Club receives their new kit

## CONNECT SPORTS ACADEMY

A junior rugby player from Cape Town, Llitha Ntinini, is well on his way towards a brighter future. Bowmans staff have been proudly supporting Llitha, affectionately known as 'Mister', for the past three years. On 8 December 2018, Delon Small, our Cape Town sports representative, met up with Mister and Murray Ingram from Connect Sports Academy, an NPO committed to transformation of sports at grassroots level.

It was an exciting day for Mister, because he was treated to lunch at the Spur and then taken to watch a rugby 7s match.

He is excited about the future and proudly announced that he had been accepted to SACS High School, a Cape Town school that has a prestigious name in the rugby community.

Mister seems to be on the right track, and the support from Bowmans is helping to make his dreams a reality. We are proud to be part of his journey.



Mister, Delon and Murray





Thandokhulu High School, Cape Town

## OPENING DOORS FOR YOUNG GIRLS

Our Cape Town and Johannesburg offices once again took part in Cell C's annual Take a Girl Child to Work initiative, held on 24 May 2018. Our participation in this programme forms part of our overarching goal to improve gender equality in South Africa.

This initiative was started to create awareness of specific issues that our female youth face. The objectives of the programme are to:

- expose young girls to the world of work and positive role models, and give them the opportunity to make informed career decisions based on real work experiences;
- address the aspirations of young girls by inspiring and motivating them to pursue their goals and ambitions, and to reach their full potential; and

- provide a platform for dialogue around the needs of young girls and their role in South Africa's socio-economic development.

During the course of the day, the students visited our various departments and attended a series of presentations on life after school, career opportunities and personal development.

Our Johannesburg office hosted 16 female grade 11 students from Alexandra High School while our Cape Town office hosted nine grade 10s and 11s from Thandokhulu High School in Mowbray.



Alexandra High School, Johannesburg



Alexandra High School, Johannesburg



Alexandra High School, Johannesburg





Career Day, Durban

## ENGONYAMENI

On 19 April 2018, we attended the annual career day hosted by the BusiM Foundation for a community called Engonyameni which is based in the south of Durban. We contributed by offering approximately 400 grade 11 and 12 learners some insight into careers in the legal profession.

This included advice on how to apply to study law at university, an overview of the requirements for admission, and information on bursary applications and opportunities available. We also shared insight on university life and the importance of achieving good marks while studying, along with the requirements of articles of clerkship, what it means to practise as an attorney and the different areas of law to consider. Our presenters also told learners that a law degree can open up many possible career opportunities, and that practising law is not the only avenue available.



Banakekeleni Orphanage

# GIVING FOR GOOD

## 67 MINUTES OF SERVICE

Staff from our offices in Kenya, South Africa, Tanzania and Uganda joined forces on 18 July 2018 to do 67 minutes of service in their communities for Mandela Day.

This annual initiative calls on people to dedicate 67 minutes to helping others on Nelson Mandela's birthday, in commemoration of the former South African president and the contribution he made to advancing peace and freedom in South Africa and globally.

- **Cape Town:** We visited the Saartjie Baartman Centre for Women and Children and painted the exterior of the Early Learning Centre in bright, cheerful colours.



iThemba Lethu

- **Dar es Salaam:** We spent the day at Chakuwama Orphanage with children of various ages.
- **Durban:** We went to iThemba Lethu, a children's home, where we created a sensory garden for the children to enjoy in their quiet time.
- **Johannesburg:** We visited the Banakekeleni Orphanage on the outskirts of Alexandra where we assisted with maintenance and decorating.
- **Kampala:** We spent the day with the children at a centre dedicated to helping children with autism.
- **Nairobi:** We spent the day at Kamiti Prison where we played a soccer match with inmates.



Saartjie Baartman Centre for Women and Children



Banakekeleni Orphanage





Kamiti Prison



Banakekeleni Orphanage



Saartjie Baartman Centre for Women and Children



Kamiti Prison



Kamiti Prison



## SANTA SHOEBOX: SHARING THE JOY

The Santa Shoebox Project originated in Cape Town in 2006 where it arranged to fill a humble 180 shoeboxes with gifts for children from disadvantaged backgrounds.

In the space of 12 years, the project has grown exponentially and now fills almost 765 000 Santa Shoeboxes. The shoeboxes are distributed to more than 1 000 recipient facilities each year, through more than 60 satellite collection points around South Africa and Namibia.

This year we participated once again, mobilising staff in Cape Town, Durban and Johannesburg. They demonstrated their giving nature by pledging and gifting 85 boxes filled with toys and treats.







## ‘ILOVEBOOBIES’ – 94.7 CYCLE CHALLENGE

**W**e rode for the ILoveBoobies CANSA charity at this year’s 94.7 Cycle Challenge in Johannesburg.

ILoveBoobies has been working with the CANSA mobile screening programme for the past three years. The funds they raise are used in this programme, which aims to promote a healthy and active lifestyle that reduces the risk of cancer.

### The following Bowmans employees took part in the race:

- Antonio Folgore
- Bongumusa Sibiya
- Colleen Hulscher (Team Leader)
- Craig Hulscher
- Heidi Fenton
- Henry Ngcobo
- Lea-ne van Zyl
- Lloyd Chater
- Thulani Ntsele

### Non-Bowmans employees who rode for Bowmans to raise funds for ILoveBoobies:

- Charles Pienaar
- Deon le Grange
- Dirk Buys
- Georgina Fuller-Good
- Matthew Kapnoudhis
- Ronel Buys



# PERSPECTIVES

## PUBLIC DEFENDER: FROM THE HEART OF THE PEOPLE



**Karabo Tshabuse,**  
**Candidate Attorney**

I have always loved litigation, albeit mainly for inward-looking reasons. Maybe it was the air of importance you felt (I presumed) when walking (head held high) into a packed court room, or maybe it was the allure of an adversarial system: two trained intellectuals going head to head in a legal contest that would ultimately declare one a victor.

So when the opportunity arose to do a rotation as a public defender for six months, thanks to a standing partnership between Bowmans and Legal Aid in South Africa, I could not resist. Filled with much bravado, I set off.

The excitement would just as quickly dissipate.

I soon had a sober appreciation of what exactly it was I had signed up for. I was stationed at the

Johannesburg Justice Centre whose Legal Aid practitioners serve the CBD and surrounding areas. It is an intensely busy centre, with a large number of clients and a dedicated but shrinking staff. I would start in Court 4 of the Johannesburg Central District, a reception court known to have the heaviest court rolls of all the Johannesburg courts.

It was that court which humbled me.

It was hard work; enjoyable but hard. We (public defenders) spent most of the day on our feet managing the roll and appearing on behalf of first appearances of persons who had allegedly committed a crime and in pre-trial matters. There is little to no time for consultation. We would have five to seven minutes, and sometimes less, with each client to take instructions, sign administrative forms, consult in cells or wherever else possible, and draft bail and other applications while always ensuring each client received the best service possible.

The criminal justice system is simply overwhelmed with high volumes of cases, under-resourced facilities and an undersupply of human capital. As a result, many accused people are short-changed and prejudiced by a sometimes ailing system. A case in point is the often undesirable blanket treatment of foreign illegal immigrants who (for minor offences) are denied the right of even applying for bail on the basis that they have no valid documents to be in South Africa.

I have had many great experiences and also encountered excellent legal minds of presiding officers (who should really be in the High Court). I encountered incredibly professional and compassionate prosecutors and it was often, surprisingly, the stenographers who taught me the unstated court procedures.







“  
**This experience has changed my life. It was the everyday engagement with clients, who are largely from indigent backgrounds and often have no other means of access to legal representation, which made me remember what is truly important: the people and the law we serve.**”

“  
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Most of all I appreciated my Legal Aid colleagues who served clients with passion and inspired my learning. I have gained invaluable experience in cross-examination techniques, legal argument articulation, problem-solving and critical analysis of the law, and these are skills that will aid me to become a well-rounded corporate lawyer.

My clients gave me my most memorable moments. I will never forget my first trial case. It was a possession of drugs case and the docket was a mess. I managed to get a Section 174 discharge at the end of the State's case. The client's many 'thank yous' and the round robin of hugs from him and his family will stay with me.

There was an elderly lady who wept silently, I think only seen by me, when her case was dismissed and an order made not to re-enrol without the written instructions of the Director of Public Prosecutions. She had come to court on many occasions and had no money to go back home. I will never forget her joyful tears of relief.

This experience has changed my life. It was the everyday engagement with clients, who are largely from indigent backgrounds and often have no other means of access to legal representation, which made me remember what is truly important: the people and the law we serve.





Saartjie Baartman Centre for Women and Children, Cape Town



iThemba Lethu's new garden, Durban



Impact Africa summit



Banakekeleni Orphanage, Johannesburg





Phaphama SEDI, Cape Town



Banakekeleni Orphanage, Johannesburg



Career Day, Durban

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