**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 3462**

**INTERNAL QUESTION PAPER [No 37-2015 FIFTH PARLIAMENT]
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**3462. Mr T C R Walters (DA) to ask the Minister of Rural Development and Land Reform:**

(1) With regard to a certain law firm (name furnished) that deals with eviction issues on behalf of his department, (a) what criteria did his department set down to apply to the panel of law firms that get appointed by the specified law firm to assist with eviction matters, (b) how is the quality of legal services that are provided by the specified law firm measured and/or controlled by his department, (c) what measures are set down by his department to determine the merits of cases before they are taken on by the panel of law firms, (d) what total number of cases, where other law firms were appointed by his department, were postponed on the hearing date because of poor preparation by the appointed law firm, (e) how many cases were settled in and/or at court on the first day that they were set down for hearing and (f) how many cases were settled out of court and/or without any litigation being initiated by landowners;

(2) with reference to the total number of cases in respect of which (a) his department, (b) the specified law firm and/or (c) members of its panel of law firms offered to pay legal costs of landowners, what is the number of cases where the specified landowners were successful in (i) obtaining an eviction order and/or (ii) defending a land claim;

(3) with reference to cases that have come before the Land Claims Court since the appointment of the specified law firm, what is the (a) total number and (b) total cost of cost orders that were made against land occupiers? **NW4123E**

**THE MINISTER OF RURAL DEVELOPMENT AND LAND REFORM:**

(1)(a) Relevant legal experience and expertise, knowledge of the regulatory framework governing land reform, representivity (race, gender, and disability), administrative infrastructure and support capacity, national spread, attendance of training, language skills, BEE status of the law firm, community involvement, professional conduct and registration with relevant Law Society and Fidelity Fund.

(b) Panellists submit monthly progress reports; bi-monthly meetings are held between the managing law firm and the Department; provincial reviews held with panellists; managing firm and Departmental officials; LRMF management information system (monitoring and evaluation of each matter) is in place; review of panellist invoices in line with the LRMF fee tariff and monthly review of panellist.

(c) Interviews using questionnaires and farm visits.

(d) None.

(e), (f) Unknown. The Information Management System does not provide for details of this nature and would require scrutiny of each file. The system provides for significant milestones such as: Pending, Closed and, Finalised.

(2)(a),(b),(c) Apart from cost orders made by the Court, no offers were made to pay legal costs of landowners.

 (i),(ii) Falls away.

(3)(a) 5

 (b) R293 077.89