



WOMEN'S LEGAL CENTRE

ANNUAL REPORT 2020

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*Empowered womxn build
empowered communities.*

- SEEHAAM SAMAAI,
Director of The Women's Legal Centre





2020

MARKS THE END OF AN ERA

*This year marked my 3rd and last year
as Board Chairperson.*

In my time working alongside a fantastic cohort of Trustees and staff I have seen the organisation grow stronger and more focussed and develop a clearer vision of what it means to be an African feminist legal centre.

Building on the WLC's more than two decades of work, over the past few years the team has achieved incredible victories that have advanced the rights of womxn and of society – making it a more equal and just place to live. I am extremely grateful to have had the opportunity to be a part of this progress.

In 2019 we marked 20 Years of the WLC, which gave us all an opportunity to reflect on the progress that has been made as well as the broader changes in South Africa and the world we work in. After the high of 2019, it was impossible to imagine what 2020 would hold.

2020 was no ordinary year – not for me and my fellow trustees, not for the WLC team who had to work under difficult and demanding conditions, not for our clients who faced lockdown and increased challenges in accessing justice, and not for the world as we all faced a global pandemic and the social, economic and health consequences it would have.

Yet, despite these challenges, I was inspired by the way that the Centre practiced its commitments to a feminist ethic of care in ensuring that the health – in particular the mental health and wellbeing of the staff – was promoted and protected during 2020. This was a year where the WLC's feminist principles were put to the test, and it is a year that I am proud to say showed our true colours and agility in the very best way. This report is the evidence of that.

Of course, the end of any era marks the beginning of a new one, and what an exciting era for the WLC it is certain to be.

Hard work and determination have brought the WLC to this point. In 2020 we undertook a review process to ensure that the transition to the new board was smooth from a governance perspective, and that the

team was prepared and equipped to move forward. Despite the challenging circumstances the team brought their all to these discussions.

As of 5 December 2020, an entirely new board took the reins, and will lead the Centre forward into the next years of work. Our new board is made up of a selection of representatives of diverse organisations and each representative is a powerful womxn who brings essential qualities to the table.

It was fantastic to be able to work with the new Board Chairperson, Thulisile Mhlungu, in the handover period. I have absolutely no doubt that Thuli will lead the Centre from strength to strength as it redevelops its strategy in 2021.

I would like to thank my fellow trustees, past, present and future for their continued support and commitment to the centre. I would also like to bid farewell to the WLC team who have been an inspiration to me over the years.

On behalf of the entire Board I extend my deepest gratitude for the work you do every day to improve the lives of South African womxn.

I wish you the very best as you move into 2021. After 2020 it feels as though much is uncertain, but the commitment and tenacity of the WLC is one thing we can always be certain of.

Watch this space! ■

Nozizwe Vundla

Chairperson of the Women's Legal Centre



STRENGTHENING OUR FEMINIST PRINCIPLES

*2020 has shown us that we are a
flexible, caring and determined team.*

2020 is a year that will be remembered as 'the year of COVID-19'.

In early 2020 South Africa declared a National State of Disaster in response to the COVID-19 pandemic. The Government outlined several alert levels that would define their response, the country's lockdown restrictions, and the freedoms of South Africans for the duration of the State of Disaster. Recognising that the health of our staff and clients was paramount, the WLC began implementing a hybrid model of operations two weeks prior to the lockdown. We prioritised our staff safety while ensuring that we remained connected to our clients and continued to provide services through various online forms of communication. It was only in October 2020 that we opened our physical doors again, this time in our new offices, until the end of December 2020. In the interim we strengthened our hybrid model of contact and communication between staff and our clients who were able to access our physical office as well as a fully virtual Legal Advice Unit to assist womxn in need.

In 2020 we relied on our strength and resilience as we deepened our sense of a feminist ethic of care.

As the world battled a global health pandemic, our staff were not unaffected. At the start of what became the first wave of infections, I and two other staff members contracted COVID-19. By the end of the year, two additional staff members were hospitalised with COVID-19. We experienced the pain of loss along with so many with the passing of our colleague Donna Fortuin, in early 2021. Donna's life has left a lasting legacy of service, which has served to motivate us all. We continue to find ways of dealing with loss as the circle of those affected grows ever wider.

Like so many womxn across the world we too experienced the struggle of finding new ways of working with having to meet the challenges of multiple intersecting identities of activist, lawyer, mother, teacher, carer and provider. It was important for WLC to acknowledge the uncertainty, fear and concern surrounding our new ways of working whilst



in the midst of an epidemic. All of us were affected by the trauma and unpredictability of the pandemic and by the challenges and brutality of the state response to it. It was very important for us as a team to emphasise the fact that mental health is as important as physical health, and that they are intimately connected. The WLC put a wellness program in place that helped our staff, and other members of the broader social justice sector to learn new ways of dealing with stress and anxiety. Our partners in the broader public interest law sector and I would like to extend our deepest thanks to the wellness practitioners who guided us – Health Warriors (mindfulness, mindful movement and chanting), Undine Whanda (Kundalini Yoga) and Impilo Consulting (group counselling sessions). Their work enabled us to care for ourselves and each other. Thank you to the donors that supported us in this time and who also took cognisance of the different needs of an organisation like ours during COVID-19.

2020 reminded us that South Africa is one of the most unequal countries in the world and a country that often disregards the rights of womxn. As it became ever clearer that COVID-19 was going to have a disproportionately profound impact on womxn, we began to consider what a feminist response to the pandemic would look like. We knew it could not be



'business as usual' and that a different approach would be needed. At the WLC we knew that there could and should not be a one size fits all approach to the way that we supported our clients and staff as womxn are not a homogenous group. More than ever, the pandemic required recognition of the intersecting forms of discrimination womxn face, based on their race, identity, religion, culture, and socio-economic background. Womxn on the ground and the womxn who work at the WLC were at the centre of our organisational focus and work mission during this crisis.

2020 was a crucial time for the social justice sector to reflect on how we must continue our work and services through an intersectional and collaborative lens.

As lawyers and human rights activists, we too needed to check our privilege and resources first, to ensure that we did not adopt saviour mentalities and implement measures which were best suited and accessible to middle class people.

2020 deepened our commitment to social justice, and to community-led responses to the challenges that South Africa faces. The centre deepened its approach and interventions to ensure that we were guided by womxn at community level. During the "hard lockdown" we as lawyers were not immediately recognised as essential

workers and we had to rely more heavily on womxn's rights defenders in communities to highlight and inform us of the specific challenges faced by womxn both generally, and specifically in the context of the pandemic. Although we have always worked very closely with womxn at community level it became important to formalise our working relationship to ensure that working with us did not become a resource burden on community-based activists. This meant that we had to shift focus in terms of certain outputs to direct resources to where womxn who make use of our services needed those resources and capacity more specifically. This flexibility ensured that the activities in which we engage filtered down to womxn in communities and impacted on their substantive equality in terms of rights realisation. With this in mind we launched our inaugural Human Rights Defenders programme and trained a cohort of 20 womxn community activists to monitor womxn's rights and human rights abuses within their communities. The information they provided us assisted us to lobby the government to improve services and responses to community needs, and to address abuses by the SAPS during the hard lockdown.

2020 expanded our reach through new channels of communication. Throughout the year we tried new ways to reach the womxn we serve with services and

information. Public education in our communities was a key resource to enable them to demand access to services. To this end, we produced information pamphlets, Know Your Rights guides, were interviewed for numerous media articles, participated in television interviews, produced YouTube videos, and shared social media posts. Media and communication became a vital resource for our team, and we used rights-based education tools to effectively reach a broader audience. We ensured that we commemorated important days with media statements that womxn could use as advocacy tools themselves. All this work aimed to ensure that the womxn of South Africa were able to access information about their rights and were aware that although our offices were physically closed, the WLC was still very much available to provide services and ready to defend their rights.

In 2020, we adapted to become more flexible and responsive. Access to justice during Level 5 of the lockdown was a major challenge due to the restrictions on movement and work. Much needed services for womxn who were victims of violence were not provided, and many womxn were locked in their homes with abusive partners. Through working in cooperation with the Ministry of Women, Children and Persons with Disabilities we managed to obtain essential workers permits so that we could ensure that womxn who were experiencing violence could be assisted in obtaining protection orders and could have consultations where needed. By the end of the year, some courts remained closed, particularly where access to the internet was a challenge, delaying access to justice for many womxn. When other courts eventually did re-open many of the hearings took place online, and although this new form of holding hearings had its challenges, it assisted us to proceed with vital litigation and enabled us to litigate in other provinces without incurring travel and accommodation expenses.

Despite the challenges of 2020, we made progress in key areas. In 2020 two key achievements were the victories in both the Muslim Marriages and Bwanya cases. Thanks to the efforts of the WLC and our partners, womxn in long term partnerships that are not recognised by law now have better protection. Our work with Her Rights Initiative helped strengthen the sexual and reproductive health and rights of womxn living with HIV. The last three years have also been a busy period for our work related to violence against womxn, and we have made a significant contribution towards developing legislation and policy, being involved in essential litigation, as well as strengthening the broad womxn's movement's ability

to hold the state accountable. The COVID-19 pandemic has also shown us that there is much need for collective action and solidarity towards building a rights-based framework that recognises womxn's work and their just and favourable conditions of work. Our work with Women on Farms during the lockdown helped to ensure that the needs of womxn farm workers were addressed and responded to by the State.

In 2020 we began to look forward to the future and set our dates for a new strategy for the WLC. Even though travel was frustrated for much of 2020 we successfully held a hybrid (in-person and online) board meeting in December 2020, where we welcomed an all-new cohort of trustees, each of whom is a stalwart of feminist activism in her own right. I am deeply grateful to Nozizwe Vundla, and the entire outgoing board for the support they offered in 2020 and prior to that. Your trust in our vision of who and what we wanted to be, has led us to this new and exciting way forward.

We are excited for the next chapter of work as the WLC. We remain determined to ensure that the WLC is an essential part of the landscape in South Africa, especially with regards to issues around womxn's rights. Our 2021 strategy will look to solidifying our position as an intersectional African feminist law centre, with a focus on strategic litigation, strategic advocacy, legal advice, enabling access to the legal profession, and building sustainable operational capabilities. Our work will continue to highlight the WLC as a resource of excellence in terms of international structures that heavily lean on us for our legal opinion on issues. We are moving into the global space, and we will be a force to be reckoned with.

After a challenging 2020, we are re-energised and recommitted as an African feminist legal centre to protecting, defending and advancing the rights of vulnerable and marginalised womxn, particularly black womxn, and to promoting their access to justice and equitable resources. We believe that through our work womxn are living more substantively equal lives, and in 2021 and beyond we will continue advocating for womxn's rights. ■

Seema Samaai

Director of the Women's Legal Centre



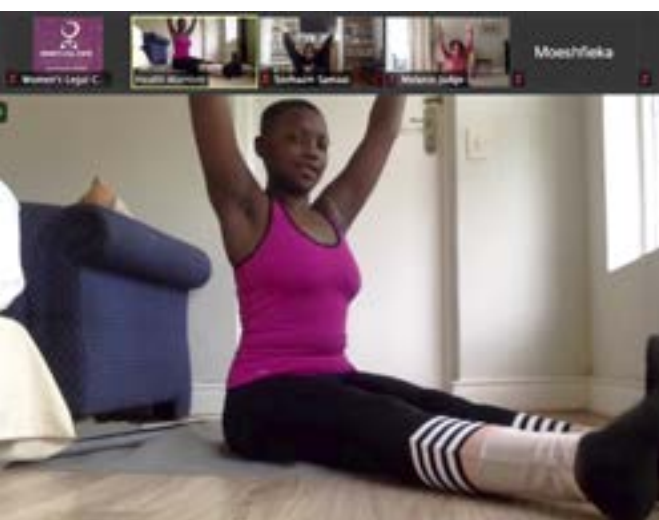
ABOUT THE WOMEN'S LEGAL CENTRE

The Women's Legal Centre (WLC) is an African feminist legal centre that advances womxn's rights and equality using tools such as litigation, advocacy, education, advice, research and training.



**THE WLC HAS A VISION OF WOMXN IN SOUTH AFRICA WHO ENJOY
EQUAL AND SUBSTANTIVE ACCESS TO THEIR RIGHTS.**

- **WE DEVELOP** law, policy and feminist jurisprudence based on an intersectional approach with substantive equality as its foundation.
- **WE DRIVE** a feminist agenda that acknowledges the impact that discrimination has on womxn within their differences in class, race, ethnicity, sexual orientation, gender identity and disability.
- **WE PROVIDE** tools for womxn to empower themselves across sectors to demand access to their rights.
- **WE SUPPORT** the development of a cadre of black feminist lawyers within the legal profession.



WLC IN 2020

2020 was a year like no other in the WLC's 21 year history. Our feminist principles helped us adapt, be flexible, and to take care of one another. In the face of the COVID-19 pandemic, the WLC:

- **DEVELOPED A COMPREHENSIVE COVID-19 PROTOCOL**, which took into account the lived reality of our staff and clients. Our priority was to ensure that all staff were safe so that we were able to assist the womxn we serve. Two COVID compliance officers were appointed to ensure full compliance with our protocol.

- **PUT OUR STAFF AT THE CENTRE** as we adjusted to the world of remote working and the challenges that came with it. We obtained the free services of UNICAB, and staff could send documents etc. to each other during this period. We held regular check-in meetings to allow us to stay connected. We introduced creative care packs, and mindfulness/ breathing and yoga classes that staff could take every Tuesday, Thursday and Friday, and extended these to the Public Interest Legal Sector. The Health Warriors who provided these sessions are a group of young black womxn, and our yoga teacher has had years of experience working with trauma. We found that brain fog, fatigue and lethargy were all major challenges, so we took steps to alleviate unnecessary staff burdens.

- **PROACTIVELY APPROACHED OUR FUNDERS** to develop easier processes of reporting to reduce the administrative burden on staff who were already dealing with the uncertainty and trauma of the pandemic, and additional household care burdens.



WHO WE ARE

Our dedicated team of attorneys, candidate attorneys, paralegals, legal advisors and support staff specialise in feminist litigation.

We are based in Cape Town but work nationally.

HOW WE WORK

We offer in-person, telephonic, and email legal advice to womxn, and identify systemic challenges that womxn face in accessing their rights.

Through direct legal services, we identify gaps in the laws, systemic failures and challenges with implementation which informs our strategic litigation.

The bulk of the queries indicate that our family law system remains deeply patriarchal and that womxn continue to face systemic access to justice issues when dealing with the dissolution of relationships either through death, divorce or separation. We also receive large numbers of queries in the areas of violence against womxn, and maintenance.



WE LITIGATE

The WLC has won several precedent-setting cases that have improved womxn's access to justice in South Africa.

Using strategic litigation (litigation that goes beyond a single case to advance a broader agenda and has an impact on womxn as a group) has proven to be a key strategy in developing feminist jurisprudence through precedent-setting cases.

We litigate in our own name, in the public interest (such as on behalf of civil society organisations), on behalf of clients or as a friend of the court (*amicus curiae*).

Strategic litigation continues to be the tool that has proven effective to advance specific rights or challenge discriminatory laws or policies.



WE EDUCATE

The WLC is committed to training the next generation of black womxn lawyers.

In the spirit of transformation and the development of skills for womxn who are interested in working in the feminist legal space, we have a strong candidate attorney programme.

We also utilize local and international interns in order to contribute to the pool of feminist litigators and policy developers.

We facilitate legal workshops and create feminist spaces where womxn can educate themselves on the law and how they can use it as a tool to empower themselves and their communities.



WE ADVOCATE

Our work in this area includes written and oral submissions to the South African Parliament, regional and international human rights treaty bodies, and other relevant organisations.

We also participate in conferences, workshops, and discussions to advance our work on the rights of womxn.

In addition, our media advocacy has proven a valuable tool in spreading our message and amplifying our reach through social and mainstream media.



WE COLLABORATE

We support womxn's rights organisations and the broader feminist movement with the aim of strengthening womxn's voices and advancing womxn's rights.

By providing legal advice to the social justice sector, womxn's organisations and civil society networks, nationally, regionally and internationally, we play a role in ensuring that the state and the private sector uphold their responsibilities in terms of the law and womxn's rights.



OUR 5 KEY FOCUS AREAS

01

THE RIGHT TO FAVOURABLE AND JUST WORKING CONDITIONS

Our work focusses on the recognition and protection of labour rights for vulnerable and marginalised womxn workers, in particular the rights of sex workers, farm workers, domestic workers and migrant workers.

Despite South Africa's rights-based labour legislation, womxn continue to face barriers with regards to accessing employment and securing decent working conditions. Our goal in this programme is the recognition and protection of the labour rights of vulnerable and marginalised womxn workers, in particular, but not limited to farm workers, domestic workers, migrant workers, and sex workers.

02

THE RIGHT TO LAND, HOUSING AND PROPERTY

We work to ensure that womxn have an independent right to access land in an equitable and affordable manner, and are provided with tenure security, economic freedom and a safe, accessible, and healthy place to live.

Womxn, in most cases, are not given legal ownership to land, housing and property, and also encounter issues in attempting to obtain legal ownership with regards to land and tenure. We attend to cases that extend tenure and ownership of land to womxn in their own right and prevent loss of tenure on the dissolution of relationships (such as divorce or separation).

03

EQUALITY IN RELATIONSHIPS

We focus on the advancement and recognition of womxn's independent rights within, and on the dissolution of, a relationship, to ensure fair and equitable access to resources and rights.



04

SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS

We work towards the realisation of SRHR that enable womxn's rights to access health services in a manner that is non-coercive, free from violence and all forms of discrimination.

Accessing health care can be a complex and confusing task for womxn which impacts womxn's ability to make informed and autonomous decisions about their health care. There are also very few accountability mechanisms within the state health care system. We take cases that promote and protect womxn's right to make choices about their own reproductive health and litigate to ensure that womxn have access to reproductive health care.

05

THE RIGHT TO BE FREE FROM VIOLENCE

We work towards an accessible system that takes account of, and supports, the particular needs of womxn impacted by violence, and that provides optimal services and protection by the state and private entities and reduces secondary victimisation.

In South Africa, womxn face grave violations of their rights to safety and dignity, which impacts negatively on womxn and society at large. We attend to cases that combat the infringement of these rights and improves the access of womxn and (girl) children to state protection from violence, particularly sexual and domestic violence.



OUR WORK ACROSS OUR FIVE FOCUS AREAS

01 | THE RIGHT TO FAVOURABLE AND JUST WORKING CONDITIONS

Despite South Africa's rights-based labour legislation, womxn continue to face barriers to accessing employment and securing decent working conditions. Our goal in this programme is the recognition and protection of labour rights for vulnerable and marginalised womxn workers, in particular the rights of sex workers, farm workers, domestic workers and migrant workers.

OUR CORE OBJECTIVES ARE:

- 01 | The development of the law to ensure that womxn's human rights are recognised, protected, promoted, and fulfilled in the workplace.
- 02 | Holding the state and private bodies accountable for violating womxn's human rights in the workplace.
- 03 | Engaging with the national, regional and international structures to promote the interest of vulnerable groups and to ensure compliance with human rights standards.
- 04 | Collaborating and partnering with strategic and relevant organisations to promote the interests of womxn who work in precarious conditions.
- 05 | Providing education and training on womxn's basic labour rights and protections.

2020 KEY ACHIEVEMENTS

Mahlangu and Another v Minister of Labour and Others (WLC amicus curiae): Domestic workers in South Africa have historically been discriminated against by not having their care work recognised as work, and by being excluded from social security benefits that other workers benefit from. The WLC argued that there can be no justification for the ongoing discrimination that domestic workers face and advocated that the Court should apply an intersectional and gender lens to the facts before it, taking note of the fact that most domestic workers in South Africa are black womxn.

In November 2020, the Constitutional Court found that Section 1(xix)(v) of the Compensation for Occupational Injuries and Diseases Act 130 of 1998 is unconstitutional because it specifically excludes domestic workers from the protection that the Act affords other workers. The Court also ruled that the order of invalidity should take immediate and retrospective effect from 27 April 1994. The Constitutional Court relied on our evidence of racial inequality and the discrimination that black womxn face, as well as our arguments on the importance of the recognition of domestic workers and the financial contribution that they often make to extended families in its deliberation of facts before it.



This judgment confirms our belief that intergenerational poverty can be addressed if the work that womxn do as care workers is recognised, adequately valued and rewarded and if the womxn who do the work are afforded the social security insurance benefits they are entitled to. We welcome the decision of the Court and express our gratitude to Advocate Palesa Khoza who represented the WLC in the Constitutional Court and to Bowmans Attorneys who acted as our correspondents in the matter.

KM v UNISA (WLC amicus curiae): The case relates to the lack of sexual harassment protection for students, to extend Court protection in such instances where internal policies fail female students, and to highlight a victim centred approach in sexual offences matters. We are awaiting a hearing date.

International defence of the rights of womxn workers: The WLC participated in a third-party intervention (as part of a coalition of international organisations) before the United Nations Committee on Economic Social and Cultural rights to advance the rights of womxn to access social security benefits. The case of Marcia Trujillo v Ecuador provided the WLC with the unique opportunity to use its South African based feminist litigation skills in international litigation to advance the normative content on the right to work and access to social security benefits. The case allowed us to ensure that womxn's unpaid care work is recognised by an international treaty body and that care work is not used as an acceptable basis for discrimination.

Sex worker rights: For many years we have been supporting sex workers in the recognition of their profession as work. Our efforts ensured that the decriminalization of sex work was part of the 25 demands made by the Total Shutdown Movement to the South African Government in 2018, and that the recognition of their rights have been included in the National Strategic Plan on Gender Based Violence and Femicide, adopted in 2020. The WLC continues to be a member of the Asijiki Coalition, which is the coalition advocating for the decriminalisation of sex work. We are a member of the Asijiki Steering Committee and provide technical and legal support to the coalition. We attended monthly meetings during 2020, to shape the coalition and bring forward its aims.

Educating the public and holding the state accountable. In 2020, the WLC hosted a webinar on vulnerable workers challenges and made submissions to the Minister of Employment and Labour explaining the need for government to help womxn farm workers access UIF payments.



02 | THE RIGHT TO LAND, HOUSING AND PROPERTY

Despite legal protections, womxn in South Africa still face barriers to accessing their legal rights to access land in an equal and affordable manner, and to access tenure security.

Our work in this area includes attending to cases that extend tenure and ownership of land to womxn in their own right and prevent a loss of tenure on the dissolution of relationships (such as divorce or separation and death).

OUR CORE OBJECTIVES ARE:

- 01 | To ensure that laws and practices do not discriminate against womxn's access to land and tenure security.
- 02 | To challenge apartheid land patterns and dispossession that impact on womxn's rights to land and tenure security.
- 03 | To shape the agenda of national, regional and international structures to promote the interest of womxn's right to land and tenure security and to ensure compliance with human rights standards.
- 04 | To collaborate and partner with strategic and relevant organisations to promote the interest of womxn's rights to land and tenure security.
- 05 | To seek to develop the duty of the state to provide emergency housing for victims of domestic violence.

2020 KEY ACHIEVEMENTS

- Protecting the rights of womxn on farms: Our work with Women on Farms has strengthened their capacity to respond to evictions of womxn living on farms. In addition, our work with them during Level 5 of the National State of Disaster ensured that the Minister of Labour responded to womxn working on farms' health concerns and concerns in relation to accessing the TERS and other unemployment benefits for seasonal workers.

03 | EQUALITY IN RELATIONSHIPS

Our programme on womxn's rights to housing, land and property in relationships focusses on the advancement and recognition of womxn's independent rights in, and on the dissolution of, a relationship to ensure fair and equitable access to resources and rights within the relationship, as well as once a relationship may end.

OUR CORE OBJECTIVES ARE:

- 01 | To ensure the legal recognition of all relationships, irrespective of religion, custom or sexual orientation.
- 02 | To challenge discriminatory practices and laws that impact on womxn's access to resources in a relationship.
- 03 | To ensure the equal application of law and legal obligations arising out of relationships and to ensure that these are enforced, promoted and protected in an equitable and fair manner.
- 04 | To engage with national, regional and international structures to promote the interests of womxn's rights in a relationship, and to ensure compliance with human rights standards.
- 05 | To collaborate and partner with strategic and relevant organisations to promote womxn's rights and interests in relationships.

2020 KEY ACHIEVEMENTS

- **Bwanya v Avrom and the Others (WLC amicus curiae):** Womxn living in a long-term partnership have long faced discrimination in that they are unable to claim 'spousal' recognition from their deceased partners' estates in either the form of the Intestate Succession Act (Act 81 of 1987) or the Maintenance of Surviving Spouses Act (Act 27 of 1990). Both statutes recognise spouses' rights to inherit in instances where there is no will and allow for claims of maintenance between spouses where a spouse is deceased.

The WLC represented our client to establish the right to spousal recognition for womxn in long-term partnerships who are not married. Judgment was granted by Acting Judge Penny Magona the Western Cape high court in September 2020.

The judgment declared the Intestate Succession Act unconstitutional for failing to provide legal protection for heterosexual couples. WLC welcomed the judgment as it recognised the discrimination and vulnerability of many womxn in South Africa who are unable to negotiate marriage and who live in domestic partnerships. The judgment goes further in recognising the evidence put forward by the WLC (as first amicus curiae) that South African society has changed since the dawn of democracy and that many people are living in domestic partnerships. The WLC extends its gratitude to our counsel, Advocate Ashleigh Christians.



“I find that the failure to include the heterosexual partnerships within s1(1) of the ISSA unconstitutional to Ms. Bwanya’s rights and the rights of all those similar in her circumstances as described by the WLCT, particularly their rights to equality and dignity in terms of section 9 and 10 of the Constitution. The impact of the impugned provision unfairly discriminates and cannot be justified in our constitutional order,”
said Acting Justice Magona in her judgment.

Recognition of Muslim Marriages: WLC instituted proceedings on behalf of the WLC Trust and hundreds of Muslim womxn who approach our offices every year. The proceedings were instituted against the President of the Republic, the Minister of Justice, the Minister of Home Affairs, and others to seek legal recognition of Muslim marriages in South Africa. It has been a long road for the WLC and Muslim womxn seeking legal recognition of marriages concluded in terms of Sharia law. The matter was launched in 2014 and since that time Muslim womxn have continued to be discriminated against due to the failure of the state to recognise their marriages. The non-recognition of marriages concluded in terms of Sharia law has far-reaching implications for womxn and children. The challenges and difficulties experienced have been well documented over the past twenty years and form part of multiple court cases and judgments that have been handed down in South Africa.

The matter was heard in August 2020. Prior to the judgment, the WLC hosted a social media campaign to make Muslim womxn aware of their rights in marriage as well as how the judgment potentially impacts their rights. On 18 December 2020, the Supreme Court of Appeals (SCA) affirmed the obligation of the State to take steps to recognise Muslim Marriages. The SCA recognised the injustice and stigma suffered by Muslim womxn in South Africa because of the non-recognition of marriages conducted in terms of Sharia law. This is a great victory for the advancement of these rights. It would not have been possible without the ongoing support of our counsel Advocates Nazreen Bawa SC, Michelle O’ Sullivan, Jennifer Williams.

Education and information sharing: The Equality in Relationships team produced information pamphlets on womxn’s rights in domestic partnerships. These were published online and on our social media because of COVID-19 restrictions. The team also hosted two roundtables with Muslim organisations to update them on litigation of the recognition of Muslim Marriages cases and to assist them in developing strategies for their own activism in preparation for the SALRC legislative process to develop a law that would recognise Muslim marriages. This is important to ensure that Muslim womxn can influence and impact the legislation.

Womxn in Customary Marriages: The WLC made submissions on the Recognition of Customary Marriages Amendment Bill in both the National Assembly and the Gauteng Legislature to ensure that womxn in polygynous customary marriages prior to the enactment of the legislation has protection in the event of the dissolution of their marriages through death or divorce.

Legal advice: During the height of the lockdown, with restrictions in place, we saw an increase in queries related to access to Courts, especially in relation to family law-related matters such as divorce and maintenance. WLC engaged with the DOJ to address some of the access issues at court and with Legal Aid South Africa to ensure that they were meeting their mandate in respect of providing access to justice and legal representation. Because there was ongoing litigation during this period on the Muslim Marriages case as well as the Bwanya case dealing with the recognition of domestic partnerships, there was an increase in queries from womxn finding themselves in similar positions. This highlighted both the need for law reform and the importance of our work in this area.



04 | SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS

Accessing health care can be a complex and confusing task for womxn which impacts their ability to make informed and autonomous decisions about their health. There are also very few accountability mechanisms within the state health care system. This was particularly true during 2020.

We take cases that promote and protect womxn’s rights to make choices about their own reproductive health and litigate to ensure that womxn have access to reproductive health care.

OUR CORE OBJECTIVES ARE:

- 01 | To ensure womxn have access to information and services to make informed decisions in relation to their sexual and reproductive health and rights.
- 02 | To hold the state and private entities accountable for the implementation of sexual and reproductive health rights.
- 03 | To challenge all discriminatory laws, policies, and practices, which interfere with womxn’s rights to autonomous decision-making around issues of sexuality and reproduction.
- 04 | To engage with strategic partners to promote and create awareness of womxn’s right to make autonomous decisions in relation to SRHR.



2020 KEY ACHIEVEMENTS

The Global Gag Rule: The SRHR teams ran an education and information campaign on the Global Gag Rule in September and October 2020 advising womxn and womxn's rights organisations of the impact of the US government's foreign policy on funding of womxn's access to termination of pregnancy and other health care services. The online booklet was published on the WLC website, and an animated video was shared on the WLC YouTube, Facebook and Instagram. The WLC also hosted a web-based roundtable on the Global Gag Rule.

Drawing attention to womxn's access to Sexual and Reproductive Healthcare during COVID-19: Less than a month into the hard lockdown, the WLC together with other organisations wrote to the Minister of Health to highlight the importance of womxn's access to reproductive healthcare. In a letter sent to the Minister in April 2020, the WLC ensured that the Minister was reminded of his duty to ensure that womxn had access to clinics and designated facilities for termination of pregnancy services. Our communication with the Minister emphasised the duty of the state to ensure that sexual and reproductive health services including access to abortion were included in the definition of essential medical services; that primary healthcare services included access to SRH services across all provinces; that all those who needed chronic medication would be able to access it through the provision of a six-month supply; and that guidelines be put in place to ensure that marginalised persons would be protected when they approached facilities for Sexual and Reproductive Healthcare services.

Forced sterilisations: In 2020 the WLC continued its work to ensure that womxn who were sterilised against their will/without consent were able to report the violations of their rights to the Commission for Gender Equality (CGE). We supported the CGE's investigation, and in February 2020 the CGE launched its report, in which they found that HIV/AIDS positive womxn were sterilised without their consent and knowledge in certain state hospitals. Through this report, womxn's rights to their bodies in decision making in relation thereto has been recognised paving the way for them to take further steps. Following the release of the report, the Women's Legal Centre was approached by individual womxn and an organisation, Her Rights Initiative (HRI), for legal advice and assistance in holding the State accountable for the practice of forced/coerced sterilisation and to strengthen the current legal regime to ensure the practice does not continue in future. On 15 and 16 November 2020, WLC attended and presented at a two-day meeting hosted by HRI to discuss and strategize on the issue of forced/coerced sterilisation, together with other stakeholders working on the issue. Following this meeting, WLC was approached by HRI to assist with following up with the CGE and Department on its efforts to address forced/coerced sterilisation in South Africa. Together with the efforts engaging with the CGE and the Department, the strategy adopted by WLC also works to ensure that womxn who have come forward with complaints of forced/coerced sterilisation since the release of the report are included in the Departmental and CGE processes.

Pregnancy, birth and adoption rights: On 14 December 2020, the WLC launched an application in the Johannesburg High Court on behalf of two womxn, challenging the Department of Social Development's conduct in informing or attempting to inform their parents of the pregnancy, birth and pending adoption of their respective children against their express wishes to keep such private and confidential. WLC argued that this conduct violated their rights to privacy, dignity and bodily and psychological integrity. The application also seeks to review and set aside the Guidelines on National Adoptions produced by the Department and on which the departmental social workers relied to breach the rights to privacy, dignity and bodily and psychological integrity of our clients. The conduct of the Department's social workers and the Guidelines negatively impact on the rights of birth mothers to make free and informed choices concerning their reproduction, which includes an option to place their child up for adoption according to conditions of privacy and confidentiality. The matter is still in the phase of exchanging pleadings, after which securing a date for the hearing will follow. We extend our thanks to Advocates Melanie Feinstein; Nyoko Muvangua; and Nikki Stein.

Submissions: We made submissions to Parliament on the **Children's Act Amendment Bill** to ensure that womxn's rights in reproduction and adoption are respected and protected, that child marriage is addressed in South Africa, and to ensure that intersex children are not subjected to harmful medical intervention.



05 | THE RIGHT TO BE FREE FROM VIOLENCE

Violence against womxn in South Africa continues with impunity. To date, the response from the government to sexual and domestic violence has been reactive, despite their constitutional responsibility to ensure that all South Africans live free from violence.

The most recent crime statistics (2019/20) show that 53,293 sexual offences were reported during that period. Bearing in mind significant under-reporting and the gendered nature of these crimes, it is clear to the WLC that violence against womxn occurs at epidemic levels. This must be addressed.

OUR CORE OBJECTIVES ARE:

- 01 | To ensure that there is a legislative framework to address violence against womxn that is compliant with international and constitutional obligations.
- 02 | To ensure that the state has implementation plans in place to action legal frameworks and policies.
- 03 | To hold the state and private entities accountable for the implementation of laws and policies, and for the development of due diligence standards relating to violence against womxn.
- 04 | To engage with strategic partners to promote and create awareness of womxn's rights to make autonomous decisions in the context of violence.



2020 KEY ACHIEVEMENTS

- **Qwelane v SAHRC (WLC amicus curiae):** In 2008, the Sunday Sun published a grossly offensive article by Qwelane titled “Call me names – but gay is not okay”. The WLC intervened as amicus in the Constitutional Court matter relating to the constitutionality of Section 10 of PEPUDA and the impact of misogynistic speech on womxn and the justifiable limitations on the right to freedom of expression. The matter was heard in September 2020. We are awaiting judgment and thank Advocate Frances Hobden for her representation.
- **UCT Rape Survivor:** The WLC represented a womxn student in a disciplinary tribunal who was the complainant against another student in a rape matter. WLC successfully argued for and established the right of a complainant in a sexual offences matter before a Student Tribunal to independent legal representation for the duration of the case. WLC is continuing to represent the complainant to protect her specific rights in the Tribunal hearings.
- **Public naming of perpetrators:** Womxn are being silenced through the legal system to not publicly speak about violence perpetrated against them. The WLC has been representing womxn to defend their rights to speak. In Cape Town, a womxn who was sexually violated spoke about it on social media, naming the perpetrator. A final protection order in terms of the Protection from Harassment Act was granted in favour of the alleged perpetrator, forbidding the womxn to speak about the violence (WLC represented her during the application hearing). WLC has appealed the finding. In Johannesburg, a similar case was heard and we are awaiting judgment which has been set down for March 2021. We extend gratitude to Advocates Chandre Brown, Bonita Meyersfeld and Thabang Poee.
- **City of Cape Town v SAHRC (WLC amicus curiae):** The case focussed on the need to ensure safety and security of womxn during the period of national disaster who were placed in temporary shelters for homeless people established in terms of the Disaster Management Act. The WLC intervened as amicus curiae in the matter, highlighting the issues of violence facing womxn at the temporary Strandfontein shelter set up for homeless people. The WLC highlighted the need for the City of Cape Town to have a detailed plan to address the specific needs of womxn in these camps, specifically in relation to the risk of violence. WLC specifically brought the court’s attention to the experiences of womxn who have been subjected to sexual violence in the shelter. Advocate Nobahle Mancu Lockwood assisted us in representing the interest of womxn in this matter.

AR v AB and others: In December 2020 WLC launched the AR v AB (and the Minister of Justice) case in the Durban High Court. WLC is representing the plaintiff who was gang-raped 40 years ago. We are challenging the constitutional validity of sections 10, 11 and 12 of the Prescription Act (as amended) i.e., civil prescription of sexual offences cases to the extent that they apply to debts based on the commission of an alleged sexual offence. Our thanks to Advocate Frances Hobden for all her efforts and guidance.

Building strong networks for legislative reform: WLC also continues to be a part of the Shukumisa Coalition – a coalition of over 60 organisations who work in the field of sexual violence – which is monitoring the implementation of the sections of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, as well as the implementation of the roll-out of Sexual Offences Courts. The WLC is involved in the Law and Policy Group, providing legal advice to partners, and advising and providing guidance on submissions on legislative and policy amendments.

Submissions: The WLC made a number of submissions related to the right to be free from violence. These included:

- **The Victim Support Services Bill** was introduced by the Department of Social Development to help strengthen the services that survivors of violence are entitled to. The Bill also intends to ensure that the Department is held accountable as the duty bearer to ensure funding of service provider organisations. Our submissions focussed on clarifying and improving the wording and definitions contained in certain sections, highlighting opportunities for improving the scope of the Bill, in order to ensure that victims' rights and the support available to them are clearly defined.
- **The Criminal Matters (Sexual Offences and Related Matters) Amendment Act:** Work on the Act focussed specifically on the Ministerial designation of sexual offences courts in terms of section 55A of the Act. Many of the submissions made by the WLC were included in the amended Act and its Regulations.
- **The Prescription in Civil and Criminal Matters (Sexual Offences) Amendment Bill (B22-2019).** The WLC made both written and oral submissions to the Portfolio Committee on Justice and Correctional Services as well as the NCOP Select Committee on Security and Justice. WLC's recommended drafts of certain sections were adopted and included in the Bill by both Committees. The Bill in its current form should be passed in 2021 and will provide much needed relief to victims who were sexually offended against more than 20 years ago.
- **The 3 Department of Justice 'GBV' (Gender Based Violence) Bills:** The WLC made extensive submissions related to amendments to the Domestic Violence Act, the Criminal Law (Sexual Offences and Related Matters) Amendment Act and the Criminal Procedure Act. All three Bills were introduced into parliament in 2020 whereafter the Portfolio Committee on Justice and Correctional Services held public hearings on the Bills. WLC made both written and oral submissions to the Committee on the three Bills. WLC will continue to participate in the parliamentary process in 2021.



WOZA WOMEN IN LAW AWARDS

In 2020 our Director, Seehaam Samaai, won two prestigious Woza Women in Law Awards. The COVID-19 Legal Philanthropist Award and the Gender-Based Violence Champion Award were awarded to Seehaam in recognition of the important role she played in protecting womxn's rights during the global pandemic. The annual Woza Women in Law awards celebrate outstanding achievements of womxn in the legal field.

LEGAL ADVICE UNIT

The 2020 period was dominated by the impact of COVID-19 and the measures taken to address it.



DURING THE HEIGHT OF THE LOCKDOWN, WITH RESTRICTIONS IN PLACE, WE SAW AN INCREASE IN QUERIES RELATED TO ACCESS TO COURTS, ESPECIALLY IN RELATION TO FAMILY LAW-RELATED MATTERS SUCH AS DIVORCE AND MAINTENANCE.

During the lockdown we also recorded an increase in queries related to housing and rental housing matters as many people were unable to pay rent. WLC engaged with Legal Aid South Africa to ensure that they were meeting their mandate in respect of providing access to justice and legal representation.

DUTY QUERIES

NATURE OF QUERIES	TOTAL
General	93
LR: Access for housing	2
LR: Evictions	12
LR: Other	20
RR: Custody	20
RR: Divorce	86
RR: Domestic partnership	3
RR: Maintenance (child)	47
RR: Maintenance (spousal)	18
RR: Other	69
Equality in Relationships	15
SRHR: Other	1
VAW: Domestic violence	42
VAW: Harassment	15
VAW: Other	36
VAW: Rape	3
VAW: Sexual assault	7
VWR: Other	18
VWR: Sexual harassment	10
Total	670



HUMAN RIGHTS DEFENDERS

Our efforts to work more closely with womxn at community level was formalised as we sought to prioritize strengthening grassroots community human rights defenders' voices.

In 2020, we established the Human Rights Defenders under the auspices of the section 11 Committee of the South African Human Rights Commission.

During lockdown, the Human Rights Defenders programme commenced, and regular online meetings were held. Twenty womxn community activists were identified and trained. A dedicated attorney and coordinator, Donna Fortuin, was appointed to support the Legal Advice Unit and the work of the defenders.

Submissions were made on behalf of the defenders to the government via the Portfolio Committee on Police and engagements with the Western Cape Provincial Department of Social Development relating to food security and violence perpetrated by SAPS during lockdown. The Defenders also faced persecution by community persons, South African Police Services, and politicians and WLC provided legal support to the defenders and legal representations in criminal and civil matters. The WLC provided legal support and representation to the defenders in criminal and civil matters related to alleged defamation, crimen injuria, public violence and other issues. A full training programme was developed in November 2020 to take forward into the new year and a new attorney will be hired in 2021.

TRANSFORMING THE LEGAL PROFESSION



DEVELOPING YOUNG WOMXN LAWYERS IN THE SECTOR

To ensure the growth in the legal professional pool of those who practice feminist jurisprudence and to promote the sensitivity of the legal profession to the specific needs of womxn, WLC appoints interns, candidate attorneys and young law researchers. The WLC also gave lectures and talks during orientation at various universities in early 2020.

CANDIDATE ATTORNEYS:

In 2020, we employed two candidate attorneys – Lulama Shongwe and Qiqa Nkomo – who undertook training in feminist litigation. During 2020 they attended Magistrates' Courts matters under the supervision of a senior attorney and have undertaken the required training programme hosted by the Law Society of South Africa.



LULAMA SHONGWE



QIQA NKOMO



“Aside from the fact that the interns help us with much-needed research – it allows us to share how we work at the Women’s Legal Centre, and what feminist litigation is about. It’s about building feminist jurisprudence & organising in a feminist way. We also give them training on social justice work within our environment. So, whilst they provide much-needed support, the internship programme is a much bigger goal for us.”

– **Seehaam Samaai, Director of the WLC**



TRANSFORMING THE LEGAL PROFESSION

The WLC is dedicated to the transformation of the legal system from one based on patriarchy and systemic discrimination to one which is based on achieving substantive equality.

- **To achieve this goal, we ensure that our briefing practices promote feminist jurisprudence.** During this period, we ensured that we briefed 16 womxn counsel at different bars across the country. It was important for us to build and co-create feminist jurisprudence and legal strategies with womxn counsel to ensure that the face of the advocates who appear before our Courts to argue matters are representative of the cases and matters before the Court. We have valued the skills transfer in the process and are indebted to the wonderful and inspiring female advocates who have co-created with us.
- **The WLC continuously engages with the organised profession** [i.e., Legal Practice Council, Law Society of South Africa, National Association of Democratic Lawyers (NADEL), South African Women Lawyers Association, Black Lawyers Association and Pan African Bar Association of South Africa (PABASA)] to ensure that the legal sector (public and private) is gender sensitive in its responses to upholding and protecting womxn's rights.
- **Throughout 2020 there were continuous engagements on matters related to the profession and access to justice for womxn.** In particular we raised the need for legal practitioners who provided services to marginalised communities to be designated as essential workers during level 5 of the hard lockdown with the Department of Justice and Constitutional Development.

MEDIA AND COMMUNICATIONS

During 2020, in a world that was required to go online, the WLC amplified its efforts at communicating with the media and the public to ensure that all womxn could access information about their right to justice and the work of the WLC.



IN MARCH 2020, THE WLC APPOINTED FORTALEZA AGENCY TO FULFIL THE ROLE OF COMMUNICATIONS AND MEDIA DURING THIS DIFFICULT YEAR.

With the lockdown, the demand for information from the WLC increased. Our Facebook following increased by 70% from April 2020 to December 2020, and our other social media platforms all increased in following.



In August 2020, the WLC created a new YouTube channel in order to share more content with our clients, donors and the broader public.

The WLC regularly issued media statements during 2020, putting out a total of 22 media statements about womxn's rights and our work. We were cited in 31 media articles across a range of publications and were interviewed in seven television interviews, reaching a huge audience.

WE WERE VERY GRATEFUL TO RU DU TOIT AND FORTALEZA AGENCY FOR THEIR SUPPORT DURING 2020.

Looking to 2021 the WLC plans to hire a full-time in-house Communications and Media officer and will work towards developing a long-term communications strategy in line with our 2021 five-year Strategic Plan.



RU DU TOIT



SEEHAAM SAMAAI

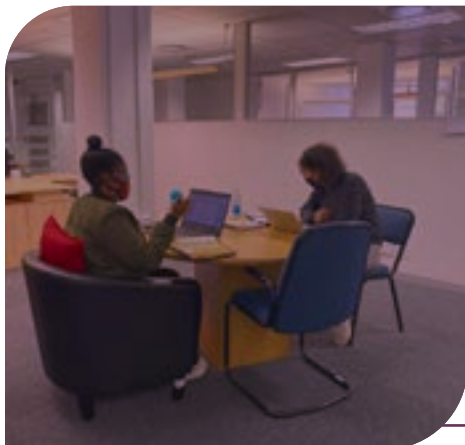
OUR DIRECTOR ALSO TOOK UP A REGULAR RADIO SLOT ON THE VOICE OF THE CAPE RADIO STATION

on a range of topics including justice in the context of COVID-19 and the lockdown, and the recognition of Muslim marriages and progress in terms of legal action in that regard.

IN APRIL 2020, THE WLC ALSO BEGAN A REBRANDING EXERCISE TO UPDATE OUR CORPORATE IDENTITY AND BRAND.

Our logo was redesigned using an active dark blue to signify the modern and active nature of our organisation, and the trustworthiness we want to portray. Our final new corporate image pack was revealed in October last year and we love it!





OUR NEW OFFICE SPACE

In July 2020, the WLC leased a new office space after many years at our old address. COVID-19 frustrated our ability to move to our new home, but in October 2020 when COVID-19 infection levels were lower, the WLC moved to our new office space. We are now on the 2nd Floor of 5 St George's Mall. By the end of 2020, we were running a hybrid office where some staff were office-based, and some staff worked from home. This will be the status quo until it is safe for us all to return.

VIRTUAL WORKSHOPS, WEBINARS AND DISCUSSIONS

The WLC adapted to the conditions of the lockdown by hosting and participating in a series of workshops and webinars online to ensure that the womxn of South Africa had access to information about their rights during this time.

MAY 2020

In partnership with the Asijiki Coalition, Sonke Gender Justice, the Sex Workers Education and Advocacy Taskforce and Sisonke, the WLC co-hosted a webinar on the effects of COVID-19 and the lockdown on sex workers as well as the status of sex work in South Africa. The WLC also participated in Asijiki's follow up to this webinar in July 2020 which focussed on the rights of sex workers in the time of COVID-19 and new ways to move towards decriminalisation.

JUNE 2020

The issue of food insecurity reared its ugly head very early on in the fight against the novel coronavirus, as many governments across the globe began shutting down or locking down their respective countries, halting not only economic and leisure activities but also having a deep impact on social welfare services.

In the Western Cape, womxn in community-based organisations took it upon themselves to fill the gap that a nationwide lockdown created when informal economy workers, older persons, persons living with disabilities, children and other vulnerable groups were rendered no longer able to make a living or access the social welfare that would usually be available to them if it had not been that we are living through a global pandemic.

In June 2020, the WLC hosted a webinar on food security during COVID-19. It recognised that the global COVID-19 pandemic not only exposed the inequality always present in our society, but also exacerbates the lived realities of womxn.

Furthermore, it amplified the voices of these womxn on the ground & highlighted the work that grassroots activists do by providing humanitarian aid via food assistance.



JULY 2020

- The WLC hosted a webinar on international mechanisms and their relevance to South African communities which explored the role and purpose of international law and how mechanisms set up at the United Nations and the African Commission on Human and People's Rights are important and relevant to everyday life. The session focussed on the Convention on the Elimination of Discrimination Against Women.
- We also hosted a webinar on womxn working on the frontline during COVID-19, focussing on the disproportionate impact of the COVID-19 lockdown on poor and marginalised womxn workers, in particular womxn of colour, including on their income and social wellbeing. Panellists included Myrtle Witbooi (South African Domestic Service and Allied Workers Union), Marion Stevens (Sexual and Reproductive Justice Coalition), Roseline Engelbrecht (Women on Farms Project) and Puseletso Emmarencia Nomshado Lebanya (Simunye Workers Forum and Casual Workers Advice Office).



AUGUST 2020

- The WLC, in partnership with the Legal Resources Centre, hosted a series of online training workshops on the Global Gag Rule (GGR), training organisations that worked with womxn, worked on sexual and reproductive health rights, and those that were receiving GGR funding or were considering applying for it.
- The WLC also participated in the HF Oppenheimer Chair in Human Rights Law and the Transformation Committee of the Stellenbosch University Law faculty's webinar in celebration of Women's Month, with a focus on the topic 'Gender-based violence is a human rights violation.'

SEPTEMBER 2020

- The WLC participated in the Gauteng Provincial Legislature Committee on Cooperative Governance and Traditional Affairs panel discussion on the Recognition of Customary Marriages Bill. The panel discussion focussed on the legal, socio-economic, cultural, legislative and human rights perspectives of the proposed Bill.
- The WLC participated in a conversation with the Stellenbosch University Moot society on the topic of litigation and gender-based violence.
- The WLC, in partnership with South African Women in Dialogue, the Law Society of South Africa, The Black Lawyers Association, the National Association of Democratic Lawyers and Legal Aid South Africa, the South African Women Lawyers Association, The Department of Justice and Constitutional Development, and Sister In Law co-hosted a broad advocacy, awareness and information campaign in the form of a webinar on Testate and Intestate succession.



OCTOBER 2020

- During National Wills Week the WLC hosted four virtual sessions on Wills and Estates.
- The WLC engaged in a panel discussion on confronting misogyny in communities and institutions via the Al-Ikhlaas Academia Library and Resources Centre.
- The WLC participated in a Cornerstone Institute dialogue on the topic of 'Activism: then and now' – an intergenerational discussion exploring the act of activism, and how it's changed over the years, from physical movement to social media.
- The WLC participated in the 2nd annual Women of Waqf virtual conference where the issue of Gender-based violence in South Africa was addressed.
- The WLC participated in an Amnesty International UCT discussion on the rights of Muslim womxn in South Africa.

NOVEMBER 2020

The WLC participated in a panel session on responding to hatred and promoting tolerance amidst growing diversity hosted by the Human Rights Centre of the University of Essex.

DECEMBER 2020

- The WLC participated in a Ford Foundation-hosted conversation on What it means to be a Black Womxn Leader in the GBV space.
- The WLC participated in a livestream from the Claremont Main Road Masjid focussed on the topic of 'a victim-centred approach to sexual violence.'

THEORY OF CHANGE

IMPACT

Substantive equality for womxn through a Feminist African and Intersectional Lens

LONG TERM OUTCOME

Womxn's rights are recognised, protected and realised through a Feminist, African and Intersectional lens.

Access to supportive systems and services responsive to needs of womxn impacted by violence.

INTERMEDIATE OUTCOMES

01

Changes to legal frameworks, laws, strategies, policies, norms and standards for implementation so that they are compliant with international and constitutional obligations and are gender-sensitive.

02

Womxn's voices are being heard at home, in communities and within private and public spaces to ensure that their lived realities are taken into account.

03

Public and private institutions are gender-sensitive in their responses to upholding and protecting womxn's rights.

04

Systemic problems with regards to substantive equality for womxn are being continuously identified and strategies to address them are being developed by government.

05

Growth in the legal professional pool of those who practice feminist jurisprudence, and growth in sensitivity in the legal profession to specific needs of womxn.

INTERVENTION/ACTIVITIES

Advocate for changes to legal frameworks and strategies, inclusive of policies and standards for implementation:

01

Strategic litigation:
Direct legal representation;
Class action;
Amicus.

02

Activist Lawyering and Coalition / Movement building
to advance the rights of womxn.

03

Legal Advocacy:
Influencing relevant stakeholders or legislative and policy processes through a feminist lens.

04

Legal advice and Support:
Identifying the systemic discriminatory practices.

05

Monitoring and Evaluation.

06

Training, Research and Education.

Build/Establish case: law institute legal proceedings, activist lawyering, amicus applications, representations, petitions, giving advice to coalitions, stakeholders, movements.

Womxn's lived realities and situations are reflected in WLC litigation which challenge laws and policy which are presented as gender neutral (feminist jurisprudence).

Improve and/or change response (behaviour) of public & private institutions in upholding and protecting womxn's rights, eg through submissions/lobbying, movement building, supporting networks, influence religious leaders.

Improved monitoring of the implementation of gender laws.

REST IN POWER



”

Donna only joined our team in October 2020, but in the short time that we had the privilege of working with her she made a huge positive difference to the way our Legal Advice Unit was run.

She oversaw the paralegals at Legal Aid SA and had a strong commitment to the development of advice office and the recognition of community-based paralegals. Donna worked directly with community-based advice offices in the Western Cape.

Donna only joined our team in October 2020, but in the short time that we had the privilege of working with her she made a huge positive difference to the way our Legal Advice Unit was run. Donna contracted COVID-19 in December 2020 and passed away on 6 January 2021. She lived and fought bravely, and her legacy will live on in all she touched.

Donna Fortuin was a valued member of the WLC team, who made a huge impact in her short time with us.

Donna joined the WLC in October 2020 and we remain grateful to have had the opportunity to work with her and to benefit from her vast knowledge, expertise and her kindness.

In 2004, Donna started her articles with Legal Aid SA and has been in the social justice arena since. Her area of expertise was Family Law, which she was extremely passionate about. In her work, she always focused on access to justice and how that impacted the most vulnerable members of society.

Donna worked for the Legal Aid Clinic at UWC, where she was a clinician and taught students the practice of law and developed a deep understanding of social justice in her students.

Because of her expertise in family law, she was recruited by the Office of the Family Advocate in the Western Cape where she was a Family Advocate for three years.

In 2014 she was appointed as a senior legal attorney within the Civil department of Legal Aid SA and was tasked with civil litigation, advocacy and community training.

OUR TEAM



SEEHAAM SAMAAI

Director of the
Women's Legal Centre

LEGAL STAFF



BRONWYN PITHEY

Advocate



CHARLENE MAY

Attorney



NASREEN SOLOMONS

Attorney



CHRISCY BLOUWS

Attorney



DONNA FORTUIN

Attorney

Passed away in January 2021 due to COVID-19



MANDI MUDARIKWA

Attorney

Joined October 2020



BUSIWE NKOLOZA

Legal Advisor



SHEILA MATROOS

Legal Advisor



HARSHA GIHWALA

Candidate Attorney
until April 2020



LULAMA SHONGWE

Candidate Attorney
from January 2020



QIQA NKOMO

Candidate Attorney
from January 2020

SUPPORT STAFF



ARETHA LOUW
Litigation Secretary



ANNETTE BROOKS
Bookkeeper



RUTH DAVIS
Office Administrator

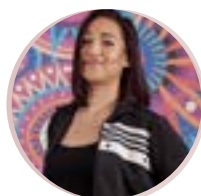


ESTELLE MALGAS
Office Assistant



NWABISA NTSHIBELO
Reception

COMMUNICATIONS



RU DU TOIT
Fortaleza: since March 2020

BOARD OF TRUSTEES

until 5 December 2020



NOZIZWE VUNDLA
Chairperson



**NICOLE
FRITZ**



**NASREEN
RAJAB-BUDLENDER**



**PENELOPE
PARENZEE**

NEW TRUSTEES *as of 5 December 2020*



THULISILE MHLUNGU
Chairperson



BUHLE LEKOKOTLA



PUMLA DINEO GQOLA



NOXOLO MADUBA-SILEVU



DEIRDRE SMYTHE



ANIEKA GAMIET



REBECCA HLABATAU



SIPHOKAZI MTHATHI



THE WLC WOULD LIKE TO THANK OUR FUNDERS AND DONORS FOR THEIR FLEXIBILITY AND SUPPORT DURING COVID-19.

FUNDERS AND DONORS

- African Women's Development Fund
- Centre for Health Change
- Comic Relief
- Ford Foundation
- Foundation for Human Rights
- Heinrich Böll Stiftung
- Legal Aid South Africa
- Luminate
- Open Society Foundation for South Africa
- Africa
- RAITH Foundation
- Safe Abortion Action Fund
- The Constitutionalism Fund
- Wallace Foundation

DONATIONS / PROCEEDS SPONSORSHIPS

- Solidarity Fund

INDIVIDUAL DONATIONS

- Alison Tshangan
- Dr Schimanek
- F Gardee
- G Blumberg
- Koni Benson



WOMEN'S LEGAL CENTRE

WOMEN'S LEGAL CENTRE TRUST

ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2020

(REGISTRATION NUMBER IT 3486/98)



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WOMEN'S LEGAL CENTRE

Women's Legal Centre Trust

(Registration Number IT 3486/98)

Annual Financial Statements

for the year ended 31 December 2020

Audited Financial Statements

Professional designation: CA (SA)

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Women's Legal Centre Trust

(Registration Number IT 3486/98)

Annual Financial Statements for the year ended 31 December 2020

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Women's Legal Centre Trust

(Registration Number IT 3486/98)

Annual Financial Statements for the year ended 31 December 2020

General Information

Country of Incorporation and Domicile	South Africa
Registration Number	IT 3486/98
Nature of Business and Principal Activities	The trust has its main object to advance women's rights by conducting constitutional litigation and advocacy on gender issues.
Trustees	<p>S. Mthathi (Appointed 22 April 2021)</p> <p>B. Lekokotla (Appointed 22 April 2021)</p> <p>A. Gamiet (Appointed 22 April 2021)</p> <p>D Smythe (Appointed 22 April 2021)</p> <p>P Gqola (Appointed 22 April 2021)</p> <p>T Mhlungu (Chairperson) (Appointed 22 April 2021)</p> <p>N.Rajab-Budlender (Chairperson) (Resigned 4 December 2020)</p> <p>P. Parenzee (Resigned 15 December 2020)</p> <p>N. Fritz (Resigned 8 December 2020)</p> <p>N. Vundla (Resigned 12 January 2021)</p>
Director	S. Samaai
Registered Office	<p>5 St Georges</p> <p>St Georges Mall</p> <p>Cape Town</p> <p>8000</p>
Business Address	<p>5 St Georges</p> <p>St Georges Mall</p> <p>Cape Town</p> <p>8000</p>
Postal Address	<p>5 St Georges</p> <p>St Georges Mall</p> <p>Cape Town</p> <p>8000</p>
Bankers	Standard Bank
SARS Reference Number	930007242
PBO and Section 18A Tax number	
Independent Auditor	<p>Solace and Associates Incorporated</p> <p>14 Franz Square</p> <p>Allenby Estate</p> <p>Retreat</p> <p>7945</p>

Women's Legal Centre Trust

(Registration Number IT 3486/98)

Annual Financial Statements for the year ended 31 December 2020

Trustees' Responsibilities and Approval

The trustees are required to maintain adequate accounting records and are responsible for the content and integrity of the annual financial statements and related financial information included in this report. It is their responsibility to ensure that the annual financial statements satisfy the financial reporting standards with regards to form and content and present fairly the statement of financial position, results of operations and business of the trust, and explain the transactions and financial position of the business of the trust at the end of the financial year. The annual financial statements are based upon appropriate accounting policies consistently applied throughout the trust and supported by reasonable and prudent judgements and estimates.

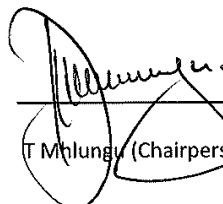
The trustees acknowledge that they are ultimately responsible for the system of internal financial control established by the trust and place considerable importance on maintaining a strong control environment. To enable the trustees to meet these responsibilities, the trustees set standards for internal control aimed at reducing the risk of error or loss in a cost effective manner. The standards include the proper delegation of responsibilities within a clearly defined framework, effective accounting procedures and adequate segregation of duties to ensure an acceptable level of risk. These controls are monitored throughout the trust and all employees are required to maintain the highest ethical standards in ensuring the trust's business is conducted in a manner that in all reasonable circumstances is above reproach.

The focus of risk management in the trust is on identifying, assessing, managing and monitoring all known forms of risk across the trust. While operating risk cannot be fully eliminated, the trust endeavours to minimise it by ensuring that appropriate infrastructure, controls, systems and ethical behaviour are applied and managed within predetermined procedures and constraints.

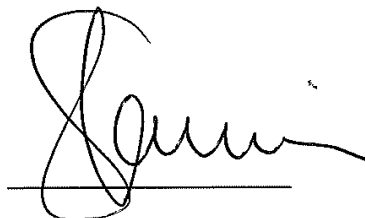
The trustees are of the opinion, based on the information and explanations given by management, that the system of internal control provides reasonable assurance that the financial records may be relied on for the preparation of the annual financial statements. However, any system of internal financial control can provide only reasonable, and not absolute, assurance against material misstatement or loss. The going-concern basis has been adopted in preparing the financial statements. Based on forecasts and available cash resources the trustees have no reason to believe that the trust will not be a going concern in the foreseeable future. The financial statements support the viability of the trust.

The annual financial statements have been audited by the independent auditing firm, Solace and Associates Incorporated, who have been given unrestricted access to all financial records and related data, including minutes of all meetings of the beneficiary, the trustees and committees of the trustees. The trustees believe that all representations made to the independent auditor during the audit were valid and appropriate. The external auditor's unqualified audit report is presented on pages 6 to 7.

The annual financial statements set out on pages 8 to 18, and the supplementary information set out on page 19 which have been prepared on the going concern basis, were approved by the trustees and were signed on 19 August 2021 on their behalf by:



T Mhlungu (Chairperson)



S Samaai (Director)



Women's Legal Centre Trust

(Registration Number IT 3486/98)

Annual Financial Statements for the year ended 31 December 2020

Trustees' Report

The trustees present their report for the year ended 31 December 2020.

1. Review of activities

Main business and operations

The trust has its main object to advance women's rights by conducting constitutional litigation and advocacy on gender issues. There were no major changes herein during the year.

The operating results and statement of financial position of the trust are fully set out in the attached financial statements and do not in our opinion require any further comment.

2. Objective of the trust

The primary object of the trust is to advance women's rights by conducting constitutional litigation and advocacy on gender issues.

3. Going concern

The annual financial statements have been prepared on the basis of accounting policies applicable to a going concern. This basis presumes that funds will be available to finance future operations and that the realisation of assets and settlement of liabilities, contingent obligations and commitments will occur in the ordinary course of business.

Since 31 December 2019, the spread of the COVID-19 virus has severely impacted most economies around the globe. In many countries, businesses are being forced to cease or limit operations for long or indefinite periods of time. Measures taken to contain the spread of the virus, including travel bans, quarantines, social distancing and closures of non-essential services have triggered significant disruptions to businesses worldwide, resulting in an economic lockdown. The trust is dependent on grants and donations for its continued existence. Despite the change in the economic environment, the trust has been assured of the continued support of its funders, especially as the purpose for its existence still remains very relevant.

The trustees therefore believe that the trust has adequate financial resources to continue in operation for the foreseeable future and accordingly the annual financial statements have been prepared on a going concern basis.

4. Events after reporting date

All events subsequent to the date of the annual financial statements and for which the applicable financial reporting framework requires adjustment or disclosure have been adjusted or disclosed.

The trustees are not aware of any matter or circumstance arising since the end of the financial year to the date of this report that could have a material effect on the financial position of the trust.



Women's Legal Centre Trust

(Registration Number IT 3486/98)

Annual Financial Statements for the year ended 31 December 2020

Trustees' Report

5. Trustees

The trustees of the trust during the year and up to the date of this report are as follows:

S. Mthathi (Appointed 22 April 2021)

B. Lekokotla (Appointed 22 April 2021)

A. Gamiet (Appointed 22 April 2021)

D Smythe (Appointed 22 April 2021)

P Gqola (Appointed 22 April 2021)

T Mhlungu (Chairperson) (Appointed 22 April 2021)

N.Rajab-Budlender (Chairperson) (Resigned 4 December 2020)

P. Parenzee (Resigned 15 December 2020)

N. Fritz (Resigned 8 December 2020)

N. Vundla (Resigned 12 January 2021)

6. Independent Auditors

Solace and Associates Incorporated were the independent auditors for the year under review.



**SOLACE**

AUDIT | ACCOUNTING | CONSULTING

Bringing you peace of mind...

Solace & Associates Incorporated
Registered Auditors (Practice number: 930780)
Chartered Accountants (S.A)

14 Franz Square, Allenby Estate, Retreat 7945

+27 (0)21 702 2238

+27 (0)21 702 2238

Independent Auditor's Report

To the Trustees of Women's Legal Centre Trust

Opinion

We have audited the financial statements of Women's Legal Centre Trust set out on pages 8 to 18, which comprise the statement of financial position as at 31 December 2020, and the statement of comprehensive income, the statement of changes in trust funds and the statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements of Women's Legal Centre Trust for the year ended 31 December 2020 are prepared, in all material respects, in accordance with the basis of accounting described in note 2 to the financial statements.

Basis for Opinion

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the trust in accordance with the Independent Regulatory Board for Auditors' Code of Professional Conduct for Registered Auditors (IRBA Code) and other independence requirements applicable to performing audits of financial statements in South Africa. We have fulfilled our other ethical responsibilities in accordance with the IRBA Code and in accordance with other ethical requirements applicable to performing audits in South Africa. The IRBA Code is consistent with the corresponding sections of the International Ethics Standards Board for Accountants' International Code of Ethics for Professional Accountants (including International Independence Standards). We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter – Basis of Accounting

We draw attention to note 2 to the financial statements, which describes the basis of accounting. The financial statements are prepared in accordance with the trust's own accounting policies to satisfy the financial information needs of the trust's beneficiary. As a result, the financial statements may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Other Information

The trustees are responsible for the other information. The other information comprises the information included in the Trustees' Report, and the statement of Trustees' Responsibilities and Approval, which we obtained prior to the date of this report, and the supplementary information set out on page 18. The other information does not include the financial statements and our auditor's report thereon.

Our opinion on the financial statements does not cover the other information and we do not express an audit opinion or any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Responsibilities of the Trustees for the Financial Statements

The trustees are responsible for the preparation of the financial statements in accordance with the basis of accounting described in note 2 to the financial statements, and for such internal control as the trustees determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the trustees are responsible for assessing the trust's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the trustees either intend to liquidate the trust or to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the trust's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the trustees.
- Conclude on the appropriateness of the trustees' use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the trust's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the trust to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

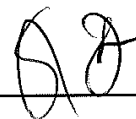
We communicate with the trustees regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Solace and Associates Incorporated

19 August 2021

Per: G Cronje
CA(SA), RA
Chartered Accountant (SA)

14 Franz Square
Allenby Estate
Retreat
7945



Women's Legal Centre Trust

(Registration Number IT 3486/98)

Financial Statements for the year ended 31 December 2020

Statement of Financial Position

Figures in R	Notes	2020	Restated 2019
Assets			
Current assets			
Trade and other receivables	4	723,390	262,753
Investment accounts - on call deposits	5	4,875,255	4,618,051
Cash and cash equivalents	6	2,084,331	3,117,544
Total current assets		7,682,976	7,998,348
Total assets		7,682,976	7,998,348
Reserves and liabilities			
Reserves			
Accumulated surplus	7	4,942,595	4,937,079
Liabilities			
Current liabilities			
Provisions	8	170,247	357,363
Trade and other payables	9	173,863	161,743
Deferred income	10	2,396,271	2,542,163
Total current liabilities		2,740,381	3,061,269
Total reserves and liabilities		7,682,976	7,998,348

Women's Legal Centre Trust

(Registration Number IT 3486/98)

Financial Statements for the year ended 31 December 2020

Statement of Comprehensive Income

Figures in R	Notes	2020	Restated 2019
Revenue	13	13,250,246	9,836,490
Other income	14	9,317	29,739
Administrative expenses	15	(2,419,276)	(1,325,238)
Programme expenses	16	(11,116,623)	(8,165,945)
(Deficit) / surplus from operating activities	17	(276,336)	375,046
Interest received		281,852	339,522
Surplus for the year		5,516	714,568

Women's Legal Centre Trust

(Registration Number IT 3486/98)

Financial Statements for the year ended 31 December 2020

Statement of Changes in Trust Funds

Figures in R	Accumulated surplus	Total
Balance at 1 January 2019	6,765,405	6,765,405
Changes in reserves		
Surplus for the year	714,568	714,568
Total comprehensive income for the year	714,568	714,568
Balance at 31 December 2019	7,479,973	7,479,973
Balance at 1 January 2020 as previously reported	7,479,973	7,479,973
Increase (decrease) due to voluntary changes in accounting policy (refer note 10.2)	(2,542,894)	(2,542,986)
Balance at 1 January 2020 as restated	4,937,079	4,937,079
Changes in reserves		
Surplus for the year	5,516	5,516
Total comprehensive income for the year	5,516	5,516
Balance at 31 December 2020 as restated	4,942,595	4,942,595

Women's Legal Centre Trust

(Registration Number IT 3486/98)

Financial Statements for the year ended 31 December 2020

Statement of Cash Flows

Figures in R

	Note	2020	2019
Cash flows (used in) / from operations			
Surplus for the year		5,516	714,568
Adjustments to reconcile surplus			
Adjustments for finance income		(281,852)	(339,522)
Adjustments for increase in trade accounts receivable		(15,725)	-
Adjustments for increase in other operating receivables		(444,912)	(30,978)
Adjustments for increase in trade accounts payable		1	-
Adjustments for increase in other operating payables		12,119	80,648
Adjustments for decrease in deferred income		(145,892)	-
Adjustments for provisions		(187,116)	23,635
Total adjustments to reconcile surplus		(1,063,377)	(266,217)
Net cash flows (used in) / from operations		(1,057,861)	448,351
Interest received		281,852	339,522
Net cash flows (used in) / from operating activities		(776,009)	787,873
Cash flows used in investing activities			
Purchase of other financial assets		(257,204)	(363,057)
Cash flows used in investing activities		(257,204)	(363,057)
Net (decrease) / increase in cash and cash equivalents		(1,033,213)	424,816
Cash and cash equivalents at beginning of the year		3,117,544	2,692,728
Cash and cash equivalents at end of the year	6	2,084,331	3,117,544

Women's Legal Centre Trust

(Registration Number IT 3486/98)

Financial Statements for the year ended 31 December 2020

Accounting Policies

1. General information

Women's Legal Centre Trust ('the trust') has its main object to advance women's rights by conducting constitutional litigation and advocacy on gender issues.

The trust is registered with the Master of the High Court and domiciled in South Africa. The address of its registered office is 5 St Georges, St Georges Mall, Cape Town, 8000.

2. Basis of preparation and summary of significant accounting policies

The financial statements of Women's Legal Centre Trust have been prepared in accordance with the basis of accounting set out below. The financial statements have been prepared under the historical cost convention. They are presented in South African Rand.

The preparation of financial statements in conformity with basis of accounting described below requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the trust's accounting policies. The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements are disclosed in note 3.

The principal accounting policies applied in the preparation of these annual financial statements are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

2.1 Property, plant and equipment

Property, plant and equipment are written off to the income statement on acquisition date against the funding received for this purpose. A detailed fixed asset register is maintained and is available for inspection.

Gains and losses on disposals are determined by comparing the proceeds with the carrying amount and are recognised within 'other gains / (losses)' in the statement of comprehensive income.

2.2 Financial instruments

Trade and other receivables

Trade receivables are recognised initially at the transaction price. They are subsequently measured at amortised cost using the effective interest method, less provision for impairment. A provision for impairment of trade receivables is established when there is objective evidence that the trust will not be able to collect all amounts due according to the original terms of the receivables.

Trade and other receivables are classified as debt instruments and loan commitments at amortised cost.

Cash and cash equivalents

Cash and cash equivalents includes cash on hand, demand deposits and other short-term highly liquid investments with original maturities of three months or less. Bank overdrafts are shown in current liabilities on the statement of financial position.

Trade and other payables

Trade payables are recognised initially at the transaction price and subsequently measured at amortised cost using the effective interest method.

Women's Legal Centre Trust

(Registration Number IT 3486/98)

Financial Statements for the year ended 31 December 2020

Accounting Policies

Basis of preparation and summary of significant accounting policies continued...

2.3 Leases

Definition

A lease is an agreement whereby the lessor conveys to the lessee in return for a payment or series of payments the right to use an asset for an agreed period of time. A finance lease is a lease that transfers substantially all the risks and rewards incidental to ownership of an asset. Title may or may not eventually be transferred. An operating lease is a lease other than a finance lease.

Classification

A lease is classified as a finance lease when it transfers substantially all the risks and rewards incidental to ownership. A lease is classified as an operating lease when it does not transfer substantially all the risks and rewards incidental to ownership.

2.4 Provisions

Provisions for restructuring costs and legal claims are recognised when: the trust has a present legal or constructive obligation as a result of past events; it is probable that a transfer of economic benefits will be required to settle the obligation; and the amount can be reliably estimated. Restructuring provisions comprise lease termination penalties and employee termination payments. Provisions are not recognised for future operating losses.

Provisions are measured at the present value of the amount expected to be required to settle the obligation using a pre-tax rate that reflects current market assessments of the time value of money and the risks specific to the obligation. The increase in the provision due to passage of time is recognised as interest expense.

2.5 Revenue

Revenue is measured at the fair value of the consideration received or receivable. Revenue is shown net of value-added tax, returns, rebates and discounts.

Revenue from services rendered

When the outcome of a transaction involving the rendering of services can be estimated reliably, revenue associated with the transaction is recognised by reference to the stage of completion of the transaction at the end of the reporting period. The outcome of a transaction can be estimated reliably when all the following conditions are satisfied:

- the amount of revenue can be measured reliably; and
- it is probable that the economic benefits associated with the transaction will flow to the entity; and
- the stage of completion of the transaction at the end of the reporting period can be measured reliably; and
- the costs incurred for the transaction and the costs to complete the transaction can be measured reliably.

When the outcome of transactions involving the rendering of services cannot be estimated reliably, revenue is recognised only to the extent of the expenses recognised that are recoverable.

Revenue from grants and donations

Revenue from donations and grants are recognised when it is receivable. Income from grants is brought to account in the period it relates too. Grant income received where the performance conditions have not been met is therefore excluded from income in the current year and the deferred amount is accounted for as a current liability. All other income is brought into account when received.

Interest income is recognised using the effective interest method.



Women's Legal Centre Trust

(Registration Number IT 3486/98)

Financial Statements for the year ended 31 December 2020

Accounting Policies

3. Critical accounting estimates and judgements

Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances.

Critical accounting estimates and assumptions

The trust makes estimates and assumptions concerning the future. The resulting accounting estimates will, by definition, seldom equal the related actual results. The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year are addressed below.

Women's Legal Centre Trust

(Registration Number IT 3486/98)

Financial Statements for the year ended 31 December 2020

Notes to the Financial Statements

Figures in R

2020

2019

4. Trade and other receivables

Trade and other receivables comprise:

Trade receivables	15,725	-
Deposits	200,265	158,585
Grant due - ELMA	373,273	(439)
Value added tax	134,127	104,607
	<u>723,390</u>	<u>262,753</u>

5. Investment accounts - on call deposits

Investment accounts - on call deposits comprise the following balances

Nedbank private wealth	<u>4,875,255</u>	<u>4,618,051</u>
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6. Cash and cash equivalents

6.1 Cash and cash equivalents included in current assets:

Cash		
Cash on hand	1,142	2,262
Balances with banks	2,083,189	3,115,282
	<u>2,084,331</u>	<u>3,117,544</u>

6.2 Net cash and cash equivalents

Current assets	<u>2,084,331</u>	<u>3,117,544</u>
----------------	------------------	------------------

7. Accumulated surplus

Accumulated surplus

Accumulated surplus at the beginning of the year	4,937,079	4,222,511
Surplus for the year	5,516	714,568
Accumulated surplus at the end of the year	<u>4,942,595</u>	<u>4,937,079</u>

8. Provisions

8.1 Provisions comprise:

Leave provision	<u>170,247</u>	<u>357,363</u>
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Women's Legal Centre Trust

(Registration Number IT 3486/98)

Financial Statements for the year ended 31 December 2020

Notes to the Financial Statements

Figures in R

2020

2019

Provisions continued...

8.2 Provisions for employee benefits

	Leave pay provision	Total
Balance at 1 January 2020	357,363	357,363
Movement for the year	(187,116)	(187,116)
Total changes	(187,116)	(187,116)
Balance at 31 December 2020	170,247	170,247

9. Trade and other payables

Trade and other payables comprise:

Accrued liabilities	153,367	150,125
Credit card	20,496	11,618
Total trade and other payables	173,863	161,743

10. Deferred income

10.1 Deferred income comprise:

African Women's Development Fund	1,877	-
CHANGE	-	185,171
COMIC Relief	-	35,399
Foundation for Human Rights	-	39,675
Legal Aid	-	(14,375)
Luminate	-	132,522
Henrich Bohl Stichtung	-	(107,009)
SAAF	901,358	564,730
Open Society Foundation	897,968	534,161
The Raith Foundation	595,069	549,839
Wallace Foundation	-	622,050
	2,396,271	2,542,163

10.2 Change in deferred income accounting policy

The trust changed its basis for accounting for grants where not all the performance obligations have been met by deferring the unspent funds to the following year. Under the previous treatment the amounts were reflected under reserves instead of showing unspent funds as a liability. The change has been applied retrospectively.

11. Taxation

The organisation is partially exempt from income tax under section 10(1)(cN) as read with section 30 of the Income Tax Act, subject to conditions in the Act. As a result, no provision has been made for taxation in the current year.

Women's Legal Centre Trust

(Registration Number IT 3486/98)

Financial Statements for the year ended 31 December 2020

Notes to the Financial Statements

Figures in R

2020

2019

12. Comparative figures

The comparative figures have been reclassified where considered appropriate.

13. Revenue

Revenue comprises:

Rendering of services	-	22,621
Grants and donations received	13,250,246	9,813,869
African Women's Development Fund	407,380	-
The Elma South Africa Foundation	1,872,472	-
Ford Foundation	3,363,770	1,507,366
Foundation for Human Rights	39,675	47,345
Henrich Bohl Stichtung	248,054	212,641
Open Society Foundation(SA) 03812	1,335,401	1,000,000
Wallace Foundation	1,737,124	1,449,685
RAITH Foundation	1,350,586	1,197,900
Comic Relief	280,055	433,619
Legal Aid	-	50,000
SAAF	195,796	564,730
Luminate	132,522	734,640
Constitutionalism Fund	2,000,000	2,000,000
Centre for Health Change	271,591	604,510
Other donations	15,820	11,433
Total revenue	13,250,246	9,836,490

14. Other income

Other income comprises:

Sundry income	9,317	29,739
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Women's Legal Centre Trust

(Registration Number IT 3486/98)

Financial Statements for the year ended 31 December 2020

Notes to the Financial Statements

Figures in R

2020

2019

15. Administrative expenses

Administrative expenses comprise:

Accounting fees	183,561	115,325
General expenses	5	16,724
Cyber crime loss	64,650	-
Hire - Equipment	193,372	173,913
Auditors remuneration - Fees	42,900	42,500
Bank charges	45,265	39,941
Computer Equipment	256,646	62,347
Insurance	56,019	41,185
Office supplies and cleaning	50,694	30,227
Rental	702,256	709,923
Trustee expenses	91,261	33,824
Relocation and renovation costs	638,067	10,689
Telecommunication	94,580	48,640
Total administrative expenses	2,419,276	1,325,238

16. Programme expenses

Other programme expenses comprise:

Advocacy and stakeholder engagement	370,323	631,452
Employee benefit expenses	7,970,016	6,507,578
Law books and subscriptions	29,645	28,763
Litigation costs	1,037,113	347,091
Media and marketing	892,562	187,232
Office supplies and cleaning	-	55
Printing and stationery	68,276	51,441
Property related expenses	145,818	7,264
Publication and distribution	69,980	131,715
Repairs and maintenance	9,762	6,708
Research	-	16,000
Strategic planning	18,843	15,044
Training	97,713	67,702
Travel - Local	-	10,087
Website, network and computer expenses	406,572	157,813
Total other expenses	11,116,623	8,165,945

17. (Deficit) / surplus from operating activities

(Deficit) / surplus from operating activities includes the following separately disclosable items

Women's Legal Centre Trust

(Registration Number IT 3486/98)

Annual Financial Statements for the year ended 31 December 2020

Detailed Income Statement

Figures in R

	Notes	2020	2019
Revenue			
Grants and donations	13	13,250,246	9,813,869
Interest received		281,852	339,522
Rendering of services		-	22,621
		13,532,098	10,176,012
Other income	14		
Sundry income		9,317	29,739
Administrative expenses	15		
Accounting fees		(183,561)	(115,325)
Auditors remuneration - Fees		(42,900)	(42,500)
Bank charges		(45,265)	(39,941)
Computer Equipment		(256,646)	(62,347)
Cyber crime loss		(64,650)	-
General expenses		(5)	(16,724)
Hire - Equipment		(193,372)	(173,913)
Insurance		(56,019)	(41,185)
Office supplies and cleaning		(50,694)	(30,227)
Relocation and renovation costs		(638,067)	(10,689)
Rental		(702,256)	(709,923)
Telecommunication		(94,580)	(48,640)
Trustee expenses		(91,261)	(33,824)
		(2,419,276)	(1,325,238)
Programme expenses	16		
Advocacy and stakeholder engagement		(370,323)	(631,452)
Employee costs - salaries		(7,970,016)	(6,507,578)
Furniture, fittings and renovations		(117,718)	-
Law books and subscriptions		(29,645)	(28,763)
Law Society Fees		(28,100)	(7,264)
Litigation costs		(1,037,113)	(347,091)
Media and marketing		(892,562)	(187,232)
Office supplies and cleaning		-	(55)
Printing and stationery		(68,276)	(51,441)
Publication and distribution		(69,980)	(131,715)
Repairs and maintenance		(9,762)	(6,708)
Research		-	(16,000)
Strategic planning		(18,843)	(15,044)
Training		(97,713)	(67,702)
Travel - Local		-	(10,087)
Website, network and computer expenses		(406,572)	(157,813)
		(11,116,623)	(8,165,945)
Surplus for the year		5,516	714,568

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