



MEDIA STATEMENT

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LEGAL AID SOUTH AFRICA CONTINUES TO ASSIST THOUSANDS OF SOUTH AFRICANS ACCESS JUSTICE

- Nearly 800,000 poor and vulnerable people assisted with legal aid services in the 2014-2015 financial year

Legal Aid SA continues to play a leading role in ensuring access to justice for as many poor and vulnerable people – having assisted close to 4 million people in the last 5 years.

“Our core purpose is to fulfil our Constitutional mandate and in doing so to have a meaningful impact on the lives of poor and vulnerable persons and ultimately on society, and I am satisfied that we have used our resources efficiently and effectively to achieve this” said Legal Aid SA CEO, Ms Vidhu Vedalankar.

In a tough economic climate, with financial constraints and budget cuts, Legal Aid SA says its record of high performance within a good governance framework holds it in good stead to ensure that poor and vulnerable South Africans continue to access justice.

During the 2014-2015 year, Legal Aid SA provided criminal and civil legal aid services to a total of 769 436 poor and vulnerable persons, 394,172 (88%) of which were criminal matters and 54 023 (12%) civil legal matters. The organisation also provided legal advice in 321,241

matters, with the Legal Aid SA Advice Line 0800 110 110, its Call Centre, providing advice in 42,886 (13%) matters.

94% of all legal services are provided by our in-house legal practitioners with the balance being provided through judicare legal practitioners, co-operation partners and agency agreements. The bulk, 87% of our legal matters were handled in District Courts while 14% were in Regional Courts and the balance 1% in the High Court, Supreme Court of Appeal (SCA) and Constitutional Court. Legal Aid SA is also the legal representative of record in the majority of criminal appeal matters heard in the SCA. During the year under review, the organisation dealt with a total of 30 criminal appeals in the SCA and achieved successful outcomes for its clients in 23 (77%) of these appeals.

In delivering on its commitment to protect and defend the rights of children, the organisation assisted children in 16 483 matters, of which 11 651 (71%) were children in conflict with the law and 4,831 matters was assistance to children in civil matters. We provided legal aid to children in 3,336 new preliminary inquiry matters. Through our monitoring and tracking system, we were able to keep track of children awaiting trial in custody to ensure that their matters are prioritised.

Continuing on its quest to give content to the Constitutional rights of all South Africans, the Impact Litigation Unit of Legal Aid SA handled 52 impact matters and recorded a success rate of 89% in 8 of the 9 matters finalised in the year under review. "The nature of the impact matters ensure that despite the low volumes, the outcomes impact more broadly than just on the specific clients assisted. These matters ensure that clients' constitutional rights are enforced or protected and legal precedents impacting widely on our clients' rights have been achieved," said Ms Vedalankar.

The impact litigation cases we were involved in included the following:

- **Silicosis Mineworker Claims vs Anglo American** (Compensation for disease resulting from poor working conditions)
- **Stuurman/Snyders vs State** (Protection of rights of vulnerable persons with mental health challenges)
- **Virginia Sarrahwitz v Hermanus Maritz N.O. v Minister of Trade and Industry CCT 93/14** (Protection of Purchaser in Alienation of Land Act extended where purchase price paid in full)

- **Lorraine Sophie Botha and Another v Henry Robins Rich N.O. and Others** 2014(4) ZA CC 33 (Enforcing rights in terms of Alienation of Land Act where seller wanted to retain property and all payments made)
- **Nvumeleni Jezile v The State and Others** CCT (Law Clarified relating to practice of Ukuthwala)
- **J v National Director of Prosecutions** 2014(2) SACR1 (CC) (Challenge Compulsory listing of minors on Sexual Offenders Register)
- **E Samotse v Minister of Home Affairs and Others** (Contempt order against home affairs officials who deported contrary to Ministers Decision and Court Order)
- **S v Tsundzukani Mthombeni** (Defending minor on charge of murder where the deceased was involved in ongoing bullying of the accused)
- **Khohliso v The State and Another** CCT 12/14 (Transkei Decree 9 of 1992 declared unconstitutional as it contravenes the right to a fair trial as imposes higher sentence only in former Transkei)

“We are also pleased that we managed to deliver our programmes within our budget” said Ms Vedalankar, adding that the organisation spent 98,1% of its R1,638 billion budget allocated for the past year. Legal Aid SA has continued to work within a framework of rigorous financial management and good governance, resulting in its fourteenth (14th) unqualified audit. We are very proud of an award from the Office of the Auditor-General of South Africa commending the organisation’s clean audit status, said Vedalankar.

This award is one of many that the organisation has under its belt, having received several other honours such as being accredited as one of the Top Employers by the Top Employer Institute for its sound human resource policies. For the 6th consecutive year, Legal Aid SA has been certified as a Top Employer 2015 in recognition of its operating at an international benchmark level on various HR measurement dimensions, equaling private sector companies, as well as being an industry leader amongst organisations operating within the public sector.

Being voted as the most preferred employer by law students in the 2014-2015 Universum Student Survey, conducted at 25 universities across South Africa has also confirmed the organisation’s status as an employer of choice for young legal professionals.

Ms Vedalankar concludes that the 2014-2015 reporting year was one full of activities of national significance for Legal Aid SA, amongst them being the passage of the new Legal Aid South Africa Act (Act 39 of 2014) replacing the old Legal Aid Act (Act 22 of 1969). The

new Legal Aid South Africa Act aligns to the democratic Constitution of RSA and ushers in a new era in the governance of Legal Aid SA.

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