

ANNUAL REPORT 2022/2023



The story of one claimant has the
power to change millions of lives.





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Unwavering dedication to the cause of social justice

Despite the turbulent times we are all living through, it has been a year of growth for the Legal Resources Centre (LRC).

In the previous report, I stated that the LRC registered as a non-profit company (NPC) on 1 April 2022. It has undergone a one-year transition period and officially started operations on 1 April 2023. The NPC is registered for tax exemption and has Section 18A status. Through the Department of Social Development, the NPC is also registered as a public benefit organisation and holds non-profit organisation status. As such, it will be required to comply with the Non-Profit Organisations Act, 1997 (Act No. 71 of 1997).

These changes have not had a significant impact on how the LRC staff work. Across the country, they continue to produce tangible and significant results for the communities in which they work in the face of enormous external challenges. It is concerning to note the escalation of attacks on civil society organisations (CSOs), lawyers, activists and other people who work in these spaces over the past 12 months. The threat of physical violence, including to family members of CSO staff, as well as vitriolic online attacks, has been unnerving for many working in the human rights and social justice sector. It is quite revealing too, that the work under attack is that of undoing corruption, inequality, injustice, and human rights violations. Whistle-blowers from the public and private sectors face similar dangers. These brave individuals and groups often risk their lives to uncover corruption, stand up to large corporations, and protect the rights of others. In far too many instances, their courage is met with actual violence, threats of violence and a lack of protection from public institutions.

Meanwhile, in the climate of this adversity toward civil society, the struggle for accountable leadership

in South Africa continues. The public, who are ordinary South African citizens, are the big losers in this scenario. On the one hand, pledges are being made to address corruption and implement the Zondo Commission's recommendations and, on the other, accusations of maleficence are being levelled against the very sector that is bearing the burden of doing the work to make the country a more just and equal place for all. Unfair accusations are being levelled against civil society actors to delegitimise the excellent work that they are doing by claiming that CSOs are attempting to create a "juristocracy", when in fact they are propelling South Africa toward the constitutional imperatives of dignity, equality and freedom for all who live in the country.

Some of the other challenges that affect us all are the ongoing service delivery, water and electricity crises. South Africans are still languishing with either no access or limited access to them. The effect of this is total – impacting on health care, education, the environment and the ability of government departments to be "online" so that the important business of providing essential services may be carried out. As always, it is the most vulnerable in society who continue to be the worst affected by these crises. With the 2024 elections being brought into focus, there will be overtures and yet more promises made. Here, we must keep our senses sharp and interrogate the information coming our way before we make our marks at the ballot boxes.

Globally, and closer to home, economic uncertainty, armed conflict and violence have in many ways been the hallmarks of the past 12 months. Sadly, Africa continues to experience intense internal conflicts, with frictions rising in Sudan, eastern DRC, Ethiopia, and northern



Mozambique. Multitudes have been displaced and varying humanitarian crises have arisen due to these ructions. The poor and marginalised – especially women and children – have been worst affected.

Given the challenging current circumstances, it is heartening to see the progress we have made midway through our five-year strategy. I am proud of our work and the contributions made by the LRC to strengthen the rule of law, foster inclusion, and put people and communities at the centre of our work. As this report shows, the cases highlighted are a testament to the unwavering dedication and commitment to our strategic priorities, but also to ensure that the rights enshrined in the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) are a lived reality for all.

Noluthando (Thandi) Orley
Chairman
Legal Resources Centre

Looking to the future with clarity and commitment

Three years into our strategic plan, we are pausing to reflect on our progress and renew our commitment to safeguard human rights for all those who call South Africa home.



Our team has worked tirelessly during 2022 and 2023 to fulfil our responsibilities to our valued funders and, above all, to the people we serve; our clients. It has not always been easy. The past two years have been a tumultuous time – both globally and closer to home. Geopolitical conflict, economic turmoil and climate impacts have escalated in many parts of the world and, as is always the case, these events have affected the most vulnerable people the most.

In South Africa, one such example was the devastating floods in KwaZulu-Natal in 2022, during which more than 400 lives were lost. Tragic events such as these serve as poignant reminders of the importance of good governance to ensure that people are supported properly during times of crisis. In South Africa several significant events with long-term consequences occurred within the social justice and public litigation sphere.

The LRC commends the appointment of Chief Justice Zondo as the leader of the apex court. This is a well-deserved appointment as the Chief Justice has consistently exhibited exceptional and admirable qualities as a jurist. With the Constitutional Court continuing to be under capable guidance,

we can confidently persist in our work. Following this appointment, Deputy Justice Maya was subsequently appointed as the Deputy Chief Justice of the Constitutional Court becoming the sixth Deputy Chief Justice and the second woman to hold this position.

Following this appointment, Deputy Justice Maya was appointed as the Deputy Chief Justice of the Constitutional Court, becoming the sixth Deputy Chief Justice and the second woman to hold this position. It is worth noting that Deputy Justice Maya is not only the first female jurist to have served as the President of the Supreme Court of Appeal, but also the first female Chancellor of the University of Mpumalanga. With these two individuals leading the way in the field of justice, it is our hope that South Africa is poised for positive transformations.



I am constantly buoyed by the diligence of our hardworking team, the courage and commitment of our clients and the resilience of all those living in South Africa."

Honing into the work of the LRC, it is heartening to see that the commitment and dedication of our team have paid dividends across our programmes in education, land, legacy and advocacy campaigns. After more than 10 years of tireless work, the LRC achieved a major milestone when, on 25 April 2022, our efforts resulted in the reopening of the Cape Town Refugee Reception office. The office was closed in 2012, which meant that asylum seekers could only apply in Durban, Musina or Pretoria.

Other highlights from this period include the Silicosis Class Action victory in the Supreme Court of Appeal (SCA). We stated in the previous report that two mining companies, namely DRDGold Limited and ERPM persisted with appealing the certification of the class action against them on behalf of the six companies that did not settle. Fortunately, the SCA struck the appeal off the roll, holding that the certification of the High Court was not appealable. We have also successfully produced an impressive publication titled Digital Education, and the Right to Learn [<https://lrc.org.za/docs/digital-education-and-the-right-to-learn/>], highlighting the significance of Internet access as an essential component of the right to education. In May 2022, we published our report titled Barriers to Accessing Education for LGBTQI+ Learners in South Africa [<https://lrc.org.za/docs/barriers-to-accessing-education-for-lgbtqi-learners/>], which will be discussed later. The report primarily sets out the key barriers LGBTQI+ learners face in South Africa in accessing equal and quality education. We are also proud of our refreshed website and impressive media engagement, which have proven invaluable in spreading the word about our work and providing support for our advocacy efforts.

Looking to the future it is clear that the challenges facing our country, our continent and the world are extremely serious. Nonetheless, I am constantly buoyed by the diligence of our hardworking team, the courage and commitment of our clients and the resilience of all those living in South Africa.

Nersan Govender
Executive Director
Legal Resources Centre



Our Vision and Mission



Vision

A democratic, accountable, and transparent society in which equitable and inclusive access to justice, dignity, and human rights are lived realities for all.



Mission

To undertake evidence-informed action focused on advancing the transformation of South Africa as a democratic society, using the law as an instrument to remove persistent and pervasive structural obstacles to human rights, with a strategic focus on land and education rights.

A VICTORY FOR ENVIRONMENTAL RIGHTS: THE SHELL WILD COAST CASE

“It is about making sure that the voices of rural communities are as important as those of the elite. It is about ensuring that the pursuit of profit does not override the protection of human rights.”

Nonhle Mbuthuma,
human rights activist and applicant in the case



WHO WE ARE

The LRC in numbers

92

The number of cases we have worked on between 2022 and 2023.

49

Staff members, working in four national offices and dozens of communities all over South Africa.

108

Reports to funders and other stakeholders submitted in the past 12 months.

32

The number of gold mines named as part of the certification application in the landmark silicosis class action case that the LRC worked on in the interest of gold miners.

12

The number of applicants the LRC successfully represented in challenging the constitutionality of tribal levies that are being enforced in rural communities across the Limpopo Province in South Africa.

50

The number of clients that the LRC is assisting to apply for citizenship as part of the ongoing case on the constitutionality of the South African Citizenship Act, 1995 (Act No. 88 of 1995).

92

The number of schools in four Eastern Cape education districts that have at least five classrooms of 60 learners or more, which the LRC is assisting to obtain a court-mandated plan of action to address overcrowding.

WHO WE ARE

A Timeline of LRC History

**1979**

The LRC is created by a group of activist anti-apartheid lawyers to challenge apartheid laws.

**1980**

One of the first cases that the LRC takes on - and wins - is the Komani case, which helps to destroy the hated apartheid pass system, which made black South Africans foreigners in their own country.

1994

After South Africa's transition to democracy, the LRC dedicates itself to enforcing the rights established by the new Constitution and Bill of Rights.

**2002**

The government is ordered to supply antiretrovirals to combat mother-to-child HIV transmissions.

**2010**

An important legal victory is won when the Constitutional Court ruled that the controversial Communal Land Rights Act passed in 2004 is invalid.

2019

A landmark high court judgment upholds the right of undocumented children to attend school in South Africa in an important case for access to education.





1995

The LRC is part of the successful campaign to abolish the death penalty in South Africa.

1996

Members of the LRC play an important role in developing the new Constitution of South Africa.

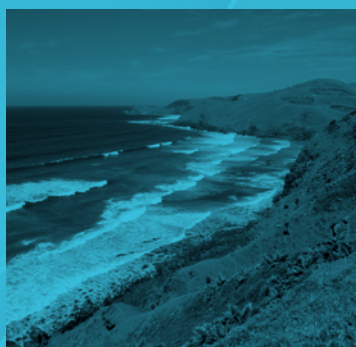


2001

The LRC wins its first class action case on behalf of people living with disabilities.

2020

The LRC renews its dedication to advancing human rights in South Africa by focusing on the twin issues of land and education.



2022

A milestone environmental victory is won when Wild Coast communities and civil society organisations, including the LRC, join forces to successfully prevent Shell from conducting seismic tests off the east coast of South Africa.

2022

The LRC undergoes a governance transition, becoming a non-profit company.



Where we work



Four national offices:

- Cape Town
- Johannesburg
- Durban
- Makhanda



Courts:

- Constitutional
- Gauteng
- Polokwane
- Makhanda



Communities that we have served:

- **Gauteng:** East Rand area [for silicosis case], Alliance for Rural Democracy.
- **Western Cape:** Cape Town, Simondium, Khayamandi, Beaufort West, Langebaan, Doringbaai, Ebenhaeser, Steenberg's Cove, Houtbay, St Helena Women on Farms Project, Surplus Peoples' Project, Coastal Links Western Cape.
- **Eastern Cape:** Prudhoe, Gwatyu, Komani, Peddie, Flagstaff, Port St Johns, Mthatha, Matatiele, Gqeberha, East London, Aliwal North, Dwesa-Cwebe, Xolobeni, Amahlathi.
- **Limpopo:** Phaphazela, Mohlaba, Mahonisi, Modjadji, Mopye, Lebejane, Makgodu, Mosorone, Polokwane, Kgatlu, Nkuzi.
- **North West:** Thekwana, Baphiring, Bakgatla, Wildebeestkuil, LAMOSA.
- **KwaZulu-Natal:** Harding, uMzimkhulu, Kokstad, Richards Bay, Underberg, Howick, Nibela, Kosi Bay, Durban.
- **Mpumalanga:** Rooifontein, De Putten.
- **Northern Cape:** Port Nolloth, Concordia.
- **Namibia:** Hai//om people.

WHO WE ARE

Our team



NERSAN GOVENDER
Executive Director of
The Legal Resources Centre



AMANDA MOLI
Office Assistant



AMANDA MPOTULO-MATAMA
Administration Assistant



ANNELINE TURPIN
Attorney



ANSHAL BODASING
Manager in the Office
of the Director



CECILE VAN SCHALKWYK
Attorney



CAMERON MCCONNACHIE
Co-lead: Education Programme



DELYSIA WEAH
Company Secretary



DEVON TURNER
Attorney



EKTA DEOCHAND
Attorney



FEEYAZ MOHAMED
Project Accountant



ESME WARDLE
Office Administrator



GOODNESS MAUMO
Candidate Attorney



KIARA GOVENDER
Candidate Attorney



KIMAL HARVEY
Candidate Attorney



KIREN RUTSCH
Candidate Attorney



KRISTEN ABRAHAMS
Candidate Attorney



LERATO LEBOTSE
Receptionist



MATHUTO MASHEGO
Grants Management Officer



MLAMLI TYHULU
Candidate Attorney



MADILE MASHININI
Human Resources Officer



MORAY HATHORN
Attorney



MUYENGA MUGERWA-SEKAWABE
Attorney



NICHOLAS CHETWIN
Financial Manager



ONA XOLO
Attorney



SAADIYAH KADWA
Attorney



SANDILE ZWANE
Grants Management Officer



SANDRA GOVENDER
Office Administrator



SANELE NKAMBULE
Finance Officer



**SHAATIRAH
BABOO HASSIM**
Attorney



SHAISTA BHABHA
Finance Officer



SHARITA SAMUEL
Co-Lead: Land Programme



SHENIECE LINDERBOOM
Attorney



SHERYLLE DASS
Co-Lead Education
Programme



SINDISIWE SHOZI
Attorney



SIPESIHLE MGUGA
Programme Co-Lead:
Legacy Programme



TONEY LEONG
IT Systems Developer



TOPSY MACKENZIE
Payroll Officer



TSUKUDU MOROENG
Attorney



TUMELO MACHABA
Candidate Attorney



WILMIËN WICOMB
Co-lead: Land
Programme



YOEMNA SAINT
Grants Management
Officer and Programme
Coordinator



YANELA FRANS
Candidate Attorney



ZI CHANNING
IT Systems



ZULFA MOHAMMED
Office Administrator



WHO WE ARE

Our Board of Directors



THANDI ORLEYN
Chairman of
The Legal Resources Centre



ASHLEY FRANCIS
Executive Finance
Director of the University
of Cape Town



CHRISTOPHER STONE
Professor of Practice of Public
Integrity at Oxford University's
Blavatnik School of Government



JOY-MARIE LAWRENCE
Lawyer, Businesswoman,
Executive Integral Coach
and Chartered Director



JUSTICE LEX MPATI
Chancellor of Rhodes
University



LUMKA MLAMBO
Fund principal at the
SA SME Fund



MARJORIE DA SILVA
Executive director of the School
of Insurance at the African
Leadership University (ALU)



MICHAEL KATZ
Practicing attorney and
chairman at Edward Nathan
Sonnenberg (ENS) Africa



MZIWANDILE EZRA DAVIDS
Chairman of Corporate/
M&A at Bowmans



NERSAN GOVENDER
Executive Director of
The Legal Resources Centre

We use the law as an instrument to realise human rights

The LRC brings a breadth of experience and a deep knowledge to the work we do.



Over the past five decades, we have gained valuable experience in using strategic litigation, legal reform, research, and advocacy to create positive and long-lasting change in the lives of our beneficiaries.

1

By providing free, expert and compassionate legal services to individuals, we have provided many ordinary South Africans with the resources to stand up to injustice.

2

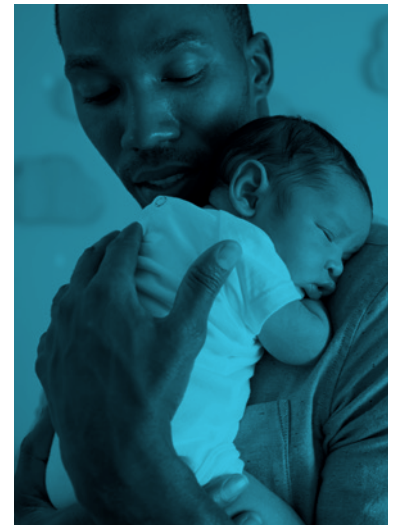
By working with our extensive network of civil society partners and allies, in the service of vulnerable individuals and communities in South Africa and other African nations, we have successfully created legal precedents and won judgments that have made a tangible impact on the lives of millions of people living in South Africa and beyond.

3

Our focus areas have included access to land, education, and health care, as well as advancing gender and racial equality, as well as the rights of the disabled. We have also worked with partners and communities in other parts of Africa and the Global South to support activists facing similar challenges.

4

In addition to this legacy work, we have identified land and education rights as key drivers of change in contemporary South Africa. Our experienced and diverse team, working across South Africa, has committed themselves to assist landless people in gaining access to land and ensuring that our children have access to a quality basic education.



Probing education inequity: The state of school funding in South Africa

From August to November 2022, the LRC visited schools in all nine provinces of South Africa to gather data on the current state of school funding.

The aim of this in-depth research and reporting was to determine how different provincial education departments funded schools in the different provinces, how the money was being utilised by the schools, and importantly, whether the money was sufficient to eradicate the existing patterns of poverty and equality in education.



The LRC visited 10 schools per province, conducted interviews with school principals and school management teams, and questioned them on an array of budgetary issues, including their school allocations, school nutrition, scholar transport, the cost of municipal services, electricity, and the breakdown of the paper budgets of the schools.



The findings from the interviews were captured in a report.

The research uncovered some key insights on the state of school funding in South Africa.

- 1 First, it revealed that not all provinces pay the same per-learner allocation, with the Eastern Cape, KwaZulu-Natal and the Free State funding below the per-learner norm stipulated in the Norms and Standards for School Funding. This means that not all children receive the same funding across all provinces, which entrenches inequality among the provinces.
- 2 Secondly, it was clear that the cost of municipal services and electricity was debilitating for most schools, with many struggling to pay for basic services as the amount received from the provincial education department was not enough.

As an example, some schools in urban areas were in arrears with their municipal services to the amount of R10 million and have had their services disconnected by municipalities. The allocation they received for this item from the provincial education departments would never be able to cover this expense.

Schools also struggled with access to textbooks and stationery and required additional money for the maintenance of the school infrastructure. Almost all the schools that the LRC visited had serious maintenance needs that had to be addressed, but in some provinces, the allocation for maintenance was so small that the schools could only use it to fix a few windows or doors, despite needing to attend to large infrastructure projects, such as the replacement of a roof.

In addition, the breakdown of the paper budgets of the schools differed greatly across provinces, with some provinces such as the Free State allocating only 1% to maintenance, while the Eastern Cape allocated 25% for the same line item. There seemed to be little rationale behind this breakdown. Schools also complained about late payments of their allocations, or not receiving the full amount in terms of their paper budgets. This meant that despite budgeting and planning, the schools would often be left with a shortfall and would have to fundraise to substitute their budgets.

Schools were also critical of their quintile classification, with some Quintile 4 schools stating that they should rather be classified as no fee-paying schools given the changes in the socio-economic circumstances of their feeder communities. Most of the schools were classified during the 1990s and this classification has not been reviewed. Apart from KwaZulu-Natal, none of the provinces had a procedure for reclassification.

“

The research conducted as part of this project has been incredibly helpful in framing future litigation on education. The LRC will be using this research as part of litigation to challenge the constitutionality of the provisions of the Norms and Standards that allow for provinces to fund unequally, as well as advocacy efforts to ensure that all provinces provide funding for their undocumented learners. We are also engaging in further research and advocacy on the issue of underfunding of the schools in general and the inequalities between no fee-paying and fee-paying schools.”

Cecile van Schalkwyk,
Attorney



However, the overarching outcome of the research is a clear indication that the current funding model for education is not effective in addressing the entrenched historical patterns of inequality between provinces or in accordance with race and class delineations within each province.

In general, black learners continue to be educated in schools that are underfunded by government, while white learners are educated in fee-paying schools where they are exposed to a high level of academic excellence. While the current funding model was designed to eradicate this inequality, it is not transformative enough to ensure that education resources reach the neediest and most marginalised learners.

History of unequal education funding in South Africa



South Africa's history of apartheid created a deeply unequal and inequitable education system, which persists today. On the one hand, white learners were being educated in well-resourced schools, while on the other, black, Indian and coloured learners were receiving education in under-resourced schools that did not provide for a quality basic education. Despite the introduction of section 29(1)(a) of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), which guarantees a basic education for everyone, the legacy of the apartheid education system remains.



The current Education Funding Model is determined by the South African Schools Act, 1996 (Act No. 84 of 1996) and Norms and Standards for School Funding. This legal framework makes provision for schools to be divided into no fee-paying (Quintiles 1 to 3) and fee-paying (Quintiles 4 and 5) schools. The no fee-paying schools may not charge school fees and are completely reliant on government for funding. Learners in no fee-paying schools, which make up approximately 60% of all schools in South Africa, exclusively depend on the Department of Basic Education and the provincial education departments (PEDs) for funding, while fee-paying schools benefit from school fees and are often able to provide a higher quality of education to the learners.



While the funding model was designed to channel resources to the poorest schools, it has not been effective in eradicating the legacy of the apartheid regime's unequal resourcing model. Learners in fee-paying schools receive far more money for their education because of the school fees, while learners in no fee-paying schools continue to be under-resourced, resulting in poorer education outcomes. As part of its strategic objectives to challenge aspects of the current funding model, the LRC undertook to advocate for a more pro-poor approach to education funding.

EDUCATION

Inclusive education: Addressing LGBTQI+ discrimination in South Africa

Despite constitutional protections, LGBTQI+ individuals continue to encounter discrimination in South Africa. These challenges extend into the realm of education, which is one of the focus areas of the LRC.

During 2022 to 2023, the LRC's work in this area has included both advocacy and litigation.

ADVOCACY:

Shining a light on challenges faced by LGBTQI+ learners in South Africa



In May 2022, we released the report titled *Barriers to Accessing Education for LGBTQI+ Learners in South Africa*.

The report describes the barriers to education that LGBTQI+ learners face in South African schools, including homophobic bullying and exclusionary language, sexual education content and general misinformation, difficulty in gaining admission to single-sex schools, school uniforms and bathroom use. The latter three particularly affect transgender learners.

One of the main challenges we confronted in preparing this publication was the limited amount of existing research available on the experiences of LGBTQI+ learners in South African schools. From what is available, we found that LGBTQI+ learners face barriers in accessing education that cisgender and heterosexual learners do not, preventing them from fully enjoying their right to education as set out in the Constitution and guaranteed under regional and international law.

The publication also describes the applicable national and international legal frameworks. The report compares the experiences of LGBTQI+ learners from European countries and the United States of America to indicate that what is seen in South African schools is not unique. We conclude by providing recommendations on the way forward in South Africa.

“The urgency and importance of this work has been highlighted to the broader South African society over the past two years with three high profile reports of LGBTQI+ learners dying by suicide due to alleged incidents of homophobia in schools,” explains **MUYENGA MUGERWA-SEKAWABE**, ATTORNEY.



Copies of the publication

were printed and disseminated nationwide, as well as being made available online, with partner organisations also sharing the report widely.



The report also generated excellent media engagement, supporting our campaign to pressure both provincial and national departments of education to promulgate policies that will make our schools LGBTQI+ friendly.

The findings of the report assisted in refining our thinking on issues such as identifying best practices from other countries aimed at making our schools LGBTQI+ friendly, identifying challenges that LGBTQI+ learners encounter in other countries, and obtaining anecdotal evidence of the challenges that LGBTQI+ South African learners experience.

Using this information, the team devised questionnaires to determine what is happening on the ground in our schools.



As a result, the Gauteng, Western Cape, and Eastern Cape provincial departments of education have granted permission to the LRC to conduct a study to determine whether and how the experiences of LGBTQI+ learners affect their right to education.

“We intend on using the findings to produce a body of empirical research more comprehensive than the current anecdotal experiences of LGBTQI learners in South Africa. The aim is to produce a document that makes recommendations on promoting South Africa-specific best practices for our schools as the degree to which an issue is a problem varies from country to country or from province to province,” says **MUYENGA MUGERWA-SEKAWABE**, ATTORNEY.

LITIGATION:

Mbutho v University of the Free State

LGBTQI+ students studying in South African tertiary education institutions encounter discrimination not only from their peers but also from the institutions. These students face homophobia and discrimination in various aspects of campus life, including their residences, sports fields, lecture halls, and when seeking support services. LGBTQI+ students also experience exclusion at a more systematic level, such as the denial of accommodation in residences that align with their preferred gender identity.

In the case of *Vuyokazi Edwin Mbutho v University of the Free State (UFS)* [1], the LRC represents the amicus curiae, Gender Dynamix (GDX). The applicant, Mbutho, is a transgender woman. She has experienced discrimination from the UFS due to her gender identity. The respondent, namely UFS, is alleged to have violated section 8 of the Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000) (PEPUDA) by discriminating against Vuyokazi based on her gender identity. Such discrimination included insisting that Vuyokazi is placed in the male residence and failing to take reasonable steps to protect her from harassment.

Mbutho has requested the following remedies from the UFS, namely: an unconditional apology for the mistreatment and prejudice she has endured, permission to resume her studies without any outstanding debts, allocation of housing in a residence exclusively for females or in the female section of a mixed-gender residence, and the awarding of a scholarship that covers her tuition fees and accommodation expenses, contingent upon her successful completion of at least 50% of her required modules.

GDX requested that the UFS formulate and implement a policy aimed at facilitating inclusivity of transgender and gender-diverse students, implement a non-discriminatory policy, take a firm stance against, and ban traditional, sporting, recreational, and cultural practices at the UFS that exclude transgender students.

The UFS failed to take proactive steps to address and eliminate the discrimination faced by transgender and gender-diverse students attending the institution. As a public learning institution, it must respect, protect and promote the rights of these vulnerable individuals.

We believe that although the matter is related to higher education, a positive judgment will provide a legal basis on which the Department of Basic Education can rely to ensure that the discrimination faced by the Applicant does not occur in the basic education setting.

“If the relief is granted to the Applicant (especially in the form of a damages award), we believe universities across the country will take steps to enact transgender inclusive policies,” says Mugerwa-Sekawabe, LRC Attorney.

Land release for housing: A step toward social and economic inclusion

South Africa has a severe housing shortage and one of the highest urbanisation rates among emerging economies across the globe.



The housing shortage currently stands at approximately 3.7 million houses and is estimated to increase by 178 000 annually.



By 2050, 8 in 10 people are projected to reside in urban areas. In this urban landscape, South Africa currently grapples with more than 3 300 informal settlements.



Litigation has advanced the right to adequate housing and has led to many strategic impact cases, but the litigation route is often a drawn-out, time-consuming and costly process.

A successful judgment often marks the beginning of the implementation and monitoring phase, which may find the applicant in court once again, compelling implementation.

It is against this backdrop, together with the rising need for urban housing and accommodation on land close to economic opportunities, that civil society groups such as the Community Organisation Resource Centre (CORC), Development Action Group (DAG), and Ndifuna Ukwazi (NU), along with the late Professor Watson (University of Cape Town), joined forces to create a coalition of parties working on land and housing in Cape Town. This coalition began jointly advocating for national government to release well-located, underutilised State-owned land for low-income housing and mixed-use development.

In 2020, the coalition made a collective submission to the Presidency calling for the release of three large, and uniquely well-located parcels of unused or under-used military land for the development of affordable housing, namely Youngsfield, Wingfield and Ysterplaat. Together these sites can accommodate approximately 67 000 homes.





A timeline of the coalition's engagements to date



December 2020

We delivered a joint submission calling for the release of three underutilised land parcels in Cape Town. The then Minister of Public Works and Infrastructure, Minister De Lille, reached out to CSOs to offer support for the campaign and to discuss the commitment of the Department of Public Works and Infrastructure (DPWI) to the release of well-located, unutilised or underutilised State-owned land in Cape Town for mixed use housing developments.



2021

The coalition held a virtual public meeting where Minister De Lille again discusses the commitment of the DPWI to achieve spatial justice through the release of well-located State-owned land. The coalition continued to use the power of media and social media to bring awareness to our campaign and to reach out to the various housing departments publicly. We publicly documented the progress of our campaign through opinion editorials, news articles, podcasts, as well as radio and television interviews.



27 January 2023

The collective CSOs again met with Minister De Lille to further engage regarding the progress of the DPWI in releasing State-owned land for human settlement purposes. During the meeting, we were informed that the DPWI had identified land parcels available for release to the Housing Development Agency (HDA); the national public sector development agency that acquires and prepares land, and develops it, as well as project manages the development of housing and human settlements. The engagement with the DPWI provided our campaign with some direction, leading to further dialogue with the HDA.



The power of advocacy to create change

Through engagement and meetings with the HDA, it has been confirmed that 32 ha (approximately the size of 32 rugby fields) at the Wingsfield Military base will be made available for low-income housing development. The HDA will present their concept development plan to the collective CSOs at a meeting to be held in the middle of 2023. The timeframe for township development has also been communicated.

Through our advocacy for the release of land within the City of Cape Town, we understand that the DPWI has, to date, released 2 257 ha by way of power of attorney in favour of the HDA to initiate development planning, in conjunction with the provinces and the respective municipalities in South Africa.

"The joint CSO campaign for the release of underutilised and well-located State-owned land has demonstrated the power of advocacy in realising the right to housing for the poor," says **ANNELINE TURPIN**, ATTORNEY.



An objective of the joint campaign was to demonstrate to the State that the release of State-owned land can be used to address housing needs and fundamentally transform, as well as restructure, unjust spatial patterns within South Africa. The release of well-located State-owned land for low-income and mixed-use developments will benefit the poor and working class, aiding social and economic inclusion."

From conference to action: Safeguarding customary land tenure in South Africa

In August 2022, the LRC joined forces with a wide variety of civil society groups and tertiary educational institutions to host a unique hybrid conference for community members, activists, researchers, lawyers, and academics.



The aim was to facilitate a call to action for the protection of customary tenure rights.

The hybrid structure combined in-person participation in various locations across South Africa to accommodate as many local communities as possible, with online participation that allowed people from around the world to join the conversation. More than 120 community members were able to attend from venues in Cape Town, Durban, East London, and Johannesburg while more than 150 online participants joined on each of the three conference days.

At the end of each day, the participants reflected on the debates and learnings of the day. These sessions culminated in a statement released by the participants at the end of the conference:

"Over the past three days, we, as rural residents and leaders from across the country, agreed that the State is dysfunctional and corrupt, and cannot be trusted to enact progressive laws, let alone implementing existing laws. Government and the officials tasked with implementation are not only unable to help people to defend their land rights, but often either collude with chiefs and companies to dispossess people. We cannot fix our problems by talking to the State. This is what we have been doing for more than a quarter of a century since the dawn of democracy. This democracy is not working for us if government does not listen."

The participants articulated the outcomes of the conference in a press conference shortly thereafter. They told the media the following:

1

When we come together like this from different places, we realise that our struggles are shared by so many people in so many different places in South Africa. That makes such a difference in our own struggle and understanding, and it should mean that we get stronger as we stand together.

2

Land cannot be reduced to a commodity: "We don't see land as a commodity. We don't see land as something that can be sold," said Nonhle Mbuthuma of the Amadiba Crisis Committee at Xolobeni.

3

We demand inclusive laws. "Laws that are made for traditional leaders and traditional governance, land and mining must be applied across the country, not only to black people who were dumped in the former Bantustans," said Constance Mogale, ARD National Coordinator.

4

We are still colonised. We are still not free. If you do not have the same choices and rights because of who you are and where you were born, we are still colonised.

5

Nothing about us without us. Law-making must start with communities. The first principle is to understand what is happening on the ground and work from the bottom up.

6

Land dispossession continues. It is not a historical problem. It is a present-day problem. "This disregard, disrespect and lack of protection of [land] rights is tantamount to dispossession" said Professor Sindiso Mnisi-Weeks.

7

Our struggle is everyone's struggle. Dispossession is not only about physical land, but about the resources that go with it, including the spiritual and social loss. We acknowledge that the land struggle is informed by other struggles for governing natural resources. Land struggles also include resources, climate and democratic struggles.

8

Dispossession happens in many ways. We can be dispossessed by the State through its actions or laws and policies, by mining companies, by big agribusinesses, by municipalities, by conservation, and by conflict with other communities equally desperate for land.

9

What gives someone the right to transact our land rights?

Those who sit in positions of power – in government departments, in big companies, in the municipalities – we ask you: How would you feel if some of your neighbours in the city held a meeting and were entitled to vote that you must lose your home? The fact that rural African people in this country continue to be treated as subjects of unelected traditional leaders is rooted in the belief that they are not worthy of dignity, self-determination and autonomy.

10

We are already the owners. Property rights do not need to be supervised by government or by a chief. Communities and citizens should be treated as owners.



Following the conference, the LRC has continued conversations with its partners in taking the conclusions of the conference forward. Out of these discussions, a project was conceived to document existing informal land rights systems as a basis for a model law on tenure security.

History of inadequate land tenure in former homelands

More than 25 years after South Africa's Constitution was adopted, the 18 million South Africans living in the former homelands still have limited recognition of their tenure security, land and livelihood rights.

For these people, customary and informal land and resource rights are directly and systematically under threat from laws, policies and practices that abrogate these rights. Inadequate tenure security also impacts the outcome of the redistribution and restitution programmes as beneficiaries are often unable to defend the land rights they acquire against predatory elites and find themselves threatened with exclusion. The LRC has been involved in multiple cases asking the courts to protect customary tenure rights, most notably in the Xolobeni and Ingonyama Trust cases.

In the Baleni case, the High Court confirmed in 2018 that the customary law land rights of the Amadiba community of Xolobeni includes the right to consent – or withhold consent – to anyone wishing to enter their land. As a result, the mining company applying for a mining right over their land had to seek the consent of the community before entering to exercise that right.

In the CASAC case, the High Court confirmed that the customary land rights of people living under the Ingonyama Trust were constitutional-protected property rights and that it was, therefore, unconstitutional of the Ingonyama Trust to convert those property rights into lease agreements with the Trust.

In 2010, the Constitutional Court invalidated the Communal Land Rights Act, 2004 (Act No. 11 of 2004) in its entirety. This law aimed to convert customary land into private property under titles controlled by traditional councils.

However, rather than acknowledging informal rights, activists concerned about land rights worry that a proposed Communal Land Tenure Bill, anticipated to reach Parliament in 2023, could potentially reinforce authority over community land in the hands of government officials, traditional leaders, or both.

This might occur instead of granting rights to the individuals who own the land. This situation would essentially lead to the dispossession of customary rights, which is an ironic outcome given the 25 years of democracy that have passed.

Holding traditional leadership to account

The Constitution of the Republic of South Africa, 1996 requires Parliament to be responsive – the greater the impact of the law, the greater the duty of Parliament to ensure that they pass legislation that, at the very least, does not trample on people's constitutional rights.

This is significant when considering the evolution of traditional leadership law in South Africa.



In 2015, Parliament stated that it would consider new legislation to replace the disastrous 2003 traditional leadership legislation to extend recognition to the Khoi and San communities.

Both the National Assembly and the provincial legislatures held hearings on this Bill. The hearings were dominated by vociferous rejections of the Bill, motivated by real-life experiences. Regrettably, what parliamentarians heard at the hearings rarely if ever made it to the deliberations on the Bill in Parliament.

In a number of hearings, parliamentarians attempted to hoodwink outraged people by assuring them that the Bill only deals with Khoi and San matters, and will have no impact on other rural communities – a blatant untruth. Yet millions of people who should have been heard on this law, did not even know about it. Despite the pleas of community members, the Bill was passed and signed into law by President Ramaphosa in 2019 as the Traditional and Khoi San Leadership Act, 2019 (Act No. 3 of 2019) (TKLA).



In 2020, the LRC joined a legal team representing the Alliance for Rural Democracy, the Land Access Movement of South Africa, and members of the Xolobeni and Bakgatla ba Kgafela communities in challenging the passing of the TKLA directly to the Constitutional Court.

Relying on the monitoring of hearings by the Land and Accountability Research Centre at the University of Cape Town, the applicants were able to unpack the four-year parliamentary process systematically, spanning all provinces, and demonstrate why it had failed the constitutional test for meaningful participation. In addition, applicants told the court precisely why the 2003 legislation increasingly deprived them of their constitutional rights – and that the TKLA will only worsen the problem.



The TKLA challenge came before the Constitutional Court in February 2023, and judgment was handed down in May.

The story of Victor Modimokwane from the Bakgatla ba Kgafela community

Modimokwane was one of the people who made a submission at the public hearing on the proposed Bill. He told the court that their chief went to the Land Bank in the late 1990s and applied for a loan for R13 million in his personal capacity, but using the community's future mining royalties as security. He told the bank that he had been authorised to do so by the community; however, that was not the case. By the time he defaulted on his loan years later, the community members were up in arms.

The problem was that, at the time, the democratic government had not yet passed legislation to regulate the powers and functioning of traditional leaders and councils, and how they could be held to account. Even though community members had evidence of significant wrongdoing, they did not have a mechanism to do anything about it.

By 2010, major mining companies had entered into multi-million rand deals with the chief. The community's royal family decided to intervene to protect their people's interests. In terms of customary law, they have the power to suspend or remove the leader – and, indeed, community members have the power to demand transparency and accountability.

However, by then, the 2003 framework legislation and the North-West Traditional Leadership legislation were in place, which ensured that a leader can only be held accountable by government and not his people. Community members asked, implored, and begged government to do so. They approached the Premier's office again and again, the top structures of the ruling party, the Minister of COGTA, the President, the Public Protector and the Auditor-General, among others, but every door was slammed in their faces. Both the royal family and members of the community at various points approached the North-West High Court for orders compelling government to do its job and the traditional council to open the books to the community, but they were thrown out of court repeatedly as the chief successfully argued that they had no standing to ask for these things.

A commission of inquiry report, published in 2018, confirmed all the community's suspicions. More than R3 billion of the community's funds could not be accounted for.

The history of traditional leadership legislation in South Africa

When the democratic government first considered how to accommodate traditional leadership within a constitutional democracy in the early 2000s, they knew that the accountability of unelected governance structures would be a key consideration. Indeed, the White Paper published in 2003 acknowledged that ...the institution has a place in our democracy, and has a potential to transform [...] our society and [contribute to] the reconstitution and development of our country, especially in rural areas. [...] This will only be possible if measures are taken to ensure that people in rural areas shape the character and form of the institution of traditional leadership at a local level, inform how it operates, and hold it accountable.

Unfortunately, while the first draft policy documents raised the question whether traditional leaders should be accountable to their communities (as in pre-colonial times) or to government (as in colonial and apartheid times), the final White Paper settled on the position that they should be accountable to government only. This was arguably one of the most consequential changes for rural communities. It represented a sharp turn away from empowering the community to act as a constraint on the power of an incumbent chief.

In the same year, national framework legislation based on this principle was adopted and provinces passed their own acts within this framework. The idea, at the time, was that these laws would not give traditional leaders any specific powers, but that separate legislation would be passed to do so to ensure that any power afforded to unelected structures would be considered carefully.

Every attempt by Parliament to pass further legislation to provide them with powers failed. This was largely because, lobbied by an increasingly powerful traditional leader lobby, the powers Parliament sought to assign to them were unconstitutional. As a result, the Communal Land Rights Act was declared invalid by the Constitutional Court (in an LRC case) and the Traditional Courts Bill could not even make it through the parliamentary process.

Not to be deterred, traditional leaders – aided by officials – simply started assuming the powers they thought they were entitled to, including to treat community land and resources as their own, evicting community members, enforcing taxes, and stopping them from exercising basic political rights.

Therefore, when Parliament announced in 2015 that it would consider new legislation to replace the disastrous 2003 traditional leadership legislation to extend recognition to the Khoi and San communities, rural people saw this as an opportunity to make Parliament aware of the myriad of ways in which the legislation was allowing traditional leaders to run roughshod over their rights with impunity. Community members were supported by the report of Parliament's High-Level Panel Report under the leadership of President Kgalema Motlanthe, who told Parliament to urgently reconsider how it regulates traditional leadership.

Defending property rights: An unusual eviction case

Public interest and human rights legal organisations are often involved in eviction matters when protecting the rights of the respondents or occupiers.



The LRC is no stranger to such matters and has successfully represented respondents in a variety of cases, often against aggressive and unsympathetic municipalities and landowners.

The Abdullah matter, however, is different.

In this matter, the LRC represents the Applicant in the eviction of occupants on her property.



It is important to state that the principles of equality and social justice that informed our position in representing respondents or occupiers are the same principles that made us take this position to represent Mrs Abdullah.

Mrs Abdullah approached our offices in 2010, after many failed attempts to get the City of Cape Town to amend the deed of sale for her home to reflect her as a co-purchaser. After years of neglect and further violation of her rights, her hand has been forced to evict the unlawful occupiers residing in her home.

In 1986, Mrs Abdullah learned of the city's then housing policy, namely the "City of Cape Town Housing Policy (Housing Schemes Constructed by the Local Authority)". The purpose of the policy was to assist people to become home owners or to lease rental housing. However, in section 4 of Chapter XI, the policy specified that the Applicant was required to be either a married male, a single person with dependants, or a married female who is a breadwinner and with dependents. At the time, Mrs Abdullah was married to her now ex-husband, who was also the breadwinner and is the Third Respondent in this matter. Despite doing all the necessary leg-and-paperwork, Mrs Abdullah was forced to apply for housing, through the policy, using her husband's details. In April 1994, the Third Respondent signed the deed of sale. He and Mrs Abdullah moved into the property together.

Mrs Abdullah and the Third Respondent had four children during the marriage and they all lived in the property for several years before the marriage began to experience difficulties. This led to an irretrievable breakdown of the marriage and in 2001, the couple's Imam confirmed the pronouncement of talaq, a form of divorce under Islamic law. The Third Respondent subsequently moved out of the property and soon remarried.



Mrs Abdullah approached our offices in 2010, after many failed attempts to get the City of Cape Town to amend the deed of sale for her home to reflect her as a co-purchaser. After years of neglect and further violation of her rights, her hand has been forced to evict the unlawful occupiers residing in her home."

Mrs Abdullah had been in continuous occupation of the property, only being away for a few weeks in 2008 after she remarried at the end of March and attempted to live with her new husband at his property. However, a move away from the Abdullah property was always going to be, and turned out to be, too difficult on her youngest son who had been diagnosed with an intellectual disability at a young age.

Mrs Abdullah, who herself suffers from an epileptic disorder, has cared for her son his entire life, and continues to do so. In early May/late April 2008, she and her new husband realised that her son was not coping with the move. She attempted to move back into the property that she had left in the care of her youngest daughter. However, moving home was not going to be as simple as they had anticipated.



While Mrs Abdullah was away, her ex-husband had given their eldest son permission to occupy the property and to subsequently evict Mrs Abdullah. Upon her return, her son (the First Respondent) informed her that he, his wife (the Second Respondent) and their children were now occupying the property and that she was not allowed access to the house. They only allowed her to erect a one-room Wendy house in the back yard of the property. Despite having access to her new husband's home, being on the property provided the most stable environment for her youngest son. The new husband supported them in whatever way he could until he passed away in 2012.

Mrs Abdullah and her disabled son have lived in this tiny structure ever since their eviction from the main house on the property. They have access to water, electricity and ablution facilities but only when the First Respondent allows them. However, he often angrily and abusively cuts off their services – leaving them scrambling for access.

In the years prior to her unlawful eviction, Mrs Abdullah made repeated attempts to compel the city to amend the original deed of sale so that it would reflect her as a co-purchaser with equal rights to use and occupy the property. However, the city refused to do so without the Third Respondent's consent and his signing of the amendment in their presence. Owing to their fractured relationship, and the Third Respondent insisting that the property belonged to him, he refused to sign anything or come to the city's offices on Mrs Abdullah's request.

This blatant disregard of Mrs Abdullah's rights by the Third Respondent led to the LRC's first intervention on behalf of Mrs Abdullah in the Western Cape Equality Court. After years of hard work and many legal interventions, in December 2021, the Equality Court held that "the policy is declared inconsistent with the Constitution and in particular, discriminatory against women"; "the sale agreements [...] shall be amended and rectified to reflect both the married male beneficiaries and their female spouses as co-purchasers, in equal shares"; the City "shall pass transfer of the housing units to the co-purchasers in the sale agreements as amended [...] in equal and undivided shares, when transfer of the housing units becomes due." The important consequence of this order is that the Third Respondent has no authority to evict Mrs Abdullah and, therefore, by law, she may reoccupy the property as she pleases.



Despite this order of court and numerous correspondence made on behalf of Mrs Abdullah, the First and Second Respondents have refused to vacate the home and allow Mrs Abdullah to take ownership. As such, we have instituted eviction and interdictory proceedings in the Mitchells Plain Magistrates' Court. The Third Respondent, on behalf of the First and Second Respondents, has opposed the application and the court will hear argument on the matter in September 2023.

Birth certificates as gateways: The stakes for children's rights

In October 2022, the LRC launched a case to challenge the constitutionality of the regulations governing birth registration in South Africa.



The process of birth registration cannot be overstated. It plays a vital role in accessing numerous constitutional rights, such as those of social security, health care, and basic education.

Moreover, without a birth certificate, it is not possible to receive an identity document, which is often required for the purposes of work and necessary to vote in elections.

In the absence of a birth certificate, constitutional rights that are conferred upon children and adults are unattainable.

In South Africa, the Regulations on the Registration of Births and Deaths set out the process for the registration of births and issuing of birth certificates for children. Failure to comply with the current regulations lead to children being rendered undocumented and stateless. These regulations, however, pose significant obstacles to parents who wish to register the births of their children.

Many clients have approached the LRC law clinic to seek legal assistance in registering the births of their children. These clients have been unable to register the births of their children or, in some cases, are unable to register their own births as they do not have a proof of birth document or a certified copy of parents' identity documents, valid passports, visas or permits.



The clients who have approached our law clinic broadly fall into four distinct groups:

1

Those children whose births the DHA has refused to register as one of their parents is undocumented or has an expired identity document, visa or permit. These parents may be asylum seekers, refugees, permanent residents and, in some cases, South African citizens.

2

Those children whose birth the DHA has refused to register as their parents, who are refugees or asylum seekers, did not approach a DHA office to register the birth of their child within 30 days of the birth.

3

Those children who the DHA did not issue birth certificates for as neither parent had a valid passport, permit or visa, or were undocumented.

4

Individuals who were abandoned or orphaned as children and cannot have their birth registered as they do not possess documents that indicate their parentage.

“

As a way to support advocacy around the litigation, and the work that we do more generally to assist clients with registering births, we re-launched a birth registration pamphlet. The pamphlet provides valuable information to parents who seek to register the births of their children and how they can access professional assistance when they are struggling to do so. The pamphlets were distributed to all the LRC’s regional offices for further dissemination to partners. These will be published on the LRC’s website and shared on our media platforms,”

Muyenga Mugerwa-Sekawabe,
Attorney

In response to the numerous requests for legal assistance, and the gaps in the regulations that impede birth registration in the four instances outlined above, the LRC decided that the issues need to be addressed in a systemic manner.

On 14 October 2022, we launched the case in the Western Cape High Court to challenge the constitutionality of the regulations. In our court papers, we relied on section 28(1) of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), which entrenches the right of every child to a name and nationality from birth to argue that every child has the right to have their birth registered immediately or as soon as possible after they are born, irrespective of the status of their parents.

We further requested an order which directs that the regulations be amended to ensure access to birth registration for all children, regardless of their parents’ status. The constitutional and legal flaw in the documentation requirements of the DHA is their unconditionality, which serves no legitimate purpose other than to deny children the right to birth registration. Issuing birth certificates to children where parents are non-nationals also does not make them citizens or permanent residents of South Africa — children take the nationality of their parents.

We then waited more than seven months for the DHA to provide us with responding papers that outline the basis of their opposition. Numerous follow-ups were done with the DHA, requesting their responding papers as they constitute a necessary step in the litigation process. A final demand was sent to the DHA to deliver responding papers by 31 May 2023. The DHA did not comply with this deadline. The LRC is in the process of preparing a Chamber Book application; an application in which we seek a court order which compels the DHA to provide responding papers by a stipulated date.

A particular group of clients in the matter, those who were abandoned as children, have been visited by the DHA for their biometrics to be taken. However, the DHA has not reached out to any of the LRC’s other clients, such as those who were born in the country to non-nationals. We suspect that the DHA may be willing to settle in respect of some of the clients’ claims that we raised when the case was initiated, but proceed to oppose claims we made in respect of children born to non-nationals. Once the responding papers are received, we will know the official position of the DHA with respect to settling the claims of certain classes of clients.



The importance of this issue is globally recognised.

International, regional and domestic law gives every child the right to a name and nationality. Children enjoy this right irrespective of the status of their parents.

This right requires the Department of Home Affairs to register the birth of every child born within the Republic of South Africa. This is done through the issuing of a birth certificate.

MEDIA

Media Highlights

The LRC received more than 90 editorial placements on top-tier online publications such as, *News24*, *Daily Maverick*, *IOL*, *Mail and Guardian*, and *TimesLive*, as well as featuring on one of the furthest reaching stations, *Umhlobo Wenene*, and key broadcast media outlets such as *SAfm*, *702*, *Newzroom Afrika*, *eTV*, and *SABC*, including 44 online articles, 11 radio and 26 television appearances.



44

Online articles,
published on our work.



26

Advocacy,
published pieces.



11

Radio interviews.



21

Newspaper articles
on our work.



17

Articles in the media,
written by LRC staff.



26

Television
appearances.



23 000

Page likes

6% growth



14 752

Followers

167% growth



35 300

Followers

5% growth

FUNDING

Our Funders

We would like to express our profound gratitude for the individuals and families who make donations to the LRC.



Financial Statements

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)

Financial statements
for the year ended 31 March 2023

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)

Financial Statements for the year ended 31 March 2023

General Information

Country of incorporation and domicile	South Africa
Nature of business and principal activities	<ul style="list-style-type: none">a. To provide legal representation for litigants in any court of law, tribunal, or body.b. To conduct a programme in legal education and conduct seminars of educational value.c. To engage in research in legal areas including all matters relevant to the effective administration of justice.d. To publish the results of any research undertaken by it, and any material relevant to its objects.e. To employ and/or instruct counsel, attorneys, clerks and other persons for the purposes of implementing the objects of the Centre.f. To refer to the Legal Aid Board cases coming to the attention of the Centre which in its opinion can more appropriately be dealt with by the Legal Aid Board than by the Centre.g. To establish and administer legal clinics and/or to provide assistance to legal clinics at which services are rendered to the public or advice offices at which services are rendered to the public.
Registered office	2nd Floor West Wing Women's Jail Constitution Hill 1 Kotze Street Braamfontein 2001
Bankers	Nedbank Ltd
Auditor	Motlanalo Chartered Accountants (S.A.) Registered Auditors
Level of assurance	These financial statements have been audited in compliance with the applicable requirements of the Constitution of the Centre.
Preparer	The annual financial statements were internally prepared by Nicholas Chetwin

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)
Financial Statements for the year ended 31 March 2023

Index

The reports and statements set out below comprise the financial statements presented to the shareholder:

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Statement of Comprehensive Income	7
Statement of Changes in Equity	8
Statement of Cash Flows	9
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Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)
Financial Statements for the year ended 31 March 2023

Executive Committee's Responsibilities and Approval

The Executive Committee is required by its Constitution to maintain adequate accounting records and is responsible for the content and integrity of the financial statements and related financial information included in this report. It is their responsibility to ensure that the financial statements fairly present the state of affairs of the organisation as at the end of the financial year and the results of its operations and cash flows for the period then ended, in conformity with the International Financial Reporting Standard for Small and Medium-sized Entities. The external auditor is engaged to express an independent opinion on the financial statements.

The financial statements are prepared in accordance with the International Financial Reporting Standard for Small and Medium-sized Entities and are based upon appropriate accounting policies consistently applied and supported by reasonable and prudent judgements and estimates.

The Executive Committee acknowledges that they are ultimately responsible for the system of internal financial control established by the organisation and places considerable importance on maintaining a strong control environment. To enable the Executive Committee to meet these responsibilities, the Executive Committee sets 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 organisation and all employees are required to maintain the highest ethical standards in ensuring the organisation's business is conducted in a manner that in all reasonable circumstances is above reproach. The focus of risk management in the organisation is on identifying, assessing, managing and monitoring all known forms of risk across the organisation. While operating risk cannot be fully eliminated, the organisation endeavours to minimise it by ensuring that appropriate infrastructure, controls, systems and ethical behaviour are applied and managed within predetermined procedures and constraints.

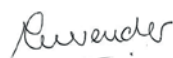
The Executive Committee is of the opinion, based on the information and explanations given by management, that the system of internal control provides reasonable assurance that the financial records may be relied on for the preparation of the financial statements. However, any system of internal financial control can provide only reasonable, and not absolute, assurance against material misstatement or loss.

The Executive Committee has reviewed the organisation's cash flow forecast for the year to 2023 and, in the light of this review and the current financial position, they are satisfied that the organisation has or has access to adequate resources to continue in operational existence for the foreseeable future.

The external auditor is responsible for independently auditing and reporting on the organisation's financial statements. The financial statements have been examined by the organisation's external auditor and their report is presented on page 6.

The financial statements set out on page 6, which have been prepared on the going concern basis, were approved by the Executive Committee on 16 November 2023 and were signed on its behalf by:

Approval of financial statements



Nersan Govender (National Director)

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)

Financial Statements for the year ended 31 March 2023

Executive Committee's Report

The Executive Committee has pleasure in submitting its report on the financial statements of Legal Resources Centre for the year ended 31 March 2023.

1. Nature of business

Legal Resources Centre was incorporated in South Africa with interests in the Non-profit sector. The organisation operates in South Africa.

The principal activities of the organisation are:

- a. To provide legal representation for litigants in any court of law, tribunal, or body.
- b. To conduct a programme in legal education and conduct seminars of educational value.
- c. To engage in research in legal areas including all matters relevant to the effective administration of justice.
- d. To publish the results of any research undertaken by it, and any material relevant to its objects.
- e. To employ and/or instruct counsel, attorneys, clerks and other persons for the purposes of implementing the objects of the Centre.
- f. To refer to the Legal Aid Board cases coming to the attention of the Centre which in its opinion can more appropriately be dealt with by the Legal Aid Board than by the Centre.
- g. To establish and administer legal clinics and/or to provide assistance to legal clinics at which services are rendered to the public or advice offices at which services are rendered to the public.

There have been no material changes to the nature of the organisation's business from the prior year.

2. Review of financial results and activities

The financial statements have been prepared in accordance with International Financial Reporting Standard for Small and Medium-sized Entities and the requirements of the Constitution of the Centre. The accounting policies have been applied consistently compared to the prior year.

Full details of the financial position, results of operations and cash flows of the organisation are set out in these financial statements.

3. Going concern

The 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.

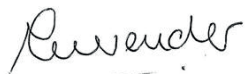
The Legal Resources Centre will be merged with the Legal Resources Trust as at 1st April 2023. The new entity will be registered as a Non-profit Company and will contain all of the assets of the two entities and will continue the operations of the LRC.

4. Auditors

MOTLANALO Auditors Inc were appointed as auditors for the organisation in May 2023.

The financial statements set out on page 6, which have been prepared on the going concern basis, were approved by the Executive on 16 November 2023, and were signed on its behalf by:

Approval of financial statements



Nersan Govender (National Director)



Independent Auditor's Report

To the Executive Committee Members of Legal Resources Centre NPO

Opinion

We have audited the Financial Statements of Legal Resources Centre NPO set out on pages 7 to 18 which comprise the statement of financial position as at year ended 31 March 2023 and the statement of comprehensive income, statement of changes in equity, and statement of cash flows for the year ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements are presented fairly, in all material respects, the financial position of Legal Resources Centre NPO as at year ended 31 March 2023, and its financial performance and cash flows for the year then ended in accordance with the International Financial Reporting Standard for Small and Medium-sized Entities (IFRS for SME), and the requirements of the requirements of the Non-Profit Organisations Act of 1997.

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 company 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.

Other information

The Executive committee members are responsible for the other information. The other information comprises the information included in the document titled Legal Resources Centre Annual Financial Statements for the year ended 31 March 2023, which includes the Executive committee report as required by the Non-Profit Organisations Act of 1997. 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 executive committee members for the Financial Statements

The executive committee members are responsible for the preparation and fair presentation of the financial statements in accordance with International Financial Reporting Standards for Small and Medium-sized Entities and the requirements of the Non-Profit Organisations Act of 1997, and for such internal control as the executive committee members 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 executive committee members are responsible for assessing the company'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 executive committee members either intend to liquidate the organisation or to cease operations, or have no realistic alternative but to do so.

Auditor's responsibilities for the audit of the Financial Statements

Our objective is 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 International Standards on Auditing 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 International Standards on Auditing, 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 company's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the executive committee members.
- Conclude on the appropriateness of the executive committee members 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 company'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 company 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 executive committee members 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.

Thomas Geza
Chartered Accountant (SA) Registered Auditor
Director
16 November 2023

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)
Financial Statements for the year ended 31 March 2023

Statement of Financial Position

Figures in Rand	Notes	2023	2022
Assets			
Non-Current Assets			
Property, plant and equipment	2	424 459	505 085
Current Assets			
Trade and other receivables	3	1 310 515	1 235 795
Cash and cash equivalents	4	8 502 243	16 971 010
		9 812 758	18 206 806
Total Assets		10 237 216	18 711 891
Equity and Liabilities			
Equity			
Accumulated surplus		4 515 908	4 600 330
Liabilities			
Current Liabilities			
Trade and other payables	5	868 684	1 263 046
Advance from Legal Resource Trust		4 000 000	9 100 000
Provisions	6	852 625	2 304 356
Deferred income		0	1 444 159
		5 721 308	14 111 561
Total Equity and Liabilities		10 237 216	18 711 891

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)
Financial Statements for the year ended 31 March 2023

Statement of Comprehensive Income

Figures in Rand	Note(s)	2023	2022
Income	7	34 358 253	31 833 421
Other income	8	5 354	9 630
Operating expenses		(34 964 948)	(32 014 037)
Operating (deficit)		(601 341)	(170 986)
Investment revenue		516 919	492 368
Surplus/(deficit) for the year		(84 422)	321 382

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)
Financial Statements for the year ended 31 March 2023

Statement of Changes in Equity

Figures in Rand	Retained income	Total equity
Balance at 31 March 2021	5 748 569	5 748 569
Total surplus for the year	321 382	321 382
Adjustment for prior year expenses brought in	(1 469 621)	(1 469 621)
Balance at 31 March 2022	4 600 330	4 600 330
Total deficit for the year	(84 422)	(84 422)
Balance at 31 March 2023	4 515 908	4 515 908

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)
Financial Statements for the year ended 31 March 2023

Statement of Cash Flows

Figures in Rand	Notes	2023	2022
Cash flows (utilised in) operating activities	10	(3 705 431)	(28 572)
Interest income		516 919	492 368
Finance costs			
Net cash (utilised in)/from operating activities		(3 188 512)	463 796
Cash flows from investing activities			
Purchase of property, plant and equipment	2	(185 607)	(201 299)
Sale of property, plant and equipment	2	5 354	9 630
Loans advanced from related party		(5 100 000)	9 100 000
Net cash (utilised in)/from investing activities		(5 280 253)	8 908 331
Total cash movement for the year		(8 468 765)	9 372 128
Cash at the beginning of the year		16 971 010	7 598 882
Total cash at end of the year	4	8 502 245	16 971 010

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)

Financial Statements for the year ended 31 March 2023

Accounting Policies

1. Basis of preparation and summary of significant accounting policies

The financial statements have been prepared on a going concern basis in accordance with the International Financial Reporting Standard for Small and Medium-sized Entities, and the Constitution of the Centre. The financial statements have been prepared on the historical cost basis and incorporate the principal accounting policies set out below. They are presented in South African Rands.

These accounting policies are consistent with the previous period.

1.1 Property, plant and equipment

Property, plant and equipment are tangible assets which the company holds for its own use or for rental to others and which are expected to be used for more than one period.

Property, plant and equipment is initially measured at cost.

Cost includes costs incurred initially to acquire or construct an item of property, plant and equipment and costs incurred subsequently to add to, replace part of, or service it. If a replacement cost is recognised in the carrying amount of an item of property, plant and equipment, the carrying amount of the replaced part is derecognised.

Expenditure incurred subsequently for major services, additions to or replacements of parts of property, plant and equipment are capitalised if it is probable that future economic benefits associated with the expenditure will flow to the company and the cost can be measured reliably. Day to day servicing costs are included in profit or loss in the period in which they are incurred.

Property, plant and equipment is subsequently stated at cost less accumulated depreciation and any accumulated impairment losses, except for land which is stated at cost less any accumulated impairment losses.

Depreciation of an asset commences when the asset is available for use as intended by management. Depreciation is charged to write off the asset's carrying amount over its estimated useful life to its estimated residual value, using a method that best reflects the pattern in which the asset's economic benefits are consumed by the company.

The useful lives of items of property, plant and equipment have been assessed as follows:

Item	Depreciation method	Useful life
Furniture and fixtures	Straight line	10 years
Motor vehicles	Straight line	5 years
Office equipment	Straight line	10 years
IT equipment	Straight line	3 years
Computer software	Straight line	5 years
Library and other	Straight line	10 years

The depreciation charge for each period is recognised in profit or loss unless it is included in the carrying amount of another asset.

Depreciation is not charged to an asset if its estimated residual value exceeds or is equal to its carrying amount.

When indicators are present that the useful lives and residual values of items of property, plant and equipment have changed since the most recent annual reporting date, they are reassessed. Any changes are accounted for prospectively as a change in accounting estimate.

Impairment tests are performed on property, plant and equipment when there is an indicator that they may be impaired. When the carrying amount of an item of property, plant and equipment is assessed to be higher than the estimated recoverable amount, an impairment loss is recognised immediately in profit or loss to bring the carrying amount in line with the recoverable amount.

An item of property, plant and equipment is derecognised upon disposal or when no future economic benefits are expected from its continued use or disposal. Any gain or loss arising from the derecognition of an item of property, plant and equipment, determined as the difference between the net disposal proceeds, if any, and the carrying amount of the item, is included in profit or loss when the item is derecognised.

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)

Financial Statements for the year ended 31 March 2023

Accounting Policies

1.2 Impairment of assets

The organisation assesses at each reporting date whether there is any indication that property, plant and equipment may be impaired.

If there is any such indication, the recoverable amount of any affected asset (or group of related assets) is estimated and compared with its carrying amount. If the estimated recoverable amount is lower, the carrying amount is reduced to its estimated recoverable amount, and an impairment loss is recognised immediately in profit or loss.

If an impairment loss subsequently reverses, the carrying amount of the asset (or group of related assets) is increased to the revised estimate of its recoverable amount, but not in excess of the amount that would have been determined had no impairment loss been recognised for the asset (or group of assets) in prior years. A reversal of impairment is recognised immediately in profit or loss.

1.3 Provisions and contingencies

Provisions are recognised when the organisation has an obligation at the reporting date as a result of a past event; it is probable that the company will be required to transfer economic benefits in settlement; and the amount of the obligation can be estimated reliably.

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 the passage of time is recognised as interest expense.

Provisions are not recognised for future operating losses.

1.4 Revenue

Revenue is recognised to the extent that the organisation has transferred the significant risks and rewards of ownership of goods to the buyer, or has rendered services under an agreement provided the amount of revenue can be measured reliably and it is probable that economic benefits associated with the transaction will flow to the company. Revenue is measured at the fair value of the consideration received or receivable, excluding sales taxes and discounts.

Interest is recognised, in profit or loss, using the effective interest rate method.

1.5 Financial instruments

Measurement

Financial instruments carried on the statement of financial position include bank balances, accounts receivable and accounts payable. Financial instruments are initially measured at cost as at trade date, which includes transaction costs. Subsequent to initial recognition, the following instruments are measured as set out below:

Accounts receivable

Accounts receivable are stated at cost less provision for impairment losses.

Cash and cash equivalents

Cash equivalents are short term, highly liquid investments that are readily convertible to known amounts of cash and are subject to insignificant risk in change in value.

Cash and cash equivalents are measured at fair value.

Accounts payable

Accounts payable, which are short-term obligations, are stated at their nominal value.

1.6 Tax

The Legal Resources Centre has been approved as a Public Benefit Organisation and is consequently exempt from tax in terms of section 10(1)(cN) as read with section 30 of the Income Tax Act.

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)

Financial Statements for the year ended 31 March 2023

Notes to the Financial Statements

Figures in Rand

2. Property, plant and equipment

	<u>2023</u>			<u>2023</u>	<u>2022</u>		
	Cost or revaluation	Accum deprec	Carrying value	Write down of fully depreciated PPE no longer in use	Cost or revaluation	Accum deprec	Carrying value
Furniture and fixtures	149 651	(97 175)	52 476	(179 812)	329 463	(251 776)	77 687
Motor vehicles	1 438 955	(1 438 955)	0	(515 554)	1 954 509	(1 914 966)	39 543
Computer equipment	703 036	(371 573)	331 463	(1 606 877)	2 293 974	(1 942 429)	351 546
Office equipment	81 419	(40 901)	40 518	(126 663)	222 327	(186 020)	36 307
Computer software	0	0	0	(1 044 357)	1 044 357	(1 044 357)	0
Other property, plant and equipment	0	0	0	(81 032)	81 032	(81 033)	0
Total	2 373 060	(1 948 603)	424 457	(3 554 295)	5 925 662	(5 420 579)	505 083

Reconciliation of property, plant and equipment - 2023

	Opening balance	Additions	Depreciation	Impairment loss	Closing balance
Furniture	77 687	0	(14 966)	(10 245)	52 476
Motor Vehicles	39 543	0	(39 543)	0	0
Computer equipment	351 546	173 078	(190 015)	(3 145)	331 464
Office Equipment	36 307	12 529	(6 951)	(1 367)	40 518
Total	505 083	185 607	(251 475)	(14 757)	424 458

Reconciliation of property, plant and equipment - 2022

	Opening balance	Additions	Depreciation	Impairment loss	Closing balance
Furniture and fixtures	92 653	0	(14 966)	0	77 687
Motor vehicles	111 149	0	(71 606)	0	39 543
Office equipment	45 337	0	(9 030)	0	36 307
Computer equipment	329 004	201 299	(172 760)	(5 996)	351 547
Total	578 142	201 299	(268 361)	(5 996)	505 084

Notes on PPE

- Fully depreciated PPE no longer in use were removed from the asset register.
- Motor vehicles have been fully depreciated but are still in use.

3. Trade and other receivables

	<u>2023</u>	<u>2022</u>
Trade receivables	597 032	522 429
Employee costs in advance	2 227	1 987
VAT	711 256	711 379
Total	1 310 515	1 235 795

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)

Financial Statements for the year ended 31 March 2023

Notes to the Financial Statements

Figures in Rand

2023

2022

4. Cash and cash equivalents

Cash and cash equivalents consist of:

Bank balances	1 303 754	2 992 267
Short-term deposits	7 187 133	13 967 387
Petty Cash	11 356	11 356
	8 502 243	16 971 010

5. Trade and other payables

Trade payables	868 684	1 263 046
	868 684	1 263 046

6. Provisions

	Opening Balance	Utilised during the year	Total
Provisions for employee benefits	692 162	91 168	783 330
Other provision for expenses	142 573	(73 278)	69 295
Total provisions			852 625

Reconciliation of provision for leave pay - 2022

	Opening Balance	Utilised during the year	Total
Provisions for employee benefits	1 235 360	(543 198)	692 162

7. Revenue

	2023	2022
European Centre for Non-Profit-Law	88 900	0
I.N.C.L.O.	1 310 800	1 525 869
I.N.C.L.O. (Deferred)	0	(1 080 559)
LARC	424 701	0
Omega Research Foundation	77 008	359 530
One Ocean Hub	363 600	0
Swedish Society for Nature Conservation	0	720 554
Other income	214 551	343 619
Cash from Legal Resources Trust	30 623 196	28 667 504
Cost recovery income	1 255 498	1 296 903
	34 358 254	31 833 421

8. Other income

Profit on disposal of assets	5 354	9 630
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Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)
Financial Statements for the year ended 31 March 2023

Notes to the Financial Statements

Figures in Rand

2023

2022

9. Finance costs

None

10. Cash generated from operations

Surplus/(Deficit)	(84 422)	321 382
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Adjustments for:

Depreciation and amortisation	266 234	274 357
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Movements in provisions for leave pay	91 168	(543 198)
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Provision for prior year expenses added back	0	(1 469 621)
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Profit on sale of assets	(5 354)	(9 630)
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Interest received	(516 919)	(492 368)
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Changes in working capital:

Trade and other receivables	(74 720)	(218 702)
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Trade and other payables	(3 381 420)	2 109 209
--------------------------	-------------	-----------

(3 705 433)	(28 572)
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11. Commitments

Operating leases – as lessee (expense)

Minimum lease payments due

- within one year	1 331 785	1 607 468
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- in second to fifth year inclusive	2 109 736	1 556 399
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3 441 521	3 163 867
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Operating lease payments represent rentals payable by the organisation for certain of its office properties in Conhill, Cape Town and Durban. Leases are negotiated for a term of between three and five years. No contingent rent is payable. The Makhanda office is run out of a building owned by the Legal Resources Trust.

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)
Financial Statements for the year ended 31 March 2023

Notes to the Financial Statements

Figures in Rand	2023	2022
12. Related party balances and transactions with related parties		
Compensation paid to key management personnel		
Employee cost	7 189 876	6 682 370
Distribution from the related party		
Legal Resource Trust	30 623 196	28 667 504
Advance from related party		
Legal Resource Trust	4 000 000	9 100 000

The advance of R4 000 000 was provided to consolidate cash resources for investment purposes in the LRC in 2023. The trust has an oversight and fiduciary responsibility and is responsible for the appointment of the National Director and ratifying the appointment of certain senior staff members.

13. Going concern

The existence of the Centre is dependent on the continued support of its donors, by way of grants and donations raised through the Legal Resources Trust. Current levels of fundraising within the Legal Resources Trust provide no cause for concern in the next financial period.

A material future event is the merger of the Legal Resources Centre with the Legal Resources Trust into a new entity, Legal Resources Centre NPC scheduled to be actioned on the 1st April 2023. This merger will involve the transfer of all assets and liabilities of the LRC to the new entity and the eventual closing down of the LRC.

14. Events after the reporting period

There were no events after the reporting period which would have a material impact on the results presented nor on the status as a going concern other than those mentioned under note 13.

15. Interest rate risk

The Centre has no exposure to changes in interest rate as it has no material borrowings nor is it dependent on interest as material part of its income.

16. Capital risk management

There is no capital risk as the Centre does not have any debt in its balance sheet.

17. Financial instruments

The Centre has only cash holdings in Nedbank.

18. Financial risk management

The Centre has no financial risk profile given that all of its holdings are in cash

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)
Financial Statements for the year ended 31 March 2023

Detailed Income Statement

Figures in Rand	Note(s)	2023	2022
Revenue			
European Centre for Non-Profit-Law		88 900	0
I.N.C.L.O		1 310 800	1 525 869
I.N.C.L.O. (Deferred)		0	- 1 080 559
LARC		424 701	0
Omega Research Foundation		77 008	359 530
One Ocean Hub		363 600	0
Swedish Society for Nature Conservation		0	720 554
Cost recovery		1 255 498	1 296 903
Other grants and donations		214 551	343 619
Cash from Legal Resource Trust		30 623 196	28 667 504
	7	34 358 254	31 833 421
Other income			
Gains on disposal of assets		5 354	9 630
Expenses (Refer to page 18)		(34 964 948)	(32 014 037)
Operating (Deficit)		(601 340)	(170 986)
Investment income		516 919	492 368
Surplus / (Deficit) for the year		(84 422)	321 382

The supplementary information presented does not form part of the financial statements and is unaudited

Legal Resources Centre

(Registration number: NPO Number: 023-004 and PBO Number: 930003292)

Financial Statements for the year ended 31 March 2023

Detailed Income Statement

Figures in Rand	2023	2022
Operating expenses		
Salaries	23 732 527	21 451 698
Support costs		
Audit Fees	200 230	193 084
Bank charges	55 323	55 215
Consultants	106 786	117 170
Fund raising	15 007	0
General Expenses	1 075 759	308 054
IT	1 445 946	1 513 291
Law society subscriptions	53 714	71 998
Office costs	252 897	231 145
Printing & postage	421 506	345 648
Rental	2 058 070	2 013 936
Training	13 530	75 212
Travel	138 042	148 366
Workshops	0	16 063
Total Support costs	5 836 809	5 089 182
Programme costs		
Attorneys & Others	968 523	2 062 602
Counsel	1 859 492	1 859 515
General Expenses	51 634	95 989
Publications	288 401	538 929
Travel	1 543 633	381 361
Workshops	683 929	534 762
	5 395 612	5 473 157
Total expenditure	34 964 948	32 014 037

The supplementary information presented does not form part of the financial statements and is unaudited

LOOKING TO THE FUTURE

We asked our Executive Director
an important question:
What are your hopes for the future?



“

I remain committed to the idea that by holding individuals and institutions accountable, we can build an empowered society in which the constitutional rights of all who live in South Africa are upheld and the promise of the 1994 democratic transition can be realised.”

- Nersan Govender, Executive Director of The Legal Resources Centre

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Acknowledgements

Editorial: Fortaleza Agency (Pty) Ltd

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