

B L A C K S A S H
MAKING HUMAN RIGHTS REAL

The Black Sash

Report for 2009

Acknowledgements

This annual report has been a collaborative effort on the part of Black Sash staff.

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We would like to thank the Black Sash Archive at the University of Cape Town Libraries for giving us access to the pictures of Sheena Duncan used on our cover.

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Chairperson's Message



Sibongile (Bongi) Mkhabela
Chairperson

In considering what to reflect on for this Annual Report, I naturally turned my mind to the recent passing of our patron, Sheena Duncan. Without her leadership it is unlikely that the Black Sash would be the organisation it has become. It is thus fitting to dedicate my reflection to the contribution Sheena Duncan has made to the Black Sash. The following are extracts of my tribute delivered at the Sheena Duncan Memorial Service held at Regina Mundi, Soweto, on 16 May 2010.

The Sash under Sheena's able and dedicated leadership was able to transform itself, adapt and remained relevant and a thorn in the flesh of unaccountable bureaucracy and power. We share a sense of deep loss and grief at her untimely parting. South Africa was reminded about the humane legacy of Sheena and the selfless contribution of her generation. The generation that adopted proactive actions in their quest for and commitment to the ideals and values that are a solid foundation for lasting democracy, the sanctity of life and creation, freedom and equality, and the need for coexistence and shared destiny of the human race. Sheena strongly believed in the efficacy of all her work and that the oppression of one by another does not in essence benefit anyone. Human suffering and exploitation rob all of us of a shared humanity.

In our long associations I have closely observed and embraced a firm conviction that Sheena Duncan was not a naïve liberal. Hers was a liberating and empowering mission. I believed that she was not a top-down missionary who delivered services to black people. I have the experience of her working collaboratively with black and white people for change. I have over decades perceived in her a growing confidence and belief in the ability of black human rights activist within the paralegal advice office movement in this country.

Sheena was not a person to stand on the sidelines while injustice was inflicted on fellow human beings. She was always engaged in humanising racist institutions in state, church and business. She understood and ensured that she draws and confronts leaders in all sectors to act in good faith as responsible citizens. Sheena was effective and very productive in her work for she always identified allies and roped in their resources, skills and knowledge.

I must pay special tribute to her foresight and evolving work and the timely transition within the Black Sash. The Black Sash Trust remains opposed to all forms of injustice. We shall as fitting recognition to the fundamental values of the Sash continue to engage with issues of poverty, exclusion and marginalisation of the powerless and victims of a maldevelopment in our society. We are challenged to find ways and means for active engagement with government, business and civil society using the law and in particular the Constitution as a tool for promoting equitable access to the rights and responsibilities that are part of the life of free men and women.

As the Black Sash we need not talk for or on behalf of the poor and suffering but continue to find ways to engage and work tirelessly with them and enable them to effectively participate in processes and structures that impact on their life. The Sash continues to raise the standard and lobby for the realisation of the values and principles that promise to make all of us truly free and contented South Africans. The Sash will enjoy itself to communities and work for the truth, articulate the founding values of our society and boldly speak truth to power.

Our task is not enviable. What this means is that it is inevitable for the Sash to continue, where Sheena, her mother and associates left off, to address the state and the private sector on how practices, laws and policies adversely affect the poor and the powerless among us. Where they are manifestly inequitable and unjust, the Black Sash will engage with both the private and public sectors in critical constructive social action and informed debate. Litigation will remain necessary. This will be done in order to save our economic and political system from grave destructive manifestations.

Sibongile (Bongi) Mkhabela
Chairperson

National Director's Reflections



Marcella Naidoo
National Director

At the time of writing this report, our Patron, Sheena Duncan passed away. Sheena was a woman of great integrity who rose to the challenges of her time with foresight and compassion. The Sash, under Sheena's able and dedicated leadership, was able to transform itself, adapt and remain relevant - holding bureaucracy and power accountable. Her life's work lives on in the Black Sash today. This report is dedicated to the life she shared with the Black Sash. Her image has been emblazoned on our cover to remind us of the contribution of this remarkable woman to strengthening the voice of civil society as it embraced its responsibility to ensure that citizens of South Africa uphold the Constitution as adopted in 1996, and remain engaged in building a united and democratic country, in which every citizen is equally protected by the law and the quality of life of all is improved.

Our commitment to justice, dignity and the affirmation of women has ensured that the Black Sash has always sought possibilities when confronted with challenges. We have, first as an anti-apartheid organisation, and later as a member of civil society in the newly formed democracy, held the view that an active and engaged citizenry is an important force in ensuring that government is held accountable and responds to the needs of all its people. Our experience shows that an active civil society can be a powerful force for change.

With this in mind, the Black Sash has ensured that wherever possible each of the activities that we undertake has either been in partnership with other civil society organisations, or we ensure that the voice that we take into the democratic institutions of government has been consulted, endorsed or, at minimum, well researched. The year 2009 has been no exception in this regard, and this report will highlight aspects of our work that contribute to the strengthening of the voice of civil society.

The Black Sash strategies of rights education, advocacy, advice and monitoring are interrelated as they often inform each other. We use information gleaned from our advice-giving to inform our rights education and advocacy actions, and our rights education is sometimes used to boost or complement our advocacy work. This has required enormous team effort from everyone who works in the organisation.

It is this team effort and our commitment to building partnerships whenever appropriate that has enabled us to make a contribution to the efforts of civil society to hold truth to power, as indicated by our chairperson. Our partnerships include NGOs, including CBOs, statutory bodies and university units. These partnerships not only serve to strengthen our ability to reach our objectives, but also help to extend our reach to target audiences we and our partners might not otherwise be able to reach. Furthermore, our partnerships enable a process of sharing and learning, which feeds a continuous reflection of both our and their practices. But perhaps most important of all is that partnerships also help to build the voice of civil society, and create new platforms from which it can operate.

In 2009 our work has been enhanced by the following developments (some of which are discussed in this report in more detail):

Rights Education

- We noted a huge increase of unique visitors to our website from 27 497 in 2008 to 50 896 in 2009. We were delighted that our decision to use our website as a rights education tool has successfully led large numbers of people to our site. The 'Your Rights' section has become the most visited of our site and people who come to our website actively seek to follow up on the information we deliver and promote through other media. In addition, our increased rights education through public media has led to spike in demand for quick advice, which has further led to the setting up of our multimedia helpline, which in turn releases our paralegals to do more rights education. (Chapter 2)

Campaigns

- The success of our Child Support Grant (CSG) campaign in partnership with other civil society organisations has been a huge and very satisfactory highlight for 2009. Working with our partners, Alliance for Children's Entitlement to Social Security (ACCESS) and the University of Cape Town (UCT) Children's Institute, the Black Sash intensified its involvement in this campaign over recent years – recognising the CSG as the intervention that could reach the largest number of households, acknowledging the particular vulnerability of children to the effects of poverty and thus insisting on their constitutional right to protection up until the age of 18. On 22 October 2009, Cabinet announced its decision to extend the CSG from 15 to 18 years. (Chapter 4)
- Our Old Age Pension campaign helped ensure that government legislation, which came into effect on 1 April 2009, eventually lowered the age of eligibility for men from 63 to 61 years of age. Even though the change in law affects a small percentage of South Africans, we believe that it is important that the elderly in society who do not have private retirement income should be provided with a way of ensuring a life of dignity and value – and we welcomed the fact that the grant would be given equitably to men and women. (Chapter 4)

- Our annual Black Sash Festive Season Campaign, 'Know your credit status, know your rights!', took on a special significance in 2009 due to the recession. (Chapter 2)

More Partnerships

- Our partnership with the Health Economics Unit and the Health E news agency around the National Health Insurance (and its dedicated funding from Atlantic Philanthropies) strengthened our advocacy focus in this area.
- Funding from the European Union and Open Society Foundation for our Community Monitoring and Advocacy Project (CMAP) has led to a much-expanded and exciting project. Our monitoring of rights-in-crisis situations seems to be a natural follow up from CMAP as is indicated by the De Doorns situation discussed in this report. For this we received support from Oxfam GB through our partnership with Cornsa of which we are a member.

Our Work in the Paralegal Sector

- Our engagement in formal training for Legal Aid SA raised the quality of paralegal advice across country. Our latest paralegal guide on Social Assistance was completed in 2009 and launched in April 2010 and has attracted widespread interest.
- In addition we continue to host the National Alliance of Community Advice Offices (NADCAO) as they rebuild and reinvigorate very important sectors that have their feet in the communities they serve. Work in this sector is mutually empowering.

Acknowledgements

The Black Sash remains a healthy, well-managed and growing organisation and I would like to express my thanks to those who remain passionate about promoting and protecting the human rights of all.

First, the Black Sash Trust is grateful that there are many people and organisations that are willing to assist us, either through grants and donations or through the volunteering of their time and energy. These people continue to make it possible for ourselves, and the rest of civil society, to play an active and significant role in making South Africa a better place for all who live here. In Chapter 12 we list the names of those who have supported us during 2009.

I would also like to thank Bongki Mkhabela, our chairperson, and the Board of Trustees for providing leadership and oversight for the organisation and support to me as National Director.

Finally, no organisation can run without competent and committed people who are willing to do the mundane as well as rise to the challenge of doing the unusual and difficult. I therefore want to take this opportunity to express my sincere gratitude to the staff of the Black Sash: the executive management team whose passion for human rights and the work of the Black Sash provides the fuel that drives the team and whose wit and intelligence helps to unpack, interpret and fashion the reason that underpins our work; as well as the highly efficient and dedicated staff members who provide direction and management for the programmes and provinces in which we work. I am thus grateful to be supported by a very talented team of people without whom our output would not have reached the levels that it has during 2009 and this report would not have been possible.

Marcella Naidoo
National Director

Executive Management Team



Jane Coombe
National Programme Director



Andrea Parkerson
Communications and Development Manager



Susan Thevar
Finance Manager



Shirley Dowman
Human Resources Manager



Ruendree Govinder
Information Manager



Violette Clarke
Personal Assistant to National Director

Chapter 1: Black Sash Programmes and Strategies

The Black Sash works towards making human rights a reality for all who live in South Africa, particularly those who are poor and otherwise vulnerable.

We aim to conduct all our programme work so as to uphold and promote the **values of the Black Sash**, which are:

- justice,
- integrity,
- dignity,
- non-violence,
- rigour,
- the affirmation of women,
- independence and courage, and
- the need for an active civil society.

Programmes

Our work is organised into three thematic programmes:

Programme 1: Social Security

In this programme we work for a comprehensive social security system that is based on principles of social solidarity and equity, and which takes into account our high levels of poverty, structural and cyclical unemployment and high levels of inequality.

Programme 2: Consumer Protection

In this programme we work for a fair consumer and credit environment, particularly for poor communities, with particular reference to food security and essential goods and services.

Programme 3: Social Services and Subsidies

In this programme we work for the accountable, equitable and affordable delivery of good-quality social services, including health care and basic municipal services.

Strategies

These strategies are applied to each of our programmes:

Strategy 1: Rights Education

Individuals and groups are informed of their social and economic rights as prescribed in law, and are enabled to take action to access them.

Strategy 2: Advocacy

South Africa has legislation, policy and delivery systems, supported by budgets, which promote the social and economic rights of the poor, as outlined in our Constitution (and with reference to International Treaties and Obligations).

Strategy 3: Advice

Individuals are given advice and assistance to enable them to exercise their social and economic rights, as prescribed in law.

Strategy 4: Monitoring

Independent monitoring of government service delivery is conducted so as to gather credible data that enables informed advocacy by affected communities, partner organisations and the Black Sash.

The Black Sash strategies are interrelated as they often inform each other. We use information gleaned from our advice-giving to inform our rights education and advocacy actions, and our rights education is sometimes used to boost or complement our advocacy work.

Chapter 2: Rights Education

Black Sash Rights Education is aimed at ensuring that individuals and groups are informed of their social and economic rights as prescribed in law, and are enabled to take action to access them. The Black Sash undertakes rights education through its website, the media, materials development and distribution, and training workshops for community leaders, and in some instances directly for beneficiaries. We focus on community leaders for greater impact as they are able to pass on information to many more people in the normal performance of their duties.

Rights Education on the Black Sash Website (www.blacksash.org.za)

We work consistently to keep the material on the Black Sash website current, relevant and, particularly in the case of rights education materials, accurate and updated. In 2009 we made exciting progress with a phenomenal growth in the use of our website. There was an increase of **unique** visitors to our website from 27 497 in 2008 to 50 896 in 2009.

The 'Your Rights' section has become the most visited of our site. People who come to our website actively seek to follow up on the information we deliver and promote through other media. For example, a spike in website traffic in May coincided with our rights education campaign around 'Older Persons' Grants'.

Top 5 'Your Rights' pages visited on our website

You and Your rights as Refugees and Asylum Seekers: viewed 7 568 times

You and the Child Support Grant: viewed 6 598 times

You and Credit Bureaux: viewed 6 449 times

Social Grants Summary 2009/2010: viewed 5 558 times

You and the Disability Grant: viewed 5 212 times

You and the Older Persons' Grant: viewed 4 832 times

Rights Education: Public Media

Our media strategy continues to be successful. We have identified community radio and newspapers as particularly important for our rights education work because they tend to target the same constituencies as those we wish to reach with our rights messages. The Black Sash has begun to develop very good community radio partnerships, broadcasting during this period on over 40 radio stations in a range of languages.



Port Elizabeth paralegals on air informing people of their legal rights.

Rights Education Campaigns

The Black Sash conducts rights education campaigns through the media in order to inform people about, amongst others, existing rights or policy changes that could affect their lives. Here are examples of two such campaigns run during 2009.

Black Sash Festive Season Campaign: 'Know your credit status, know your rights!'

The economic crisis in 2009 had a particularly severe impact on the very poor in South Africa. Given the already high levels of unemployment, additional job losses deepened the economic hardship of poor communities. This situation naturally impacted on the debt situation in the country. It was interesting to note how searches on the Black Sash website spiked during this time around the use of the keyword 'debt'.

Our annual Black Sash consumer protection campaign took on a special significance in 2009 due to the recession. The campaign ran from 14 November through to 11 December 2009. It focused on spreading rights messages relating to the duties of credit providers, credit bureaux and the National Credit Regulator (NCR), as well as promoting consumer responsibility relating to the importance of consumers checking their credit status and thus facing up to their financial situation.