

# PRO BON & CSR

Annual Report  
2023



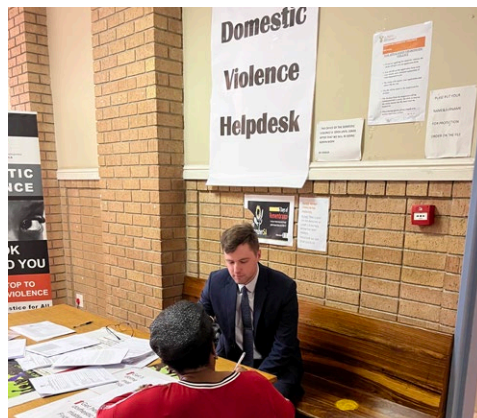
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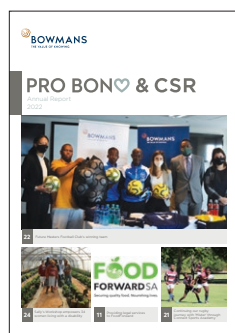
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# CHAIRMAN'S FOREWORD

**Ezra Davids**

Chairman and Senior Partner

Looking back at a busy, varied programme of pro bono activities in 2022/23, two aspects stand out: the staying power of our lawyers in pursuing pro bono work and the effectiveness of collaboration – both of which often go hand in hand.

Various matters demanded stamina and perseverance from our teams allocated to these matters, one being the long-awaited Constitutional Court judgment on the recognition of Muslim marriages in South Africa. The Firm's lawyers have been dealing with this matter since 2014 and we are proud of its successful conclusion, which requires Parliament to change the country's marriage laws to recognise Muslim marriages.

Another long-standing pro bono initiative that moved forward in the year was our work with the Domestic Violence Helpdesk at the Randburg Magistrate's Court. Our lawyers have been volunteering their services on the helpdesk since 2012/13, only to have their contribution interrupted in 2020 and 2021 as a result of the COVID-19 pandemic. We are grateful that the helpdesk was able to resume in-person services in March 2022, bringing much-needed access to justice to victims of domestic violence.

In-person consultations were also resumed for our Ishishini Lethu project, which started out in 2013 to provide corporate-based pro bono legal services to

qualifying small businesses and start-ups. As our lawyers have reported, it is rewarding to be playing a part in the future success of entrepreneurs whose job-creating potential is vital to economic growth.

These initiatives, and the many other pro bono and corporate social responsibility projects undertaken during the year, are possible because of the strength of our internal collaboration together with our partnerships in the non-profit sector with umbrella pro bono organisations such as ProBono.org and Thomson Reuters TrustLaw.

We have been working together for many years for the benefit of some of the most vulnerable people in our society, including refugees, homeless people and women and children caught up in domestic violence. It is a privilege to be in a position to collaborate in delivering access to justice in the most practical sense.

To our partners and clients, and to the many lawyers across our offices who worked with them, thank you for making 2022/23 a memorable, meaningful year.



# 2022 IN REVIEW

**Fatima Laher**

Head of Pro Bono

## A significant year for our firm's pro bono work

It has been a busy and successful year for our firm's pro bono work.

This past year saw our firm providing specialised pro bono legal services to many non-profit organisations within our communities.

Our pro bono work across our offices continues to gather momentum. A highlight in the year occurred when we received the Regional Law Firm of the Year award. It was presented to us by Thomson Reuters Trust Law in June 2022 at a glittering ceremony in London - the first time that an award of this nature came to the African continent. The achievement is important because it entrenches our position as a leading law firm in the provision of quality pro bono legal services.

June 2022 also saw the Constitutional Court judgment recognising Muslim marriages in *Women's Legal Centre Trust v President of the Republic of South Africa*. We invested significant pro bono resources acting for the South African Human Rights Commission in this case, which ultimately resulted in the rights of Muslim women and their children being protected.

We continued with our work against domestic violence, servicing the domestic violence helpdesk weekly and helping some 165 clients. We also held two important events, one with Lawyers vs Abuse (where we discussed some of the recent changes in the legal landscape governing gender-based violence) and the second in collaboration with Embrace (hosting screenings of its mini-series on obstetric violence).

We made strides in our delivery of corporate pro bono legal services to small businesses and start-ups. Many access to justice courses were supported and we participated in a number of community outreaches.

On the CSR front, we supported a range of grassroots charities fighting poverty.

None of this would have been possible without the support of our stakeholders and the participation of so many of our lawyers across all of our offices. Our lawyers have selflessly given of their time to do pro bono work. We are thankful and appreciative of this.

For the financial year  
**1 March 2022 to  
 28 February 2023,**  
 Bowmans contributed  
 10 256 pro bono hours  
 valued at approximately  
 ZAR 28.4 million.



# AWARDS AND RECOGNITION

## BOWMANS NAMED REGIONAL LAW FIRM OF THE YEAR BY THE THOMSON REUTERS TRUST LAW FOUNDATION

Bowmans won the 2022 Regional Law Firm of the Year Award at the Thomson Reuters TrustLaw Pro Bono Awards evening held in London on 8 June 2022.

The award was for the work we had done across Africa.

According to Thomson Reuters, the Regional Firm of the Year Award is a category that recognises a 'Regional Law Firm that has demonstrated exceptional effort and enthusiasm in supporting pro bono clients on projects undertaken through TrustLaw'.

They classify a regional law firm as 'a firm with offices in one or more countries (or states) within their respective continent'. This achievement would not have been possible without the participation and commitment of lawyers from all our offices.

We were shortlisted with other law firms across other continents, and, to the best of our knowledge, this is not only a milestone achievement for Bowmans, but also a first for Africa. It means that Africa now takes a distinguished place in the delivery of pro bono legal services par excellence. We are honoured and proud to have led the way.

Agnes Akal, associate from our Kenyan Practice, and John Kawana, senior associate from our Zambian Practice, represented us at the awards function.

We do not motivate to be nominated for these awards – this recognition is based on the work we have done through TrustLaw. This, then, is for us the most meaningful and sincere recognition of the pro bono work we do in Africa, which is a huge accolade to our lawyers who have consistently put up their hands and gone about delivering pro bono services.

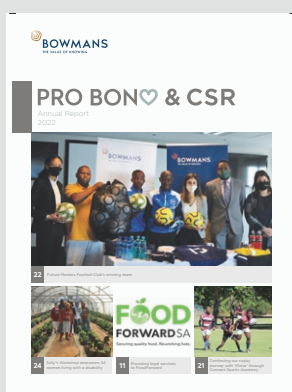


## PROBONO.ORG AWARDS

ProBono.Org held its awards ceremony on 27 January 2022. Bowmans received a Director's Special Mention Award for 'their professionalism, their detailed feedback, going all the way for the clients and making them feel welcome and important'.

Bowmans also received a Certificate of Recognition for the generous hours it had committed to serving clients of ProBono.Org.

The virtual ceremony was well attended by members of the legal fraternity and the award was a great recognition of the pro bono work delivered by many of our lawyers.



## PUBLICATION OF OUR PRO BONO AND CSR REPORT FOR 2022

Since we were still in the midst of the Covid-19 pandemic, we were unable to host our annual celebratory event. As a result, we released our Annual Report for the 2021/22 year online.



# HIGHLIGHTS OF OUR CROSS-BORDER PRO BONO INITIATIVES

## Global Economic Council for Africa Limited – Kenya

The Global Economic Council for Africa Limited (GECA) is an organisation that seeks to provide a platform to facilitate trade and investment.

GECA will provide a consortia approach to investment opportunities, creating a central hub for consolidating market access and business environment issues facing foreign direct investors across all African countries, beginning with Kenya. It aims to provide tangible solutions and policy recommendations to interested parties.

Bowmans' Kenya Office provided the following pro bono services to GECA:

- advice on the various business entities that could be used to carry out GECA's proposed activities; and
- incorporation of a company limited by guarantee (CLG), which GECA selected as the desired business vehicle.

## The True North Society – Kenya

The True North Society (True North) is a Kenyan non-profit organisation that exists to provide mental healthcare and other services to soldiers and their families. True North also convenes civic education sessions targeted at military veterans, as well as interested members of the public, to further educate and sensitise them about their rights.

True North was founded by Major (Rtd) Lucy Wairimu Mukuria, a pioneering psychologist of the Kenya Defence Forces, and also the 2022 recipient of the American Psychological Association's International Humanitarian Award.

Bowmans' role was to conduct focused legal research and thereafter advise True North on the salient provisions of the Military Veterans Act 2022, thus building an understanding of the obligations, benefits and implications of this new law among military veterans and their families.

We also assisted True North in developing a set of simple, easy-to-read Frequently Asked Questions (FAQs), answering various questions about the Military Veterans Act and other related constitutional provisions and sections that apply to this legislation.



## The Sarara Foundation – Kenya

The Sarara Foundation (or the Sarara Institute) is a not-for-profit organisation based in the United States (US), whose mission is to protect the 850 000-acre Mathews Range and provide cradle-to-career support for the Samburu community in Northern Kenya. It supports sustainable modernisation by providing education, healthcare and other support to the members of the community while encouraging the preservation of their cultural heritage and traditions.

The Sarara Foundation instructed us to provide legal advice on the restructuring of Matopco Kenya Limited (Matopco) and Sessia Limited (Sessia) in Kenya. The purpose of the restructuring was to convert Matopco and Sessia from for-profit entities to not-for-profit entities.

Our scope of work included advising on the legal and tax implications of the restructuring; the tax implications of transferring shares to the shareholders to effect the restructuring; advising on the eligibility of Matopco and Sessia to qualify for exemptions from income tax and Value Added Tax (VAT) and, if applicable, the procedure for lodging applications for exemption from income tax and VAT. Finally, we advised on an optimal mechanism for the shareholders to derive income from Matopco and Sessia.



# SARARA



### Lawyers Without Borders – Kenya

Lawyers Without Borders (LWB) is a US-based, not-for-profit (501c3) corporation whose mission is to advance the rule of law globally, build capacity and integrity in the world's justice sectors and support transitions and development. As an independent, neutral organisation, LWB engages with lawyers and judges dedicated to pro bono service and initiatives that directly or indirectly serve the underserved, protect the disadvantaged and promote human rights.

LWB instructed us to provide advice on the process of dissolving a non-governmental organisation (NGO) registered in Kenya. We were subsequently instructed to effect the dissolution of the Kenyan-registered NGO, a process which is currently under way.



### Worldreader – Kenya

Worldreader is a global non-profit organisation that provides people in the developing world with free access to a library of digital books via e-readers and mobile phones. Since 2010, more than 13.3 million people across 62 countries have accessed reading material from Worldreader's digital library of thousands of e-books.

We advised Worldreader on their anti-money laundering and anti-terrorist financing policy. Given that Worldreader receives its funding from donors around the globe, this is a key policy to ensure that the donor funds received are from ethical and credible sources. As part of our value-add, we also advised Worldreader on specific considerations for operating non-governmental entities within Kenya.



### World Affairs Council Africa – Kenya

The World Affairs Council Africa (WACA) is a public benefit corporation based in California and recognised under 501c3 of the US Internal Revenue Code. WACA is a not-for-profit, non-partisan forum for the public to join leading foreign policy and international relations debates on global issues, thereby advancing global understanding and cultivating enduring relationships.

WACA instructed us to provide legal advice and recommendations on the options available and the most suitable structure for setting up a legal entity to conduct charitable activities in Kenya. It also required advice on other regulatory issues that it may need to consider.

Our scope of work included legal advice on whether WACA should register in Kenya as a branch of the American foundation or as a separate legal entity; the tax, financial, employment, reporting and compliance obligations of each option; and advice on the repatriation of funds from Kenya.



### Mogale City Youth Chamber of Commerce – South Africa

Mogale City Youth Chamber of Commerce (MCYCC) is a non-profit company in the West Rand District Municipality in Gauteng. On 23 October 2021, MCYCC hosted the Mogale Fashion Showcase in which fashion creatives from the city displayed their fashion designs and content.

Bowmans, through Adams & Adams, assisted MCYCC in applying for registration of its logo and brand name as trademarks, drafting a service level agreement and drafting a copyright assignment agreement.

Representatives of MCYCC complimented Bowmans and Adams & Adams on the quality of the legal services provided: 'Thank you very much for your precise and speedy assistance.'

This matter demonstrates the value of our long-standing relationship with Adams & Adams, to whom we are grateful for the high-quality pro bono services it has provided to our pro bono clients over the years.



## The Logme Foundation – South Africa

The Logme Foundation will provide a general legal resource and knowledge base, publishing articles, podcasts, videos and using interactive tools to facilitate the creation of awareness and information to assist South Africans in gaining access to justice.



Logme Foundation aims to make a meaningful contribution towards addressing gender-based violence and promoting the rights of affected citizens and communities. The organisation will work with existing government structures, NGOs and active participants working toward a common objective.

We assisted Mr Wayne Allen Joseph, Logme Foundation's CEO, with the registration of a non-profit company that will facilitate the operations of the organisation.

## International Women's Club of Cape Town – South Africa



While promoting and fostering friendship, support and encouragement among women, the International Women's Club of Cape Town (IWC Cape Town) does important philanthropic

work. It supports social interaction with a specific focus on cultural, educational, charitable and recreational activities.

In terms of IWC Cape Town's philanthropic work, it raises funds for deserving South African charities that are based in Cape Town and aid women's issues.

We assisted IWC Cape Town with reviewing and amending its constitution for purposes of compliance with South Africa's current legislative regime governing non-profit organisations.

Christine Paulson-Lines, IWC President in 2022, thanked the Bowmans team for their work.



At our recent AGM, the proposed amendments to our Constitution were approved by a large majority of the membership who attended. This was a successful conclusion to this project and our Constitution Committee are pleased that we can now move forward with these amendments.

The amended Constitution will enable our Club to grow and flourish within a framework which is appropriate for the current world at large. I am confident that the IWC will move into 2023 with clear principles of structure, membership and how it functions.

On behalf of the Board of the IWC Cape Town, I would like to express our sincere thanks to you, Anne McAllister, and to Bowmans, for your kind assistance with this project on a pro-bono basis. Your guidance and input were extremely helpful and having your presence reassured our membership that we were fulfilling our legal obligations and receiving professional advice.



Thank you for the agreements and all the support during this time. Your support has been invaluable, and to Godfree for always going the extra mile, thank you.

As discussed with Godfree, we changed the name of Restore Empowerment Foundation to the People's Alliance for Cancer Education. I have attached the CIPC registration for your records.

May the Almighty always keep you in good health and safe.



## People's Alliance for Cancer Education NPC (formerly Restore Empowerment Foundation) – South Africa



Peoples' Alliance for Cancer Education (PACE) is a non-profit company whose software system provides a platform for cancer patients and their support and community structures to record, collaborate on and raise awareness through shared experience and ecosystem insights on cancer and its various phases.

Through Adams & Adams, Bowmans assisted PACE with four key intellectual property (IP) and copyright issues. These entailed applying for registration of its logo as a trademark; reviewing PACE's existing copyright agreement to check whether it complies with South African IP law; drafting a copyright register to record all its copyright, and drafting various copyright assignment agreements.

The CEO of PACE, Faheema Ellemdeen, had the following to say about the legal services rendered by Bowmans and Adams & Adams: 'Your support has been invaluable and thank you for always going the extra mile.'

This matter exemplifies the valuable and long-standing relationship that we share with Adams & Adams in, among other things, providing excellent and practical IP-related legal services to our pro bono clients.

Faheema Ellemdeen, PACE CEO, thanked the Bowmans team for their contribution:

### Pension Justice – South Africa

Bowmans South Africa is assisting legal practitioners with setting up a non-profit company, Pension Justice, that will provide access to information, education, training and advisory services to workers, trade unions, legal professionals and community organisations in South Africa on accessing pension benefits.

To date, Bowmans has attended to consultation and correspondence with the client, drafted various incorporation documents, engaged with company secretarial service providers in relation to the establishment of the non-profit company and provided tax advice concerning its proposed objectives.

### She Flows – South Africa

She Flows was established to aid in the free distribution of menstrual products to girls and women from under-privileged communities and backgrounds. It also seeks to provide access to educational resources on menstrual health, including sanitary product knowledge and personal hygiene. She Flows is committed to raising awareness about 'period poverty', encouraging discussions around menstruation and eliminating menstrual shame and stigma that women encounter.

The corporate team at Bowmans in Cape Town provided advice pertaining to the most appropriate corporate structure for She Flows, including preliminary tax advice. The team further assisted with the establishment and incorporation of She Flows, which has recently been registered with the Companies and Intellectual Property Commission.

### Umhlanga Women's Association NPC – South Africa

The Umhlanga Women's Association comprises women who are ordinarily resident in the Umhlanga area of KwaZulu-Natal. They aim to drive change through community service, encouraging and empowering women in business, addressing gender inequality issues through various events and presentations, and encouraging women to participate in meaningful activities and conversations, thus creating a network of diverse women who empower and support each other.

We advised the Association on its internal corporate governance and, in particular, preparing a bespoke memorandum of incorporation in alignment with the Income Tax Act's public benefit organisation tax exemption provisions.



### Red Argentina para la Cooperación Internacional – South Africa

Red Argentina para la Cooperación Internacional (RACI) is a network of more than 150 civil society organisations from Argentina that focuses on, among others, advocacy issues, research and capacity-building to democratise access to resources and optimise its own capacity and skills.

RACI approached Bowmans for research on South African laws and regulations related to inequality. In particular, we were requested to identify strengths and weaknesses in the legal and regulatory frameworks and to identify where policies and regulations are connected with inequality and present material risks to investors.



### Thomson Reuters Foundation – Uganda

The Thomson Reuters Foundation is a non-profit organisation that leverages the reach and reputation of Thomson Reuters to run free programmes that promote the highest standards in journalism and spread excellence in the practice of legal pro bono.

We carried out a study of the shifting legal landscape that regulates online, print and broadcast media in Uganda, in both traditional and digital spaces, and its implications for reporting on illicit financial flows and tax abuse. This included doing a critical analysis of the laws and regulations that govern Ugandan media practitioners, especially journalists, as well as the applicable legal provisions and regulations that affect international instruments used in the country. We drew from case law, ongoing matters in the media field and media coverage.



# ISHISHINI LETHU OUR BUSINESS

Through the Ishishini Lethu project, which commenced in 2013, we render corporate-based pro bono legal services to qualifying small businesses and start-ups.



Over the past year, we continued to exercise rigour and vigour in assisting the small business clients referred to us by the non-profit organisations which with we collaborate. Matters were assessed and approved by our Head of Pro Bono and allocated to lawyers and/or teams with the necessary expertise to assist the client.

For the financial year 1 March 2022 to 28 February 2023, we rendered **1167 hours'** service with the rand value of **ZAR 2.9 million.**

## AFRICA CANNABIS ADVISORY GROUP PROPRIETARY LIMITED

Africa Cannabis Advisory Group (ACA) is a cannabis services provider specialising in the medical cannabis and industrial hemp industries. ACA works with governments, corporates, entrepreneurs, communities, investors and institutions, assisting them in creating, calibrating and executing their financial, strategic and operational plans for cannabis projects. The organisation was co-founded by Sibusiso Xaba when he realised the significant opportunity that the newly legal cannabis industry could offer Africa across healthcare, wellness, industrial development and rural upliftment.

With clients in the UK, USA and Africa, ACA has been instrumental in moving the African cannabis industry forward.

We advised ACA on its service level agreements and in particular prepared an overarching service level agreement to regulate ACA's commercial arrangements with its clients.

## SUM1 INVESTMENTS PROPRIETARY LIMITED

We provided advice to Sum1 Investments (Pty) Ltd (Sum1), which provides investment products to low and middle-income clients such as individuals, stokvels and savings groups.

These clients deposit funds into Sum1's bank account, which Sum1 uses to invest in income-generating assets or activities such as livestock and crop farming, delivery bikes, township property and microlending. Clients generate returns based on their contributions and the performance of the underlying assets.

Our advice considered whether Sum1's business triggers any licensing under financial sector laws and if so, the application process to obtain such licensing. Our advice also considered whether Sum1 has to conduct any Know Your Clients (KYC) checks on its clients and if so, how such checks should be conducted.



## YOUTH ENTREPRENEURSHIP EXPO

The Young African Entrepreneurs Institute (YAEI) is a registered youth-led non-profit company that aims to empower the youth with practical skills, organised knowledge and proactive support so that they can successfully transition from venture ideas to venture start-ups driving measurable venture impact.

Bowmans was invited to participate in the Youth Entrepreneurship Expo, a one-week experience that took place in the week of 4 July 2022 at the University of the Witwatersrand.

The purpose of the Expo was to experience, recognise and showcase youth businesses and attract investment in youth entrepreneurship. Additionally, the entrepreneurship week provided young entrepreneurs with an opportunity to connect and explore synergies for growth. Finally, the platform helps students, early-career professionals and budding entrepreneurs to enhance their innovative capability and personality

to think like job creators and not job seekers.

Bowmans's participation was twofold:

Kgabo Senyatsi, a corporate lawyer at our firm, delivered a Masterclass to entrepreneurs at the Expo on 8 July 2022 on the legalities of business.

On 9 July, three of our candidate attorneys, Noxolo Khohliso, Milda Mojapelo and Karabo Mahlangu, served at our expo exhibition desk, engaging with entrepreneurs to promote our Ishishini Lethu project and rendering initial advice to entrepreneurs seeking legal assistance with their corporate-related legal matters.

Noxolo, Milda and Karabo said participating in the expo had been a rewarding experience.

'We got to interact with the Wits Youth Entrepreneurship Expo participants, under the banner of our pro bono project titled Ishishini

Lethu. It was an enriching experience to interact with entrepreneurs from different markets and sectors with various matters requiring legal attention or of legal interest. This opportunity broadened our scope of how far-reaching corporate law is, and the need for the skills set we hone at Bowmans in our immediate society. This experience also exposed us to the practical ways in which entrepreneurs experience and engage with the law on a micro yet very practical level.

In addition to the pool of student entrepreneurs, school learners on mentorship programmes were also in attendance, and it was a privilege to contribute to an environment that encouraged and fostered youth entrepreneurship. We got to hear first-hand about the various stages and transitions those entrepreneurs face in their businesses, and how the law advances or presents difficulties in this regard.'



“This opportunity broadened our scope of how far-reaching corporate law is, and the need for the skills set we hone at Bowmans in our immediate society.”



### PRO BONO OUTREACH TO START-UPS THROUGH PRANARY

Pranary is a venture-backed edtech entrepreneurship company that offers practical business education for start-ups and SME entrepreneurs. The founder, Sandras Phiri, is also a fund manager at Enygma Ventures, a venture capitalist firm. Both Pranary and Enygma ventures have branches across Africa.

Bowmans was invited to the Pranary networking event hosted in Johannesburg with over 30 entrepreneurs in attendance on 25 August 2022. Bowmans candidate attorneys, Phetha Mchunu, Karabo Mahlangu and Milda Mojapelo, attended this networking event at Workshop 17 in Sandton and presented on the pro bono legal services that Bowmans could offer to entrepreneurs and small business owners. In addition, the team handed out Ishishini Lethu flyers and forms, along with corporate gifts as mementos.

Overall, it was a successful event and discussions are still ongoing with Pranary as to how we can support start-ups through our Ishishini Lethu project.



### GATAF SOLUTIONS PROPRIETARY LIMITED

Gataf Solutions supplies operating theatre protective gear to its clients in the medical, pharmaceutical, mining and industrial sectors.

Mr Gugu Fata, the sole director and shareholder of Gataf Solutions, requested us to assist with preparing standard terms and conditions that would be attached to the standard purchase order forms that Gataf Solutions and its customers use. These purchase orders would include deferred payment provisions for its bigger and more established customers. In addition, we provided regulatory advice on the licences and regulatory approvals that Gataf Solutions would require in order to assist with its growth.

### KW ENERGY

kW Energy, a small black-owned business that initially supplied solar and wind resource assessment software, has recently ventured into solar project development and the installation of solar equipment for residences, with the assistance of Bowmans. In navigating this unfamiliar area, kW Energy relied on Bowmans' expertise in the construction industry to assist it in drawing up a standard Solar Installation Agreement and related documents.

We received positive feedback from kW Energy that the Solar Installation Agreement and related documents are very useful in navigating the relationships and services with its solar contractors. By assisting more small businesses like kW Energy, we are confident that we can help accelerate South Africa's transition away from fossil fuels to clean and renewable energy and at the same time enable small businesses to grow and prosper.

# IN THE COURTS



## CONSTITUTIONAL COURT GIVES MUSLIM MARRIAGES LEGAL RECOGNITION

On Tuesday, 28 June 2022, the Constitutional Court handed down judgment in *Women's Legal Centre Trust v President of the Republic of South Africa and Others (CCT 24/21) [2022] ZACC 23*. Bowmans acted for the South African Human Rights Commission (SAHRC) on a pro bono basis. The SAHRC, though a party to the matter in its own right, supported the primary applicant, the Women's Legal Centre Trust, in its application for legal recognition of Muslim marriages.

In the Constitutional Court, the SAHRC argued that there is a legal obligation on the state to recognise and regulate Muslim marriages by means of legislation, which arises from the state's duty to respect, protect, promote and fulfil the Bill of Rights and South Africa's international law obligations.

The Constitutional Court's judgment confirmed that the Marriage Act and the Divorce Act are inconsistent with the Constitution, including the rights to equality, dignity, access to courts and children's rights, to the extent that these statutes fail to recognise Muslim marriages. The common law definition of marriage was also held to be inconsistent with the Constitution to the extent that it does not recognise Muslim marriages.

Parliament has been ordered to amend existing legislation or enact new legislation that recognises and regulates Muslim marriages within 24 months.

In the interim, the Constitutional Court has granted retrospective relief to the date that the case was launched in the High Court, 15 December 2014. This means that, in terms of the interim order, the Divorce Act applies to Muslim marriages that existed on 15 December 2014, or had been terminated under sharia law as at 15 December 2014 but in respect of which legal proceedings have not been finally determined.

These marriages will be treated as if they are out of community of property, except where the parties to the marriage have agreed otherwise. Certain provisions of the Children's Act and Recognition of Customary Marriages Act will also apply to Muslim marriages pending Parliament amending or enacting legislation.

Bowmans welcomes the long-awaited and hard-fought recognition of Muslim marriages. This matter was launched in 2014, but Muslim women and gender rights activists have been advocating for statutory recognition of Muslim marriages since South Africa became a democratic state in 1994.

In its written submissions to the Constitutional Court, the SAHRC said: '[t]he institution of marriage, in whatever form that it may exist, is a social reality – whether or not that reality is recognised by the law. The fact that potentially (or actually) polygamous Muslim marriages may not be recognised by the law will not make them, or their consequences, disappear.' The judgment extends the legal status, benefits and protections available under civil marriages to Muslim women in and children born of Muslim marriages, who have suffered significant prejudice because of the non-recognition of Muslim marriages.

Bowmans represented the SAHRC in the hearings in the High Court, Supreme Court of Appeal and Constitutional Court. We commenced work on the matter in November 2016 and invested a total of 978 pro bono hours into it, translating into ZAR 2.4 million worth of services.

Bowmans' work on this matter aligns with our pro bono work on gender and family justice more broadly, including our work at the domestic violence clinic.



# SUPPORTING VICTIMS OF GENDER-BASED VIOLENCE

## SERVICING THE WEEKLY DOMESTIC VIOLENCE HELPDESK AT THE RANDBURG MAGISTRATE'S COURT

It has always been important to us to access pro bono clients at key access-to-justice points for the poor and most vulnerable in society.

Bowmans initiated discussions in 2012/3 with the Randburg Magistrate's Court in our quest to search for worthy pro bono matters. For us, it was obvious that key points for access to justice are at the Magistrate's Courts.

Our research revealed that there was a need for victims of domestic violence to be assisted to obtain protection orders and that the clerks of the court and the magistrates also needed assistance. It is in light of this that we participate in the Domestic Violence Helpdesk project at the Randburg Magistrate Court every Tuesday when our volunteer attorneys assist victims.

The project has grown phenomenally as the informal settlement of Diepsloot now also falls within the Randburg Magistrate Court's jurisdiction. Victims are referred to our volunteer lawyers on Tuesdays when there are extra hands to assist.

To obtain Law Society accreditation, our offices approached ProBono.Org for the hours to be accredited as legitimate pro bono hours.

Our work at this helpdesk was interrupted for two years due to the COVID-19 pandemic. We were very pleased when the court allowed us to resume our in-person pro bono services in March 2022.



For the financial year ending 28 February 2023, we rendered **384 hours**, with a rand value of **ZAR 797 880.00**, to the service of this helpdesk. We serviced **165** clients for the year.



## BUILD-UP TO 16 DAYS OF ACTIVISM FOR NO VIOLENCE AGAINST WOMEN AND CHILDREN

In the build-up to Bowmans' observance of 16 Days of Activism for No Violence against Women and Children from 25 November to 10 December, we collaborated with Lawyers against Abuse (LVA) to discuss some of the recent changes in the legal landscape governing gender-based violence (GBV).

We invited our staff across our offices in South Africa, as well as our pro bono stakeholders, to join us in a conversation titled 'An analytical look into recent changes in the GBV legal landscape and what it means for GBV victims and survivors'. This event, held on 5 October at our Sandton offices, focused on some of the changes introduced by the three pieces of GBV legislation that came into effect in early 2022.

The following key judgments were also covered:

- *Coko v State* (consensual foreplay implies consent for sexual penetration); and

- *AK v Minister of Police* (SAPS liability for secondary trauma due to failure to investigate a GBV case in a reasonably effective way).

Lindsay Henson, Executive Director at LVA, which provides legal services and therapy to victims of GBV, led the conversation, which included the following speakers:

- Advocate Nthabiseng Mokoena, former sexual offences prosecutor;
- Sheena Swemmer, researcher and head of the Gender Justice Programme at the Centre for Applied Legal Studies (CALS) at the University of the Witwatersrand;
- Bandile Seleme, LVA Drama Therapist; and
- Rethabile Mosese, LVA Deputy Director



## OBSERVING 16 DAYS OF ACTIVISM FOR NO VIOLENCE AGAINST WOMEN AND CHILDREN

### UNITE! Activism to end violence against women and girls

The international 16 Days of Activism campaign, which we observe annually, is used as an organising strategy by individuals and organisations around the world to call for the prevention and elimination of violence against women and girls.

In support of this civil society initiative, the United Nations Secretary-General launched the UNITE campaign to end violence against women by 2030. Its aim is to increase global awareness, galvanise advocacy efforts, and share knowledge and innovations.

In 2022, Bowmans supported the UNITE campaign through various initiatives, such as servicing the weekly Domestic Violence Helpdesks, providing training and collaborating with the NGO sector in hosting key events to raise awareness and stimulate debate around GBV.

In addition, we asked our staff to support the UNITE campaign, which has proclaimed the 25th of each month as 'Orange Day' – one day a month on which to raise awareness and take action to end violence against women and girls. We encouraged our staff to show their solidarity and support for this cause by wearing orange on Friday, 25 November.



## ANTI-HARASSMENT TRAINING FOR ONE CAMPAIGN

On 18 March 2022, South Africa welcomed the introduction of the new Code of Good Practice on the Prevention and Elimination of Harassment in the Workplace, which effectively repealed the Amended Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace. The new Code places various obligations on employers, who must conduct a risk assessment, implement a harassment policy and conduct awareness training initiatives for employees. Compliance with these obligations is taken into account when determining the employer's liability in terms of the Employment Equity Act.

ONE Campaign, a global non-profit organisation intent on ending extreme poverty and preventable disease by 2030, requested Bowmans to provide training on the Code. On 14 September 2022, we assisted the organisation to roll out its anti-harassment training to its staff and managers.

The training focused on the Code and the internal policies and procedures of ONE Campaign, ensuring alignment with current developments. The training was recorded for purposes of future on-demand access by ONE Campaign and for use in training new employees.

Thabo Mphamo, the ONE Campaign's Human Resources Business Partner Africa, commented on the value of the training. 'The staff learned many things they were not aware of and found the training very informative.'





## HOSTING EMBRACE ON OBSTETRIC VIOLENCE FILM SCREENINGS

Embrace is a national social movement for mothers. It values and celebrates motherhood and the critical role mothers fulfil socially, economically and politically in South Africa.

Embrace produced a mini-documentary series in partnership with Makhulu Media on obstetric violence as part of a broader advocacy strategy to promote obstetric justice and sexual and reproductive health rights by addressing the systemic violence that occurs within the healthcare system.

Obstetric violence refers to rights violations and abuses affecting pregnant women and birthing people while accessing healthcare during

pregnancy, labour, childbirth and in the postpartum period.

The series comprises five documentary short films and takes a deep dive into the realities of women accessing maternal healthcare in South Africa. They explore the lived experiences of four survivors of obstetric violence. The fifth and final film in the series foregrounds and contextualises obstetric violence and includes the expert voices of researchers, activists and health workers seeking to end obstetric violence.

Embrace planned two launch events for the release of the mini-series during the 2022 campaign of 16 Days

of Activism for No Violence Against Women and Children.

Bowmans collaborated with Embrace in hosting the Johannesburg leg of the obstetric violence release screenings on 30 November 2022. This supports our overall legal work on GBV and enabled us to assist in giving exposure to this lesser-known form of violence against women.

The event was well attended by entities working across human rights, health equity and GBV and femicide spaces. Invited guests were from different sectors and people directly affected by obstetric violence were also present.



Bowmans has over the years committed thousands of hours to these causes. The issues of gender and gender-based violence are of critical importance to us as a law firm and we are fully committed to fight against this scourge so deeply affecting our communities.

# PRO BONO COLLABORATIONS WITH THE NON-PROFIT SECTOR

## CELEBRATING PRO BONO IN AFRICA EVENT

On 20 May 2022, Trust Law hosted a regional event in Nairobi to celebrate pro bono in Africa. Pictured is Mathew Arrum from Bowmans' Kenya Office, participating in a fireside chat with Fahreen Alibhai, Legal Program Manager at Trust Law, and Lucy Mukuria, Founder and CEO of the True North Society, who spoke about his experience in delivering pro bono services.



## REACHING OUT TO THE KZN PHOENIX COMMUNITY WITH LEGAL ADVICE

Perusha Pillay, a partner in our Litigation Practice, participated in several pro bono initiatives in KwaZulu-Natal (KZN) in collaboration with the Umhlanga Women's Association and the KZN chapter of ProBono.Org.

A key initiative was creating a free legal help desk in the Phoenix area to meet the identified needs of the community.

The first event took place on 18 May 2022 at the Redfern Community Hall, where a free talk was held on GBV. Volunteer attorneys attended to assist where needed.

In a radio interview to promote the helpdesk, Perusha said, 'We had a great turnout, with an hour-long talk by the guest speaker, Razia Docrat, on gender-based violence. Thereafter, attendees were able to consult privately with participating volunteer attorneys to obtain legal advice. The Umhlanga Women's Association sponsored sandwiches, water and fruit for those who attended.'

The second event, a free talk on deceased estates and wills, took place on 21 July 2022. Approximately 75 people attended the talk, with Perusha as a panellist. Four volunteer lawyers assisted in drafting wills and giving advice.





## REACHING OUT TO THE WORCESTER/MONTAGU COMMUNITY ON GBV FOR WOMEN'S DAY

For Women's Day on 9 August 2022, Bowmans partnered with Change Agents South Africa (CASA) and Legal Aid South Africa in facilitating a workshop on matters pertaining to GBV. The aim of the workshop was to empower participants to assist vulnerable members of society in protecting themselves against GBV by making use of the provisions of the Domestic Violence Act and the Protection from Harassment Act.

Jayson George, an Associate in our Cape Town office, facilitated the session on the process of obtaining protection orders under the Domestic Violence Act and Protection from Harassment Act. This segment of the workshop focused on identifying the applicable legislation, completing the relevant form and following the required procedure for obtaining a protection order.

Commenting on the importance of the training, Olin Kiewietz, Managing Director of CASA, says: 'We realised that with most of the domestic violence calls the local police station attends to, the victims either did not complete the protection order application form or never went back for the follow-up date or court appearance.'

Part of the difficulty was that the form was in English and Montagu is mostly an Afrikaans-speaking community. Victims are also intimidated by their partners, especially in cases where the partners are the breadwinners. In addition, the victims often feel that no-one supports or journeys with them in obtaining the protection order and seeing the process through.

CASA decided to host a range of workshops to empower community leaders in how to complete the protection order application form and follow the processes to obtain such an order. Bowmans, Legal Aid South Africa and the Montagu-Ashton Tourism Association (MATA) collaborated in hosting the Women's Day event.

In addition to Jayson George's presentation on GBV legislation, Mareletta Van Zyl-Mundey of MATA spoke about the impact of domestic violence on the tourism industry and Verity Smith from Legal Aid South Africa explained the support it offers to victims of domestic violence.

Thirty women attended the workshop, held at Montagu Springs Resort, and 10 of these women indicated that they wanted to be part of the GBV Desk's programme called GBV Warriors. CASA's intention is to roll out this programme to towns within the Langeberg Municipal area.





# IN SUPPORT OF ACCESS TO JUSTICE

In support of World Day of Justice on 20 February 2022, we elected to make donations to support three worthy organisations committed to bringing about access to justice for those who would otherwise not be able to access the courts.



## PROBONO.ORG

This a clearing house for pro bono matters, matching indigent clients with lawyers who are prepared to provide pro bono services to them, thus providing much-needed access to justice for vulnerable and indigent people

Bowmans, which enjoys a long-standing relationship with ProBono.Org, continued to contribute by servicing its Refugee, Housing, Deeds Office and Domestic Violence Pro Bono Helpdesks.



## LAWYERS FOR HUMAN RIGHTS (LHR)

LHR is a non-profit organisation which uses law as a positive instrument for change. It does this by running several strategic programmes for vulnerable, marginalised and indigent people and communities. One such programme is on Refugee and Migrant Rights for stateless people. Our donation was ring-fenced to go towards this programme.



## LvA

LvA works to strengthen the response to GBV by providing legal services and therapy to victims, engaging with state actors and empowering communities.





# IN SUPPORT OF COMMUNITIES – OUR CSR EFFORTS

## Back to school

### SCHOOL SHOES FOR LEARNERS IN NEED THROUGH BAREFOOT NO MORE

In celebration of Human Rights Month in March 2022, we collaborated with Barefoot No More, a non-profit organisation working towards ensuring that Africa's children do not go barefoot to school. 250 pairs of shoes were delivered to a representative from the school (Gilbert Matlapeng) for distribution to Tholo Primary School in Mmabatho.



ensuring South Africa's children go  
**barefoot no more™**







## SUPPORT FOR THE PENCIL BOX PROJECT THROUGH LIONS CLUB OF KIRSTENBOSCH

Through the Lions Club of Kirstenbosch, we once again made our annual donation to the Pencil Box Project.

In February 2022, when schools reopened, our donation of pencil boxes was delivered to the primary school children at Manenberg Primary School in the Western Cape.



## IZIVUNGUVUNGU

Mike Oldham, a retired director of the South African Navy Band, heads up this organisation which uplifts the youth of Ocean View in Cape Town through the medium of music.

Through Izivunguvungu, we were able to continue our support for children attending schools such as Kleinberg Primary School in 2022.

## CHILDREN A LOUD

This organisation also works with youth in Ocean View, Cape Town.

We supported their development programme intended for learners aged three to six years from the Ocean View Care Centre. The centre has an intervention at Early Childhood Development level as it has observed that many learners drop out and are unable to cope in the mainstream school setting. This is mainly due to the high incidence of alcohol and drug abuse in Ocean View.

The programme covers screening, school placements and weekly interventions to identify school readiness and learning disabilities.

**Children  Loud**





# CELEBRATING YOUTH DAY

For Youth Month in June 2022, we continued to support deserving charities working with youth in disadvantaged communities.

## CONNECT SPORT ACADEMY

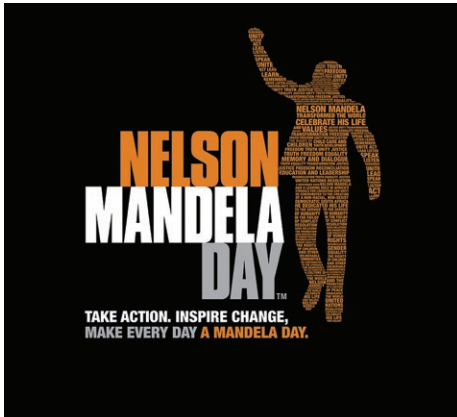
Connect Sport Academy is a non-profit organisation nurturing South Africa's next generation of young professionals in the sports industry through consistent access to resources and opportunities. We have been sponsoring Llitha 'Mister' Ntini from this academy, a young rugby player from Khayelitsha, for a number of years on his journey to sporting greatness.

Having grown up in an informal settlement in Khayelitsha with his mother and stepfather, Mister has become a national rugby sevens champion with Western Province (WP), while also representing the full WP side at U13 and U12 level before being selected for the U16 high performance squad prior to the COVID-19 pandemic.

Max Benson, director at the Connect Sports Academy, provided us with this update:

“Mister continues to do really well. He's a permanent fixture in the SACS Rugby First XV despite still having another year of school to go in 2023. In no small part due to the support of organisations such as your own, we're optimistic of being able to now nurture Mister and several of his peers through the next crucial years of their development as young adults. This makes for an exciting time, not least with Mister having been a part of our academy since day one.”





# OUR 2022 MANDELA DAY INITIATIVES

“ We can change the world to make it a better place.  
It is in your hands to make a difference. ”

**Nelson Mandela**, former President, South Africa

For Mandela Day in 2022, we participated in a number of CSR initiatives in support of communities in each province where we have an office.

## MAMA'S ALLIANCE - KWAZULU-NATAL (KZN)

Through Mama's Alliance, a network that provides support to independent non-profit organisations working in rural and semi-urban areas of South Africa, we supported two such charities.

**TREE** - Training and Resources in Early Education is a non-profit organisation based in KZN, serving deprived rural communities. Through TREE, we funded food parcels for families affected by the floods in the Jolivet and Ndwedwe areas.

**LETCEE** - Little Elephant Training for Early Education is a non-profit organisation which witnessed how children and their families were tragically caught in the floods and their shelter and belongings were damaged, leaving them in desperate need of assistance. We funded food parcels for 25 families in the village of Potspruit in the Umvoti Local Municipality in rural KZN.



## ROTARY CLUB OF PHOENIX - KWAZULU-NATAL (KZN)

The unrest of July 2021 and the flooding in 2022 left many families in KZN in desperate need of basic food items. Those from the Riet River area that borders Phoenix, Ottawa and Verulam have been severely affected, particularly families who have young children and aging relatives. Our donation to the Rotary Club of Phoenix went towards the distribution of food parcels to families in need in Riet River.

The Rotary Club of Phoenix, which was established in 2003, takes inspiration from the mythical bird, the Phoenix, which symbolises transformation, hope, renewal and progress after difficult times.



**Rotary Club of Phoenix**







#### BOWMANS' MANDELA DAY PRELOVED TOY DRIVE FOR KHAYELITSHA HOSPITAL'S CHILDREN'S WARD - CAPE TOWN

In the spirit of Nelson Mandela Day, candidate attorneys at Bowmans' Cape Town office hosted a preloved toy drive to benefit the Khayelitsha Hospital children's ward.

At any given time, the ward typically has approximately 25 children, many of whom are admitted for two to three months. As their toy room was severely under resourced, we collected both preloved and new toys and delivered them to a representative at the children's ward.







## CHANGE AGENTS SA - CAPE TOWN

We supported CASA's Project Winter Hope, which has been running since 2015 and is held every July to mark Mandela Day. The Western Cape-based project operates mainly in Montagu and surrounding towns, which have been experiencing significant economic decline.

The area's main economic streams are agriculture and tourism, both of which were hard hit during the COVID-19 pandemic. Now, with the possible closure of the Langeberg & Ashton Foods canning factory, which employs around 6 000 temporary workers and 2 500 full-time employees, there is huge strain on the economy. CASA's list of beneficiaries grows daily by at least 50 clients.

Our donation went towards buying essential food products for the preparation of cooked meals to feed approximately 550 people twice per day. Grocery hampers were also provided to people in need. The rest of the funds was used for fuel and to refill CASA's gas cylinders for cooking, and a small amount was used to pay four volunteers.



Our generous donation of preloved children's books was delivered for Mandela Day 2022 to two organisations in the city

## TIMBUKTO IN THE VALLEY - JOHANNESBURG

Timbukto in the Valley is a learning space in Lorentzville, Johannesburg, and aims to break the cycle of poverty in one of the most neglected neighbourhoods in the city by equipping local youth with skills, allowing them to become independent and dignified citizens.



## JOHANNESBURG BOTANICAL GARDENS

We delivered our donation of preloved children's books to the Johannesburg Botanical Gardens.

Johannesburg City Parks has developed an Education and Research Centre at the Botanical Gardens. The centre espouses ecological principles to promote a sustainable environment and emphasises environmental education of children.

We undertook the collection drive, to which our staff donated generously, at our Sandton Office before the onset of COVID-19. In mid-2022, we concluded this project by handing over the items collected as part of our Mandela Day outreach to small charities working with communities in dire need.







### WOMEN'S MONTH - IN SUPPORT OF THE ECONOMIC EMPOWERMENT OF WOMEN - JOHANNESBURG

For the third year running, we supported charities working towards the economic empowerment of women. This year we supported the Sisters Sewing for Themselves project as part of our 2022 Women's Month outreach.

This community sewing project, based in Wendywood in Johannesburg, has been run by Premi Roopanand for the past 15 years. It operates out of the Wendywood Clinic and helps women to develop the fundamental skill of sewing to assist them in finding employment or generating their own income.

Thina Thoba, a student who has been with the project for three months, expressed her gratitude for the sewing machines, iron, dress form and haberdashery that Bowmans donated.

Azminah Jhetam, Bowmans candidate attorney, handed over our donation of brand-new sewing equipment.



“I feel really happy for the donations the project received from Bowmans. We did not have a lot of machines, to the point where some of us had to carry our own machines from home just to continue with our lessons. We are all excited to see what we will create with them.”





## PROVIDING EDUCATION SUPPORT FOR GIRL LEARNERS - KENYA

Our Kenya office supported the Vanessa Grant School by providing school fees for a full year for 10 girl learners. The school provides education to girls from under privileged backgrounds.



## Roundabout Water Solutions

## PLAYPUMPS - EASTERN CAPE

We supported two schools in the Eastern Cape to maintain their Playpumps, namely Lehman's Drift Primary School, with 212 learners, and Mahadi Junior Secondary School, with 770 learners. The forehead seals were changed, cylinders, pipes and rods checked for leaks, and repairs done where needed.

## INTER FIRM CHARITY CUP FOR THANDANANI - JOHANNESBURG

The Interfirm Charity Cup was a five-a-side charity football tournament that took place on Heritage Day on 24 September 2022 at Discovery Park in Sandton. The event brought together the major South African law firms in Sandton.

Each firm selected a charity of their choice and donated ZAR 10 000 to the 'charity pot' to participate. There was a women's and men's team representing each firm and the teams competed in a knockout tournament, the winner of which would win the charity pot for their chosen charity.

The tournament was fiercely competitive and, in the end, the Bowmans men's team were triumphant. Bowmans, playing for Thandanani Children's homes, won ZAR 30 000 for its charities. It was an enjoyable day out in the sun and it was truly great to see all the firms coming together to connect and raise money for such deserving organisations.







## I LOVE BOOBIES

During International Breast Cancer Awareness month in October, Bowmans took part in the I Love Boobies Imagine Challenge. I Love Boobies is a non-profit community healthcare company that provides free breast examinations to South African women who are unable to access such medical services due to financial, locational or social challenges. I Love Boobies also aims to create awareness and support among and for the greater public.

The Imagine Challenge was a month-long virtual challenge which ran from 1 to 31 October. Participants had a choice of five different challenges: 42.2 kilometres of running; 500 kilometres of cycling; 10 kilometres of swimming and 24 hours of gym or Crossfit.

Bowmans entered 12 representatives from across our three South African offices to take part in the Imagine Challenge. Each participant received an I Love Boobies goody bag with merchandise and each entry included a donation towards a breast cancer screening. The participants helped create awareness about breast cancer and how imperative it is for women to undergo regular breast examinations. As keeping healthy and active is important in preventing cancer, the Imagine Challenge also motivated and encouraged the participants, as well as those cheering them on, to set exercise goals and stick to them.

South Africa faces tremendous financial and social challenges when it comes to accessing timely, affordable and effective diagnosis and treatment of breast cancer, as well as limited awareness on prevention. The Imagine Challenge is a wonderful platform for raising awareness about breast cancer, empowering individuals and addressing these challenges. Bowmans is proud to be part of this initiative.



# I ♥ Boobies

## IMAGINE CHALLENGE





## SUPPORT FOR WITKOPPEN CLINIC - JOHANNESBURG

Witkoppen Clinic, a non-profit organisation, is situated in Fourways, providing a variety of medical care services to communities in the north of Johannesburg.

On 23 March 2022, Bowmans collaborated with Witkoppen Clinic, which serves people living in the informal settlement communities in northern Johannesburg, to host its fund-raising event, which consisted of a dynamic talk between retired Justice Edwin Cameron and Advocate John Myburgh. The talk focused on the theme: 'Lives Lived to the Full' and was facilitated by Advocate Nyoko Muvangua. Following the lecture, Witkoppen hosted a successful auction that was managed by Aspire Art.

A substantial amount of funding was raised for the operational costs of the clinic's GBV and HIV programmes. In the 12 months to September 2022, Witkoppen Clinic's GBV programme impacted 624 people, of whom 141 were GBV victims, while their HIV programme reached 31 136.



“The support received from Bowmans was nothing short of exceptional. Without this generous support, the fund-raising event would not have been a success.”

**Dr Jean Bassett;** Executive Director, Witkoppen Clinic

## FUTURE MASTERS FC - CAPE TOWN

Club Future Masters is a non-profit organisation based in Khayelitsha, Cape Town and uses the medium of football to uplift youth in the area. For the past three years, Bowmans has been supplying football equipment to their under-16 football team.

The team, consisting of 25 youth, completed the three-year programme in 2022. To mark its successful conclusion, we handed over certificates and gifts to the players and their six team managers, acknowledging them as committed players for Future Masters Soccer Club.



## Our support for charity for the 2022 year-end

### DREAM FACTORY FOUNDATION (DFF)



DFF is an education-focused organisation providing hope, skills and meaningful opportunities to young people across Africa.

They identified a unique gap in the educational support for scholars, teachers and parents with

respect to online safety and created the 'I am Online Smart' campaign. Schools and Safety Clubs have been established since 2019 in Botswana, Zimbabwe, Cameroon and South Africa to address learners' safety needs through an impactful hybrid approach of face-to-face workshops, online Safety Clubs and train-the-trainer workshops.

Our donation, in lieu of 2022 year-end client gifts, went towards the website development of 20 online Safety Clubs across the region.



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THE VALUE OF KNOWING

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