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Access (the modern paradox): a student clinic law hub re-scripting the border between institutional infrastructure and the public realm, in Braamfontein, Johannesburg

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Programme:

Programme: Legal Aid Clinic

"Architecture is a profoundly humanistic activity. Its main goal is to create spaces that serve as an environment for human beings, that shelter their activities, as well as society's development and growth. Interrelating those spaces and defining whether or not they should be linked to one another are some of the issues that arise in the architecture of our time" – Rafael Tover y de Teresa

Building Programme:

3.02

A Legal Aid Clinic in Braamfontein, Johannesburg, South Africa

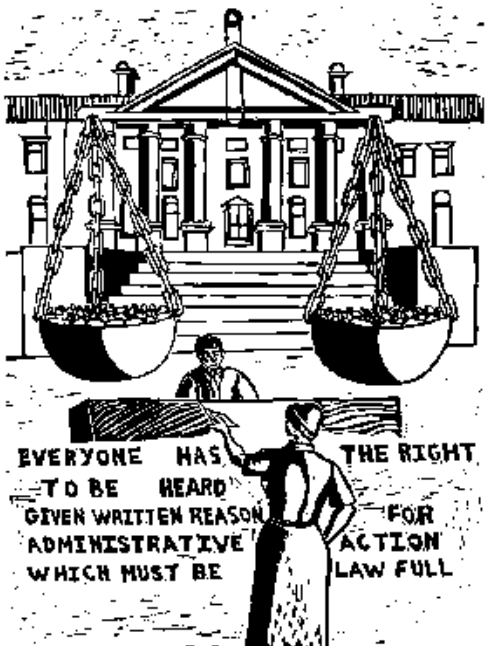
Introduction:

One of our greatest discrepancies after the creation of the new Constitution in South Africa is the access to Justice.

Post-1994 the legal system faced a restructuring that was seen to benefit all South Africans as well as help implement the constitutional objectives[1] set out by the newly elected Democratic government. The New South African Government had inherited a legal system, referred to as the "Old Order" – a system designed to "implement Colonial [...] and then Apartheid laws",[2] that required heavy reform. The Department of Justice issued challenges set out in **Justice Vision 2000** (1994) – a document highlighting reforms to be achieved between 1997 and 2000 – whereby to amend the unsatisfactory situation facing the South African legal system. The document identifies issues such as represen-



001. Nelson Mandela voted in as the first Democratic President of South Africa.



002. Just Administrative Action (1996), Sophie Peters, Linocut, 400x298

tation in the legal profession – both racial and gender based representation -, distribution of legal practitioners – most legal practices were focussed in the major South African cities-, access to justice –as most South African's couldn't access legal aid or afford legal fees -, and the creation of a greater regulatory system for the different branches of the legal profession.

Justice, or Border I:

The access to justice (or lack thereof) is an aspect of the legal system that was seen as an area that needed revision set out in the many pages of **Justice Vision 2000** (1994). **The Bill of Human Rights** states, in Section 34[3]: "Everyone has the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court or, where appropriate, another independent and impartial tribunal or forum,"[4] that each person - no matter their race, socio-economic status, or religion - will have the appropriate platform to allow for legal resolution to their problem. In reality this isn't the case, as Currie and de Waal wrote in the **Bill of Human Rights Handbook** (2005), "the reality of limited state resources is likely to discourage such an interpretation of Section 34."[5] Section 34 is in place to reinforce the face that "anyone can challenge the legality of any law or conduct"[6] but doesn't provide financial support – which, as mentioned above, is fundamental in prohibiting access to litigation. The creation of Section 34[7] in the **bill of Human Rights** was to ensure three rights for a person facing disagreement or conflict to be resolved through legal process. The first being **access**; the right to gain access to the court, forum or other tribunal, [8] the second, **independence and impartiality**; requires the previous mentioned courts, forums and tribunals to be "independent and impartial in the resolution of disputes when they are involved in the resolution of legal disputes", [9] and the third being; Fairness (guaranteeing

a person 'due process'[10]).

The legal system, and government, recognised that socio-economic conditions act as a barrier to justice (Lower-income and no-income households were unable to pay highly expensive legal fees for litigation). The government initiated the creation of the Commission for Conciliation, Mediation and Arbitration (CCMA), to grant a forum for labour disputes to be resolved (free of charge), as well as the continuing with the Small Claims Court[11] system. As mentioned above, the CCMA deals primarily with labour resolutions, whereas the Small Claims Court deals with any sort of civil claims involving the state, private entities or juristic persons but, "only natural persons[12] can refer matters to this court."[13]

"They [Small Claims Courts] assist in resolving civil claims of up to R7000 quickly, informally and inexpensively . . . Neither party is allowed to have legal representation so each party has to present their own case. Decisions of a small claims court are final and there is no possibility of appeal." [14]

Transgress Access:

One of the challenges facing transformation within the legal profession is not only Access to justice but also the mentoring and training process. I feel as if there is an opportunity to transgress both of these challenges through an Architectural intervention, with involvement from private interest as well as an institutional interface.

The link the law clinic provides:

The training and mentoring process outlined in the **Clinical Law in South Africa** (2006) handbook state socio-economic as well as racial issues as key matters hindering the growth of law students from disadvantaged backgrounds. Currently employers are looking for students leaving University with a high quality education as well as experience – this goes for both prospective lawyers and, in my case, architects[15]. It becomes difficult to gain valuable experience while studying full time, so there is a disjunction



003. Access to Courts (1996), Vedant Nanackchand, Linocut, 500x299



004. Norton Rose Fullbright (2010), Sandton, Paragon Architects - one of the top Law Firms students apply to.

between employer's expectations and what Law graduates can realistically provide (experience wise). Some of the larger law firms offer paid vacation work ('vac work') but, much like the architectural profession, there is a murky understanding of what vac work entails and what financial reciprocation is due (s it is mainly for the pursuit of a 'better education'). Financial matters also play a large role in who actually becomes a lawyer, as indicated in **Introduction to South African Law** (2008), pursuing an education in law is expensive, after graduation job opportunities are limited and not all of the available jobs pay well.[16] Law Schools in South Africa do offer Law Clinics to gain legal experience but few Universities make it a mandatory course (The University of the Witwatersrand is one of the few that has it as a mandatory course module – Practical Legal Studies). The Law Clinic is an opportunity for students to practically test their legal knowledge and gain experience in a 'real-life' cases.

Programme Proposal, Access:

Legal Aid Clinic:

The Legal Clinic, administered by the University of the Witwatersrand, currently provides 6 Units for legal service to the greater public; the General Unit, Labour Unit, Family and Gender Unit, Refugee Unit, Criminal Law and Delict Unit, and the Property Unit.[17] The clinic is marketed as a dual facility; a teaching institution, for Law students at Wits, and a "clinic (that) renders legal services to the poor and marginalised communities of greater Johannesburg."[18] Each unit is based on courses the students are currently taking but is only offered to final year students. Personally, I think by re-structuring the Clinic's system it could provide an opportunity for students in each year of study to gain valuable practical experience, as well as learn how to work in a group or team (much like in the working world). There are two ways of studying to become



005. Interior of Norton Rose Fullbright - anonymous space.



006. - no connections to form, space or order.



007. Norton Rose Fullbright - shimmering facade.

a legal professional, one is to do an undergraduate degree with law courses - e.g. a bachelor of social sciences majoring in law (B.soc. sci Law) - and then to do a post-graduate LLB, the other is to do a straight LLB. Either way; there is a benefit to gaining practical experience in one's early years of study; it allows a student to see if "this is actually what they want to do" or if a student wants to either be an advocate or lawyer. The structure, as it exists now, is that a small group of legal students report to one or two lawyers, or attorney's, heading up each specific unit. The Clinic has limited itself to only accept cases whereby the clients cannot afford private legal representation. The Legal Aid Board of South Africa has set out a 'means test' whereby the Clinic can evaluate whether or not a person or household is a viable candidate for help. This is set in place so that the legal system is not abused (but even with this system issues do arise).

Unit Programme:

Currently Wits Law Clinic offers 6 Units (offices) that deal with specific types of cases. Each Unit functions on specifically allocated days under the supervision of legal practitioners, lecturers and Candidate Attorneys. The reason for the Units functioning on specific days is due to case load and public access to the facility. I feel as if this system works as there is little confusion about when students have to be and who is working on what case. The 6 Units are The Labour Unit, General Unit, the Family and Gender Unit, the Refugee Unit, the Criminal Law and Delict Unit, and the Property Unit.

The Labour Unit, currently headed up by Dakalo Singo and Thulnai Nkosi, covers labour and employment law by upholding the Labour Relations Act,[19] Basic Conditions of Employment Act[20] and the Employment Equity Act[21]. The Labour Unit assists its users with advice, representation (at the CCMA)



008. Migrant Life in South Africa (1996), Nhlanhla Xaba, Linocut, 452x300



009. All Shall Be Afforded Dignity (1996), Norman Kaplan, Linocut,562x377

Woodcuts and linocuts are simple negatives waiting for a thin covering of ink and paper to be applied. Only once there is intervention, bringing the two together artwork can be created. The Student Clinic Law Hub is indicative of this of this trade-off between two systems. Without the one the other can't exist. A hedonistic exchange takes place between user and student.



010. Servitude is like the tide, it changes (1996), Ian Marley, Woodcut, 516x355

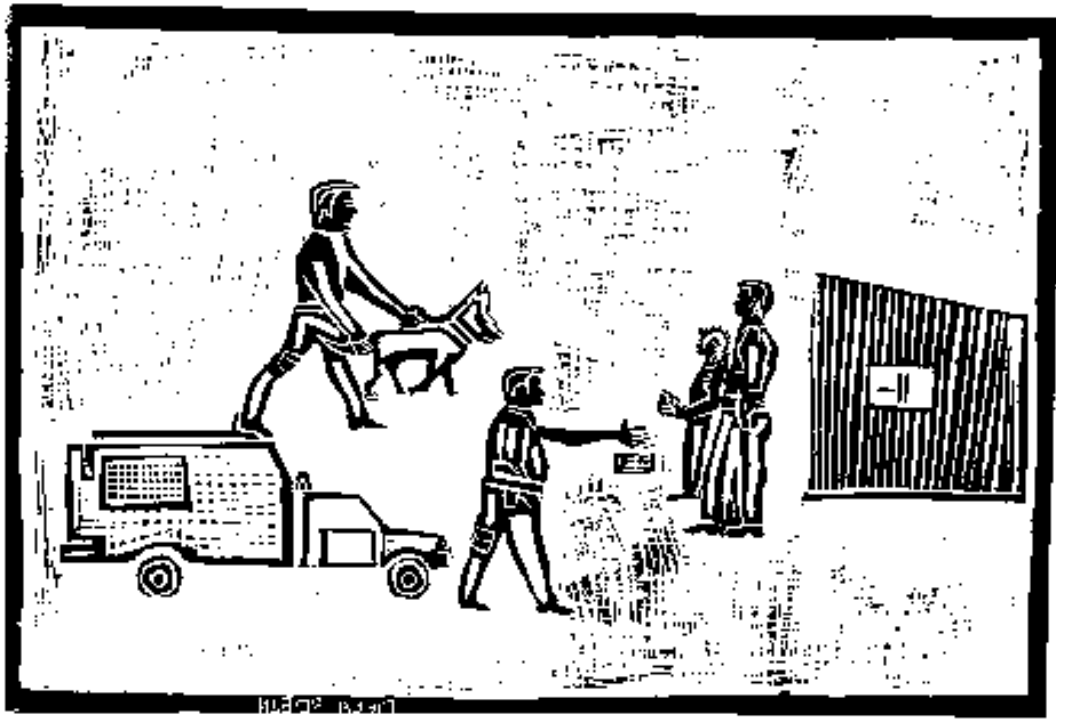


011. Safe as housing (1996), David John Yule, Linocut, 406x284



012. Life (1996), William Zulu, Linocut, 421x299

3.01(



013. Arrested, detained and accused persons(1996), Pieta Robin, Linocut, 380x570

and litigation over issues such as unfair dismissal, labour and contract disputes, and exploitation.

The General Unit, run by Daven Dass, deals mainly with legal advice, litigation and rescission on civil and contractual matters, as well as the rectification of issues related to consumers' rights.

The Family and Gender Unit is currently run by three attorney's: Steve Tuson, Philippa Kruger and Sithembiso Mabaso, as well as student candidates. The unit deals with: "divorce, guardianship, gender discrimination, and children's rights."[22]

The Refugee Unit, run by Alicia Raymond, deals with a particularly vulnerable sector society of South Africa. In recent times, particularly in 2008 and again in 2015, there have been a large amount of xenophobic attacks in Johannesburg (and Durban). The Unit is heavily involved in:

"Assisting refugees and asylum-seekers with making applications to the Standing Committee for Refugee Affairs; Preparing and representing asylum seekers at Refugee Appeal Board Hearings; Litigating in the High Court where asylum-seekers and refugees have received unfair treatment in the administrative process, and Assisting refugees to obtain the necessary documents to be able to work in this country."[23]

The Criminal Law and Delict Unit, supervised by Peter Jordi, deals with delictual claims – such as damages caused by personal injuries and motor vehicles, assault, medical negligence, police brutality and "any other negligent or malicious cause."[24]

The Property Unit, under Alina Starosta's supervision, deals with property related issues such as evictions, foreclosures and disputes relating to rents, purchases and sales of property as well as resolving affairs such as title deeds, transfers and ownership.

Justice, or Border II:

As set out by the Legal Aid Board; the 'means test' for an individual requires that the individual's income, if employed, is less than R5500 per month (after tax). The test for a household requires that the household's income after tax is R6000 per month (the Aid board do look at whether or not the client owns their own house or not, and with this other issues come up). Although the income requirement amounts are very low, the test allows for no room to manoeuvre, there are many cases where potential clients have just been over the maximum income range and have been turned away. Yet, if you earn R100 more than the maximum amount it doesn't mean you can afford private legal service. This forces people into a grey area where they have a legal dispute – that could be won, if it has the right legal team behind it - but are unable to do anything about it, and therefore are unable receive a quality legal service, or resort to another

means of reparation (or vindication). Nevertheless children, people on state grants and the elderly automatically qualify for legal aid, as do 'non-citizens' – if the cases are:"criminal, involves children, and asylum seekers."[25]

Paradox:

Currently, the triumph of a potential client's case hinges on the success of the means test. Yet by creating a space where student interaction and client learning facilities, people who have 'failed' the means test have the opportunity to learn through one another. There is no architectural intervention to allow for this to be amended.

The Law Clinic not only relies on the University for a site, students and lecturers but also for funding. Yet the majority of funding is provided by the Legal Aid Board of South Africa. The University provides the premises, students and lecturers, while the Legal Aid Board of South Africa provides



014. The Current Law Clinic



015. Anonymous space.



016. Not so anonymous meeting spaces.



017. Private discussion space in the stairwell.

fees and the vehicle for such an agency to exist.

The Law Clinic relies financially on the Legal Aid Board as much as the Legal Aid Board relies on the Law Clinic for legal transparency and fairness and ease of access to justice. Funding is mainly provided through the Legal Aid board – after students assess whether or not a potential client is a viable client (through the means test), only then will the Legal Aid Board of South Africa release funds for the client. The Legal Aid Board offers the same system to those who don't have access to the clinic and will place clients with private attorneys (once again, only if they 'pass' the means test). The Wits Law clinic itself fits into a scheme supported by the Legal Aid Board and holds office in a greater network of Legal Aid Clinics and Justice Centres around South Africa.

Access, the structure the Law Clinic plugs in to:

The Law Clinic offers services in 6 different categories of the law in South Africa. These 6 categories, and the matters involving their respective cases, are heard in different courts tailored to their needs (some courts require specific legal representation, while others allow for the client to represent themselves). The Law Clinic offers legal representation, as well as case preparation for the specific courts requirements. Although the Law Clinic sees cases that can involve all or any of the Courts (excepting some of the minor courts), the Small Claims Court, CCMA

3.014

Small Claims Court:

Spatially, small claims courts are much smaller than the superior courts, magistrate's courts and regional courts – and in many cases they are absorbed into these courts as of-fices. Although Small claims courts



018. - The highest court in the land.



019. The Supreme Court in Bloemfontein

are considered as "inferior"[26] courts spatially and in legal standing they are where a large majority of people who do not have the financial means to seek private litigation go to resolve civil claims. In all the cases, as mentioned previously, it is a place where **natural persons** can seek action against the state, private entities or **juristic persons**[27]. Yet, neither party is allowed legal representation. As socio-economic issues lay a role in the access to justice, so does the access to knowledge. As natural people represent themselves to defend their cases, this creates concern for the quality of self-taught or self-understood law of the layman. Many of the cases the small claims courts see are thrown out do to literacy levels or not filling out papers correctly.[28] To benefit people trying to defend themselves, this is where the Legal Clinic is vital.

The closest small claims court to the University of the Witwatersrand is in the Magistrates court in Braamfontein.



020. Kerk Plein - a place where all decisions about South Africa were made



021. Magistrates Court

The magistrate's court is currently running over capacity and there is talk of moving facilities. This is the same case for the High Court.

Interestingly, a judge does not preside over the small claims court[29]; the presiding officer of the court is either an advocate or an academic. This hardly means that the service of the court is lesser; I think it is more realistic. The people coming to this court are coming with every day issues, rather than rape, murder or corruption (on a large scale), the service required is not that of a high court judge.

"He [or she] is usually a practicing advocate or attorney, a legal academic or other competent person who provides his services free of charge."[30]

The only issue that I find dissatisfactory is that the claims can only be for a maximum of R7000. As with the Law Clinic this situation must be frustrating for the people whose wage or claim is over the maximum amount

(R7000 in the case of the claim and R5500 to R6000 in the case of income for the legal clinic).

Although, what these financial ceilings create is a unique opportunity; there could be a forum whereby claimants "pitch" their cases to young entrepreneurs who will financially back them, to pay the legal fees, but in turn will gain access to a percentage of their "winnings." The forum would not be open to anyone and everyone, but would be for cases that the Wits Law Clinic denied because potential clients for some reason fail the **means test** but have a concrete claim based on knowledge of similar cases. The Law students could facilitate the claims and draw up contracts between the claimant and the backer. This process is not unusual and a similar procedure was supported by the Supreme Court in 2004 with regards to the case of **Price Waterhouse Coopers Inc v National Potato Co-operative Ltd**[31]. In this specific case the Supreme Court of Appeal overturned a common-law ruling that prohibited "champertous agreements". According to **the Bill of Human Rights handbook** a "champertous agreement" can be described as:

3.018



021. The High Court Johannesburg.

"... An agreement whereby an outsider provided finance to enable a party to litigate in return for a share of the proceeds of the action if that party was successful or an agreement whereby a party is said to 'traffic', gamble or speculate in litigation."[32]

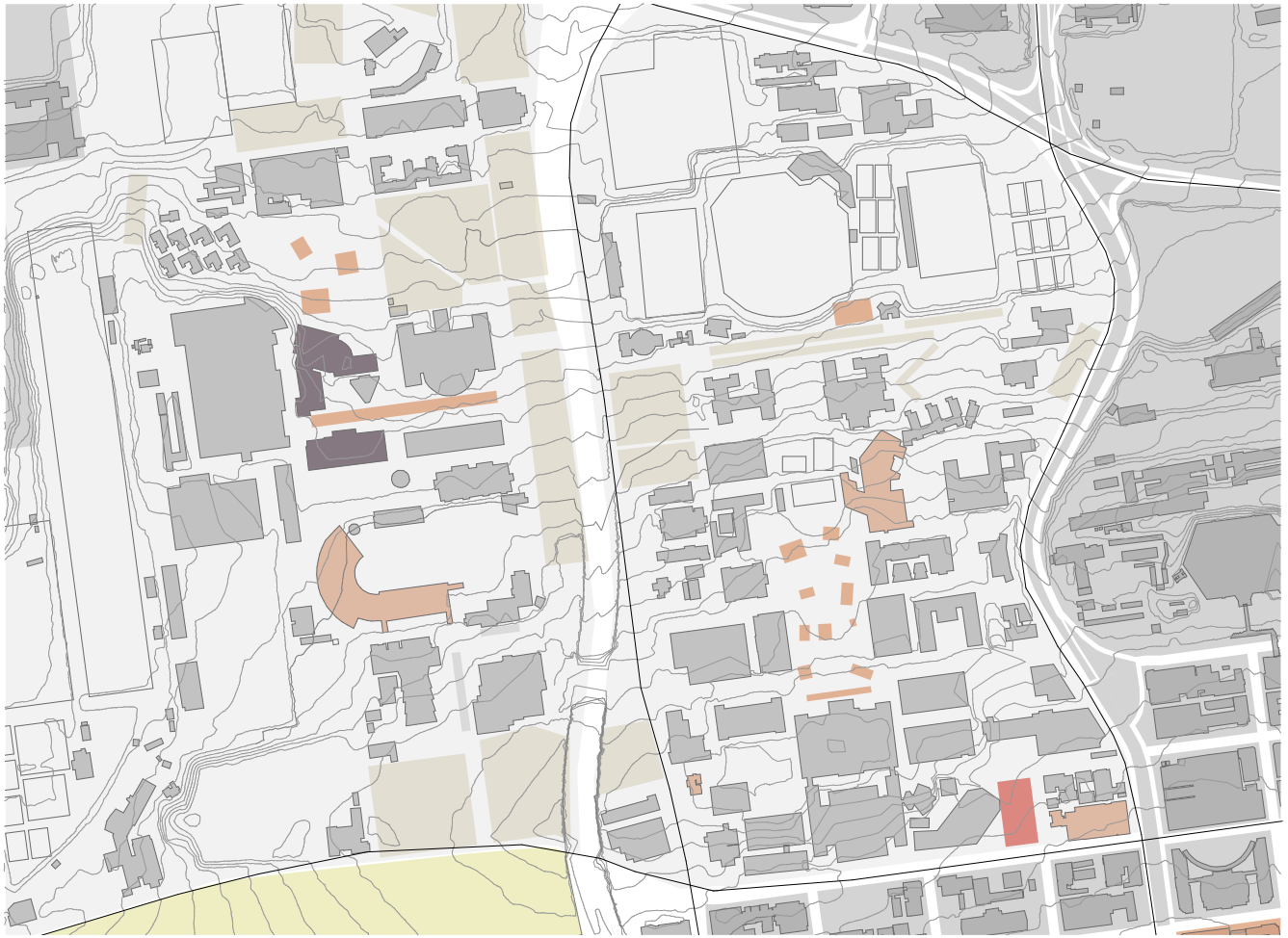
The common-law ruling that existed before the **Price Waterhouse Coopers Inc v National Potato Co-operative Ltd** case, was held by the Supreme Court of Appeals, was overturned as it was considered out of date. According to Section 34 of the Bill of Human Rights this was allowed as it upholds the right to justice and access of the courts.

Current Border:

The existing Law Clinic sits south of the Oliver Schreiner School of Law building and Library – two structures you have to be a student to gain access to – in a drab and unassuming building. The building itself is comprised of two wings, the east being where clients gain access to the students in one-on-one sessions in a highly subdivided non-bureaucratic space with floor to head-height dry-wall partitions. The partitions create a space of anonymity; in plan the space reads as uber functionalist – typical of Taylorist office plans of the 1900's – but differs from non-private Taylorist plans by guarding people from onlooker's gaze. The west wing of the building is an admin block where the principal attorneys and candidate attorneys have offices. The building is a typical closed plan office with office spaces radiating off of a central passage. The passage is an important space, not only for circulation, but also has become a place for non-private (and impromptu) meetings.

Access to the clinic is difficult as it is centred at the midpoint of the University's Campus. Students working in the clinic obviously have ease of access as they are on campus all day attending lectures and socialising. As mentioned in the previous chapter, describing the site context, a person on the street is unable to access the Clinic, as pedestrians can only enter the campus through pedestrian entrances if they are in possession of a university student card, or can provide bona fide evidence that they are visiting the Law Clinic – hugely intimidating. Potential clients are then required to use, sometimes expensive, public transport – taxis are not permitted to enter the University. Access to the University's Law Clinic plays a major role in enforcing a conflicting social hierarchy, and can be off-putting for potential clients. In an interview with Prof Kruger we discussed the conflict create by having the Law Clinic where

3.020



022. The University

Johannesburg Cemetary

New Law Clinic Site

Parking/Ashpalt

Existing Law School & Law Clinic

Places where Students 'Hang Out'



023. Three Separate functions

it is, as it has ease of access to students but not to potential clients but if it were sited at one of Wits' many off-site properties in Johannesburg it would be more successful, have better access to justice for potential clients but would be difficult to access for the students – as students can be called upon at any stage during the day.

Programmatically the law clinic deals with a public and a private interface, not unlike many buildings, but certain Units require certain sensitivity around access and comfort. The current waiting area for prospective clients is a small room with built-in seating, not that different from a gymnasium locker room. The seating area is a tiled room with little natural light and natural materials are used sparsely. Many potential clients seemed unsettled in this environment; obviously due to the context of why they were there but they also seemed uncomfortable within the environment. Of the 6 units, the Family and Gender Unit, the Refugee Unit, and to some extent; the Criminal Law and Delict Unit, require security of access, anonymity of user and provide safety to the users. Issues of privacy from the greater public are mitigated by having the specific Units open to clients on scheduled days – so for example refugees and asylum won't come in to contact people who have conducted themselves unlawfully in criminal cases.

As South African Law relies heavily on case law, archives of previous cases help create a better understanding of how previous judgement resided. By having students of law readily available it allows for potential clients to have 1:1 interaction with people who are knowledgeable of the law and can explain these previous cases, while learning through teaching.

Design, Access:

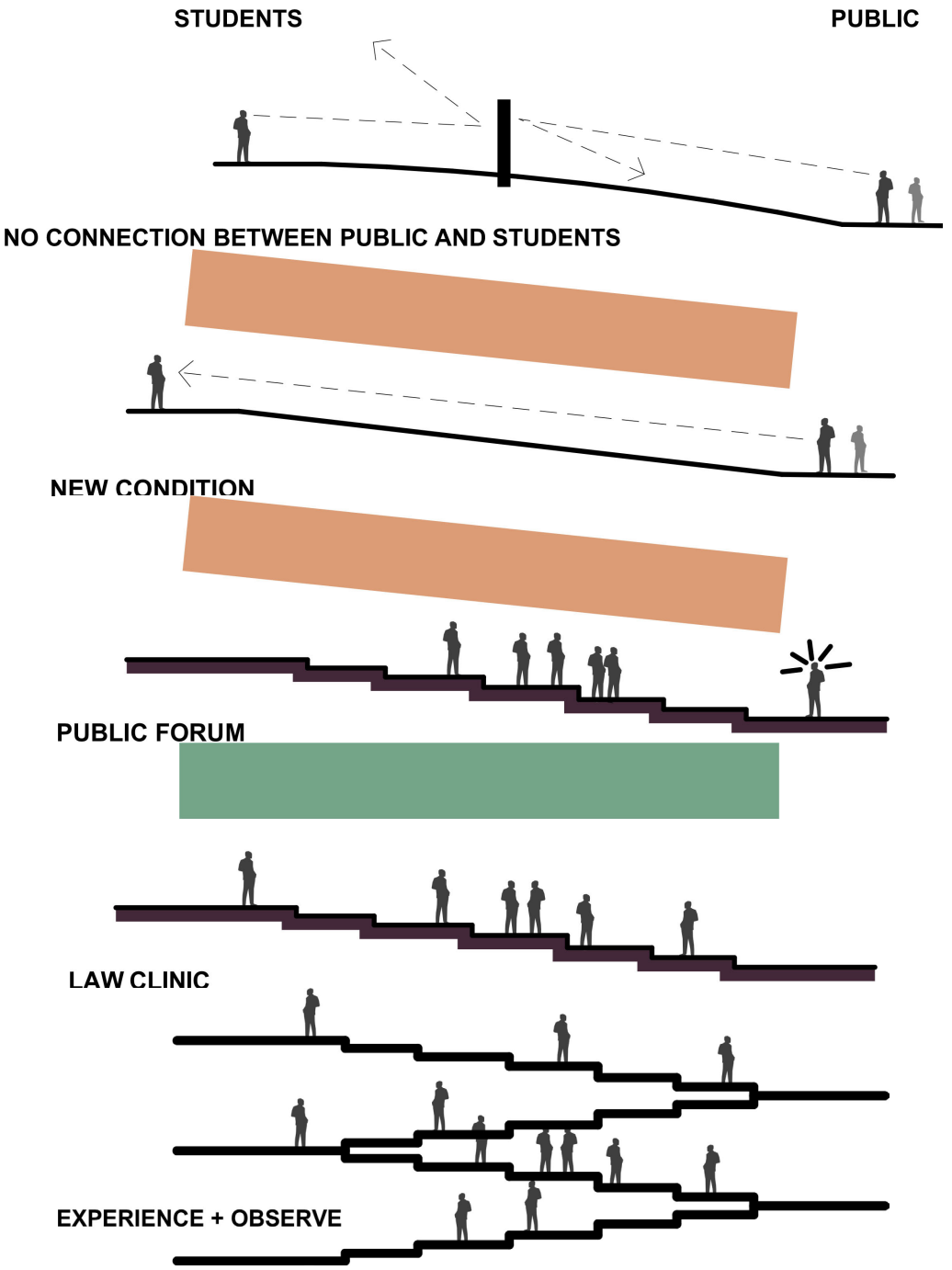
The Wits STUDENT CLINIC LAW HUB has been designed as an interface in a much larger legal infrastructure. The building becomes an interface between the law and the layman, the public and the university, public and private.

The facility will offer a Precedent Library, Student hub and Law Clinic, as well as research facilities, indoor and outdoor performance and debate spaces (a public place). As mentioned before the Law in South Africa relies heavily on precedent. The inclusion of a precedent library is beneficial for both the public and the students working in the court or who have general interest in the law. Libraries in general are public buildings but are hugely intimidating, but Law Libraries are mutually exclusive to Law students, lecturers and Candidate Attorneys. This creates a frustrating border for people who need access to precedent to plead their cases. As all cases in South Africa become part of the public domain after they have been resided on. Architecturally this allows for an easily accessible and open space. The precedent library will be broken in to two distinct spaces, one being a 'hard copy' library (the other being 'digital copy'[33]) where actual case files will be on display (only cases from the last 2 – 5 years). The digital copy library will be a place where the public and students can gain access to case files via digital archives and journals. Students can use the case files for educational purposes, while the public – potential clients or clients that have been turned away – can use the case files as preparation or education. The hierarchy of the space is based on the two libraries (the digital and hard-copy), this allows the library to become a social mixer. Case files are a by-product of the Law Clinic which allows for precedent stock to be replenished yearly.

The student hub facility is offered for students as a breakaway space to do homework or just to relax and



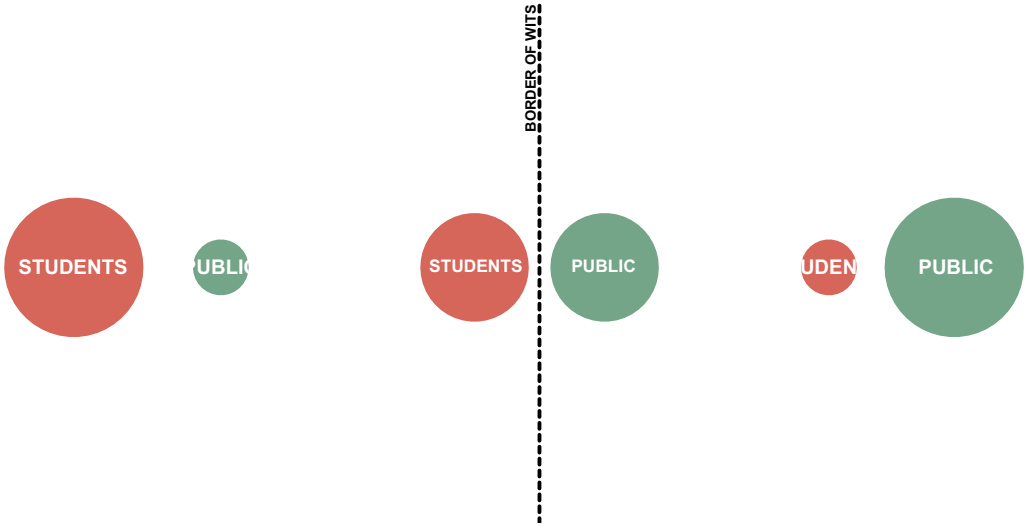
024. Student Clinic Law Hub


STUDENTS
PUBLIC
NO CONNECTION BETWEEN PUBLIC AND STUDENTS
NEW CONDITION
PUBLIC FORUM
LAW CLINIC
EXPERIENCE + OBSERVE

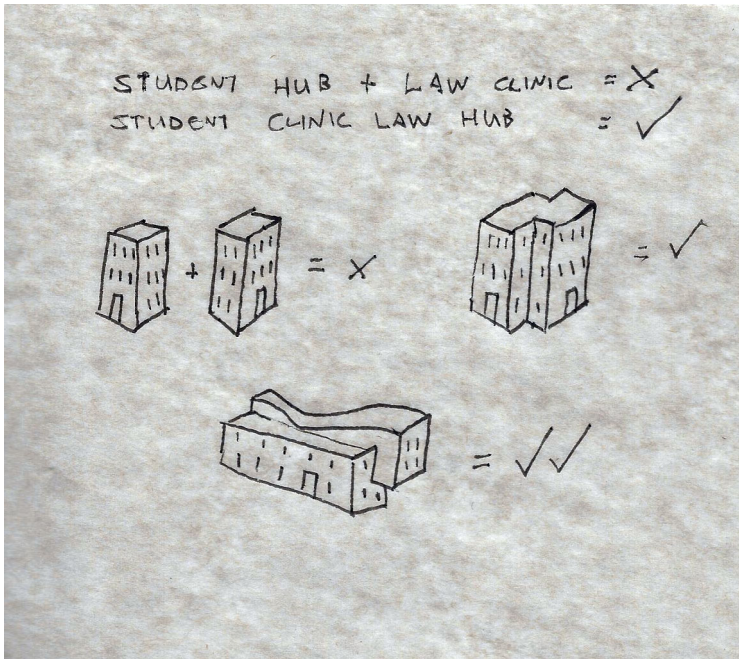
socialise. Access to this space is for students, lecturers and Candidate Attorneys, as it forms the basis of an informal office as well as lecture and discussion facility. The hub itself is not kept to its own space but flows through the Law clinic. Spaces therefore have to be tactile and changeable for issues of privacy on demand. The traditional clinic and student hub become an ambiguous space whereby chance encounters allow for exchanges of knowledge.

The Law Clinic itself will be accessible to the greater public and will act as the anchor purpose for the building. The facility will accommodate 1:1 interaction with the students, their supervisors and the Candidate Attorneys, as well as place of discussion and research. The clinic offers an opportunity for students to gain valuable experience, while clients get the legal advice and representation promised to them by the Bill of Human rights.

The building itself falls in to a much



026. The current WITS Law Clinic is easily accessed by students and not the public, if moved in to the "city" it would become difficult for students to access but easy for the public. By moving the Clinic facilities to WITS' most urban edge it offers the opportunity to transgress a social boundary that WITS has created as well as offer greater access to justice.



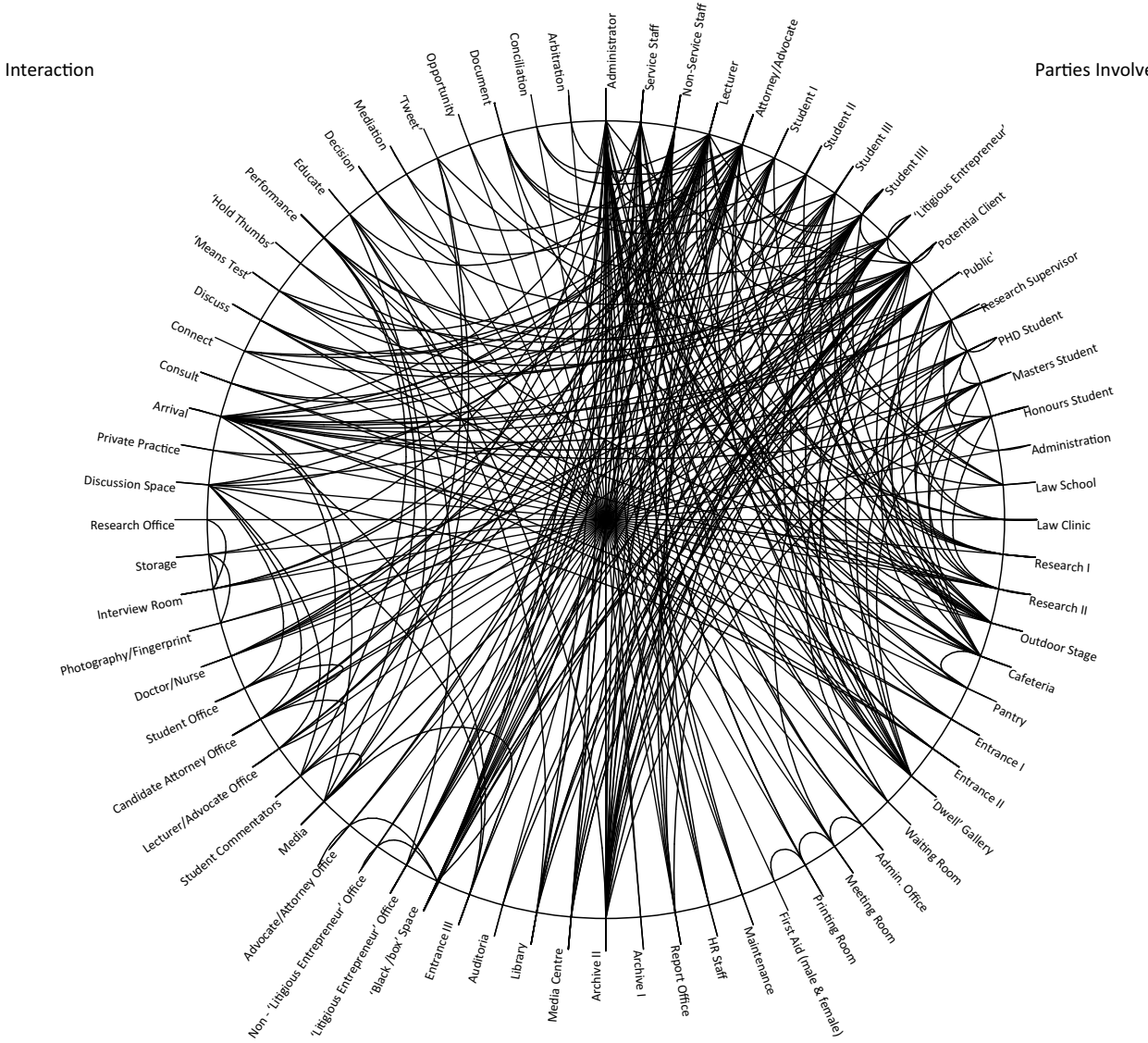
027. Student Clinic Law Hub

larger precinct with the Wits Theatre to the west, the School of Arts to the North East, as well as the brewery, Nunnery and Wits Art Museum to the east. The Law clinic will make use of the Theatre during the day as a space for students to conduct mock trials that are open to the public, as well as "champertous agreement" sessions conducted by the Law Clinic staff. The "champertous agreement" sessions are a Dragon's Den situation where clients turned away from the Law Clinic as they have failed the 'means test,' but are unable to afford private legal fees, can pitch their cases to young entrepreneurs willing to financially back them for percentage of their winnings. These sessions could be open to the public or televised, bringing an extra revenue stream to the clinic as well as creating a ground swell around issues that the general public are interested in. The entrepreneurs would be advised by candidate attorney's around the legal ramifications, as well as viability of the case but would ultimately become a gamble, much like any other entrepreneurial endeavour.



3.026

The 6 different units commence on separate days to allow for maximum safety of users as well as allow people in the same situation to discuss and help one another through problems. This allows for potential clients to gain access not only to legal advice but also recognise that they are not completely alone in what can be a deeply depressing situation. The sequencing of days allows for students to also get a break from working in the clinic as they will be assigned to a specific clinic and clinic day.


Interaction
Parties Involved
Spaces
Arbitration
Conciliation
Document
Opportunity
'Tweet'
Mediation
Decision
Educate
Performance
'Hold Thumbs'
'Means Test'
Discuss
Connect
Consult
Arrival
Private Practice
Discussion Space
Research Office
Storage
Interview Room
Photography/Fingerprint
Doctor/Nurse
Student Office
Candidate Attorney Office
Lecturer/Advocate Office
Student Commentators
Media
Administrator
Service Staff
Non-Service Staff
Lecturer
Attorney/Advocate
Student I
Student II
Student III
Student IIII
'Litigious Entrepreneur'
Potential Client
'Public'
Research Supervisor
PHD Student
Masters Student
Honours Student
Administration
Law School
Law Clinic
Research I
Research II
Outdoor Stage
Cafeteria
Pantry
Entrance I
Entrance II
'Dwell' Gallery
Waiting Room
Admin. Office
Meeting Room
Printing Room
First Aid (male & female)
Maintenance
HR Staff
Report Office
Archive I
Archive II
Media Centre
Library
Auditoria
Entrance III
'Black /box' Space
'Litigious Entrepreneur' Office
Non - 'Litigious Entrepreneur' Office
Advocate/Attorney Office

References:

1. De Klerk, W., Bodenstein, J. (Eds.), 2006. Clinical law in South Africa, 2nd ed. ed. LexisNexis Butterworths, Durban. Pg 21

2. South African Ministry of Justice. 1994. "Legal Vision 2000". South Africa. Pg iii.

3. Section 34 does not apply to criminal matters.

4. Currie, I., De Waal, J., 2005. The Bill of Rights handbook, 5th ed. ed. Juta & Co, Lansdowne. Pg 703.

5. Currie, I., De Waal, J., 2005. The Bill of Rights handbook, 5th ed. ed. Juta & Co, Lansdowne. Pg 708-709.

6. Currie, I., De Waal, J., 2005. The Bill of Rights handbook, 5th ed. ed. Juta & Co, Lansdowne. Pg 704

7. Section 34 is a derivative of Section 22 of the interim Constitution whereby the purpose was to create an 'independent and impartial forum' – this was used to separate government from the constitution.

8. Currie, I., De Waal, J., 2005. The Bill of Rights handbook, 5th ed. ed. Juta & Co, Lansdowne. Pg 704

9. Currie, I., De Waal, J., 2005. The Bill of Rights handbook, 5th ed. ed. Juta & Co, Lansdowne. Pg 704

10. Due Process – is the idea of that the law will be applied to everyone, fairly and equally

11. The Small Claims Courts were created by the Small Claims Court Act 61 of 1984.

12. Not juristic people or companies.

13. Meintjes-van der Walt, L., 2008. Introduction to South African law: fresh perspectives. Pearson Education and Prentice Hall, South Africa, Cape Town. Pg 198.

14. Meintjes-van der Walt, L., 2008. Introduction to South African law: fresh perspectives. Pearson Education and Prentice Hall, South Africa, Cape Town. Pg 198.

15. The difference between Law and Architecture degrees, in South Africa, is that Architecture students are required to spend a year in the working world before they can complete their studies (and another two before they can register as Professional Architects with SACAP).

16. Meintjes-van der Walt, L., 2008. Introduction to South African law: fresh perspectives. Pearson Education and Prentice Hall, South Africa, Cape Town. Pg 214.

17 Introduction | Wits Law Clinic | Centres and Clinics | Law | Commerce Law & Management | Faculties and Schools - Wits University [WWW Document], n.d. URL http://www.wits.ac.za/lawclinic (accessed 7.30.15).

18 Introduction | Wits Law Clinic | Centres and Clinics | Law | Commerce Law & Management | Faculties and Schools - Wits University [WWW Document], n.d. URL http://www.wits.ac.za/lawclinic (accessed 7.30.15).

19 Labour Relations Act 66 of 1995 (LRA).

20 Basic Conditions of Employment Act 75 of 1997 (BCEA).

21 Employment Equity Act 55 of 1998 (EEA).

22 Family and Gender Unit | Wits Law Clinic | Centres and Clinics | Law | Commerce Law & Management | Faculties and Schools - Wits University [WWW Document], n.d. URL http://www.wits.ac.za/lawclinic/family_and_gender_unit/11041/family_and_gender_unit.html (accessed 7.30.15).

23 Refugee Unit | Wits Law Clinic | Centres and Clinics | Law | Commerce Law & Management | Faculties and Schools - Wits University [WWW Document], n.d. URL http://www.wits.ac.za/lawclinic/refugee_unit/11040/refugee_unit.html (accessed 7.30.15).

24. Criminal Law and Delict Unit | Wits Law Clinic | Centres and Clinics | Law | Commerce Law & Management | Faculties and Schools - Wits University [WWW Document], n.d. URL http://www.wits.ac.za/lawclinic/criminal_law_and_delict_unit/11046/criminal_law_and_delict_unit.html (accessed 7.30.15).

25. Who qualifies for legal aid | Legal Aid South Africa, n.d.(http://www.legal-aid.co.za/?p=956) (accessed 7.30.15).

26. In the Introduction to South African Law (2008) handbook, Small claims courts, courts of chiefs and headmen, Equality courts and the Water Tribunal are categorised as "Other Inferior Courts."

27. According to the Merriam-Webster Dictionary: "a body of persons, a corporation, a partnership, or other legal entity that is recognized by law as the subject of rights and duties."

28. This isn't a critique of the individuals who use the court. The law uses phrases and terminology that people who have studied law understand and could defend themselves in the legal arena.

29. The officer of the court presiding over the cases is called the "commissioner."

30. Meintjes-van der Walt, L., 2008. Introduction to South African law: fresh perspectives. Pearson Education and Prentice Hall, South Africa, Cape Town. Pg 198.

31. Price Waterhouse Coopers Inc v National Potato Co-operative Ltd 2004 (9) BCLR 930 (SCA)

32. Currie, I., De Waal, J., 2005. The Bill of Rights handbook, 5th ed. ed. Juta & Co, Lansdowne. Pg 709.

33. The importance of access to digital information is undeniable. The creation of a stand-alone website and regularly updated blog for the Wits Law Clinic is also paramount in publishing issues surrounding the law.