



Law Clinic

Annual Report 2024



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Law Clinic
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Awarded: the leading African social justice and specialist law firm.



Letter from **NIKITA STANDER**

Deputy Head and Senior Attorney: SU Law Clinic

As the newly appointed Deputy Head of the Stellenbosch University Law Clinic, I am both honoured to present my first letter in this role and privileged to reflect on the Clinic's significant achievements and milestones in 2024.

To our esteemed stakeholders, partners, and community members.

2024 was an extraordinary year, characterised by notable growth, impactful legal work, and an unwavering dedication to social justice. I am immensely proud to be part of a talented and devoted team of staff, students, and partners who consistently make a profound impact in our community.

In 2024, the Clinic was visited by 1 453 individuals across our offices in Stellenbosch, Worcester, Ceres, and Bishop Lavis, who required assistance with their legal matters. This number reflects the growing demand for access to justice in our communities, and I am pleased to report that we were able to provide critical legal assistance to many who needed it most. Whether through direct legal representation, advice, or education, our team worked relentlessly to ensure that vulnerable members of society were given a voice within the legal system.

A major highlight of 2024 was the Clinic's involvement in the class action against the websites connected to Lifestyle Legal, a company responsible for defrauding thousands of consumers. The Clinic successfully opposed four appeals against the certification judgment, including a final attempt to take the matter to the Constitutional Court. This legal victory marked a significant achievement, as the Summons and Particulars of Claim were filed in the Western Cape High Court and served on the defendants in September 2024. This matter exemplifies our ongoing commitment to protecting consumers and holding unscrupulous businesses accountable for their actions.

In addition to our legal work, our staff actively engaged in public education and advocacy efforts. Over the past year, several staff members participated in interviews on prominent platforms such as News24, eNCA, and Kaya FM, sharing their perspectives on key legal issues affecting our communities. These public outreach initiatives have helped strengthen the Clinic's role as a leader in the legal field and as a staunch advocate for justice.

We also continued to empower communities through legal education and training. We conducted a variety of training sessions to farm occupiers, paralegals, community leaders, school learners, and indigent community members, respectively. These initiatives align with our broader vision of fostering a legally empowered community that can effectively exercise its rights and a South African society more attuned to its social justice responsibilities.

On a personal note, I would like to celebrate the professional achievement of our Head, Prof Theo Broodryk, who delivered his inaugural lecture in April 2024. This was an important milestone in his esteemed career, underscoring the depth of expertise he brings to the Clinic. Prof Broodryk's leadership remains instrumental in guiding the Clinic's ongoing success.

Finally, I am proud to announce that the Clinic received the inaugural 2024 Stellenbosch University Social Impact Award in the Team Award category. This recognition is a testament to the collective efforts and passion of our staff, students, and partners who work tirelessly to effect meaningful change in our community. It is an honour to be part of a team that is not only committed to the practice of law but also to advancing social justice and the public good.

As we look ahead to 2025, I am excited about the opportunities and challenges that lie ahead. With the continued dedication of our strong and capable team, I am confident that we will persist in serving our community with the highest standards of legal service and advocacy. The work of the Stellenbosch University Law Clinic has never been more critical, and I am eager to contribute to our mission of making justice accessible to all.

I would like to extend my heartfelt thanks to all our supporters, partners, and community members for their ongoing trust and collaboration. Your belief in our work is integral to our success and together we will continue to drive meaningful change.

A handwritten signature in black ink that reads "N. Stander".

Letter from **PROF THEO BROODRYK**

Professor and Managing Attorney of the SU Law Clinic

I am delighted to reflect on the path ahead in 2025, a year brimming with both challenges and promise.



Building on the remarkable achievements of 2024, we are poised to expand our impact, enhance access to justice, and strengthen our commitment to the practical training of the next generation of legal professionals.

One of the most significant developments for 2025 is the expansion of the Clinic's Practical Legal Training programme to all final-year law students. This transformative initiative represents a milestone in our commitment to experiential learning, bridging the gap between academic study and the realities of legal practice. While the logistical demands of integrating a larger cohort will undoubtedly pose challenges, this expansion presents a unique opportunity to deepen our impact on both the students we train and the communities we serve. By equipping future legal professionals with practical skills and a keen sense of social justice, we contribute to shaping a more equitable legal landscape for South Africa.

The year ahead will also bring continued growth in the scope and complexity of our legal work. Cases like the class action against Lifestyle Legal demonstrated our ability to take on high-stakes litigation and protect vulnerable consumers from exploitative practices. In 2025, we will build on this momentum, pursuing strategic litigation and impact-driven advocacy that advances our mission of justice for all.

Public education and community outreach remain central to our ethos. In 2025, we aim to extend our legal education programmes to even more communities, empowering individuals with the knowledge to assert their rights. This work not only aligns with our mission of fostering legal awareness but also reinforces our role as a vital resource in promoting accountability and social justice.

As we embark on this new chapter, the Clinic's successes would not be possible without the dedication and expertise of our staff and students, as well as the support of our partners and broader community. The Clinic's

continued recognition as a leader in social impact and legal innovation—evidenced by accolades like the 2024 Stellenbosch University Social Impact Award—reaffirms the importance of our work and the values that drive us forward.

I am deeply optimistic about what lies ahead. The challenges we face in 2025, particularly in scaling our operations and expanding the scope of our programmes, are matched by the profound opportunities they bring. Together, we will continue to uphold the highest standards of legal service, foster the development of future legal professionals, and work tirelessly to make justice a reality for all South Africans.

I would also like to congratulate Senior Attorney Nikita Stander on being appointed to the role of Deputy Head. In this capacity, Nikita will take on a vital leadership role, focusing on the operational management of the Clinic, ensuring the continued excellence of our services and day-to-day operations. Nikita has been a valued member of our team, and we look forward to her continued contributions in this leadership role as we work together to continue to provide high quality legal services.

Thank you to our dedicated team, partners, and community for your unwavering support. Your belief in the mission of the Stellenbosch University Law Clinic is both inspiring and indispensable as we move forward. Let us face 2025 with determination, vision, and a shared commitment to justice.

T Broodryk

WHO WE ARE

The Law Clinic's Vision is:

a community that is legally empowered and that possesses a strengthened capacity to exercise their rights, either as individuals or as members of the community;

law graduates who are professionally trained and are at the highest echelons insofar as their employability is concerned; and

&

a broader South African community that is sensitised to their social justice responsibilities.

To bring our vision into reality the Law Clinic, through collaboration initiatives or otherwise, provides professional legal advice and representation in civil matters to members of the community who qualify for legal aid in Stellenbosch and surrounding areas and we offer legal education, including clinical legal education, to candidate attorneys, final-year law students and to members of the community, including the poor and marginalised. The Law Clinic expects each employee to uphold the organisation's core values in its dealings with clients, colleagues and other stakeholders:

Diligence and passion

Conviction, diligence and passion are expected and are essential employee characteristics that the Clinic expects in order to achieve its objectives.

Transparency, honesty and integrity

The Clinic's reputation is largely dependent upon its employees conducting themselves with integrity and in an honest and transparent manner. It constitutes the fundamental cornerstone upon which the Clinic operates, without which no relationship of value and trust can exist.

Respect

The Clinic respects, values and encourages differences among all people where such differences are embraced within the workplace to promote and achieve the Clinic's objectives.



Strategic Focus Areas

Stellenbosch University has identified the following three overarching strategic priorities that encompass its mission and the vision:

**Broaden
access**

**Sustain
excellence**



**Enhance
societal impact**

As a higher education institution, SU considers its responsibility to the country and continent as key in the quest to demonstrate corporate citizenship. This is demonstrated by aspiring to incur systemic transformative social impact as the ultimate goal, through institutional collaborative activities with internal and external role players, while upholding the values of shared responsibility, empathy and leadership in service of others. Societal impact is ingrained in the culture of the university where societal well-being is a core goal and social justice is a commitment.

The Law Clinic has incorporated these overarching systemic and organisational strategic priorities into its key objectives, which are as follows:

- To inform and empower qualifying persons through fair and equal access to quality and cost-effective legal services and support;
- To inform and empower the appropriate persons through the dissemination and provision of relevant, quality legal information and training;
- To enable the professional and personal development of candidate legal practitioners and other Law Clinic staff, through mentoring, training, supervision and exposure to the practice of law;
- To provide education, including Clinical Legal Education, to law students through teaching and exposure to the practice of law (in cooperation with the SU Law Faculty);
- To promote strong governance and management structures; and
- To sustain the Law Clinic's existence and its ability to offer relevant, cost-effective services.

Through the fulfilment of these objectives, the Law Clinic contributes towards the University's overarching strategic imperatives by ensuring that it, firstly, remains committed to the broadening of access by being responsive to the needs of its beneficiaries, particularly those in vulnerable communities; by increasing and accelerating the diversity profile of Law Clinic staff through proactive recruitment; developing and retaining Law Clinic staff members from the designated groups; and creating an inclusive Law Clinic culture and climate that embraces diversity and the values of the University; secondly, delivers work of an excellent standard in every facet of its operation by implementing appropriate accountability mechanisms and reporting structures within the organisation; and lastly, strives to achieve maximum societal impact within its sphere of influence by responsibly and thoughtfully conducting operational and strategic processes; reviewing progress regularly; and being responsive to the ever-changing context in which it operates.

How we are Managed & Governed

The Law Clinic is governed by its Advisory Board and the elected SU Council.

The Law Clinic's strategy is influenced by decisions taken by the governing structure of SU and is shaped by the Manager, the Dean and Vice-Dean of the Law Faculty, with the input of the Law Clinic attorney employees and the Faculty Committee, subject to the overall SU strategy, policies, procedures and rules. The Manager is a member of the Law Faculty's executive decision-making body, the Faculty Committee. Certain decisions are also subject to approval by the Faculty Board, which mostly comprises all permanent academic faculty appointments. The Faculty's decisions are subject to the governing structures policies, procedures and rules and such decisions would accordingly need to be made with due reference to such governance instruments. The governing structure's approval regarding certain decisions affecting the Law Clinic's strategy may be required and it may also be approached on an ad hoc basis for input and advice. Financial reports are generated throughout the year and reviewed by internal SU mechanisms. The Law Clinic's annual budget is prepared by the Manager with input from Law Clinic practitioners and the Faculty Committee, subject to and within the framework of allocated SU organisational funding. The budget is approved by the Dean of the Faculty.

Towards the end of 2024, Senior Attorney Nikita Stander was appointed to the additional role of Deputy Head of the Law Clinic, with the appointment taking effect on 1 January 2025. In this new role, the Deputy Head will play a key leadership role, overseeing the operational management of the Clinic and ensuring the ongoing excellence of its services and daily operations.

An in-house financial management system is used by SU through which the funds of the Law Clinic are channelled and managed. SU practices effective, efficient and transparent financial management in terms of financial accountability. All financial transactions are subject to the University's Financial Policy. The signatory authority and mandate for approval resides with the Manager. Supporting documentation is required for auditing purposes.



Staff

Prof T Broodryk Professor and Head

N Stander Senior Attorney and Deputy Head

Dr S van der Merwe Senior Attorney, Notary Public and Lecturer

J Parks Attorney

O Nweba Attorney

S Smith Administrator

P Khoaeane Receptionist

M Esau Administrative Assistant

M Lloyd Candidate legal practitioner

Z Charles Candidate legal practitioner

R Garson Candidate legal practitioner

TS Makasi Candidate legal practitioner

M Zibi Candidate legal practitioner

S Sithole Candidate legal practitioner

L Mlenze Candidate legal practitioner

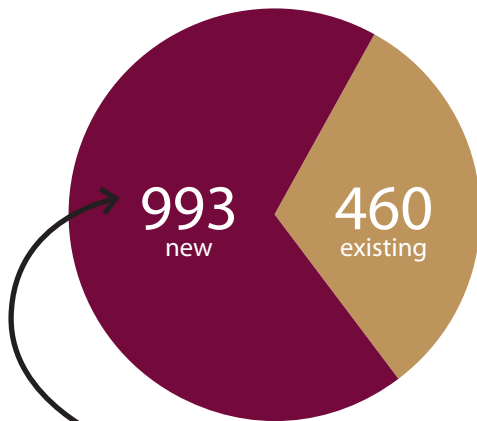
T Van Breda-Opperman Postgraduate consultant

EC Anderson Training coordinator

2024 Statistics

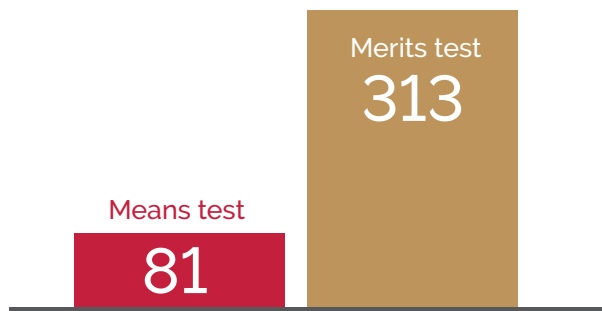
{ From the beginning of January 2024 until 30 November 2024: }

1453 individuals visited the Law Clinic

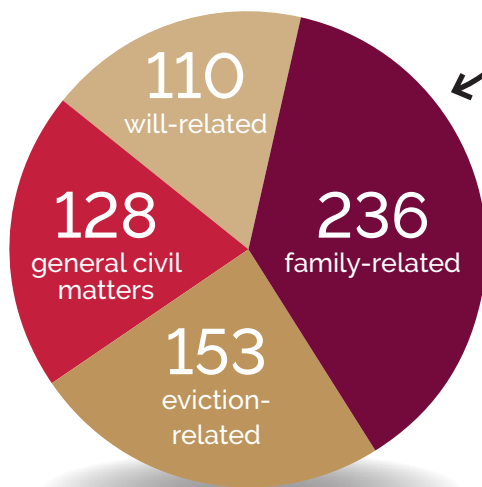


Out of the 993 new clients:

Did not qualify because they did not pass the:



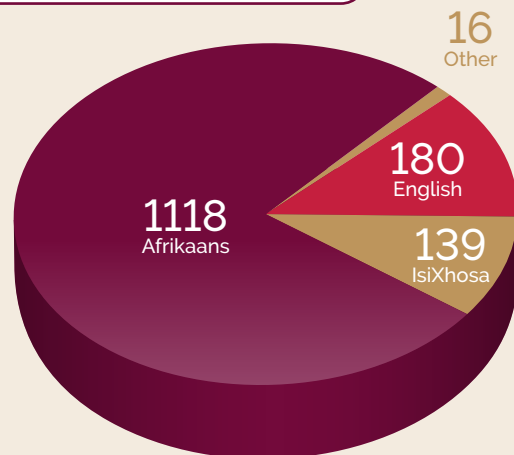
Of the 627 individuals who qualified for legal aid:



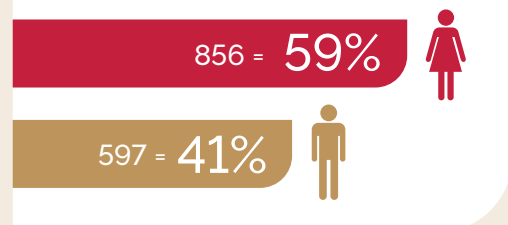
The Clinic employs the means test of Legal Aid South Africa to determine whether members of the public qualify for free legal aid. In addition, the Clinic assesses whether cases have sufficient legal merits to justify intervention.

Of the 1453 individuals who visited the Law Clinic:

Language spoken

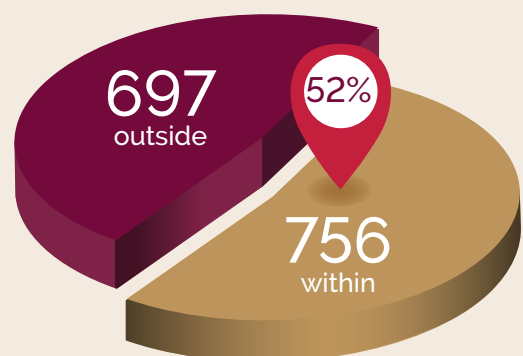


Female VS Male



Geographical spread

% of people residing in Stellenbosch Municipal area.



The majority of individuals thus came from within the Stellenbosch Municipal area.

Impact Work

Stellenbosch University Law Clinic & others // Lifestyle Legal International Group (Pty) Ltd & Others

The Clinic's class action application, supported by eight clients, in which the Clinic sought permission to represent thousands of defrauded consumers, was certified by the Western Cape High Court on 21 July 2021.

The Clinic effectively opposed four unsuccessful attempts, the last to the Constitutional Court, to appeal against the successful certification judgment on behalf of the relevant class of consumers. Since then, the required notifications have been disseminated to the various class members and the period for opting out of the forthcoming class action, itself, has expired. On 20 September 2024, the Clinic issued the Summons and Particulars of Claim in the Western Cape High Court, which were served on the defendants on 25 September 2024. The defendants filed their Notice of Intention to Defend and their Plea, the latter of which is currently being amended to address minor clerical errors. Once the amended plea is served, we anticipate that the class action will proceed to the discovery phase.

Combatting abuses in the debt counselling and debt review system

The Clinic has been active in assisting debtors and advocating for legislative and practical changes in the problematic debt review system. During previous years, the Clinic has, for example, featured in a Carte Blanche exposé on the matter and it is currently working with a major corporate role player to identify a strategy to bring meaningful change to improve the position of vulnerable consumers under debt review.

Collaboration with the offices of the National Credit Regulator (NCR) and the National Consumer Commission (NCC)

In 2022 and 2023, the Clinic entered into Memorandums of Understanding (MOUs) with the offices of both the NCR and the NCC. These MOUs are aimed at formalising the collaborative relationships between these organisations and the Clinic in recognition of the Clinic's position as important role player in the consumer protection arena. This collaboration has already borne fruit in the form of the production and dissemination of the 2023 NCR Guideline Circular entitled "Emolument attachment orders and other related matters". This publication raised awareness among creditors and consumers about their rights and obligations regarding emolument attachment orders and debt collection practices. By highlighting concerns about excessive legal costs and fees charged during debt collection, particularly through EAOs, the circular informed consumers about potential exploitation by credit providers, debt collectors, and legal representatives. In 2024, the collaboration has been continued and the Clinic is currently working with the NCR on improving the problematic payroll deduction system, and with the NCC on challenges related to the prescription of consumer claims under investigation with the NCC.

Teaching

Staff associated with the Clinic remain responsible for coordinating and lecturing the following undergraduate law modules:

- Legal Ethics 214 (Dr van der Merwe);
- Law of Civil Procedure 244 (Prof Broodryk);
- Law of Civil Procedure 314 (Prof Broodryk);
- Law of Civil Procedure 371 (Prof Broodryk); and
- Practical Legal Training 471 (Dr van der Merwe).
- Prof Broodryk coordinates and lectures Global Litigation on a postgraduate level.
- Dr van der Merwe lectures a component on legal ethics in the module Legal Skills 411.

PLT: MOCK TRIALS

After weeks of preparation, final-year Practical Legal Training students took the stage for an epic battle in the courtroom. The culmination of their hard work and dedication was showcased in eight thrilling mock trials in front of a bench of three judges.

The final showdown lived up to expectations. Our students demonstrated not only their legal skills, but also their ability to think on their feet. It was a true battle of wits, strategy, and determination. We are incredibly proud of our students for their hard work and dedication.





PLT class of 2024 – marking the end of the PLT module as an elective module.

HOSTING PROF RIETTE DU PLESSIS

We had the honour of hosting Prof Riette du Plessis from the University of the Witwatersrand at the Law Clinic on Monday, 4 March 2024.

Prof du Plessis generously shared her expertise in Clinical Legal Education, giving us invaluable insights as we gear up for next year when Practical Legal Training becomes a compulsory module for our final year law students. From exploring our Clinic facilities to engaging in in-depth curriculum discussions, the day was filled with enriching exchanges and learning opportunities. Prof du Plessis' knowledge and guidance have not only inspired us, but also strengthened our commitment to continuous improvement of our programmes. We extend our heartfelt gratitude to Prof du Plessis for her visit and the invaluable knowledge she imparted to us. We look forward to implementing her insights as we strive to better serve our community and educate the legal professionals of tomorrow.



Media Exposure



During 2024, the Stellenbosch University Law Clinic enjoyed widespread media coverage. Based on the combined reach of the coverage, the total AVE of the Law Clinic's media exposure was **more than R4 million***.

R4 607 199 (AVE)

6 265 305

(Potential number of audiences that had exposure to the coverage)

*AVE (advertising value equivalency) calculates what it would have cost if an organisation paid for the media exposure it received.

**Clinic staff were involved in numerous interviews during 2024.
A few of these instances are highlighted below.**

In February, the Clinic featured in News24 for its opinion of the Intercape / SAPS court order.

Intercape vs SAPS: What happens when state organs fail to obey a court order?



During August, senior attorney Nikita Stander appeared on eNCA to speak about issues related to access to justice.

Attorney Odwa Nweba was in conversation with Kaya FM during September to unpack the "Collaborations to curb indebtedness" report prepared in collaboration with the Black Sash.



Research

Staff associated with the Clinic produced the following research outputs during 2024

T Broodryk "A brief overview of collective consumer redress in the European Union and South Africa and moving towards the increased use of consumer class action in South Africa – part 1" (2024) *TSAR* 410-426.

T Broodryk "A brief overview of collective consumer redress in the European Union and South Africa and moving towards the increased use of consumer class action in South Africa – part 2" (2024) *TSAR* (forthcoming).

T Broodryk, *Juta Quarterly Review* 2024: July to December.

T Broodryk (with T Bekker), *Fundamental Principles of Civil Procedure* fifth edition (2025) (forthcoming), LexisNexis, with S van der Merwe contributing.

S van der Merwe, "Chapter 5: The fit and proper requirement for legal practice" in *Legal Ethics in South Africa* (forthcoming), LexisNexis.

M Lloyd, "Mental health care for women in South Africa in light of the Maputo Protocol: Entrenching a gender-responsive approach in legislation" *African Human Rights Academic Network Series Vol 2* (forthcoming), Pretoria University Law Press (PULP).

Workshops, Training, Conferences and Other Initiatives



Debt, Credit and Consumer Rights

During March 2024, the Clinic, in collaboration with The Black Sash Trust and the National Financial Ombud Scheme South Africa, conducted a training session on the Debt, Credit and Consumer Rights manual in Mbombela, Mpumalanga. The training session was attended by 30 participants, including paralegals, community leaders, and community advice officers from across Mpumalanga. We are thankful for everyone who participated and contributed to making this training a valuable learning experience.

ESTA information session

On Saturday, 13 July 2024, Law Clinic Senior Attorney Nikita Stander, with the assistance of candidate legal practitioner, Thina Makasi, and receptionist, Priscilla Khoaeane, braved the cold weather and presented an ESTA information session in the Law Clinic's seminar room to numerous farm occupiers and a community leader in the area. The session was aimed at informing the attendees, all aged between 38 and 74 years old, about the rights and obligations of farm occupiers and owners, as well as the process involved during ESTA eviction applications.





Mandela Day

On Mandela Day (18 July 2024), the Law Clinic hosted a soup kitchen, distributing over 250 bowls of soup to those in need. The staff of the Clinic felt extremely grateful to be able to participate in such an incredible event. Giving back to our community is what we are all about, and this day truly embodied the spirit of Mandela's legacy. It was a day filled with smiles, gratitude, and a strong sense of togetherness.



Wills workshop

The Clinic remains committed to the legal education and empowerment of the community we serve. On 26 July our family law attorney, Josie Parks, with the assistance of candidate legal practitioner, Luvo Mlenze, conducted an interactive wills workshop at Lifechoices, a youth development organisation based in Cape Town. The focus of the workshop was the importance of concluding a last will and testament, factors which should be considered before concluding a will, and the important clauses that a will should contain.



ESTA Law and Housing

UPCOMING EVENTS

Join WIETA for a series of impactful events from July to September 2024! Don't miss out on these opportunities to engage, learn, and contribute to ethical practices in the wine industry:

31 July	Master Class on Human Rights Due Diligence Webinar with Partner Africa.
14 August	Master Class on ESTA Law and Housing.
15 August	Standards Review Online Workshop for retailers, cellars, and brands in the wine industry (MS Teams).
16 August	Standards Review Workshop with Civil Society and Trade Unions at WIETA offices in Stellenbosch.
19 August	Standards Review Online Workshop for consultants.

RSVP to: info@wieta.org.za and chirstone@wieta.org.za to avoid disappointment.

Stay engaged, stay ethical!

Senior Attorney Nikita Stander participated in the WIETA (Wine and Agricultural Ethical Trade Association) Master Class on ESTA Law and Housing on Wednesday, 14 August. Nikita's presentation to the members of WIETA focused on landowners' and occupiers' rights on farms in terms of ESTA.



Wills Week on Wheels

Between 7 and 10 October, the Clinic assisted persons from Cloetesville and Pniel with the pro bono drafting of their wills. Although the Clinic assists qualifying persons with the drafting of their wills throughout the year, during our annual Wills Week on Wheels, we go into surrounding communities to promote access to this important service. We extend our sincere gratitude to the VGK Church in Cloetesville and Pniel Congregational Church in Pniel for providing us with the required consultation space.

Financial Literacy Project

The Clinic hosted an engaging Financial Literacy Project training session on Saturday, 23 November, focused on empowering our community with knowledge about the Consumer Protection Act and the National Credit Act. We were thrilled to see such enthusiastic participation and insightful discussions as we explored consumer rights and responsible credit use. After the training, we had an amazing braai and it was wonderful to engage with the community in a relaxed and enjoyable setting. A big thank you to Sharon Smith and Priscilla Khoaeane, who made this event possible. We also want to thank Brandon Taylor, one of our PLT students from 2024, who has subsequently been appointed as a candidate legal practitioner at the Clinic from February 2025, for conducting the presentations in such an engaging and easy-to-understand manner.



Student internships

From 15 to 19 July, and from 25 to 29 November, the Law Clinic's Vacation Work Programme provided an incredible opportunity for students to engage with the Clinic's operations, gaining a deeper understanding of the intricacies of legal practice. These immersive internships were packed with valuable experiences, from training sessions to court appearances, and much more. Our interns participated in a series of comprehensive training sessions, designed to enhance their legal knowledge and practical skills. They also had the opportunity to observe real court appearances, offering them a firsthand look at the judicial process and the dynamics of courtroom proceedings. In addition to these practical experiences, the interns conducted legal research, honing their abilities to analyse complex legal issues and develop well-informed arguments.

INTERNATIONAL VISITS AND COLLABORATIONS



Southampton

The Clinic was visited by **Professor Werner Scholtz**, Head of School and Professor of Global Environmental Law, Southampton Law School, University of Southampton in the United Kingdom during March 2024. Senior Attorney Nikita Stander visited Southampton's Law School on 16 December 2024, while in the United Kingdom. We are excited by the potential benefits for our students and clients resulting from the anticipated collaboration between our two Law Clinics.

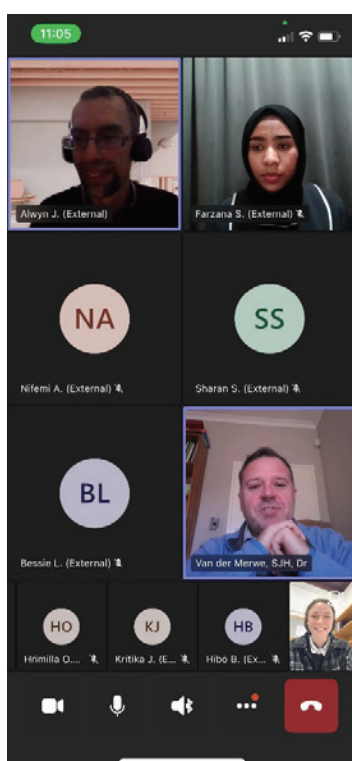


Richmond, USA

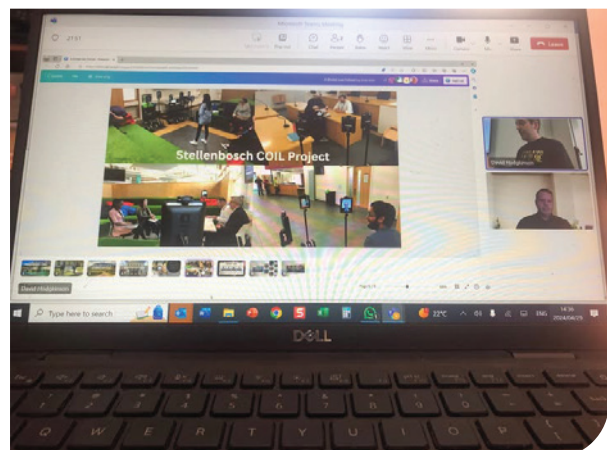
During June 2024, the Clinic was visited by professors Julie McConnell and Mary Tate from the University of Richmond School of Law in the USA. We always enjoy hosting and discussing our work with our international friends and colleagues.



United Kingdom – Online



The Clinic conducted two seminars with students and staff of De Montford University's School of Law and Street Law programme as part of our Collaborative Online International Learning (COIL) project. It was an enriching exchange of insights as DMU prepares to launch their very own Law Clinic in the UK. In the first session, our team had the pleasure of discussing our activities and focussing on the Clinic's groundbreaking consumer law class action. In the second session, the UK students presented their researched inputs and suggestions regarding the matter. We eagerly look forward to developing and expanding this project in the future. A big thank you to Alan East, Head of Leicester De Montford Law School, and Dr. Alwyn Jones for organising these enlightening sessions.



Hasselt University, Europe



During June and July 2024, the Clinic's Dr Stephan van der Merwe travelled to Europe where he met with the Clinic's colleagues and friends at Hasselt University. Since 2022, Hasselt students have been involved in the Clinic's activities through our student intern project. In the process, the students have contributed to the Clinic's social justice agenda while developing their own practical legal skills.



Amsterdam

Dr Van der Merwe also attended some conferences in Amsterdam, where he presented topics related to the Clinic's activities to an international audience. During the International Legal Ethics Conference, themed 'Legal Professionals in a Digitalising World', his presentation was entitled "Integrating old and new: The role of the traditional 'fit and proper' standard in regulating the use of new technologies within the legal profession". At the International Journal of Clinical Legal Education / European Network for Clinical Legal Education Conference, themed 'Clinical Legal Education: the creation of knowledge through transformative experience', he presented a session on the imminent expansion of the clinical program at Stellenbosch University Faculty of Law. He was also invited to attend a pre-conference workshop on simulated consultation practice presented by inter alia the National Institute for Teaching Ethics and Professionalism.



Staff News

The Clinic is extremely proud of the achievements of our Head, **Prof Theo Broodryk**, whose professional inaugural lecture took place on 9 April 2024.

Professorial Inaugural Lecture

9 April 2024 • 17:30 SAST

Reflecting on 30 years of class action in South Africa: a people inured to hardship, but not to collective redress?

Prof Theo Broodryk
Faculty of Law

#SUInauguralLectures

RSVP



Senior Attorney **Nikita Stander** has been appointed to the additional role of Deputy Head of the Law Clinic, effective 1 January 2025. In this capacity, Nikita will take on a vital leadership role, focusing on the operational management of the Clinic, ensuring the continued excellence of our services and day-to-day operations.

2025 is a significant milestone for the Clinic. It will be the first time that the Clinic presents an expanded clinical legal education program to our final year law students. We are therefore extremely excited about the important contributions of **Dr Stephan van der Merwe**, who will focus on the imminent expansion of our Practical Legal Training module. Dr van der Merwe will also coordinate the implementation of the Faculty's new Foundational Oral Advocacy module, along with his existing responsibilities of teaching Legal Ethics and Legal Skills. Moreover, he will continue to coordinate our high-level impact litigation, including the recently issued class action, which is set to further the Clinic's mission of advancing social justice.



On 8 August, the incredible women of the Law Clinic were celebrated for **Women's Day**. The Clinic's female staff's dedication and strength drive the Clinic's mission forward every day. Thank you for your hard work and inspiration!



The Clinic is proud of our colleague, **Theo Van Breda-Opperman**, who was admitted as an attorney of the High Court of South Africa on Friday, 2 August. Theo joined the Clinic in 2022 and has been an integral part of our team ever since.

PROMOTING ACCESS TO JUSTICE

Eviction order overturned by the Land Claims Court!

In October 2022, during our monthly visit to our satellite office in Ceres, the Law Clinic was approached by Ms. Hendriks, her two brothers, and her two minor children, who were facing an eviction application under ESTA.

The Hendriks family's roots on the farm go back to 1977, when her parents first moved there. Ms. Hendriks, her siblings, and her children were all born and raised on the farm. Her father, who passed away at 76 in 2015, was followed in permanent farm employment by Ms. Hendriks, who was allocated the family home in March 2016. She left her employment in March 2018, and despite her resignation, the family continued to live on the farm until Ms. Hendriks' mother passed away in October 2021. The household received an offer from the farm to relocate voluntarily, which they declined due to the lack of available land. Despite verbal representations and three formal meetings, their right of residence was terminated in January 2022, and an eviction application was instituted in May 2022. We argued in the Magistrate's Court that the Hendriks family's longstanding occupancy and dependency on their parents' residence rights required twelve months' written notice before termination



under section 8(5) of ESTA. The Magistrate's Court ruled in favour of eviction in March 2024, whereafter the judgment was sent to the Land Claims Court for automatic review in terms of section 19(3) of ESTA. On 25 October 2024, Mabasa AJ ruled that the Applicants had not met the procedural requirements for eviction under ESTA. The eviction order was set aside, and the matter was remitted to the Magistrate's Court for reconsideration. The Court also recommended mediation to explore alternative housing solutions. This is a step towards justice and security for the Hendriks family!

Empowering a pensioner: Successful divorce settlement secures client's future

An adult female pensioner approached the Clinic in 2023 for assistance with her divorce. Our client instructed that she was diagnosed with Parkinsons disease and is HIV positive.

We subsequently issued divorce summons on behalf of the client as the Plaintiff, which was defended by her husband as the Defendant. The Clinic negotiated a settlement, which favoured our client in the following ways: Our client remains co-owner of the parties' immovable property; the Defendant is held solely liable for the expenses related to the immovable property; our client receives the rental income from the granny flat situated on the immovable property; the Defendant is held solely liable for the joint debt; our client is set to receive 50% of the Defendant's pension interest; and she remains

listed as a beneficiary of his funeral policy and member of his medical aid. The settlement was made an order of court in June 2024 and ensures that our client will be able to live comfortably and continue to receive the medical treatment that she requires.



Client's vehicle dispute resolved through mediation and fair settlement

During 2024, the Clinic was approached by a client after being duped into purchasing a faulty vehicle for R18 400. When no response was received after our letter of demand, we escalated the matter by drafting and serving Summons and Particulars of Claim.

The defendant, upon receipt of these documents, personally delivered a notice of intention to defend at our offices. Recognising his lack of legal representation, we encouraged him to seek assistance from the Stellenbosch Legal Aid Local Office. With the support of the Legal Aid office, a mediation session was arranged. This session proved fruitful, culminating in a mutually beneficial settlement. The parties agreed that the faulty vehicle would be scrapped, and that our client would receive the proceeds from the scrapping of the vehicle. To ensure fair restitution, the defendant committed to covering the shortfall, reimbursing the client for the full

purchase amount that was paid. The settlement was made an order of court, ensuring enforceability and finality. Both parties expressed satisfaction with the resolution, and our client, in particular, was relieved and pleased with the outcome. This matter is a testament to the power of collaboration and the value of alternative dispute resolution in achieving justice efficiently and amicably. At the Clinic, we take pride in empowering clients to navigate their legal challenges, turning setbacks into resolutions.



CELEBRATING EXCELLENCE IN SOCIAL IMPACT

LAW CLINIC RECEIVES INAUGURAL Stellenbosch UNIVERSITY SOCIAL IMPACT AWARD







On 23 May 2024, the Law Clinic was awarded the inaugural 2024 Stellenbosch University Social Impact Award in the Team Award Category.



The award represents "a distinguished honour presented by our University to recognise the remarkable achievements in social impact by our academic and professional administrative support services (PASS) staff. These awards recognise the consistent contributions of our colleagues to our society's advancement. It celebrates the enduring relationships we have cultivated with external stakeholders beyond our University walls. It is a testament to the fact that social impact is a collective endeavour of university and societal partners in various spheres of life." We are proud of the Law Clinic team who work tirelessly to provide access to justice to the poorest, most vulnerable and marginalised members of our society.

Funders and Stakeholders

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<p>Stellenbosch University Law Faculty</p>  <p>Stellenbosch UNIVERSITY IYUNIVESITHI UNIVERSITEIT</p>	<p>Het Jan Marais Nationale Fonds</p>  <p>HET JAN MARAIS NATIONALE FONDS</p>
<p>Legal Aid South Africa</p>  <p>Legal Aid South Africa Your voice. For justice. Independent and within reach.</p>	<p>The Claude Leon Foundation</p>  <p>CLAUDE LEON FOUNDATION</p>
<p>German-South African Lawyers Association</p>  <p>DSJV GSLA</p>	<p>Legal Practice Council</p>  <p>LEGAL PRACTICE COUNCIL</p>
<p>The Lombardi Family Charitable Trust</p>	<p>PA and Alize Malan Memorial Trust</p>



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