




PRO BONO & HUMAN RIGHTS



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"Making an Impact"
newsletter



*"The firm has a superior
network of advocates..."*

CHAMBERS GLOBAL 2022

PRACTICE OVERVIEW

In 2011, as a manifestation of our firm's commitment to human rights, CDH set up a dedicated Pro Bono & Human Rights practice which has built a reputation as a leader in the field. Each year, our small but vibrant practice provides thousands of hours of pro bono assistance to numerous deserving individuals and organisations unable to pay for legal services.

In addition to running our own independent matters, our practice also draws on the wealth of knowledge and expertise in the firm's other practice areas, allowing us to offer a wide range of specialist pro bono legal services of the highest quality to a range of different clients. Because we believe our future as a nation lies in building and empowering communities, our practice also engages in human rights training, legal training and special project work. Every attorney in the firm is encouraged to make a contribution not only to the provision of pro bono legal services but also in rolling out our human rights-based special projects and initiatives.



OUR CLIENTS

Our practice offers a range of free legal services to both individuals and non-profit organisations (NPOs) as well as other entities engaged in human rights or public interest work.

OUR SERVICES

Assisting Vulnerable Individuals

Because we believe that ordinary individuals always matter, our practice dedicates significant time to assisting vulnerable and disadvantaged individuals to access the legal system and enforce their rights in deserving matters. These services range from the provision of advice to a full range of litigation services where appropriate.

High Impact/Public Interest Litigation

We also recognise that as a well-resourced firm, we are in a position to make a wider contribution to a society facing ever-increasing challenges through the pursuit of matters implicating issues of broader public interest. We accordingly dedicate resources to engaging in high impact and public interest litigation that has the potential to develop our law and change many lives for the better, often in partnership with other organisations.

Our practice has specialist expertise in the fields of constitutional and public law, migrant rights, access to information and a growing specialty in women's rights.

SPECIALIST FIELDS OF EXPERTISE

Our practice has specialist expertise in the fields of constitutional and public law, migrant rights, access to information and a growing specialty in women's rights.

HUMAN RIGHTS, PUBLIC INTEREST LAW AND CONSTITUTIONAL LAW

We have successfully litigated and participated in a number of high profile and precedent setting human rights and public interest law matters, including:

Rights to Basic Education

We represented the South African Human Rights Commission to act as an amicus curia in a precedent setting matter concerning the rights of undocumented learners to a basic education in which the Grahamstown High Court struck down exclusionary policies and decisions of the Department of Education that discriminated against undocumented children. The Court upheld the right of all children, regardless of status, to a right to education in terms of section 26 of the Constitution.

Land Rights

Our Cape Town practice has expertise in land rights and is assisting a number of vulnerable communities in the Western Cape to enforce their rights to land.

Migrant Law

We represented two brothers (the children of Angolan refugees) in a precedent setting matter that went all the way to the Supreme Court of Appeal, to enforce their rights to citizenship under section 4(3) of the Citizenship Act and are assisting a number of other similarly affected young people to enforce their section 4(3) rights.

Our practice also assists refugees, asylum seekers and undocumented migrants to enforce various other constitutional and statutory rights, including rights to various social services, health care services and to challenge unfairly discriminatory practices.

Access to Information

We have assisted with a number of high - profile access to information cases, including assisting the South African History Archives (SAHA) to obtain a copy of the Truth and Reconciliation Commission database from the Department of Justice after many years of struggle, and the Right to Know Campaign to challenge a decision not to disclose the names and places of National Key Points under the National Key Points Act.

SPECIALIST FIELDS OF EXPERTISE...continued

Civil damages for sexual assault claim

Our Cape Town Practice is representing survivors of sexual assault to claim civil damages. An important component of the case is a constitutional challenge to provisions of the Prescription Act which place an unfair evidentiary burden on survivors by requiring them to prove why they did not launch proceedings sooner.

Human rights training/special projects

Our practice also conducts human rights training and other substantive project work.

We are actively involved with the National Schools Moot Court Competition which is

a nationwide high school-level moot court competition. The competition is hosted and run by a non-profit initiative comprising various players whose aim is to facilitate access to legal education and to promote awareness of our Constitution and Bill of Rights.

Our practice, together with CDH's Knowledge Management team, has played an active role over the last few years in supporting the competition through the hosting of training seminars, participation in the adjudication of the competition and financial support through the provision of bursaries to the finalists.

Assisting NGOs and NPOs

Our Corporate and Commercial along with other practice areas also offer a wide range of specialist pro bono assistance to many NPOs and public benefit organisations and entities, including assistance with registration and other start up assistance; providing tax and employment law advice; assistance with the drafting of contracts; the provision of training; and dispute resolution.

Our clients include large established entities like the Adopt-a-School Foundation as well as a number of smaller community-based organisations.

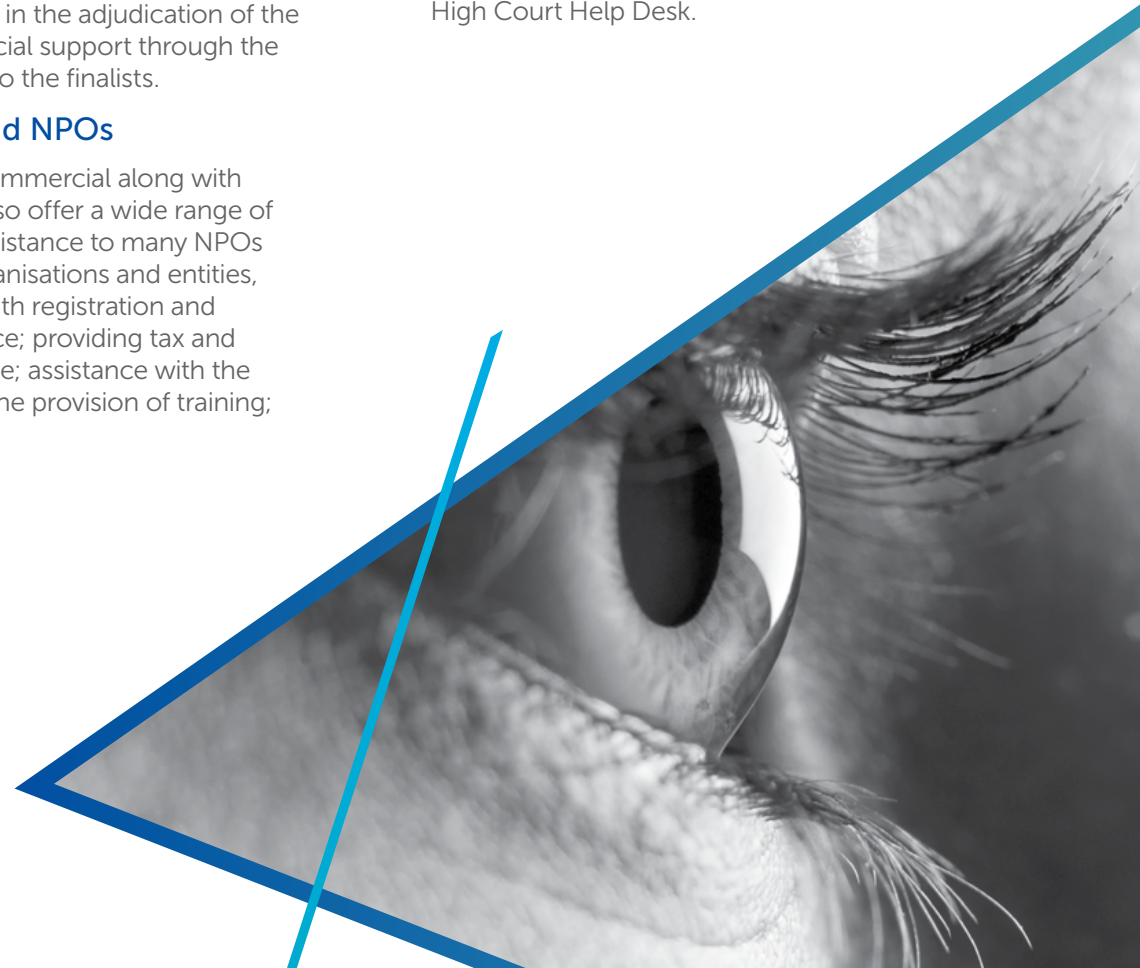
Staffing clinics

Members of our firm and practice regularly assist in staffing various law clinics run and administered by ProBono.Org, including the Refugee Law Clinic, the Inner City Housing Clinic, the Master's and the High Court Help Desk.

"Cliffe Dekker Hofmeyr provides excellent advice and strategy, and follows through. The team is extremely knowledgeable."

"The firm has a strong multidisciplinary team that is extremely skilled and knowledgeable."

CHAMBERS GLOBAL 2024



MARKET RECOGNITION

Our Pro Bono & Human Rights team is externally praised for its depth of resources, capabilities and experience.

Chambers Global 2021–2024 ranked our Administrative & Public Law team in Band 3.

In 2020 and 2021 the Practice won Best Large Firm Award at the annual *ProBono.Org awards*.

In 2017, our Pro Bono & Human Rights Practice won the Refugee Law Award at the annual *ProBono.Org awards*. The Practice also received a certificate in recognition of its contribution to the production of a Judicial Review Guide for Refugees as part of ProBono.Org's launch of its Practitioners Guides to Refugee Law Project.

In 2017, CDH won a Law Society Award for its outstanding pro bono contribution.

In 2015, our Pro Bono & Human Rights Practice was shortlisted for the award for the most impactful case at the 2015 ProBono.Org awards for its contribution to the SAHA/R2K National Key Points matter.

In 2012, CDH was awarded the Endangered Wildlife Trust (EWT) Cheetah Award in recognition of its special contribution to achieving the vision of EWT.

Jacquie Cassette is the Practice Head of our Pro Bono & Human Rights team. *Chambers Global 2021–2024* ranked her in Band 3 for administrative & public law.



The logo for Pro Bono & Human Rights, featuring the text 'PRO BONO & HUMAN RIGHTS' in white on a dark blue background with a water drop graphic.

DEDICATED TO MAKING AN IMPACT

Whilst it's always rewarding to receive recognition, the greatest reward is knowing we are making a difference in the lives of many.

CDH Pro Bono & Human Rights Practice, ProBono.Org Awards 2021 winner of the highest number of pro bono hours in 2020, the Large Firm award for 2020 and a Special Mention for the many years of work on the Jose Brothers case.

From powerful partnerships come powerful results.

The legal partner for your business.

ProBono.Org®

OUR TEAM

For more information about our Pro Bono & Human Rights practice and services in South Africa and Kenya, please contact:



Jacquie Cassette

Practice Head & Director:
Pro Bono & Human Rights
T +27 (0)11 562 1036
E jacquie.cassette@cdhlegal.com



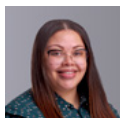
Clarice Wambua

Consultant | Kenya
T +254 731 086 649
+254 204 409 918
+254 710 560 114
E clarice.wambua@cdhlegal.com



Brigitta Mangale

Director:
Pro Bono & Human Rights
T +27 (0)21 481 6495
E brigitta.mangale@cdhlegal.com



Elgene Roos

Senior Associate:
Pro Bono & Human Rights
T +27 (0)11 562 1863
E elgene.roos@cdhlegal.com



Gift Xaba

Senior Associate:
Pro Bono & Human Rights
T +27 (0)11 562 1089
E gift.xaba@cdhlegal.com



Lauriene Maingi

Associate | Kenya
T +254 731 086 649
+254 204 409 918
+254 710 560 114
E lauriene.maingi@cdhlegal.com

BBBEE STATUS: LEVEL ONE CONTRIBUTOR

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

PLEASE NOTE

This information is published for general information purposes and is not intended to constitute legal advice. Specialist legal advice should always be sought in relation to any particular situation. Cliffe Dekker Hofmeyr will accept no responsibility for any actions taken or not taken on the basis of this publication.

JOHANNESBURG

1 Protea Place, Sandton, Johannesburg, 2196. Private Bag X40, Benmore, 2010, South Africa.

Dx 154 Randburg and Dx 42 Johannesburg.

T +27 (0)11 562 1000 F +27 (0)11 562 1111 E jhb@cdhlegal.com

CAPE TOWN

11 Buitengracht Street, Cape Town, 8001. PO Box 695, Cape Town, 8000, South Africa. Dx 5 Cape Town.

T +27 (0)21 481 6300 F +27 (0)21 481 6388 E ctn@cdhlegal.com

NAIROBI

Merchant Square, 3rd floor, Block D, Riverside Drive, Nairobi, Kenya. P.O. Box 22602-00505, Nairobi, Kenya.

T +254 731 086 649 | +254 204 409 918 | +254 710 560 114

E cdhkenya@cdhlegal.com

STELLENBOSCH

14 Louw Street, Stellenbosch Central, Stellenbosch, 7600.

T +27 (0)21 481 6400 E cdh Stellenbosch@cdhlegal.com

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