

# **The Protimos Educational Trust**

## **Unaudited Annual Report and Financial Statements**

31 May 2021

Company Limited by Guarantee  
Registration Number  
4173340 (England and Wales)

Charity Registration Number  
1086388 (England and Wales)

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## **Legal and Administrative Information**

<b>Trustees</b>	D Crystal OBE T Moyo R D Mutize
<b>Secretary</b>	E Wright
<b>Registered/ Principal Office</b>	Southbank Technopark London South Bank University (LSBU) 90 London Road London SE1 6LN
<b>Company Registration Number</b>	4173340 (England and Wales)
<b>Charity Registration Number</b>	1086388 (England and Wales)
<b>Independent Examiner</b>	Buzzacott LLP 130 Wood Street London EC2V 6DL
<b>Bankers</b>	
At 31 May 2021	CAF Bank Limited 25 Kings Hill Avenue Kings Hill West Malling Kent ME19 4JQ
<b>Solicitors</b>	Bates Wells and Braithwaite 10 Queen Street Place London EC4R 1BE

## Trustees' Report

**31 May 2021**

The trustees of The Protimos Educational Trust present their report and the financial statements for the year to 31 May 2021.

The report has been prepared in accordance with Part 8 of the Charities Act 2011.

The financial statements have been prepared in accordance with the accounting policies set out on pages 13 and 14 of the attached financial statements and comply with the charitable company's memorandum and articles of association, applicable laws and Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the United Kingdom and Republic of Ireland (FRS 102).

### Executive Summary

The Protimos Educational Trust is one of five entities of the Protimos International Network (PIN). PIN is a global network of locally rooted, collaborative organisations delivering the Protimos legal empowerment model. On 31<sup>st</sup> March 2021 we welcomed the newly established entity of Protimos Zimbabwe into the Network. Protimos Zimbabwe is establishing a legal hub of local public interest lawyers who will act on behalf of impoverished Zimbabwean communities whose resource and land rights are under threat, and for whom climate change is an existential challenge. Local Protimos lawyers will use a full range of legal skills, from negotiation to litigation, to protect and assert the resource rights of project affected communities. Protimos Zimbabwe will achieve a set of strategic decisions either through settlement or litigation, creating a set of precedents which will translate into measurable, practical, legal benefits for client communities. This year has seen a continued focus on drawing the various Protimos entities closer together as the Network collectively managed the unprecedented impacts of the global Covid pandemic.

Since inception Protimos' strategy has been locally based and regionally relevant. The approach to our work has become globally significant and for over a decade we have been building our rule of law initiatives with local communities in Africa, whilst creating space for judicial dialogue and thought leadership through our Judicial Action Group (JAG). This year has of course been dominated by the global Covid pandemic and we have experienced the impact of numerous funding streams understandably being diverted from legal empowerment to Covid related health initiatives. Protimos, along with the rest of the world, adjusted to remote working and a revised activities plan.

Protimos held the fourth meeting of the Judicial Action Group (JAG) in December 2020 remotely owing to Covid restrictions, and this programme continues to go from strength to strengths. In November 2020 we welcomed our Legal Assistant to the UK staff, and our team has worked tirelessly to mitigate the impacts of the Covid pandemic and to continue deliver our legal empowerment model under increasingly restrictive circumstances.

## **Structure, governance and management**

### ***Constitution***

The Protimos Educational Trust was incorporated on 6 March 2001. It is a registered charity (Charity Registration Number 1086388) and also a company limited by guarantee, and does not have a share capital. The Company Registration Number is 4173340.

### ***Closely related organisations***

The Protimos Educational Trust was originally created as the charitable affiliate of The Protimos Foundation. After a short period of separation, in August 2008 the two organisations resumed a close relationship. The two bodies share common aims; and the Foundation is the primary implementing agency by which the Trust's aims are achieved.

### ***Members' liability***

The liability of members in the event of winding up is limited to £1 per member.

### ***Risk management***

The trustees have assessed the major risks to which the charitable company is exposed, in particular those relating to the specific operational areas of the charitable company and its finances. The trustees believe that by monitoring reserve levels, by ensuring controls exist over key financial systems, and by examining the operational and business risks faced by the charitable company, they have established effective systems to mitigate those risks.

### ***Trustees***

The trustees constitute directors of the company for the purposes of the Companies Act 2006, trustees of the charity for the purposes of charity legislation and the charity's key management personnel. They are not remunerated by the charity.

The following trustees were in office at 31 May 2021 and served throughout the year, except where shown:

D Crystal OBE  
T Moyo  
R D Mutize

Brief biographical details of each of the trustees are given below.

### **Dinah Crystal OBE**



Dinah received her OBE for contributions to Pro Bono in the North West of England in 2008. She is a qualified solicitor, while practicing (1974 – 1990) she specialized in family law and domestic violence. She chairs the North West Legal Support Trust, has been a LawWorks Trustee since 2002 and is on the Advisory Board of Manchester PSU and the Manchester CCJ/LIPS committee. Dinah is currently the Director of the Legal Advice Centre, a Centre she established in 2000. She is also the Academic Lead at Pathways to Law, sponsored by the Sutton Trust and Social Responsibility Champion. She oversees the Streetlaw Programme and is a member of Liberty Council.

### **Todani Manala-Moyo**



Todani Manala-Moyo is the Chairman and CEO of Lutendo Holdings, Valotone and Yokoyo Investments (Pty) Ltd. He is a professional accountant, with experience in project and development finance as an Investment Banker in the United States of America. Prior to becoming the CEO, Todani served as Managing Director and Chief Executive of Msinsi Resorts and Game Reserves. He sits on a number of reputable boards in South Africa, bringing expertise in corporate governance and enterprise risk management. A trustee and honorary Treasurer of the Maqhubu Ntombela, is also a trustee and the current Deputy Chairperson of the Wilderness Foundation intermittently chairing the Finance Committee. Todani Moyo also sat on the board of Road Accident Fund (RAF).

### **Remedzayi Darlington Mutize**



Darlington is a highly skilled business and economics specialist, with a focus on developmental economics and sustainability. He has worked in senior roles for medical, energy and most recently as a Senior Investment Executive for a Mobile Financial Services company. He is actively involved in community activities promoting SMEs. Together with a range of partners, he is actively engaged with the Royal Commonwealth Society on the development of a purpose-built online platform to enhance bilateral trade within member states. He speaks three languages; English, Shona and Zulu.

### **Statement of trustees' responsibilities**

The trustees (who are also directors of The Protimos Educational Trust for the purposes of company law) are responsible for preparing the trustees' report and financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

Company law requires the trustees to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the charitable company and of the incoming resources and application of resources, including the income and expenditure, of the charitable company for that period.

In preparing these financial statements, the trustees are required to:

- select suitable accounting policies and then apply them consistently;
- observe the methods and principles in the Statement of Recommended Practice (Accounting and Reporting by Charities) (the Charities' SORP);
- make judgements and estimates that are reasonable and prudent;
- state whether applicable United Kingdom Accounting Standards have been followed, subject to any material departures disclosed and explained in the financial statements; and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charitable company will continue in operation.

The trustees are responsible for keeping proper accounting records that disclose with reasonable accuracy at any time the financial position of the charitable company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the charitable company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

### **Structure and management reporting**

The trustees meet, and the meetings are attended by the management, who are shared with the Foundation. The management provide financial and operational reports to the trustees prior to the meetings, for review.

### **Public benefit**

The trustees have had regard to the Charity Commission's guidance which sets out the requirements for charities to demonstrate that their aims and activities are for the public benefit. They are satisfied that the aims and activities of the Trust, namely the education and training of indigenous people in skills, including legal skills, to preserve, promote and defend their rights, meet the public benefit test required by prevailing charity law.

### **Objectives and activities**

The Protimos Educational Trust's principal activity is the provision of education and training in legal skills, and international environmental, intellectual property, and social and economic rights law, concerning subjects related to sustainable development. The Protimos Educational Trust provides funds to The Protimos Foundation, which carries out work in line with the mandate of The Protimos Educational Trust.

## Financial review

For the year to 31 May 2021 there was a decrease in total income from £88,156 to **£54,270** (2020 - increase from £33,462 to £88,156). Total expenditure decreased from £88,724 to **£42,188** (2020 - increase from £33,236 to £88,724). These expenses related wholly to governance, charitable activities and the costs of generating income.

We continue to identify key funding sources, which enable the Trust to maintain its independence in conducting its work, and we are grateful to our funders for their support. We are building a significant relationship with a newly formed litigation fund who are strongly committed to financially supporting the work of Protimos. We have drawn heavily on our private donor network who have provided vital financial support throughout the global Covid pandemic. We continue to cultivate our Trust and Foundation, and private donor, networks and anticipate strengthening our support from across Africa and the US this coming year.

## Reserves policy and financial position

### *Reserves policy*

The trustees have examined the requirement for free reserves, i.e. those unrestricted funds not invested in tangible fixed assets, designated for specific purposes or otherwise committed. The trustees consider that, given the nature of the charitable company's work, the level of free reserves should be equivalent to three months' combined expenditure of The Protimos Educational Trust and its sister organisation, The Protimos Foundation (excluding transfers between the two entities), approximately £23,400 as at 31 May 2021 (2020 - £18,300).

The trustees are of the opinion that this provides sufficient flexibility to cover temporary shortfalls in income due to timing differences in income flows, and adequate working capital to cover core costs. The trustees acknowledge that the proposed level of reserves has not been achieved in the year to 31 May 2021, not least as a result of the challenging prevailing economic climate globally, but intend, in the course of 2022, to undertake a significant fundraising exercise so as to move towards the target level of reserves in the next two years.

### *Financial position*

Total funds at 31 May 2021 showed a balance of **£6,415** (2020 – deficit balance of £5,667), which is made up restricted funds of **£NIL** (2020 - £NIL) and a balance on general funds of **£6,415** (2020 – deficit of £5,667).

The trustees believe the financial statements should be prepared on a going concern basis on the grounds that the cash anticipated and received after the balance sheet date is sufficient to meet the Trust's debts as they fall due.

## Plans for future periods

The trustees plan to continue raising funds to support the charitable company's objectives, primarily through support of projects established through The Protimos Foundation.



Signed on behalf of the trustees by:



Todani Moyo, Trustee

Approved by the trustees on: 8 August 2022

## Independent Examiner's Report

I report to the trustees on my examination of the financial statements of the charitable company for the year ended 31 May 2021, which are set out on pages 11 to 17.

### **Responsibilities and basis of report**

As the trustees of the charitable company (and also its directors for the purposes of company law) you are responsible for the preparation of the financial statements in accordance with the requirements of the Companies Act 2006 ('the 2006 Act').

Having satisfied myself that the financial statements of the charitable company are not required to be audited under Part 16 of the 2006 Act and are eligible for independent examination, I report in respect of my examination of your charity's financial statements as carried out under section 145 of the Charities Act 2011 ('the 2011 Act'). In carrying out my examination I have followed the Directions given by the Charity Commission under section 145(5)(b) of the 2011 Act.

### **Independent examiner's statement**

I have completed my examination. Except for the matter I draw your attention to above, I confirm that no matters have come to my attention in connection with my examination giving me cause to believe:

- ♦ accounting records were not kept in respect of the charitable company as required by section 386 of the 2006 Act; or
- ♦ the financial statements do not accord with those records; or
- ♦ the financial statements do not comply with the accounting requirements of section 396 of the 2006 Act other than any requirement that the financial statements give a 'true and fair view' which is not a matter considered as part of an independent examination; or
- ♦ the financial statements have not been prepared in accordance with the methods and principles of the for "Accounting and Reporting by Charities: the Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102)."

I have no concerns and have come across no other matters in connection with the examination to which attention should be drawn in this report in order to enable a proper understanding of the accounts to be reached.



Edward Finch ACA  
Buzzacott LLP  
Chartered Accountants  
130 Wood Street  
London EC2V 6DL

15/8/22

**Statement of  
Financial Activities**  
Year to 31 May 2021

	Notes	Unrestricted funds £	Restricted funds £	<b>Year to 31 May 2021 Total £</b>	Year to 31 May 2020 Total £
<b>Income and endowments from:</b>					
Donations and legacies	1	54,270	—	<b>54,270</b>	76,348
Charitable income	2	—	—	—	11,808
<b>Total income</b>		<b>54,270</b>	<b>—</b>	<b>54,270</b>	88,156
<b>Expenditure</b>					
Raising funds	3	267	—	<b>267</b>	254
Charitable activities	4	41,921	—	<b>41,921</b>	88,470
<b>Total expenditure</b>		<b>42,188</b>	<b>—</b>	<b>42,188</b>	88,724
<b>Net income/(expenditure)</b>		12,082	—	<b>12,082</b>	(568)
<b>Balance brought forward</b>					
at 1 June 2020		(5,667)	—	<b>(5,667)</b>	(5,099)
<b>Balance carried forward</b>					
at 31 May 2020		6,415	—	<b>6,415</b>	(5,667)

All of the charitable company's activities derived from continuing operations in both years.

The charitable company has no recognised gains and losses other than those shown above.

## Balance Sheet

31 May 2021

	Notes	31 May 2021 £	31 May 2020 £
<b>Current assets</b>			
Debtors	8	-	-
Cash at bank and in hand		<b>14,825</b>	1,753
		<b>14,825</b>	1,753
<b>Creditors:</b> amounts falling due within one year	9	<b>(8,410)</b>	(7,420)
<b>Net liabilities</b>		<b>6,415</b>	(5,667)
<b>The funds of the charity</b>			
Unrestricted funds			
General fund	11	<b>6,415</b>	(5,667)
Restricted fund	12	-	-
		<b>6,415</b>	(5,667)

- a) For the year ended 31 May 2021, the company was entitled to exemption from audit under section 477 of the Companies Act 2006, relating to small companies.
- b) Members have not required the company to obtain an audit in accordance with section 476 of the Companies Act 2006.
- c) The trustees, as directors, acknowledge their responsibility for:
- ensuring the company keeps accounting records which comply with section 386 of the Companies Act 2006, and
  - preparing financial statements which give a true and fair view of the state of affairs of the company as at the end of the financial year, and of its profit or loss for the financial year, in accordance with the requirements of sections 394 and 395 and which otherwise comply with the requirements of the Companies Act relating to financial statements, so far as applicable to the company.
- d) The financial statements have been prepared in accordance with the provisions applicable to companies subject to the small companies regime as set out in Part 15 of the Companies Act 2006.

Approved by the board of trustees and signed on its behalf by:



Todani Moyo, Trustee

Approved by the trustees on: 8 August 2022

## Principal Accounting Policies

### **Basis of preparation**

These financial statements have been prepared for the year to 31 May 2021.

The financial statements have been prepared under the historical cost convention with items recognised at cost or transaction value unless otherwise stated in the relevant accounting policies below or the notes to these financial statements.

The financial statements have been prepared in accordance with Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the United Kingdom and Republic of Ireland (Charities SORP FRS 102), the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) and the Companies Act 2006.

The charity constitutes a public benefit entity as defined by FRS 102.

The financial statements are presented in sterling and are rounded to the nearest pound.

### **Critical accounting estimates and areas of judgement**

The trustees are of the opinion that no critical accounting estimates have been made, and that there are no significant areas of judgement.

### **Going concern**

Although there is a deficit on general funds, the charity's main expenses represent grants to The Protimos Foundation, which are discretionary. The trustees believe the financial statements should be prepared on a going concern basis on the grounds that the cash anticipated and received after the balance sheet date is sufficient to meet the Trust's debts as they fall due.

### **Statement of cash flows**

The financial statements do not include a statement of cash flows as the charity has taken advantage of the exemption under Update Bulletin 1 to the Charities SORP FRS 102 from preparing such a statement as it is a small charity.

### **Income recognition**

Income is recognised in the year in which the charity is entitled to receipt, it is probable the charity will receive the income and the amount can be measured with reasonable certainty. Income is deferred only when the charity has to fulfil conditions before becoming entitled to it or where the donor or funder has specified that the income is to be expended in a future accounting period.

**Expenditure recognition**

Liabilities are recognised as expenditure as soon as there is a legal or constructive obligation committing the charity to make a payment to a third party, it is probable that a transfer of economic benefits will be required in settlement and the amount of the obligation can be measured reliably.

All expenditure is accounted for on an accruals basis.

**Allocation of support costs**

Support costs represent professional fees not attributable to a particular activity. These costs are allocated to charitable activities as any apportionment between the expenditure headings would be immaterial.

**Debtors**

Debtors are recognised at their settlement amount, less any provision for non-recoverability. Prepayments are valued at the amount prepaid.

**Cash at bank and in hand**

Cash at bank and in hand represents such accounts and instruments that are available on demand or have a maturity of less than three months from the date of acquisition. Deposits for more than three months but less than one year have been disclosed as short-term deposits. Cash placed on deposit for more than one year is disclosed as a fixed asset investment.

**Creditors and provisions**

Creditors and provisions are recognised when there is an obligation at the balance sheet date as a result of a past event, it is probable that a transfer of economic benefit will be required in settlement, and the amount of the settlement can be estimated reliably. Creditors and provisions are recognised at the amount the charity anticipates it will pay to settle the debt.

**Notes to the  
Financial  
Statements**  
31 May 2021

1. Income from donation and legacies

	Unrestricted funds £	Restricted funds £	<b>2021 £</b>	2020 £
<b>2021 Total funds: Donations</b>	54,270	-	<b>54,270</b>	76,348
2020 Total funds	76,348	-	76,348	

2. Income from charitable activities

	Unrestricted funds £	Restricted funds £	<b>2021 £</b>	2020 £
<b>2021 Total funds: Income from grants and trusts</b>	-	-	-	11,808
2020 Total funds	-	-	-	

3. Expenditure on raising funds

	Unrestricted funds £	Restricted funds £	<b>2021 £</b>	2020 £
<b>2021 Total funds: Fundraising costs</b>	267	-	<b>267</b>	254
2020 Total funds	254	-	254	

4. Expenditure on charitable activities

	Unrestricted funds £	Restricted funds £	<b>2021 £</b>	2020 £
Amounts transferred to The Protimos Foundation	40,001	-	<b>40,001</b>	86,550
Support costs	1,920	-	<b>1,920</b>	1,920
<b>2021 Total funds</b>	41,921	-	<b>41,921</b>	88,470
2020 Total funds	77,462	11,008	88,470	

The Protimos Foundation is a related entity as described within the trustees' report.

## 5. Support costs

	Unrestricted funds £	Restricted funds £	2021 £	2020 £
Independent Examiner	1,920	—	<b>1,920</b>	1,920
<b>2021 Total funds</b>	<b>1,920</b>	<b>—</b>	<b>1,920</b>	1,920
2020 Total funds	1,920	—	1,920	

## 6. Staff costs and trustees' remuneration

During the year the Trust employed no staff and therefore incurred no staff costs. No trustee, representing the key management personnel of the company received any remuneration or payment for expenses in respect of their services as a trustee during the period (2020 - none).

## 7. Taxation

The Protimos Educational Trust is a registered charity and therefore is not liable for income tax or corporation tax on income derived from its charitable activities, as it falls within the various exemptions available to registered charities.

## 8. Debtors

	2021 £	2020 £
Accrued income	-	-

## 9. Creditors: accounts falling due within one year

	2021 £	2020 £
Other creditors and accruals	<b>8,410</b>	7,420

## 10. Analysis of net assets between funds

	General fund £	Restricted funds £	2021 £	2020 £
<b>Fund balances at 31 May 2021 are represented by:</b>				
Current assets	14,825	-	<b>14,825</b>	1,753
Current liabilities	(8,410)	-	<b>(8,410)</b>	(7,420)
<b>Total net assets</b>	<b>6,415</b>	<b>-</b>	<b>6,415</b>	(5,667)



#### 11. General fund

	At 1 June 2020 £	Income £	Expenditure £	At 31 May 2021 £
General fund	(5,667)	54,270	(42,188)	<b>6,415</b>

The General fund is used to top up the restricted fund when funds are unavailable. They are used directly across all three of our programmes; Community Legal Empowerment, Judicial Action Group (JAG), and the Green Light Programme (GLP). (note 12).

#### 12. Restricted funds

	At 1 June 2020 £	Income £	Expenditure £	At 31 May 2021 £
Restricted fund	—	—	—	—
	—	—	—	—

No funds were restricted in the year.

#### 13. Liability of members

The charity is constituted as a company limited by guarantee. In the event of the charity being wound up, members are required to contribute an amount not exceeding £1.