

Legal Aid
South Africa

Your voice. For justice.

Independent and within reach.



INTEGRATED ANNUAL REPORT 2022-2023

**Making Access To Justice A Reality
For The Indigent And Vulnerable**



SUSTAINABLE DEVELOPMENT GOAL 16

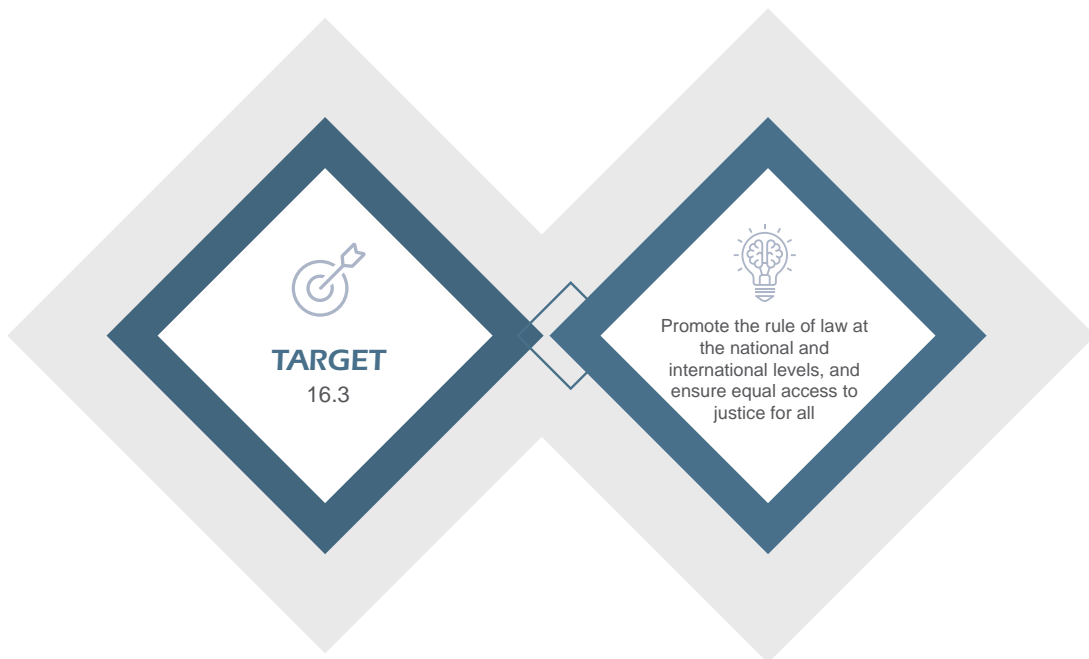


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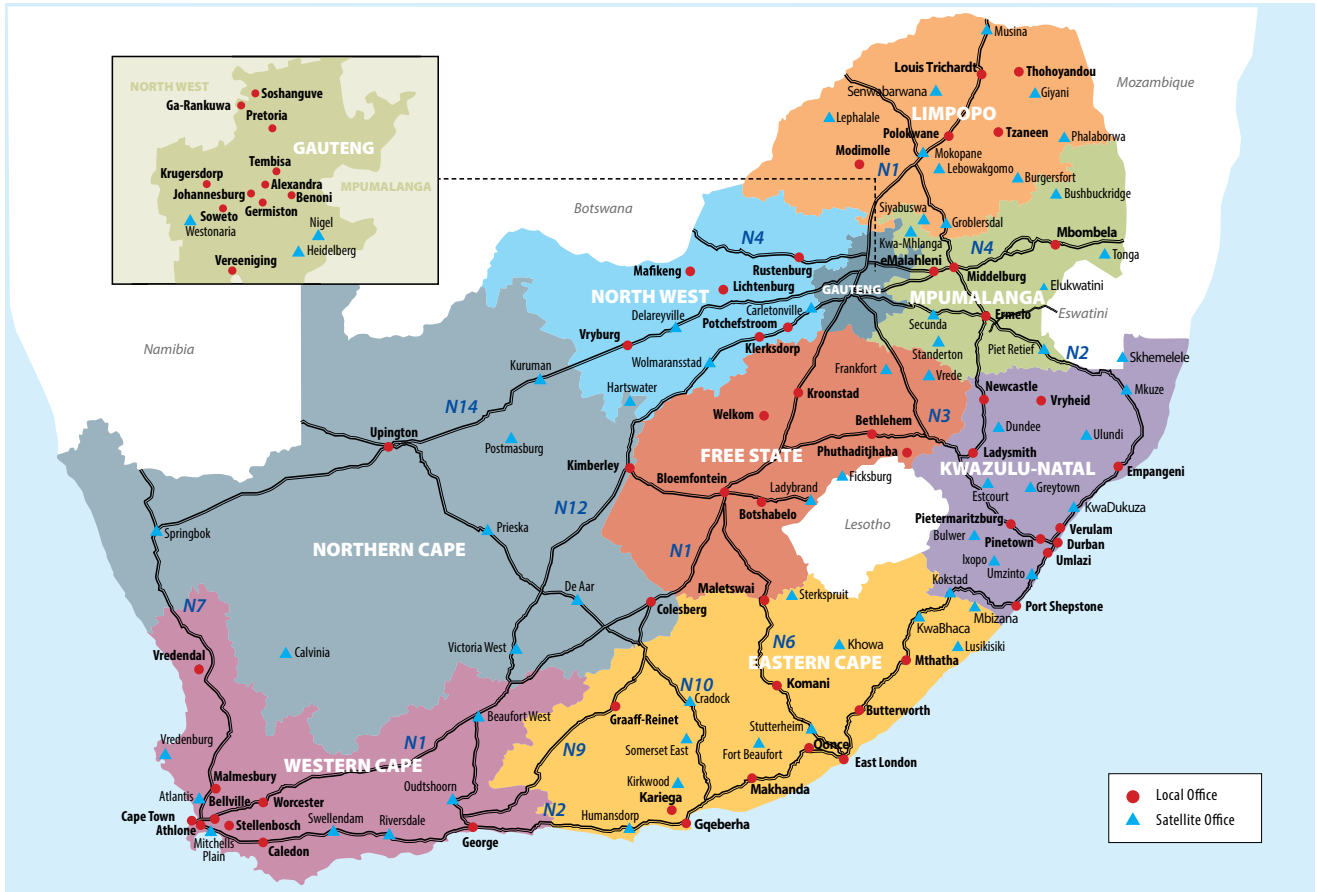
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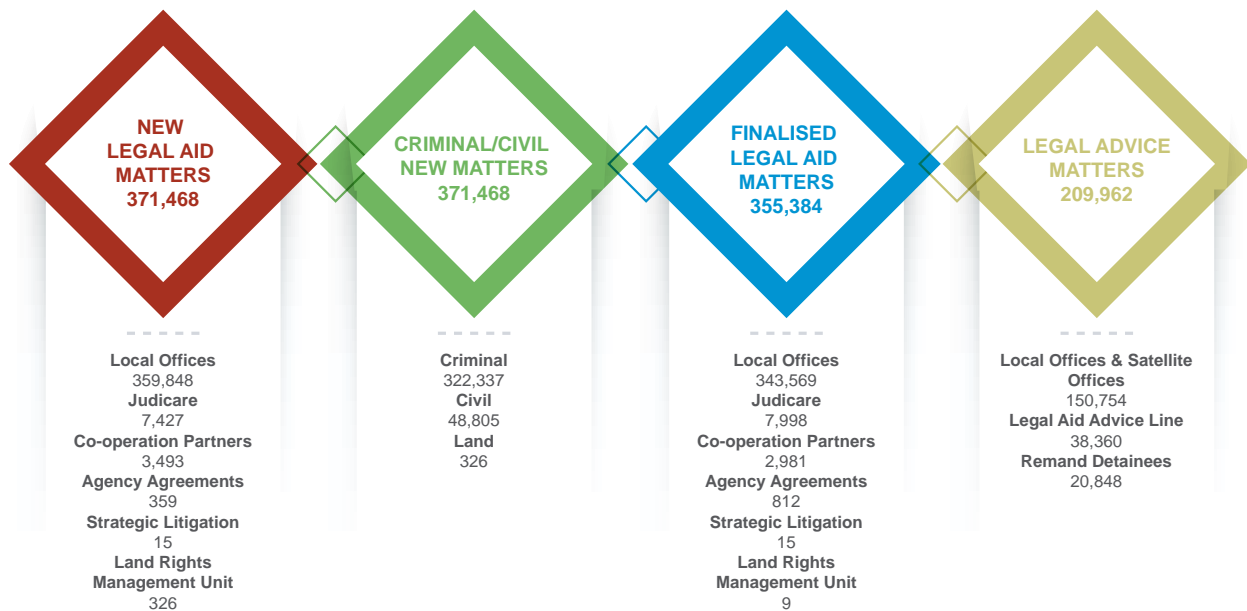
LEGAL AID SA NATIONAL FOOTPRINT



INFRASTRUCTURE



LEGAL SERVICES DELIVERY



PEOPLE DEVELOPMENT AND FINANCE

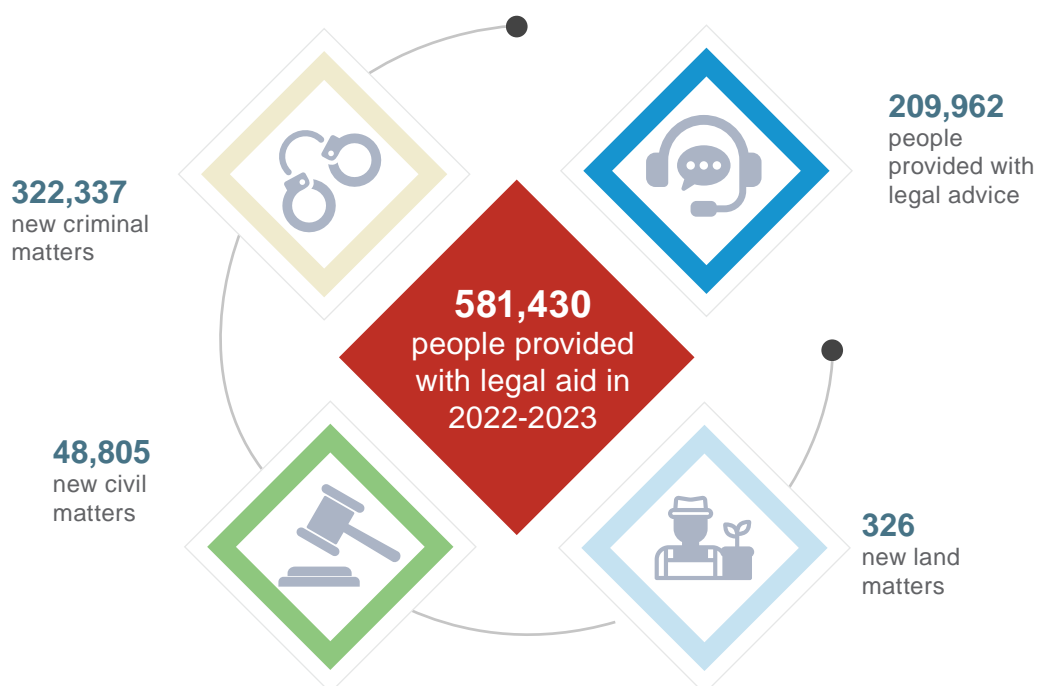




“ The 2022-2023 financial year witnessed the return to what we know to be normal operations, following the upheaval of the Coronavirus pandemic. The return to business-as-usual saw 97% of the Business Plan 2022-2023 objectives met, delivering a successful third year of the Strategic Plan 2020-2025 ”

PART A

General Information



1. PUBLIC ENTITY'S GENERAL INFORMATION

REGISTERED NAME:	Legal Aid South Africa
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EMAIL ADDRESS:	communications2@legal-aid.co.za
WEBSITE ADDRESS:	www.legal-aid.co.za
EXTERNAL AUDITORS:	Auditor-General South Africa 4 Daventry Street Lynnwood Bridge Office Park Lynnwood Manor Pretoria
BANKERS:	First National Bank 92-94 Jorissen Street Braamfontein 2017
Board Secretary:	Mr Langa Lethiba

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Table 1: List of Abbreviations/Acronyms

This is an alphabetical list of abbreviations and acronyms used. Whilst many are generic in nature, some are used specifically at Legal Aid South Africa.

AFS	Annual Financial Statements
A-G/AGSA	Auditor-General South Africa
AIPF	Associated Institutions Pension Fund
APP	Annual Performance Plan
ATP	Annual Training Plan
ATR	Annual Training Report
Avg.	Average
BAC	Bid Adjudication Committee
B-BBEE	Broad-based Black Economic Empowerment
BS	Board Secretary
CA(s)	Candidate Attorney(s)
CAO(s)	Community Advice Office(s)
CAOSA	Community Advice Offices of South Africa
CARP	Capital Asset Replacement Programme
CAT	Children Awaiting Trial
CBO(s)	Community-based Organisation(s)
CC	Constitutional Court
CCMC	Constitutional Case Management Committee
CE	Communication Executive
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CIDB	Construction Industry Development Board Act 38 of 2000
CJS	Criminal Justice Sector
CLE	Chief Legal Executive
COO	Chief Operations Officer
COVID-19	Coronavirus disease
CPI	Consumer Price Index
CRO	Chief Risk Officer
CSC	Crisis Management Steering Committee
CSD	Central Supplier Database
DALRRD	Department of Agriculture, Land Reform and Rural Development
DBIs	Digital Brand Integrations
DC	District Court
DoJ & CD	Department of Justice and Constitutional Development
DSD	Department of Social Development
EA	Executive Authority
EC	Eastern Cape
EE	Employment Equity
eLAA	electronic Legal Aid Administration System
ESTA	Extension of Security of Tenure Act 62 of 1997
EVP	Employee Value Proposition
EWP	Employee Wellness Programme
Exco	Executive Committee

Exp.	Expenditure
FAMANCO	Finance and Administration Managers Committee
FBO(s)	Faith-based Organisation(s)
FS/NW	Free State/North West
FY	Financial Year
GBVF	Gender-Based Violence and Femicide
GEPF	Government Employees Pension Fund
GP	Gauteng
GRAP	Generally Recognised Accounting Practice
HC	High Court
HCU	High Court Unit
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HoO	Head of Office
HR	Human Resources
HRE	Human Resources Executive
IA	Internal Audit
IAE	Internal Audit Executive
ICCVs	Independent Correctional Centre Visitors
ICT	Information and Communication Technology
IESBA	International Ethics Standards Board for Accountants
IIRC	International Integrated Reporting Council
IJS	Integrated Justice System
ISAs	International Standards on Auditing
ISCCJ	Intersectoral Committee for Child Justice
ISE	Information Systems Executive
ISSC	Information Systems Steering Committee
IT	Information Technology
JICS	Judicial Inspectorate for Correctional Services
KZN	KwaZulu-Natal
L/MP	Limpopo/Mpumalanga
LE: LRM	Legal Executive: Land Rights Management
LED	Light Emitting Diode
Legal Aid SA	Legal Aid South Africa
Local Office/LO(s)	Legal Aid SA Local Office(s)
LOPM	Local Office Performance Monitor
LP/s	Legal Practitioner/s
LPC	Legal Practice Council
LQAU	Legal Quality Assurance Unit
LRMF	Land Rights Management Facility
LRMU	Land Rights Management Unit
LSM	Living Standards Measure
LSTC	Legal Services Technical Committee
MoJ	Minister of Justice and Correctional Services
MPLS	Multiprotocol Label Switching
MTEF	Medium Term Expenditure Framework
N/A	Not Applicable
NADEL	National Association of Democratic Lawyers
NC/WC	Northern Cape/Western Cape

NEEC	National Efficiency Enhancement Committee
NGO(s)	Non-governmental Organisation(s)
No.	Number
NOE	National Operations Executive
NSP	National Strategic Plan
NT	National Treasury
NTI	National Treasury Instruction
PAA	Public Audit Act 25 of 2004
PAIA	Promotion to Access to Information Act
PE	Provincial Executive
PEEC	Provincial Efficiency Enhancement Committee
PFMA	Public Finance Management Act 1 of 1999
PPPFA	Preferential Procurement Policy Framework Act 5 of 2005
PPR	Preferential Procurement Regulations
PPU	Payment Processing Unit
PRECCA	Prevention and Combating of Corrupt Activities Act 12 of 2004
Q	Quarter
RC	Regional Court
RCSA	Risk Control Self-Assessment
RD(s)	Remand Detainee(s)
RSA	Republic of South Africa
SALAWU	South African Lawyers and Allied Workers Union
SALRC	South African Law Reform Commission
SAPS	South African Police Service
SAPTU	South African Parastatal and Tertiary Institutions Union
SARS	South African Revenue Service
SASSETA	Safety and Security Sector Education and Training Authority
Satellite Office/SO(s)	Legal Aid SA Satellite Office(s)
SCA	Supreme Court of Appeals
SCM	Supply Chain Management
SD-WAN	Software-defined Wide Area Network
SDG(s)	Sustainable Development Goal(s)
SLU	Strategic Litigation Unit
SMS	Short Message Service
SOP(s)	Standard Operating Procedure(s)
SR	Strategic Risk
SSTC	Support Services Technical Committee
TR	Treasury Regulations
UN	United Nations
UNODC	United Nations Office on Drugs and Crime
UPS	Uninterrupted Power Supply
VPN	Virtual Private Network
WAN	Wide Area Network
WSP	Workplace Skills Plan

3. FOREWORD BY THE CHAIRPERSON



At the time of writing this Foreword, I was attending the 32nd Session of the Commission on Crime Prevention and Criminal Justice, hosted by the United Nations Office on Drugs and Crime (UNODC). I had the honour of speaking about Legal Aid South Africa's work to ensure access to justice and engage with many other countries on both the achievements and challenges of their respective legal aid systems. It reminded me once again of the tremendous work that Legal Aid SA continues to do, in the face of numerous challenges.

In 2022-2023, the third year of the Strategic Plan 2020-2025, Legal Aid SA has continued to deliver on its vision and mission, thus ensuring the fulfilment of its constitutional and legislative mandate. This first year of full operations following the pandemic has seen an increase in the number of persons served and this impressive achievement distinguishes Legal Aid SA as a beacon of excellence in the public sector, as described by the Portfolio Committee on Justice and Correctional Services at an oversight visit in March 2023. The commitment of all staff brings to life the organisational mandate of ensuring equal access to justice for all to build a just society.



Legal Aid SA's mandate was extended to include legal representation in land related matters. Considerable effort and resources were directed at securing funding and integrating the function within the organisation



This financial year was the first year of operation for the Land Rights Management Unit (LRMU) since it was transferred to Legal Aid SA. Substantial dedication and resources were allocated towards obtaining funds for the novel mandate, enhancing internal capabilities and seamlessly incorporating this function into the organisation.

The Land Court Bill 11 of 2021 was passed by the National Assembly and transmitted to the National Council of Provinces for concurrence in September 2022. Legal Aid SA's current land mandate will be further extended once this Act is brought into operation and the Land Court established, which will further impact on resources.

Stakeholder relationships play a vital role in the achievement of the strategic objectives of Legal Aid SA and ultimately support access to justice for all. The entity has worked with the UNODC and the United Nations Development Programme, in line with our commitment to realising the United Nations' Sustainable Development Goal (SDG) 16, Target 16.3 of *promoting the rule of law at the national and international levels and ensuring access to justice for all*. We participated in National and Provincial Efficiency Enhancement structures to contribute to the effective functioning of the justice and legal sector. It was our pleasure to welcome four African delegations from Botswana, Uganda, Ethiopia and Eswatini. During these visits, information exchange focused particularly on service delivery models and governance structures, with future visits already being planned. To ensure accountability, we briefed the Portfolio Committee on Justice and Correctional Services on four occasions.

Legal Aid SA's budget has been reduced by 15% over the Medium Term Expenditure Framework (MTEF) period of 2021/22 to 2024/25. The entity will continue to implement practical, cost-effective measures to achieve its strategic objectives and deliver quality legal services as well as address the challenge of increasing demand for legal aid services in the context of limited funding.

Despite the governance challenges faced during the year and the two vacancies at the end of the 2022-2023 financial year, the Board remained effective in upholding its responsibilities and provided leadership and guidance in its oversight of the performance of the organisation.

The Board is committed to effectively executing its oversight role to ensure that Legal Aid SA maintains high levels of service excellence in delivering on its mandate, enabling access to justice to uphold the rights enshrined in the Constitution, as well as ensuring the sustainability of the entity.

The Board thanks the Minister of Justice and Correctional Services, Mr Ronald Lamola, as well as the Deputy Minister of Justice and Constitutional Development, Mr John Jeffery, for their continued support and willingness to engage on issues of mutual interest. The shared commitment to the citizenry of South Africa sees access to justice remaining top of mind and driving progress forward.

The Board extends its immense gratitude to Legal Aid SA's Chief Executive Officer, Ms Mantiti Kola, and the Executive Management team for their passion for justice and unwavering devotion to the both the organisation's work and its people. We are proud ambassadors of Legal Aid SA and continue to be impressed with the entity's achievements in an unstable economic climate.

The Board thanks all Legal Aid SA Citizens who make access to justice a reality daily. You are the face of the organisation to so many, demonstrating why we are a model public entity and world-class legal aid service provider. Your achievements inspire us ever forward!

Lastly, I thank the Board of Legal Aid SA. Your steadfast focus on championing the rights of all persons to access justice through the provision of independent, accessible and quality legal aid services in criminal, civil and land related legal matters confidently charts our path ahead. I am grateful to be surrounded by compassionate human rights defenders and look forward to another successful year.



.....
Judge Motsamai Makume

Chairperson: Board of Legal Aid SA

4. CHIEF EXECUTIVE OFFICER'S OVERVIEW



The 2022-2023 financial year witnessed the return to what we know to be normal operations, following the upheaval of the Coronavirus pandemic. Legal Aid SA delivered another successful year by achieving 97% of its Business Plan objectives, attained a clean audit outcome for the 15th consecutive year from the Auditor-General South Africa and scooped Top Employer South Africa accreditation for the 14th successive year. Kudos to all Legal Aid SA Citizens who have worked tremendously hard to make the organisation a success. Ke a leboga kudu kudu!!!

Legal Services Delivery

The improvement in delivery against the organisation's set annual targets saw nearly 100,000 more people assisted than in the previous financial year; the most helped thus far during this strategic planning period 2020-2025. Legal Aid SA assisted 581,430 indigent and vulnerable people with legal representation and advice. This demonstrates the country's recovery following the lifting of the COVID-19 lockdown and its accompanying restrictions. The figure also includes 326 land matters; Legal Aid SA's new mandate provided through its LRMU, which had its first full year of operations in 2022-2023. The LRMU provides legal representation, advice and mediation services in land disputes for those who cannot afford legal representation.



Legal Aid SA is constantly striving to be a model public entity with an impeccable track record. In 2022-2023, the organisation delivered another successful year by achieving 97% of its Business Plan objectives, attained a clean audit outcome for the 15th consecutive year from the AGSA and scooped Top Employer South Africa accreditation for the 14th successive year. Kudos to all Legal Aid SA Citizens who have worked tremendously hard to make the entity the success it is!



Legal services delivery was achieved using the mixed model delivery system, which involves the delivery of legal services by Legal Aid SA Local and Satellite Offices, Judicare Legal Practitioners, Co-operation Partners and Agency Agreement Partners. This figure comprises 322,337 (87%) new criminal matters; 48,805 (13%) new civil matters and 326 new land matters. General legal advice was provided to 209,962 persons through Legal Aid SA offices, the Advice Line and to remand detainees at correctional facilities.

When compared to the previous financial year (2021-2022), this is 2.3% more criminal matters, 21.6% more civil matters and 58.6% more legal advice matters. A total of 355,384 matters were finalised during the financial year, comprising 308,490 criminal matters, 46,885 civil matters and nine land matters. Further, Legal Aid SA provided coverage of all specialised criminal courts which includes Commercial Crimes Courts, Sexual Offences Courts and Child Justice Courts. Legal services were provided by 2,026 legal staff including Paralegals, making up 76.3% of the total staff recruited. This is a 6.2% increase in legal staff when compared to the previous financial year, when the number of legal staff recruited was 1,907, 77% of the total staff recruited.

The provision of access to criminal legal aid services through the *practitioner per court model* resulted in the achievement of the planned court coverage targets of 86% for District Courts (target 80%), 95% for Regional Courts (target 90%) and all matters requiring legal aid in High Courts.

There was a 21.6% increase in the number of civil matters when compared to the prior financial year. Civil matters constitute 13% of new legal matters and criminal matters 87%. Overall, 97% of new civil matters were handled by internal Legal Practitioners employed by Legal Aid SA; 2% by Judicare Practitioners, who are external practitioners briefed by the organisation, and 1% through Co-operation Partners.

The newly established LRMU dealt with 326 new land matters and the majority of these matters were allocated to Judicare Practitioners as the LRMU is currently building internal capacity within the available resources.

The number of clients assisted with legal advice increased by 58.6% when compared to 2021-2022. During the pandemic, the number of clients who were

able to access legal advice services was negatively impacted. The lifting of lockdown restrictions has seen a considerable increase in clients assisted with general legal advice services. Most clients (72%) were assisted through consultations at Legal Aid SA offices, followed by 18% through the Legal Aid Advice Line and 10% by Paralegals at correctional centres. The Legal Aid Advice Line can assist clients in all official 11 languages and during the financial year an upgrade in technology created the capability to deliver telephony advice services remotely, enabling Advice Line staff to work from home.

As children are a vulnerable group, all children are provided with legal representation and a total of 13,167 children were assisted; 7,161 in criminal matters and 6,006 in civil matters. This is an increase of 12.7% in the total number of children assisted in comparison to the previous financial year.

The Strategic Litigation Unit focuses on social justice matters that have the potential to set legal precedents and have a wide-ranging impact. Of the 40 matters assessed, 15 matters were approved as strategic litigation matters. Fifteen matters were finalised during the financial year; nine with a positive outcome, one with a negative outcome and the remaining five matters were finalised without an outcome. A 90% success rate has been achieved.

Legal Quality Assurance

Continued focus is placed on the quality of legal services through an intensive Quality Monitoring and Intervention Programme and assessments conducted by the Legal Quality Assurance Unit (LQAU), an independent unit within the Internal Audit Department. Quality monitoring of legal services delivery through the LQAU yielded positive results, with all categories of internal Legal Practitioners exceeding the quality targets for both file audit and court observation scores.

The Client Relationship Management Strategy was reviewed and approved by the Board and together with the Client Services Charter, guides us in our interactions with our clients. Client satisfaction surveys were conducted telephonically through Advice Line agents and the average satisfaction levels for criminal clients was 91% (224 surveys conducted) and 77% (719 surveys conducted) for civil clients, with the target for client satisfaction being 80%.

Increasing Brand Awareness

The Communication Department placed emphasis on increasing awareness of the Legal Aid SA brand as well as the services offered by the organisation, promoting the LRMU's mandate and sharing success stories relating to service delivery. Various innovative public relations and advertising campaigns were embarked upon including digital billboards on freeways, Digital Brand Integrations (DBIs) in popular television soaps, in-content advertising for campaigns such as Child Protection Week and mall advertisements to expose more members of the public to the brand. Community outreach events are an important vehicle used to meet the objective of providing legal information and education to the public. After a two-year hiatus because of the pandemic, community outreach efforts were intensified with the result being the attainment of 125% of the target for this programme. Strategic partnerships with Government and non-governmental organisations assist in these engagements. There was growth in the use of social media platforms and the Legal Aid SA website recorded 43% more visitors than the 2021-2022 financial year.

Finance Overview

The organisation remains committed to the responsible, accountable and prudent spending of public resources in the fulfilment of our constitutional mandate. The Annual Financial Statements are compliant with relevant standards and regulations and the detailed Report of the Auditor-General can be found in Part G of this Integrated Annual Report. Legal Aid SA received its 15th clean and 22nd unqualified audit opinion from the Auditor-General South Africa in the financial year under review.

The entity spent and committed 98% of R2,411 billion. The spending is in line with the target of 98%. The expenditure increased compared to the prior year as a result of the implementation of the Cost of Living adjustment which was not budgeted for. Management continues to be prudent in ensuring that there is no significant increase in staff costs and that contractual obligations concluded are not longer than the outer year of the MTEF cycle of 2021/22 to 2024/25.

Salary and related costs are the main cost driver, accounting for 80% of the allocation, therefore the delay in filling of positions leads to a higher surplus realised. The operational budget is 12% of the allocation and is expended through the procurement of goods or services. The implementation and finalisation of tender processes were stalled towards the end of the financial year due to procurement challenges brought about by legally disputed requirements in the Preferential

Procurement Regulations of 2017. Legal Aid SA follows the Capital Asset Replacement Programme for the management of assets. The capital budget is 2% of the allocation.

Irregular expenditure to the value of R14,240,352 was identified for the year under review. The rise in the irregular expenditure is attributed to the newly established LRMU's allocation of matters to non-tax compliant practitioners and/or those not registered on the Central Supplier Database (CSD) to the value of R11,750,000.

The Internal Control Unit that is responsible for mitigating risks, protecting assets and ensuring the adherence to laws and policies has recommended mechanisms to enhance controls and streamline LRMU operations.

The rollover of funding of R38,3 million relates to orders placed but not delivered at year end. The bulk of the rollover relates to motor vehicles, computer hardware and software, with delivery due in the new financial year.

Supply Chain Management

Supply Chain Management (SCM) policies and procedures were reviewed and compliance with these was audited through the Internal Audit Coverage Plan. Legal Aid SA continues to mature its financial management processes, internal controls and financial risk management controls. This is ensured through the review of policies and procedures in line with leading practices. The entity does not accept any unsolicited bids, and there were none received for 2022-2023. For detailed information on our financial performance, please refer to Part G of this Integrated Annual Report.

Human Resources

Legal Aid SA is constantly striving to be an employer of choice and implementing leading human resources practices. To this end, the organisation was awarded the Top Employer South Africa accreditation for the 14th consecutive year. The recruitment rate at year end was 93.6%, which is 1.4% less than the target of 95%, attributable to the delayed recruitment of LRMU positions. The recruitment rate is an improvement over the previous financial year when recruitment was 91.8% against a target of 95%. The turnover rate of 4.5% is testament to a stable workforce and an improvement on the turnover of 5.2% recorded in 2021-2022. The Employee Value Proposition (EVP) offering was reconsidered and enhanced during the financial year, within available means.

Women Empowerment

The organisation is committed to the empowerment of women in driving the transformation agenda. Prioritising the employment of women has resulted in women comprising 56.7% of the workforce and female legal staff comprise 53.6% of the internal legal workforce. Through constant attention to the implementation of the Employment Equity Plan and related targets we have managed to surpass the target for women in Senior Management, achieving 45.8% against a target of 45.2%. We recruited 301 women Candidate Attorneys in the period under consideration; 60% of the 504 total. A Candidate Attorney Support School was established to provide support to future Legal Practitioners. A Judicare Women Empowerment Programme was initiated and monitors the number of instructions given to women practitioners, as well as the type, number and value of these matters.

Through our Supply Chain Management practices, 48.2% of all awarded bids in 2022-2023 were women-owned businesses.

Legal Aid SA is an active participant in the National Steering Committee on Gender-Based Violence and Femicide (GBVF) and is committed to protecting and defending the rights of women. The Legal Aid Regulations have been revised to allow for more people to be able to access legal representation in Domestic Violence Act matters. Training is regularly provided to Legal Practitioners so that they can keep abreast of legislative changes.

Information Technology

The implementation of the IT Strategic Plan ensures that Information and Communication Technology (ICT) initiatives propel the entity's strategic objectives. The core system implemented in 2019-2020, eLAA, has been updated to the latest version to remain current. This version ultimately empowers employees to work more efficiently. To ensure the maximum reliability of IT platforms, the system has been equipped with the latest software platform for quicker recovery during a disaster. More than 90% of staff are equipped to work remotely to ensure business continuity in the face of disruptions.

Combined Assurance

The Board considered and approved all policies to support risk management, including the Enterprise Risk Management Strategy and Plan, Fraud Management Plan, Combined Assurance Framework and Risk Appetite and Tolerance Setting. All strategic risks were within acceptable and tolerable levels. The budgetary risk rating remained moderate as a result of the threat of looming budget cuts linked to the economic downturn in the country. The cybersecurity risk has been reduced

to medium after having a high residual risk rating for the past two years. Penetration testing, security audits and a cybersecurity training platform for all staff contributed to the building of a resilient cyber environment.

During the period under consideration, loadshedding became a serious challenge in South Africa and this has had an adverse impact on business continuity and particularly affects court operations. From a cost perspective it has not been possible to procure generators for the 128 Legal Aid SA offices. The 64 Local Offices have Uninterrupted Power Supply (UPS) units and these are tested regularly for the purpose of business continuity. The process of procurement of UPS units for the 64 Satellite Offices will be finalised in quarter one of 2023-2024 with implementation completed by the end of quarter two.

The Internal Audit Function provided an independent assessment of the effectiveness of controls implemented by Management in mitigation of organisational risks, as well as governance and compliance processes. The Department completed 107 audit projects which is a 96% achievement of the target of 112 projects for the financial year.

Stakeholder Management

Legal Aid SA remains committed to a stakeholder-based approach, which links to the Social and Ethics Programme reported on quarterly to the Board. Part D of this Integrated Annual Report details the engagements with stakeholders during 2022-2023.

Office accommodation, particularly in outlying areas, is a challenge as non-compliant landlords do not meet the strict requirements set by National Treasury. Tenders regarding office accommodation were evaluated as unresponsive, resulting in the need to review specification requirements while ensuring that they comply with the regulations. To address some of these challenges, Legal Aid SA is in talks with various Government departments and entities where there may be an opportunity to sub-lease or purchase office space.

Future Outlook

The organisation's budget has been reduced by 15% over the MTEF period of 2021/22 to 2024/25 and the entity is expected to reduce compensation to employees by R122 million during 2023-2024. This will notably affect operations in the new financial year, particularly after implementing the Cost of Living adjustment announced in April and May 2023 for all staff, i.e., 7% for levels 1-12 and 3.3% for Senior Management Service. To prevent expenses from exceeding the budget allocation, a staff rationalisation process will be considered.

The financial constraints of the 2021/22 to 2024/25 MTEF period will continue to underpin all organisational planning and execution of the Strategic Plan 2020-2025 for its remaining two years. Legal Aid SA will continue to deliver our constitutional mandate, albeit under severe financial pressure.

I am tremendously indebted to all Legal Aid SA Citizens, who continue to make the organisation great in the face of many challenges. Thank you for your outstanding work and passion for justice; Legal Aid SA is because of each one of you.

I also thank the Chairperson of the Board, Judge Motsamai Makume; the Board of Directors; the

Minister of Justice and Correctional Services, Mr Ronald Lamola; Deputy Minister of Justice and Constitutional Development, Mr John Jeffery, and our stakeholders. Your unwavering support of making the Constitution a living document for all motivates Legal Aid SA to reach new heights in fulfilling our mandate.



Ms Mantiti Kola
Chief Executive Officer: Legal Aid SA

5. STATEMENT OF RESPONSIBILITY AND CONFIRMATION OF THE ACCURACY OF THE ANNUAL REPORT

To the best of my knowledge and belief, I confirm the following:

All information and amounts disclosed in the Integrated Annual Report is consistent with the Annual Financial Statements audited by the Auditor-General.

The Integrated Annual Report is complete, accurate and is free from any omissions.

The Integrated Annual Report has been prepared in accordance with the guidelines on the annual report as issued by National Treasury.

The Annual Financial Statements (Part G) have been prepared in accordance with the Generally Recognised Accounting Practice (SA Standards of GRAP) standards applicable to the public entity.

The Accounting Authority is responsible for the preparation of the Annual Financial Statements and for the judgments made in this information.

The Accounting Authority is responsible for establishing and implementing a system of internal control designed to provide reasonable assurance as to the integrity and reliability of the performance information, the human resources information and the Annual Financial Statements.

The external auditors are engaged to express an independent opinion on the Annual Financial Statements.

In our opinion, the Integrated Annual Report fairly reflects the operations, the performance information, the human resources information and the financial affairs of the public entity for the financial year ended 31 March 2023.

Yours faithfully



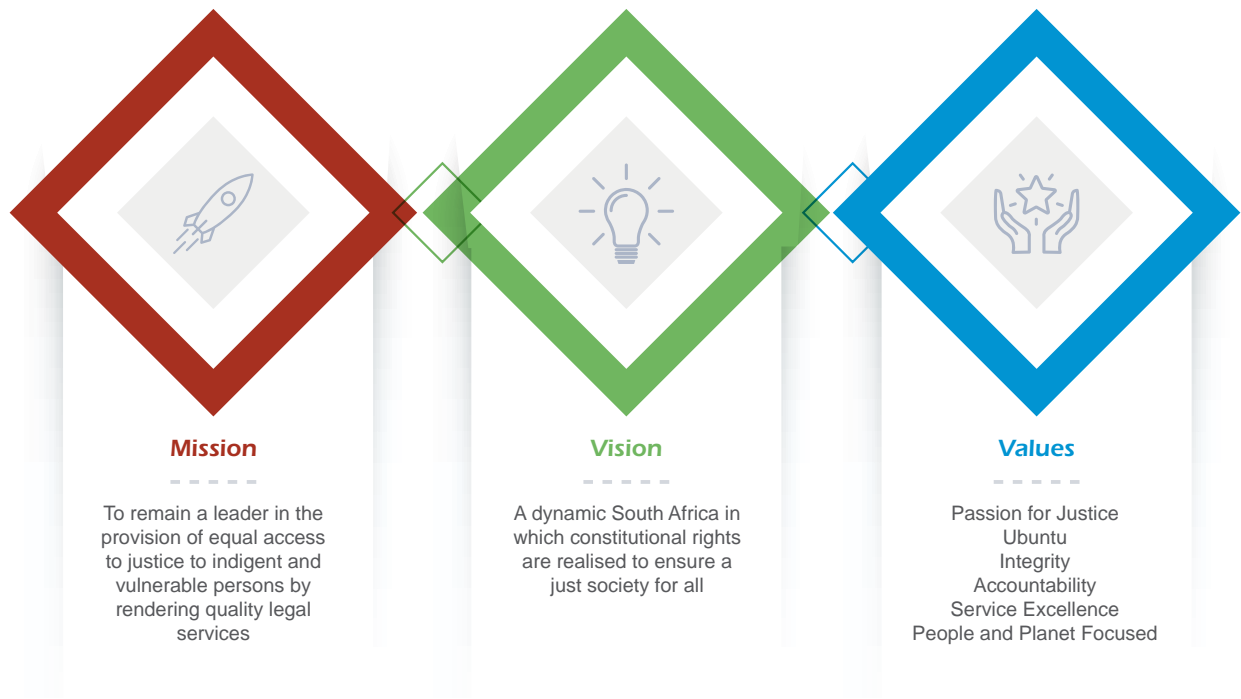
Chief Executive Officer
Ms Mantiti Kola
Date: 29 July 2023



Chairperson of the Board
Judge Motsamai Makume
Date: 29 July 2023

6. STRATEGIC OVERVIEW

The 2022-2023 financial year was the third year of implementation of the Legal Aid SA Strategic Plan 2020-2025.



7. LEGISLATIVE AND OTHER MANDATES

The Legal Aid South Africa Act (Act 39 of 2014) mandates Legal Aid SA, a Schedule 3A Public Entity, to give effect to the rights and obligations enshrined in the Constitution of the Republic of South Africa and other national legislation. The policy provisions of Legal Aid SA are contained in the Legal Aid Regulations and the Legal Aid Manual. The former provides guidance on when legal aid should be made available whilst the latter provides procedural guidance on the delivery of legal aid. Due to budget/

funding and resource constraints, there are criteria in the Regulations that determine qualification for and limitation or exclusion of assistance.

The Board has reviewed both the Regulations and Manual during the 2022-2023 financial year. The proposed changes to the Manual, dealing with the new mandate on land matters, were gazetted on 14 April 2023 and version seven of the Manual will come into effect on 14 June 2023.

7.1. CONSTITUTIONAL MANDATE

The Constitution of the Republic of South Africa contains specific sections from which Legal Aid SA's mandate to provide legal representation in criminal trials and appeals, children's civil matters and civil matters are derived. These sections are quoted below. The entity's enabling legislation read with the Legal Aid Regulations and other national legislation provide detail on how Legal Aid SA gives content to these rights.

The Constitution of RSA (Act 108 of 1996) Section 35(2)

*Everyone who is detained, including every sentenced prisoner, has the right –
(c) to have a legal practitioner assigned to the detained person by the state and at state expense, if substantial injustice would otherwise result, and to be informed of this right promptly; ...*

The Constitution of RSA Section 35(3)

*Every accused person has a right to a fair trial, which includes the right –
(g) to have a legal practitioner assigned to the accused person by the state and at state expense, if substantial injustice would otherwise result, and to be informed of this right promptly;...
(o) of appeal to, or review by, a higher court.*

The Constitution of RSA Section 28(1)

*Every child has the right,
(h) to have a legal practitioner assigned to the child by the state, and at state expense, in civil proceedings affecting the child, if substantial injustice would otherwise result; ...*

The Constitution of RSA Section 34

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.

7.2. LEGISLATIVE MANDATE

7.2.1. Legal Aid South Africa Act 39 of 2014

The Legal Aid South Africa Act (39 of 2014) came into operation on 1 March 2015.

The preamble of the Legal Aid SA Act describes the mandate and objects of the entity, in the following terms:

Legal Aid SA Act Mandate of Legal Aid SA

To ensure access to justice and the realisation of the right of a person to have legal representation as envisaged in the Constitution and to render or make legal aid and legal advice available; for that purpose, to establish an entity called Legal Aid South Africa with a Board of Directors and to define its objects, powers, functions, duties and composition; to provide for the independence and impartiality of Legal Aid South Africa; ...

Legal Aid SA Act Objects of Legal Aid SA

*3. The objects of Legal Aid South Africa are to—
(a) render or make available legal aid and legal advice;
(b) provide legal representation to persons at state expense; and
(c) provide education and information concerning legal rights and obligations, as envisaged in the Constitution and this Act.*

7.2.2. New mandate: Land Rights

On 1 January 2022, Legal Aid SA took over the management of the legal representation component of the Land Rights Management Facility (LRMF) from the Department of Agriculture, Land Reform and Rural Development (DALRRD). The Legal Aid SA component providing land rights legal representation is the LRMU. The DALRRD transferred R33,000,000 in April 2022 and the baseline allocations for 2022-2023 to 2025-2026 were confirmed and included in the Legal Aid SA MTEF Allocation Letter of November 2022. The contingent liability recognised on 31 March 2022 is still not yet funded. There are ongoing engagements with the Department of Justice and Constitutional Development to access funding for these matters.

The LRMU is governed by Legal Aid Regulations 17 and 18, which deal with land rights and cases relating to the Land Reform (Labour Tenants) Act, 1996; Extension of Security of Tenure Act (ESTA), 1997; Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998, and the Restitution of Land Rights Act, 1994.

Regulation 17 determines as follows in respect of the granting of legal aid in terms of the Restitution of Land Rights Act:

- (1) Legal Aid South Africa may grant legal aid for cases under the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) if the Land Claims Commissioner —
- (a) makes funds available to Legal Aid South Africa to fund the matter; or
 - (b) is the opposing party to the litigation or possible litigation.
- (2) Legal aid may not be granted for the claim lodgment and investigation under the Restitution of Land Rights Act, 1994.

Regulation 18 provides for legal aid for persons affected by the Land Reform Act, the Extension of Security of Tenure Act, and the Prevention of Illegal Occupation and Eviction from Land Act:

- (1) Legal aid may be granted to persons affected by the Land Reform (Labour Tenants) Act, 1996 (Act No. 3 of 1996), the Extension of Security of Tenure Act, 1997 (Act No. 62 of 1997) and the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998 (Act No. 19 of 1998):

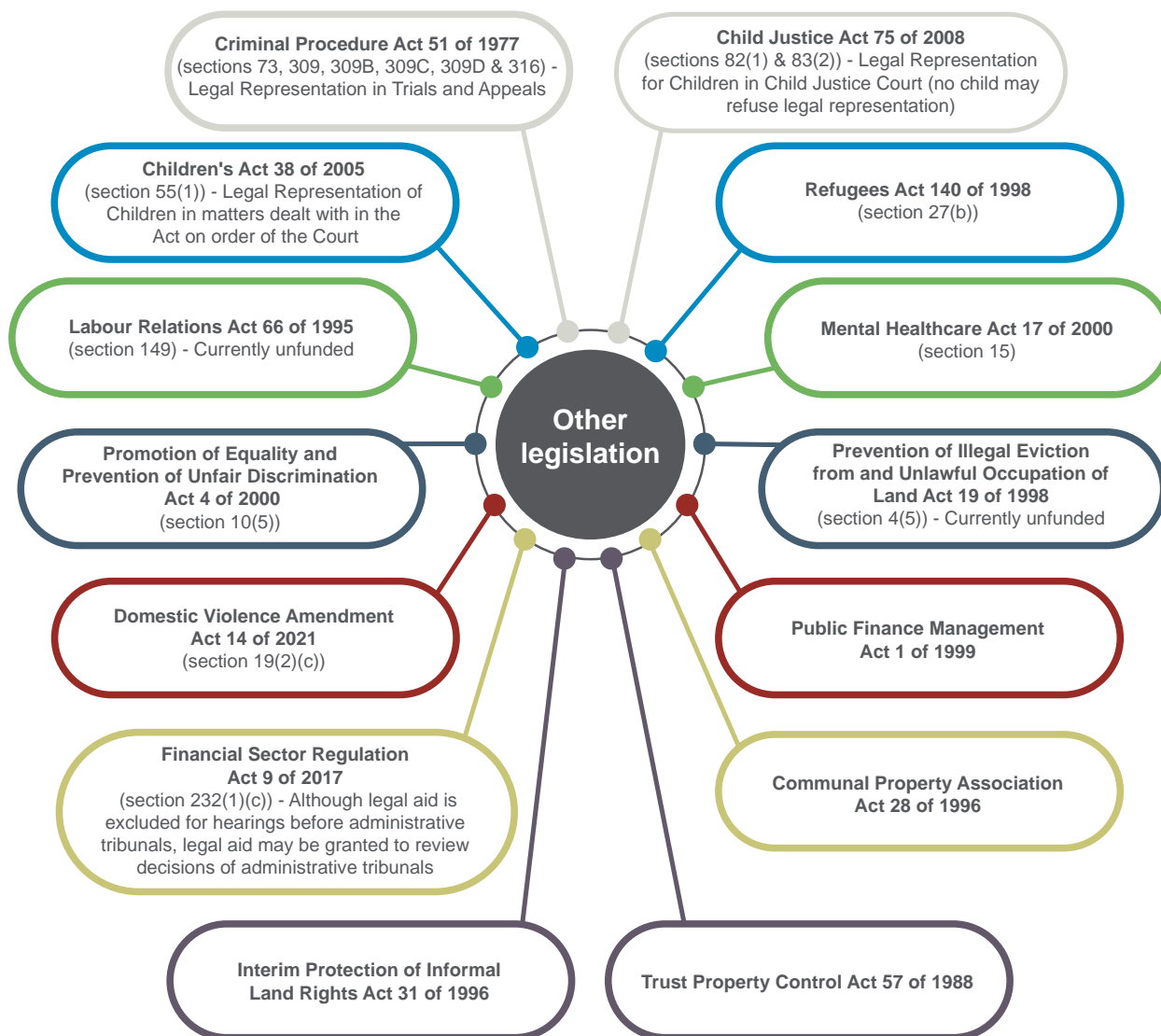
Provided that the granting of legal aid in terms of this regulation is subject to the making available of funds by the relevant government department.

- (2) Legal aid may be granted to a defendant or respondent who is an occupier as contemplated in the Acts referred to in subregulation (1), if Legal Aid South Africa is satisfied that he, she or his or her family members are threatened with eviction.

- (3) In matters referred to in subregulation (1), where litigation has already started, Legal Aid South Africa may grant legal aid for mediation, arbitration, or other alternative dispute resolution procedure, if Legal Aid South Africa is satisfied that these methods are likely to—
- (a) eliminate or shorten litigation; or
 - (b) reduce the fees and disbursements that would otherwise be payable by Legal Aid South Africa.

7.2.3. Other legislation impacting on delivery of legal aid

In addition to the Legal Aid SA Act, there are various pieces of legislation that make provision for the State to provide legal assistance to indigent persons. In most instances, Legal Aid SA is mandated and funded to provide such representation but there are some noticeable exceptions (mostly in civil related matters) where the State has not provided the necessary funding to enable the entity to render such services:



Legal Aid SA currently provides legal representation relating to the above legislation, within its available budget/funding and resources, in accordance with the policy provisions of the Legal Aid Regulations which came into operation in terms of section 23(1) of the Legal Aid SA Act on 22 August 2017 and has been amended from time to time.

The Legal Research Unit within the National Operations Department monitors the Parliamentary Legislative Agenda for any proposed legislation or envisaged amendments to current legislation, in so far as they impact on the organisation's mandate and/or clients' rights. Such legislative monitoring ensures that clients' rights are properly articulated and protected and ensures that the mandate of Legal Aid SA is not extended without concomitant funding.

Some of the legislation tracked during 2022-2023 included:

The Land Court Bill 11 of 2021 passed by the National Assembly and transmitted to the National Council of Provinces for concurrence in September 2022

The purpose of the Bill is to provide for the establishment of a Land Court and a Land Court of Appeal and make provision for the administration and judicial functions of these courts.

Section 16 states that the Court must refer the matter to Legal Aid SA to consider granting legal representation if a party cannot afford legal representation.

The National Council on Gender-Based Violence and Femicide Bill 31 of 2022

This Bill was introduced in Parliament in November 2022. The Bill emanates from the National Strategic Plan on Gender-Based Violence and Femicide (NSP) produced by the Interim Steering Committee established in April 2019 to respond to gender-based violence and femicide.

The Bill, as the enabling legislation, will facilitate the effective implementation of the institutional arrangements for the rollout of the NSP in relation to the setting up of an independent structure, known as the National Council on Gender-Based Violence and Femicide.

The Financial Matters Amendment Bill National Treasury submitted this Bill to Parliament in September 2022, seeking approval for the incorporation of the Associated Institutions Pension Fund (AIPF) into the Government Employees Pension Fund (GEPF)

Impact on Legal Aid SA Conditions of Employment

The amalgamation of the AIPF into the GEPF will increase the employer contribution from 12% to 13% per member. Furthermore, employees will qualify for funeral benefits and a post-retirement medical aid subsidy when reaching retirement age as per the conditions of employment. The spouse and children's benefits will be available in the event the pensioner passes away, which is not available in the AIPF.

In May 2023, the Standing Committee on Finance proposed the approval of this amendment to the AIPF and GEPF Acts to the National Assembly.

Four new laws commenced in 2022 to strengthen efforts to address the disturbingly high number of gender-based violence cases in the country

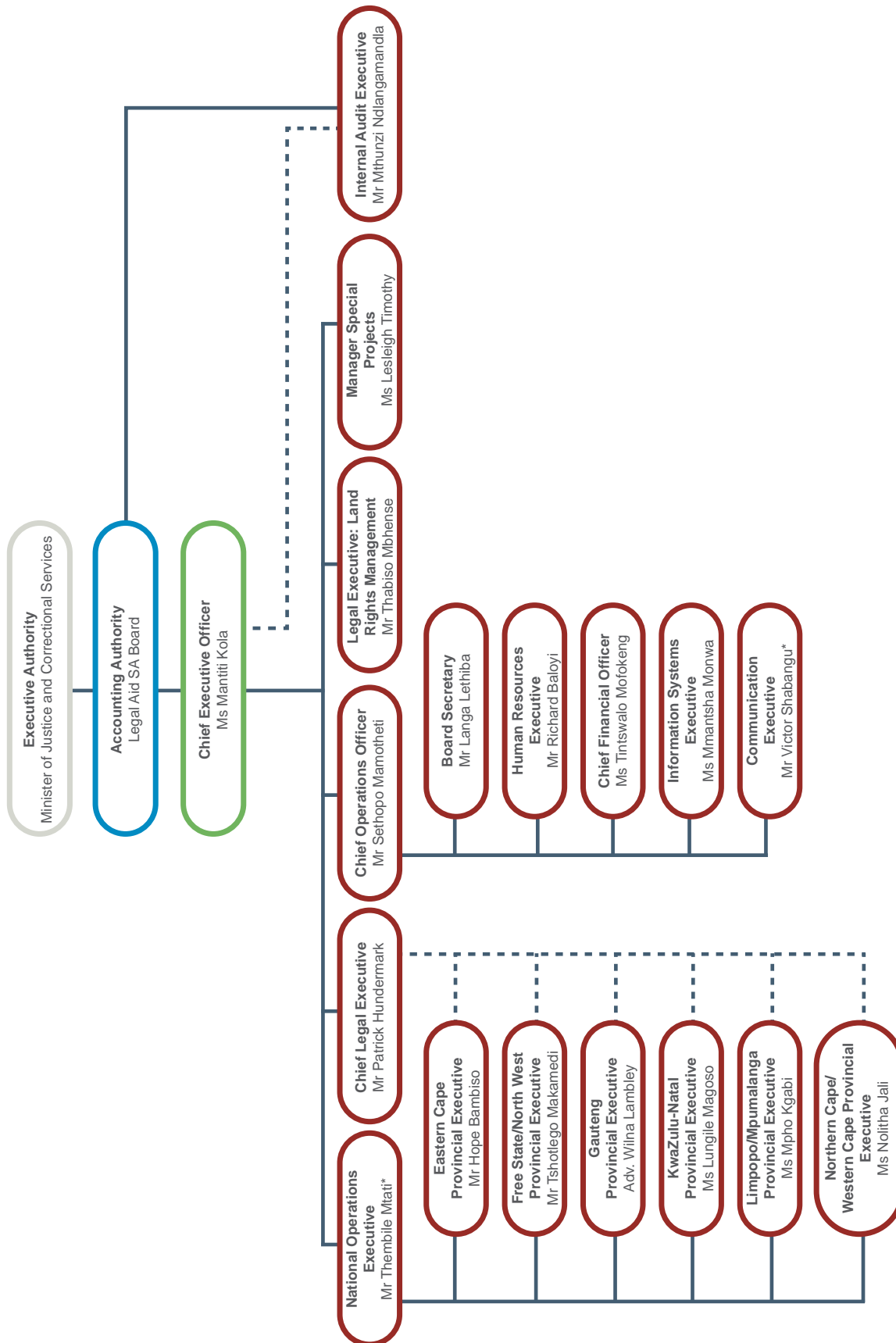
The Criminal Law (Sexual Offences and Related Matters) Amendment Act

The Criminal and Related Matters Amendment Act

The Domestic Violence Amendment Act

The Criminal Law (Forensics Procedures) Amendment Act

8. HIGH-LEVEL ORGANISATIONAL STRUCTURE AS AT 31 MARCH 2023



*Refer to item 2.2.1 Changes in Management on page 39 for further information

8.1. MANAGEMENT EXECUTIVE COMMITTEE AS AT 31 MARCH 2023



Ms Mantiti Kola
Chief Executive Officer (CEO)

Master of Management – Business Executive Coaching (MMBEC) (University of the Witwatersrand), BA Honours, BA Education (University of the North), Postgraduate Diplomas in Management from University of Pretoria, Monash University Australia and the Singapore e-Government Leadership Centre

The Chief Executive Officer is responsible for overall strategic direction of Legal Aid SA so as to realise the vision and fulfil the mission.



Mr Patrick Hundermark
Chief Legal Executive (CLE),
appointed Acting NOE from
23 January 2023

BCom, LLB (Nelson Mandela University, formerly University of Port Elizabeth), Certificate Programme in Leadership Development (WBS, University of the Witwatersrand), Practising Attorney, North Gauteng High Court

The Chief Legal Executive is responsible for civil legal services delivery including legal advice, the improvement of the quality and range of civil legal services offered to Legal Aid SA's legal aid applicants, strategic litigation services and corporate legal matters.



Mr Sethopo Mamotheti
Chief Operations Officer (COO)

BCompt, Postgraduate Diploma: Accounting Science (University of South Africa), HDipTax (North-West University), MBA (GIBS, University of Pretoria), Certified Internal Auditor, Certificate in Control Self-Assessment (Institute of Internal Auditors), AGA(SA) (South African Institute of Chartered Accountants)

The Chief Operations Officer is responsible for support operations within Legal Aid SA.



Ms Tintswalo Mofokeng
Chief Financial Officer (CFO)

BCom Accounting (Rand Afrikaans University), BCom Accounting Honours (University of KwaZulu-Natal), CTA, CA(SA) (South African Institute of Chartered Accountants)

The Chief Financial Officer is responsible for strategically guiding financial matters of Legal Aid SA in a manner that will ensure its long-term viability as an upholder of the rights of the people of South Africa to effective, high quality legal services.



Ms Mpho Kgabi
Appointed Acting National
Operations Executive (NOE)
from 1 March 2022 to
22 January 2023

BProc (North-West University), Higher Diploma: Drafting and Interpretation of Contracts (University of Johannesburg), Certificate Programme in Leadership Development (WBS, University of the Witwatersrand), Practising Attorney

The National Operations Executive is responsible for management of Legal Aid SA's Provincial Offices, Local Offices and Satellite Offices and ensuring the delivery of cost-effective, high quality criminal legal services.



Mr Mthunzi Ndlangamandla
Internal Audit Executive (IAE)

BCom, Honours (University of South Africa), Management Development Programme (University of KwaZulu-Natal), Certified Internal Auditor, Certificate in Control Self-Assessment (Institute of Internal Auditors)

The Internal Audit Executive is responsible for the assessment of controls and risk management within Legal Aid SA, including compliance with the Legal Aid SA Act, Public Finance Management Act and National Treasury Regulations, and the applicable governance and common law stipulations, as well as independent legal quality assurance.



Mr Thabiso Mbhense
Legal Executive: Land Rights
Management (LE: LRM)

B Juris, LLB (University of Natal, Pietermaritzburg)

The Legal Executive: Land Rights Management is responsible for land restitution matters and land tenure matters in accordance with the newly acquired land rights mandate.



Mr Richard Baloyi
Human Resources
Executive (HRE)

BCom Honours: Human Resources Management (University of Johannesburg), BTech Human Resources Management (Central University of Technology), Diploma: Human Resources Management and Practices (University of Johannesburg), National Teachers Diploma (Shingwedzi College of Education)

The Human Resources Executive is responsible for the Human Resources Department and ensuring that the human resources processes and systems support the delivery of the Legal Aid SA strategy.



Mr Mpho Phasha
Acting Communication
Executive (CE)

National Diploma: Public Relations Management (Tshwane University of Technology), Management Advancement Programme (WBS, University of the Witwatersrand), Postgraduate Diploma: Business Management (University of the Witwatersrand)

The Communication Executive is responsible for creating awareness about Legal Aid SA's services and educating the public regarding accessing such services, as well as building strategic relations with relevant stakeholders.



Ms Mmantsha Monwa
Information Systems
Executive (ISE)

BSc (University of Limpopo), BSc Honours: Information Systems, MBL (University of South Africa)

The Information Systems Executive is responsible for the Information Technology infrastructure and the provision of support to all users within Legal Aid SA.

The following Provincial Executives are responsible for ensuring the efficient, effective and economic delivery of legal services as contemplated by the Constitution within their area of jurisdiction:



Mr Hope Bambiso
Provincial Executive
Eastern Cape Province

BProc, LLB (University of Fort Hare), LLM (University of South Africa), Practising Attorney



Ms Lungile Magoso
Provincial Executive
KwaZulu-Natal Province,
appointed 1 October 2022

BA Politics and Philosophy, Honours: International Relations (Rhodes University), LLB (University of Natal, Howard College), Practising Attorney



Mr Ernest Mogashoa
Acting Provincial Executive
Limpopo/Mpumalanga
Province, appointed 1 March
2022 to 22 January 2023

LLB (University of Limpopo), Certificate Programme in Leadership Development (WBS, University of the Witwatersrand), Practising Attorney



Mr Vela Mdaka
Provincial Executive
KwaZulu-Natal Province,
retired on 30 September 2022

BProc, LLB (University of Zululand), Practising Attorney



Ms Mpho Kgabi
Provincial Executive
Limpopo/Mpumalanga Province

BProc (North-West University), Higher Diploma: Drafting and Interpretation of Contracts (University of Johannesburg), Certificate Programme in Leadership Development (WBS, University of the Witwatersrand), Practising Attorney



Mr Tshotlego Makamedi
Provincial Executive
Free State/North West Province

BProc (University of Limpopo), Certificate Programme in Leadership Development (WBS, University of the Witwatersrand), LLM (North-West University), Practising Attorney



Advocate Wilna Lambley
Provincial Executive
Gauteng Province

B.Iuris, LLB (University of South Africa), Practising Advocate



Ms Nolitha Jali
Provincial Executive
Northern Cape/Western
Cape Province

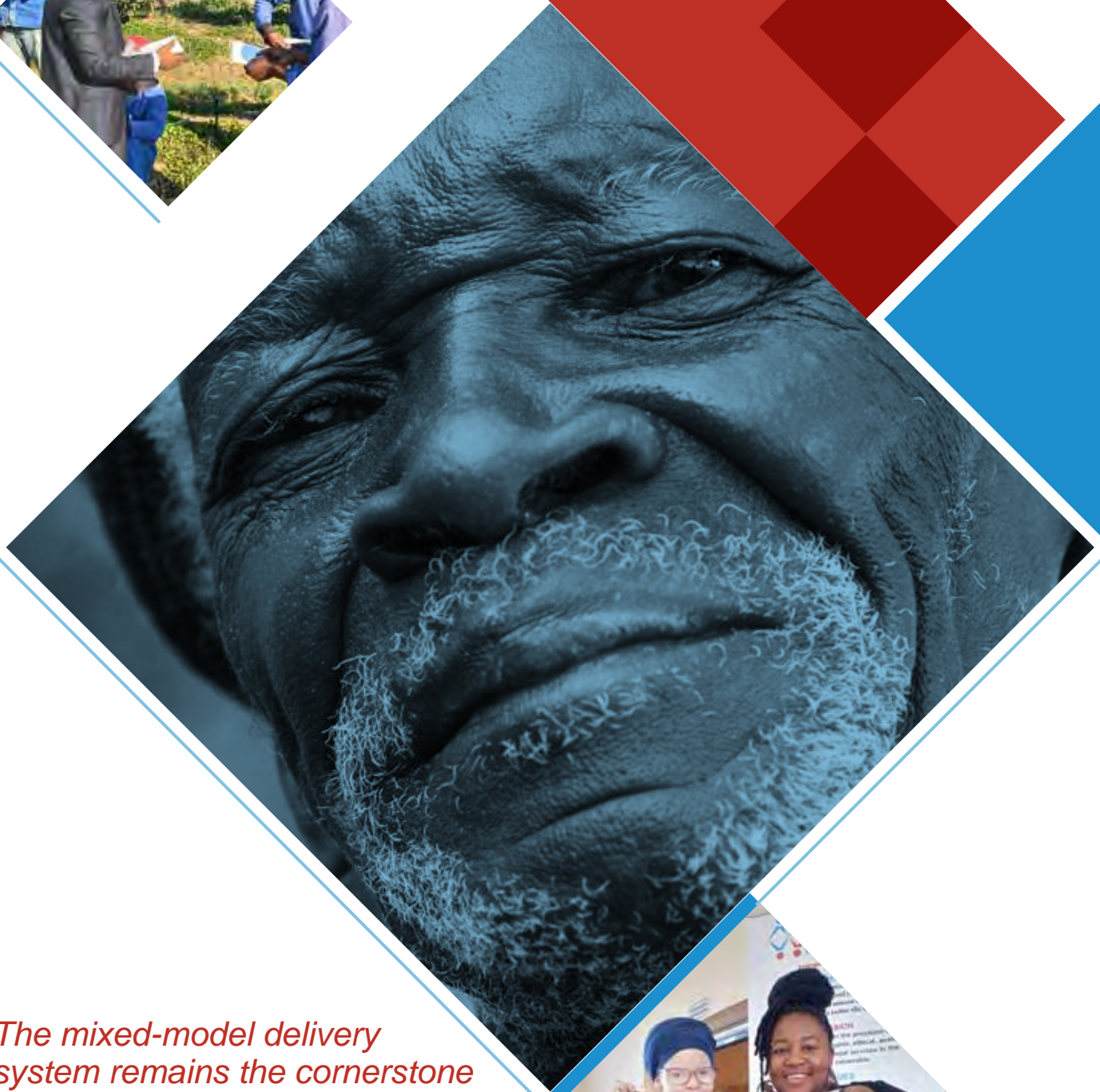
BProc (University of Fort Hare), Practising Attorney



Legal Aid
South Africa

Your voice. For justice.
Independent and within reach.

CASTLE
LAGER

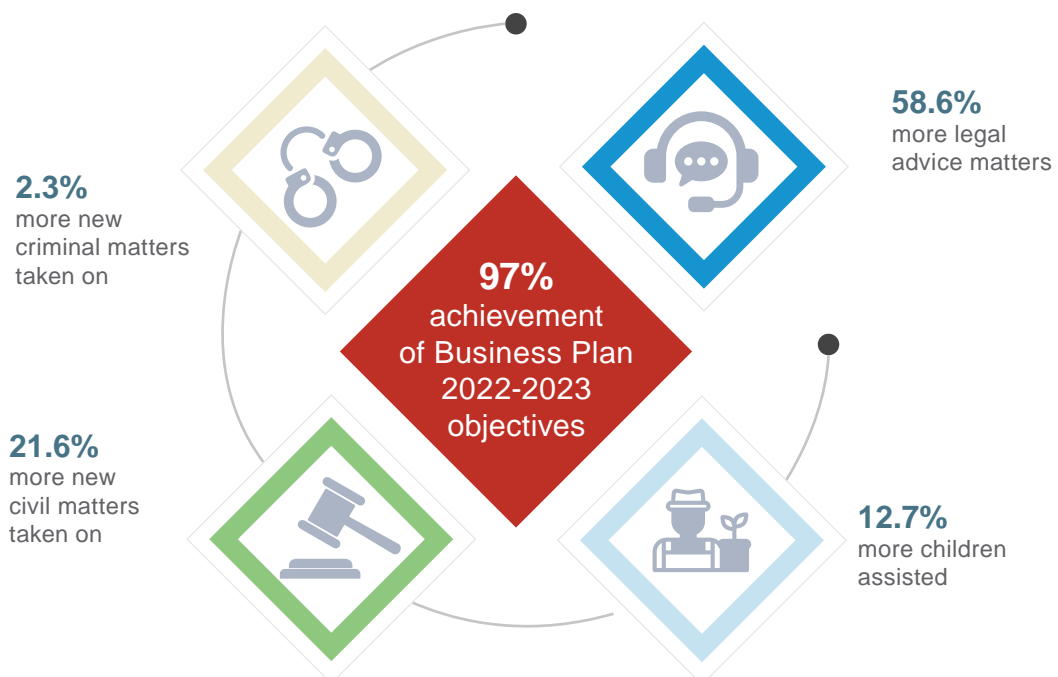


“ The mixed-model delivery system remains the cornerstone of the organisation’s provision of legal services delivery. This model integrates external resources (Judicare, fixed-fee Agency Agreements and Co-operation Partners) that extend the range of expertise and legal capacity beyond Legal Aid SA’s offices ”



PART B

Performance Information



1. AUDITOR'S REPORT: PREDETERMINED OBJECTIVES

The role of the Auditor-General South Africa/Auditor is acknowledged as critical to the sustainability of Legal Aid South Africa, as it provides independent assurance that activities being carried out within Legal Aid SA are in accordance with the approved predetermined objectives and mandate.

The audit conclusion on the performance against predetermined objectives is included in the report to Management, with any material findings being reported under the Predetermined Objectives in the Report on other legal and regulatory requirements.

Please refer to page 175 of the Report of the External Auditor, published in Part G: Financial Information.

2. SITUATIONAL ANALYSIS

2.1. SERVICE DELIVERY ENVIRONMENT

2.1.1. Criminal Legal Services Delivery

The 2022-2023 financial year saw a return to pre-pandemic operations, following the lifting of all COVID-19 restrictions at the beginning of April. Courts returned to normal operations, with no restrictions on access and no limitation on the type of cases that could be heard.

During the pandemic, there was a significant reduction in the number of criminal cases dealt with by the courts. The main reason for this reduction was the decrease in criminal activity in society, due to the restrictions that were placed on people's movement. This in turn resulted in a significant reduction in the number of new matters that Legal Aid SA took in during that period. The post-pandemic period has seen an increase in the number of matters going through the courts, but these numbers have not reached the levels that existed prior to the pandemic. However, the significant reduction in the number of children in conflict with the law who are going through the court system is noteworthy.

One positive output of the pandemic years is that the drive to make Legal Aid SA a technology-driven organisation was accelerated. The provision of laptops was expanded to include all Legal Practitioners, including Candidate Attorneys. Each staff member is now provided with a cellphone, call minutes and data. These interventions have

greatly assisted staff to work remotely, embracing the flexible work arrangements that remain in place. Budget cuts continue to impact the entire Criminal Justice Sector (CJS). This has had a negative impact on staffing levels, remuneration and the Employee Value Proposition. Despite these challenges, Legal Aid SA practitioners have remained resilient, continuing to deliver legal services of a high quality to the South African public, thereby ensuring that their rights are protected.

Service Delivery Model

The mixed-model delivery system remains the cornerstone of the organisation's provision of legal services delivery. This model integrates external resources (Judicare and fixed-fee Agency Agreements) that extend the range of expertise and legal capacity beyond Legal Aid SA's offices.

While the national footprint of 64 Local Offices and 64 Satellite Offices, supported by six Provincial Offices and one National Office remains in place, the entity continuously monitors the efficacy of these service points to ensure that the people who need legal aid services are not overlooked. The footprint has not increased significantly in the last 10 years, largely due to budget constraints, which have made it impossible to establish new service points.

Technology has assisted to breach distance gaps – the toll-free Legal Aid Advice Line provides additional access to services, by phone. Where people cannot call, they can send a Please Call Me and the Advice Line will call them back. Advice can also be requested through the organisational website and social media platforms, with the website form offering a further option to request legal advice via email if the person has any disabilities that prevent them from calling.

In recent years, Legal Aid SA has purchased eight properties in areas where property was previously rented for Local Offices, thereby securing service points. These offices are based in Johannesburg, Benoni, Krugersdorp, Middelburg, Lichtenburg, Welkom, eMalahleni and Gqeberha. Regular improvements and maintenance on existing facilities is prioritised, in keeping up to speed with the necessary legislation. A dedicated Property Management Unit is responsible for managing the acquisition of property for offices to operate from. The Unit also monitors all lease agreements to ensure timely renewal thereof, as well as the timely acquisition of alternative office space, in cases where the lease agreements have come to an end. All decisions regarding the location of offices are guided by clients' ease of access to legal aid services.

The court coverage model remains the tried and tested *practitioner per court model*, which sees a dedicated Legal Practitioner assigned to every criminal court. This model ensures that there is continuity in the operation of the courts as the possibility of a practitioner being held up with another matter in another court is eliminated. Specialist practitioners are deployed in all areas where specialist courts such as the Specialised Commercial Crimes Courts and Sexual Offences Courts have been established. These specialist Legal Practitioners have received specific training in the handling of commercial crimes and sexual offences matters. Practitioners with the requisite skills in dealing with matters for children in conflict with the law are deployed in all areas where there are dedicated Juvenile Courts. In a few areas where there are full-time Preliminary Inquiry Courts, capacity has been made available to cover these courts.

Judicare Programme

Legal Aid SA continued to receive applications for accreditation from prospective Judicare Practitioners. The Judicare Accreditation Programme forms the foundation of the Judicare Programme, ensuring that suitably qualified and experienced Legal Practitioners in private practice are attracted to supplement the internal representation of legal aid clients, primarily in cases where there is a conflict of interest with internal practitioners or there is a conflict of interest between clients where there are multiple accused. This is done in compliance with procurement regulations which require that Judicare Practitioners must be registered on the CSD and be tax compliant.

Local Offices are required to hold individual briefing sessions with all newly accredited Judicare Practitioners to apprise them of Judicare policies and procedures, as well as the standard of quality expected of such practitioners. Annual Judicare briefing sessions were conducted at all Legal Aid SA Local Offices; enabling offices to connect with Judicare Practitioners at a local level and update them on the latest organisational developments that affect them. Judicare Practitioners are also given an opportunity to ask any questions they need clarified. A dedicated newsletter for Judicare Practitioners was also published twice during the financial year, informing them of the latest developments.

The Judicare tariff was increased by the rate of the Consumer Price Index (CPI) rather than the macro budget increase to Legal Aid SA for the financial year. The net macro increase, after the budget cuts, was lower than the CPI, but given the prevailing economic conditions, the Board considered it prudent to approve the higher increase. The

concession that was given to Judicare Practitioners during 2021-2022 to allow them to submit interim accounts in all matters, and for all court types, was permanently written into the Legal Aid Manual. This means that Judicare Practitioners can now submit monthly accounts, as the matter progresses.

The Judicare Women Empowerment Programme was introduced during the year. This programme is aimed at addressing disparities that were identified regarding the number of instructions, especially high value instructions, that were allocated to female practitioners. A process was conducted to identify female practitioners for inclusion in the programme, with the goal of accelerating the accreditation of these practitioners so that they are accredited for courts that generate high value instructions. Mentorship was provided by Senior Legal Practitioners at Legal Aid SA Local Offices, alongside a training programme to bring these practitioners up to speed on work they were not previously accredited for. Changes were also made to the Judicare allocation system in order to favour these practitioners when allocating instructions.

Quality Assurance

Legal Aid SA continued to implement its Quality Monitoring and Intervention Programme for all practitioners representing legal aid clients, including Judicare, Co-operation Agreement and fixed-fee Agency Agreement Practitioners. This is to ensure that the service experience of all clients is the same, notwithstanding the source of the service. This programme is continuously reviewed and refined to ensure that it is regularly improved and remains relevant to operations. To inculcate a culture of delivering quality legal services to clients among Judicare Practitioners, they are required to perform a self-review of their work and submit this with every account.

A team comprising of national and provincial Legal Managers as well as a representative from the LQAU reviews all the quality programmes as well as the instruments used to monitor the quality of legal services. The LQAU, located within the Internal Audit Department, conducted independent quality audits of all practitioners, thereby providing a measure of independent assurance of the quality of services provided. Most of the practitioners met their quality targets for file assessments and court observations.

To ensure that there is effective supervision of internal practitioners, and that the quality of their work is not compromised, Legal Aid SA continuously monitors the ratio of supervisors to practitioners. The overall quality of supervision at Local Offices is also closely monitored.

Several Standard Operating Procedures (SOPs) have been developed to guide the Legal Services Delivery Programme. These SOPs were reviewed and saved on the Intranet for easy access by staff. The Local Office Training Programme continued to be implemented, and saw major changes implemented during the financial year. A Candidate Attorney Support School was established under the leadership of a Principal, replacing some programmes that were aimed at assisting Candidate Attorneys (CAs) to successfully complete their Board examinations. The school is conducted online on weekends to ensure maximum participation by CAs with minimal disruption to the Court Coverage Programme. Legal Aid SA also introduced webinars as a training method to replace localised training. These webinars are well attended and have seen Local Offices meeting and exceeding their training targets.

High Court Operations

The High Court Units provide legal representation to all accused persons appearing in the High Courts and requiring legal aid assistance. They also assist clients with their appeals and related applications. These units are attached to all Local Offices that are located at the seat of a High Court. They have dedicated Paralegals who assist them with their administration as well as consulting with inmates at correctional centres. Legal Aid SA has an automated system designed as a forward alert to High Court Units, in the event where a matter handled by a practitioner in a lower court is transferred to a High Court for trial. A similar system is also used for all matters in which practitioners have successfully applied for leave to appeal in the lower courts, so that the High Court Units are aware of and ready for the appeal.

The biggest challenge in dealing with appeal matters is the inability to obtain court records, which are necessary for any practitioner to argue an appeal. The entity has implemented an appeals tracking system to track the progress of appeal matters until finalisation, which enables Managers to identify the causes of delays in finalising appeals and put the necessary interventions in place.

Criminal Justice Sector

Within the CJS, it is recognised that it is more fruitful to use an intersectoral approach in addressing the issues that cause bottlenecks in the system. Legal Aid SA participated in several of these structures, including two meetings of the National Efficiency Enhancement Committee, 27 Provincial Efficiency Enhancement Committee meetings, as well as meetings of the Intersectoral Committee for Child Justice (ISCCJ), Sexual Offences Committee and

Integrated Justice System (IJS). At local level, Local Offices participate in all local Case Flow Committees. These local Committees ensure that any issues that hamper the smooth flow of cases through the courts are addressed jointly by all stakeholders, and that individual stakeholders are held accountable for any bottlenecks they have caused.

Legal Aid SA makes valuable contributions to the sector through its Children Awaiting Trial (CAT) Programme, as well as the Remand Detainee (RD) Programme. Through the CAT Programme, the organisation locates and tracks all children so that they are not kept in custody in correctional centres. Even where children are kept in secure care facilities, the length of time they are kept in these facilities is tracked. The goal is always to ensure that no children are kept in incarceration while awaiting the finalisation of their trials. The RD Programme tracks all RDs in custody, with a special focus on RDs in custody for periods exceeding two years. Every RD is individually consulted, with a view to identify any factor that may be contributing to the delay in finalising their cases. Reports were shared with the relevant provincial and national committees, highlighting the RDs who were in custody for the longest periods, as well as the possible causes of delays in finalising their cases.

The entity continued to provide legal representation to children in conflict with the law, in line with the provisions of the Child Justice Act. All practitioners have been trained in dealing with matters involving children in conflict with the law. While the representation of children in Preliminary Inquiry Courts is not compulsory in terms of the Child Justice Act, Legal Aid SA has made resources available to represent children in those courts if so requested by the Presiding Officer. The Child Justice Act has established the ISCCJ, which is responsible for monitoring the implementation of the Act. While Legal Aid SA is not an official member of this Committee, the organisation participates in all activities of the Committee, as an integral part of the delivery of legal services to children.

The in-house Legal Research Unit monitors and provides input into all proposed legislative changes. All changes in legislation, as well as new developments brought about by court decisions, are communicated to the Legal Aid SA practitioner community. The organisation also participates in the development of all protocols governing the relations between stakeholders and has ensured implementation of those protocols, in so far as they relate to the entity.

Client Satisfaction

As part of the Client Relationship Management Strategy, Legal Aid SA has developed an extensive complaints management system at all offices and at different levels. All complaints are logged on a webpage and are tracked until resolution. Clients can lodge complaints through several channels including the organisational website and the Advice Line, which has been capacitated to receive complaints and refer them appropriately. An analysis of the common trends in complaints is tabled at every meeting of the Legal Services Technical Committee so that holistic responses can be formulated to deal with the issues leading to specific complaints.

The overall satisfaction of clients is integral to Legal Aid SA's operations. Legal Aid Advice Line agents call clients and engage them in a client satisfaction survey – the outcome of these surveys is analysed so that a holistic approach can be used to address any issues arising from the feedback given by clients. The entity has a satisfaction level target of 80% and above; 224 surveyed clients in criminal matters recorded a 91% satisfaction level and 719 surveyed civil clients a 77% satisfaction level.

2.1.2. Civil Delivery

Legal Aid SA continued to use the positive interventions that resulted from the COVID-19 pandemic in providing legal services to the indigent and vulnerable in civil matters. Legal Practitioners attended to their clients and were available at all offices as per the normal Civil Legal Services Programme.

The demand for civil legal services continues to remain high, especially as the organisation had to reduce the number of Civil Practitioners due to budget cuts. An additional seven Legal Practitioner positions could be added to the Civil Legal Services staff complement in 2022-2023, which includes a Labour Specialist position and supervision capacity. These positions were added in all provinces but focused on the Local Offices which had the highest demand for civil legal services or required specialist capacity. Some supervision capacity was also added at Local Offices with high workloads. The ratio of Civil Supervisors to Civil Practitioners is continuously monitored to ensure that the quality of the services provided is not compromised, due to a lack of supervision. This does not stop at the practitioner:supervisor ratio; the quality of the supervision at all Local Offices is also closely monitored.

Legal Aid SA continued to increase its focus on clients to ensure that they are adequately informed and involved in their legal matters. The organisation capacitated all Legal Practitioners by embarking on refresher sessions on the soft skills needed in dealing with clients as well as ensuring that clients are always kept abreast of what happens in their matters. The entity improved its systems to enable ease of communication with clients using technology, and developed business intelligence reports that can identify any matter in which clients have not been communicated with. Several SOPs were reviewed to make provision for this client-focused approach.

Web-based monitoring systems are in place to assist Civil Practitioners with monitoring their compliance with prescribed time periods, to ensure that all cases that have defined notice and prescription periods are well managed. Regular reports are sent to Managers to assist them in monitoring the adherence of their practitioners to all time periods. Separate reports are generated to assist Local Offices in the management of trust funds held in Legal Aid SA's Trust account.

Legal Practitioners have access to several online research facilities, including both Jutastat and LexisNexis. The latest developments in the law are communicated to practitioners via email. A SharePoint platform is also utilised, where practitioners can exchange knowledge, pose questions to the practitioner community, or provide answers on issues they have knowledge on or experience in.

The general Legal Advice Programme returned to normal operations and clients were again able to visit offices when they needed legal advice. This programme was the most affected by the restrictions on clients accessing offices due to lockdown regulations, as well as limitations on the number of staff that could attend offices at any given moment. Legal Aid SA was also able to fully resume its Outreach Programme, where Paralegals travel to venues closer to where communities reside to deliver the legal advice service. The Outreach Programme alleviates the burden of travelling costs for clients.

The toll-free Legal Aid Advice Line is available for members of the public to call when they need general legal advice at no cost to themselves. Where clients only have access to a cellphone, they can send a Please Call Me and the Advice Line team will contact them.

Advice Line services were fully available and made a significant breakthrough with remote connectivity technology – the Advice Line is now able to deliver telephony advice services remotely, which means that this service can continue when offices are inaccessible for any reason.

Self-help modules are also available on the organisational website for use by clients who have matters that are less complex and lend themselves to self-resolution. These modules cover several common legal issues and are meant to empower clients to resolve these, without external assistance. Usage statistics indicate that an increasing number of people are making use of these services.

The Strategic Litigation Unit (SLU) has continued to litigate cases of public interest and social and constitutional importance, making a difference in the lives of many. As is the norm, the Unit dealt with issues that positively impact the lives of the indigent by taking on cases dealing with land issues, environmental matters, as well as many other equity or rights issues that impact on the daily lives of ordinary South Africans. The Unit again contributed to the realisation of the rights of children and women, particularly those whose marriages are governed by discriminatory religious or traditional laws.

2.1.3. Gender-Based Violence

In November 2022, the country held the Second Presidential Summit on Gender-Based Violence and Femicide (GBVF). Senior Executives attended the Summit to contribute to the development of interventions to address the scourge, demonstrating commitment at the highest levels of the organisation to address and eradicate GBVF. Legal Aid SA has achieved the targets set in the National Strategic Plan (NSP) on GBVF, which was to increase access to justice – the Legal Aid Regulations now provide increased access in that the disabled, elderly and children can obtain a legal representative in Domestic Violence Act matters where they qualify for legal aid in terms of the Means Test.

Legal Aid SA also ensures that access to legal advice to anyone who qualifies for legal aid is available for matters relating to domestic violence, harassment and maintenance. Various training sessions were rolled out within the organisation to equip Legal Practitioners with knowledge on the recent amendments to GBVF legislation. Legal Aid SA continues to participate in Pillar 3 work to ensure that the indicators in the NSP on GBVF are met across the justice cluster.

2.1.4. Land Rights Management Unit Delivery

The LRMU received 740 files from the DALRRD. To ensure a seamless handover, the Land Rights Management Facility Panel of Attorneys were allowed to proceed with their current matters, provided they were accredited on the Legal Aid SA Judicare System and compliant with National Treasury's CSD requirements.

As at 31 March 2023, more than 184 Legal Practitioners across the country were accredited on the Judicare System to provide legal representation in land-related matters.

The LRMU has also focused on creating specialised in-house capacity in terms of staff and tools of trade. As at the end of the financial year, the LRMU had 78 staff members; 11 are based at the Legal Aid SA National Office and the remaining 67 are based at Local Offices.

Establishing a mixed model to provide legal services to farm occupiers, labour tenants and restitution claimants has resulted in 80% of LRMU matters currently handled by Judicare Practitioners, and 20% handled by internal Legal Practitioners.

With the demand for legal representation in land-related matters increasing, the LRMU's focus on building internal capacity remains a key area of attention in the new financial year, in line with the available budget and finance projections. Furthermore, IT is enhancing the eLAA system to accommodate the LRMU's requirements – it is now possible for the LRMU to capture its legal aid applications on eLAA, ensuring that land clients' matters are not administratively delayed.

The LRMU has regular engagement with several key stakeholders, including the DALRRD, Department of Cooperative Governance and Traditional Affairs and numerous non-governmental organisations. Such collaboration is important for stakeholder relations and engagement on pertinent issues that are affecting the LRMU's clients.

Further, the LRMU has constant engagement with the Land Claims Court to ensure smooth case flow management as it handles the bulk of the court's matters.

2.2. ORGANISATIONAL ENVIRONMENT

While the Legal Aid SA organisational environment was far more stable in 2022-2023, due to the lifting of lockdown restrictions, loadshedding became a more prominent issue that continues to have an adverse impact on business continuity, particularly court operations.

Innovative measures have been implemented to mitigate against loadshedding, which is set to be a long-term challenge for the country. Given the cost of generators, it was not possible to secure these for Legal Aid SA's 128 Local Offices. The organisation has ensured that its 64 Local Offices have UPS units, which are tested regularly to ensure business continuity, particularly during intermittent loadshedding. While the 64 Satellite Offices are not yet provisioned with UPS units, the procurement process will be finalised in quarter one of 2023-2024 with implementation completed by the end of quarter two.

Through its Workplace Skills Plan and Training Plan, the entity continued to develop a competent workforce, capable of delivering the strategic objectives and outcomes set for the year under review and the remainder of the 2020-2025 strategic planning period. Aided by the Board that approved key policies, including the Internal Control Framework, Enterprise Risk Management Policy, Supply Chain Management Policy and others, Management embedded a culture of accountability and exceptional performance amongst its employees and kept the organisation's internal and operational environments stable.

Office accommodation remains a challenge for Legal Aid SA, due to non-compliant landlords who fail to meet the stringent National Treasury requirements. In 2022-2023, tenders for Research and Development were issued to service providers to assist the entity to establish its real estate needs but bidders were non-responsive. The Procurement Unit then explored a closed bid process, which is due to be finalised in May 2023.

A team comprising the Property Management Unit, Supply Chain Management Unit and National Operations and Legal Development Departments revisited the accommodation acquisition requirements and recommended the following:

- I. reviewing the specification of office lease procurement to make it more attractive to potential bidders and reduce the number of variations required because of non-responsive bids;

- II. identifying South African Post Office offices that closed across the country for Legal Aid SA to explore leasing;
- III. identifying other Government buildings to explore the opportunity to sub-lease unused units, and
- IV. identifying Labour Centres to sub-lease office accommodation from the Department of Employment and Labour, which proved unsuccessful.

2.2.1. Changes in Management

Legal Aid SA is stable and experienced minimal movement at Executive level in the year under review, with one appointment made. The KwaZulu-Natal Provincial Executive position became vacant when Mr Vela Mdaka retired on 30 September 2022. Ms Lungile Magoso was appointed effective 1 October 2022.

National Operations Executive Mr Thembele Mtati was on precautionary leave and Limpopo/Mpumalanga Provincial Executive Ms Mpho Kgabi acted in this position from 1 March 2022 until 22 January 2023. The incumbent Chief Legal Executive, Mr Patrick Hundermark, was appointed to act as the National Operations Executive effective from 23 January 2023, with full delegated authority.

The Communication Executive Mr Victor Shabangu retired on 30 June 2023. Mr Mpho Phasha was appointed to act in the role in the latter part of the year.

2.2.2. Communication Report

The lifting of the National State of Disaster in response to COVID-19 at the beginning of the financial year under review was good news for Legal Aid SA as it allowed the organisation to return to traditional ways of reaching the communities it serves and publicising services.

The Communication Department's key focus for 2022-2023 was to increase brand awareness and the services offered by the organisation, promote the new LRMU's mandate as well as Legal Aid SA's success stories in order to change negative perceptions relating to service delivery, and highlight the SLU.

To this end, several public relations and advertising campaigns were implemented, which included, among others:

- I. innovative digital billboards on freeways and commuter networks, advertising through DBIs in popular television soaps, as well as in-content advertising with messages commemorating Child Protection Week and other campaigns.

- II. out-of-home advertising (mall advertisements) to expose the Legal Aid SA brand; the LRMU; strategic litigation services as well as the Advice Line to more members of the public.
- III. transit exterior full wrap branding on taxis as part of the National 16 Days of Activism for No Violence Against Women and Children campaign.

Community outreach events remain an integral part of engaging with communities as they enable the entity to provide legal information and education to the public in an interactive manner. To this end, Legal Aid SA intensified community outreach event efforts countrywide, and, for the first time in two years,

achieved and surpassed the predetermined annual target by attaining 125% in this programme. These engagements are, *inter alia*, facilitated through strategic partnerships with other stakeholders such as the Department of Justice and Constitutional Development, Department of Women, Youth and Persons with Disabilities, other Government departments and non-governmental organisations. The Communication Department’s public relations efforts also increased significantly. Legal Aid SA’s digital footprint continued to attract more members of the public, with the organisational website recording 43% more visitors than in the previous financial year. Organisational social media platforms grew exponentially, surpassing annual targets.

Below are examples of the public relations and advertising campaigns executed during the year:



Digital screen advertisements at train, bus and taxi stations



LED perimeter screens – Kaizer Chiefs vs Mamelodi Sundowns



Television in-content advertising campaign – Legal Aid SA messages in support of Child Protection Week were displayed as branding and billboards in television shows



Digital (mall advertising) campaign highlighting Legal Aid SA Land Rights, Strategic Litigation, human rights and brand awareness messages



Full-wrap taxi branding



National Wills Week outreach at Mamelodi West Community Hall on 16 September 2022, in conjunction with the Department of Justice and Constitutional Development



Presidential Summit on Gender-Based Violence and Femicide on 1 and 2 November 2022



Launch of the 16 Days of Activism for No Violence Against Women and Children campaign, hosted by the Department of Women, Youth and Persons with Disabilities on 25 November 2022

2.2.3. Challenges

The following challenges were noted during the year under review:

- I. Continued mandatory budget reductions affecting staffing levels, remuneration and the EVP, detailed in Parts E and G of this Integrated Annual Report.
- II. New LRMU transitional matters and funding.
- III. Capacity to match the increasing demand for civil legal services and criminal relief capacity.
- IV. Service delivery issues occasioned by the impact of loadshedding.
- V. Meeting all Employment Equity targets.
- VI. Building a resilient cybersecurity environment.
- VII. Office accommodation – non-compliant landlords who fail to meet minimum Supply Chain Management requirements.

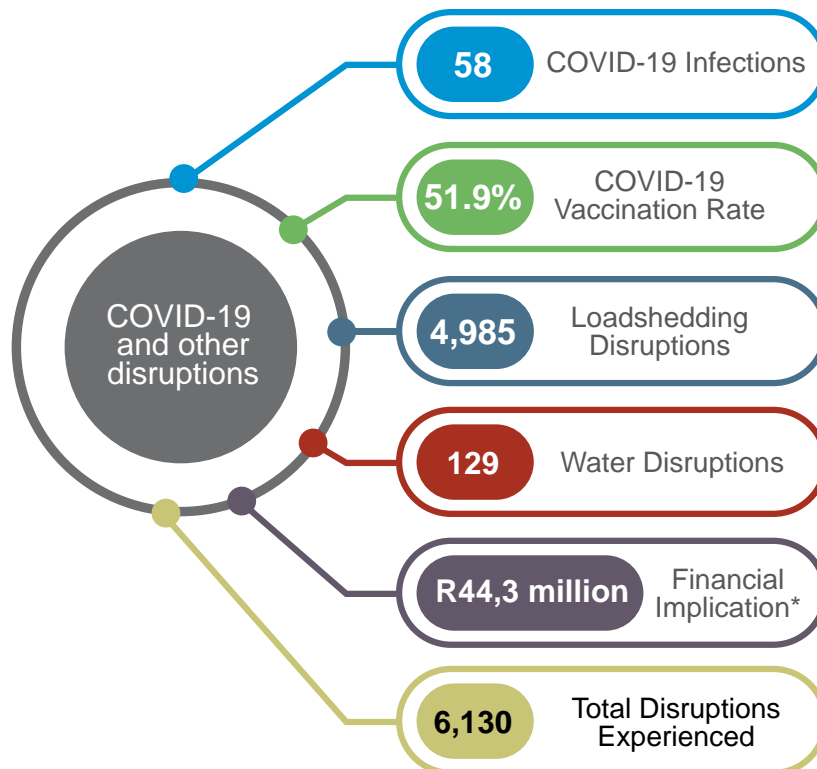
Despite these challenges, the Board and Management of Legal Aid SA worked tirelessly to maintain strong, prudent financial management and reporting to ensure the 15th clean and 22nd unqualified audit outcome and high financial maturity.

3. IMPACT OF BUSINESS DISRUPTIONS ON THE ORGANISATION

The organisation only had 58 employees infected with COVID-19 throughout the year, with no resulting fatalities. However, other crises and disruptions warranting notice and attention came to the fore. The Crisis Management Steering Committee (formerly the COVID-19 Steering Committee) put these within its broader purview to anticipate, mitigate and monitor. These include,

but are not limited to, loadshedding and related electricity disruptions, water disruptions, service delivery protests, health and safety disruptions and outbreak of other diseases.

The graphic below summarises the impact of COVID-19 and other business disruptions on Legal Aid SA in 2022-2023 (x-ref page 109):



**inclusive of R34m for a 5-year contract. See table 3 on page 43*

3.1. IMPACT OF BUSINESS DISRUPTIONS ON LEGAL SERVICE DELIVERY

Service delivery at Legal Aid SA Local Offices and courts was impacted and resulted in the following outcomes:

Table 2: Court Coverage (Actual as per Matter Activity Reports: 1 April 2022 – 31 March 2023)

Financial Year 2022-2023	Quarter	District Court	Regional Court
Actual	Quarter 1	82%	79%
	Quarter 2	83%	83%
	Quarter 3	80%	76%
	Quarter 4	78%	70%
Planned		86%	95%

3.2. IMPACT OF BUSINESS DISRUPTIONS ON FINANCE

Table 3: COVID-19 and Other Disruptions Expenditure: April 2022 – March 2023

Budget Programme	Interventions	Number of Beneficiaries	Total Budget Allocation	Total Cost for the Year	Contributions to the Outputs in the APP	Immediate Outcomes
Operational expenditure (sanitisers, cleaning, screens, dispensers)	Provision of sanitisers, dispensers, protective screens, masks	2,657 staff members	Funded from savings on operational costs	R1,045,885	Able to attend to court coverage, client and community outreach, offices	Able to deliver on mandate
Cellphone allowances	Enable remote work access			R8,466,625.65	Remote access and work maintained	Business continuity and communication maintained
Cloud hosting	Cloud hosted telephone system			R34,412,796 (cost for a 5-year contract)	Uninterrupted work access	Business continuity and uninterrupted work access
Diesel contract	Provision of alternative energy source	202 staff members at National Office		R471,074.29	Uninterrupted operations	
TOTAL				R44,396,380.94		

4. KEY POLICY DEVELOPMENTS AND LEGISLATIVE CHANGES

The Legal Aid Regulations have been operational since 22 August 2017 and have been reviewed and amended to ensure that it remains relevant to societal changes. Of particular importance is the amendment of Regulation 27 (the Legal Aid SA Means Test) which allows for an annual increase from 2022-2023. Further amendments to the Regulations and Manual in the financial year related to the new land mandate. Amendments to the Legal Aid Manual will see version seven come into operation on 14 June 2023.

The financial year under review was the first full financial year of operations for the new LRMU; the Legal Aid SA component providing legal representation in land rights matters. The DALRRD transferred R33,000,000 to the entity in April 2022 and the baseline allocations for 2022-2023 to 2025-2026 were confirmed and included in the Legal Aid SA MTEF Allocation Letter of November 2022. The contingent liability recognised on 31 March 2022 relating to fees due to Legal Practitioners for the pending instructions they held as at 1 January 2022

remains unfunded. The organisation is engaging with the Department of Justice and Constitutional Development to access funding for these matters.

In the previous reporting period, the investigation of the South African Law Reform Commission in terms of section 35 of the Legal Practice Act on the issue of legal fees and the impact on access to justice was finalised and submitted to the Minister of Justice and Correctional Services for consideration in March 2022. During the financial year, the Minister sought inputs from various stakeholders, particularly the Rules Board, relating to the recommendations contained in the Investigation Report.

Legal Aid SA remains committed to the protection of the most vulnerable in society, especially women, children and the disabled and is supportive of all efforts to eradicate gender-based violence. The organisation participates in the National Steering Committee on GBVF that monitors the implementation of the NSP on GBVF.

Legal Aid SA was a participant at the 2nd Presidential Summit on GBVF that highlighted the ongoing plight of GBVF and the many challenges remaining in sustainably addressing this scourge. The entity has noted the National Council on Gender-Based Violence and Femicide Bill 31 of 2022 which was introduced in Parliament during November 2022 and looks forward to the very necessary interventions this will enable. Legal Aid SA also welcomes the four new laws that commenced in 2022 to further tackle GBVF (x-ref page 26).

The Land Court Bill 11 of 2021 was passed by the National Assembly and transmitted to the National Council of Provinces for concurrence in September 2022. Legal Aid SA's current land mandate will be further extended once this Act is brought into operation and the Land Court established (x-ref page 26). The extended mandate will require concomitant funding.

The sustainability of the Community-Based Paralegal sector, which plays an important role in ensuring access to justice and legal empowerment for indigent communities, remains tenuous as the Minister of Justice and Correctional Services must still provide the outcome of the consideration of the report and recommendations made by the Legal Practice Council (LPC). In terms of section 34(9)

of the Legal Practice Act, the LPC must make recommendations to the Minister relating to the statutory recognition of Paralegals.

The United Nations' (UN) SDGs includes a set of 17 Global Goals aimed at ending extreme poverty and fighting injustice and inequality. Global Goal 16, Target 16.3 calls upon countries to: *Promote the rule of law at the national and international levels and ensure equal access to justice for all*. The adoption of the *UN Principles and Guidelines on access to legal aid in criminal matters* continues to play a critical role internationally to guide sustainable development. This is paving the way for the development of legal aid systems and increased access to justice by indigent persons in all UN member countries. A common set of measures to track progress towards the goals and monitor the actions taken to achieve the SDGs were agreed upon but they are very narrowly focused on criminal justice to the exclusion of civil justice. In 2019, Legal Aid SA participated in developing the Country Report providing South Africa's progress on attaining the Global Goals. The next progress report is scheduled for 2023 and the impact of the COVID-19 disaster is expected to have stymied some progress as South Africa focused on the immediate social needs of its citizens, some brought on and some exacerbated by the Coronavirus, since 2020.

4.1. STRATEGIC OUTCOME ORIENTED GOALS

Impact Statement: Equal access to justice to build a just society.

The objectives and outcomes for 2020-2025 are:

OBJECTIVES:

- | | | | |
|----|---|--|----|
| 1 | Empowered clients and communities making informed choices about their legal matters, rights and responsibilities | All indigent and vulnerable members of society have equal access to public-funded legal services to protect and defend their rights | 2 |
| 3 | A fair, efficient and effective justice system that ensures equal access to justice for all | Delivering on our constitutional and statutory mandate thereby ensuring equal access to justice for all, in an independent, accountable and sustainable manner | 4 |
| 5 | An organisation re-inventing and embedding sustainable and agile practises in every segment to positively impact on society, the economy and the environment | Sustaining good governance, best practises and maintaining high ethical standards and integrity, high performance and accountability | 6 |
| 7 | Legal Aid South Africa's regulatory framework is responsive to the changing legal, social and economic environment | An effective, efficient, economic and environmentally responsive supply chain management system supporting client services delivery and internal business processes | 8 |
| 9 | An appropriately resourced national footprint that is adaptable to changing technological and environmental factors to ensure improved access to our clients, communities, stakeholders and employees | Knowledgeable, informed, self-directed and committed employees competently delivering the organisation's constitutional mandate and strategies in a sustainable manner | 10 |
| 11 | Embracing emerging technologies including the Fourth Industrial Revolution to optimise its impact on business and the provision of client services through a responsive and adaptive IT environment | | |

The following Outcomes were implemented to realise Legal Aid SA's mandate:

- | | | | |
|----|--|--|----|
| 1 | Quality client-focused legal aid in criminal matters, particularly for indigent and vulnerable persons | Quality client-focused legal aid, including to indigent and vulnerable persons, in civil matters with a priority focus on land and other constitutional rights matters | 2 |
| 3 | Quality client-focused legal advice services | Client-focused strategic litigation services in order to give content to constitutional rights, as well as to increase access to justice for indigent and vulnerable persons | 4 |
| 5 | Contribute to the effective functioning of the justice and legal sector, thereby promoting the rule of law and increasing access to justice | Account to the Executive Authority (the Minister of Justice and Correctional Services) and Parliament on delivery of mandate, governance and sustainability | 6 |
| 7 | Improve financial sustainability and manage the reductions to the budget | Maintain and enhance good governance | 8 |
| 9 | Maintain a regulatory framework that incorporates best practises and is responsive to changes in the overall environment | Sustain strong financial management, supply chain and asset management practises informed by best practise | 10 |
| 11 | Consolidate and review the resourcing of our national footprint to ensure adequate staffing, as well as safe and secure facilities for clients and staff, within available resources | Strengthen and continuously improve the quality and expertise for each segment of the national footprint | 12 |
| 13 | Enhance and maintain an integrated and service and client-oriented and secured Information Technology system with capacity to integrate stakeholders | | |

Progress made towards the achievement of the Objectives and Outcomes is reported on in *Part B: Performance Information* of this Integrated Annual Report.

5. LEGAL AID SOUTH AFRICA REPORT ON THE SIX CAPITALS

Legal Aid SA follows the *Six Capitals* model adopted by the International Integrated Reporting Council (IIRC) in its integrated reporting. The capitals identified by the IIRC represent stores of value that an organisation can use in the production of goods or services, thereby creating value.

1

FINANCIAL CAPITAL

This comprises funds obtained through grants, or generated through operations or investments that are available to an organisation for use in the production of goods or the provision of services.

Legal Aid SA's source of funds includes interest on investments and revenue from non-exchange which is made up of grants from Government. Grants funding totals 90% of the funds available to the organisation. A total of R2,411 billion was received in 2022-2023, of which 98% was spent. The funds were applied to acquire and maintain manufactured capitals, and hire human capital, which is the primary source of Legal Aid SA's delivery of its mandate.

links to outcomes

7

Improve financial sustainability and manage the reductions to the budget

8

Maintain and enhance good governance

2

MANUFACTURED CAPITAL

This includes manufactured physical objects (as distinct from natural physical objects) that are available to an organisation for use in the production of goods or the provision of services, and included leased and owned buildings, equipment and infrastructure such as IT systems. They provide support and facilitate efficiency in service delivery.

Over 90% of Legal Aid SA's workforce has remote access to the organisation's systems through laptops and network access tools. While the entity operates through 135 offices countrywide, it owns eight offices and occupies four Government buildings at courts, so no rent is paid. The balance is leased from private suppliers. IT systems allow further access for the public, via the Legal Aid Advice Line and its Please Call Me facility, the organisational website and social media platforms.

links to outcomes

11

Consolidate and review the resourcing of our national footprint to ensure adequate staffing, as well as safe and secure facilities for clients and staff, within available resources

12

Strengthen and continuously improve the quality and expertise for each segment of the national footprint

13

Enhance and maintain an integrated and service and client-oriented and secured Information Technology system with capacity to integrate stakeholders

3

INTELLECTUAL CAPITAL

Legal Aid SA is proud of its good reputation and history of achievements relating to good governance and service delivery. This continues to be achieved through established systems, procedures and protocols. Brand awareness continues to improve, with word of mouth consistently placed as the top means of learning of Legal Aid SA.

As part of the CJS, Legal Aid SA was identified as one of the entities that must connect to the IJS hub in order to share information with other CJS departments, including Justice and Constitutional Development, Correctional Services, Home Affairs, Social Development, the South African Police Service and Office of the Chief Justice. Due to the outdated technology of Legal Aid SA's *Ad Infinitum* legacy system, the IJS initiated a modernisation process whereby the organisation was required to upgrade its backbone technology system to integrate with the IJS. Development of the eLAA system commenced in May 2016. Phase 1 was rolled out in 2019 and Phase 2 is nearing completion.

The entity's knowledge is preserved through retention of its experienced and proficient staff, as evidenced by the low turnover rate of 4.5%. This compares favourably to the industry norm of 10%.

links to outcomes

9

Maintain a regulatory framework that incorporates best practises and is responsive to changes in the overall environment

10

Sustain strong financial management, supply chain and asset management practises informed by best practise

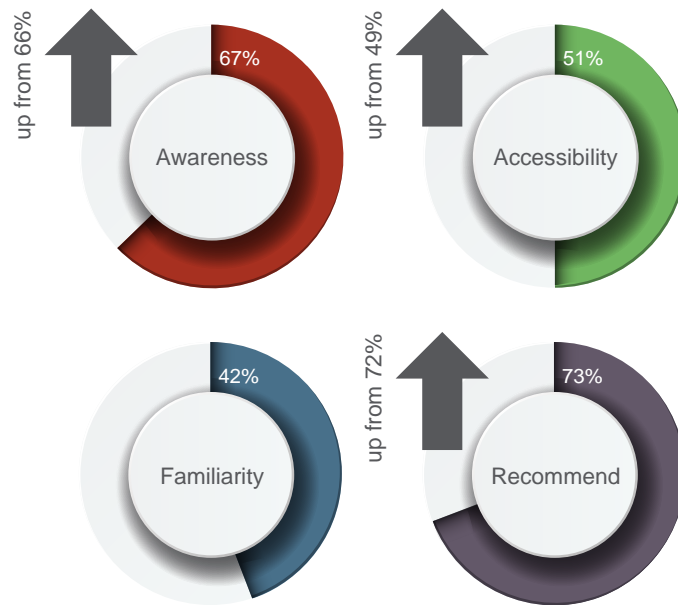
4

SOCIAL AND RELATIONSHIP CAPITAL

A total of 581,430 people were helped by Legal Aid SA in 2022-2023. This comprises legal representation in criminal and civil matters, and the provision of legal advice.

The entity participates in various forums to influence the provision of efficient legal justice to all and has Memoranda of Understanding in place with various organisations and stakeholders that share the same objectives and values, enabling even more people to access justice.

The last National Brand Perception Survey, conducted in 2021-2022, noted an increase in brand awareness, the accessibility of Legal Aid SA services and the likelihood that someone would recommend the entity to others. Brand familiarity remained constant.



links to outcomes

- 1 Quality client-focused legal aid in criminal matters, particularly for indigent and vulnerable persons
- 2 Quality client-focused legal aid, including to indigent and vulnerable persons, in civil matters with a priority focus on land and other constitutional rights matters
- 3 Quality client-focused legal advice services
- 4 Client-focused strategic litigation services in order to give content to constitutional rights, as well as to increase access to justice for indigent and vulnerable persons
- 5 Contribute to the effective functioning of the justice and legal sector, thereby promoting the rule of law and increasing access to justice
- 6 Account to the Executive Authority (the Minister of Justice and Correctional Services) and Parliament on delivery of mandate, governance and sustainability

5

HUMAN CAPITAL

This relates to employees' competencies, capabilities and experience, and their motivation to innovate. Legal Aid SA recorded a recruitment rate of 93.6% in the financial year, and a 4.5% turnover rate.

The lower recruitment rate was due to new positions created and added towards the end of the year to cater for the LRMU mandate. Staff spend an average of 11 years with Legal Aid SA, and most vacant senior positions were recruited internally.

links to outcomes

11

Consolidate and review the resourcing of our national footprint to ensure adequate staffing, as well as safe and secure facilities for clients and staff, within available resources

12

Strengthen and continuously improve the quality and expertise for each segment of the national footprint

6

NATURAL CAPITAL

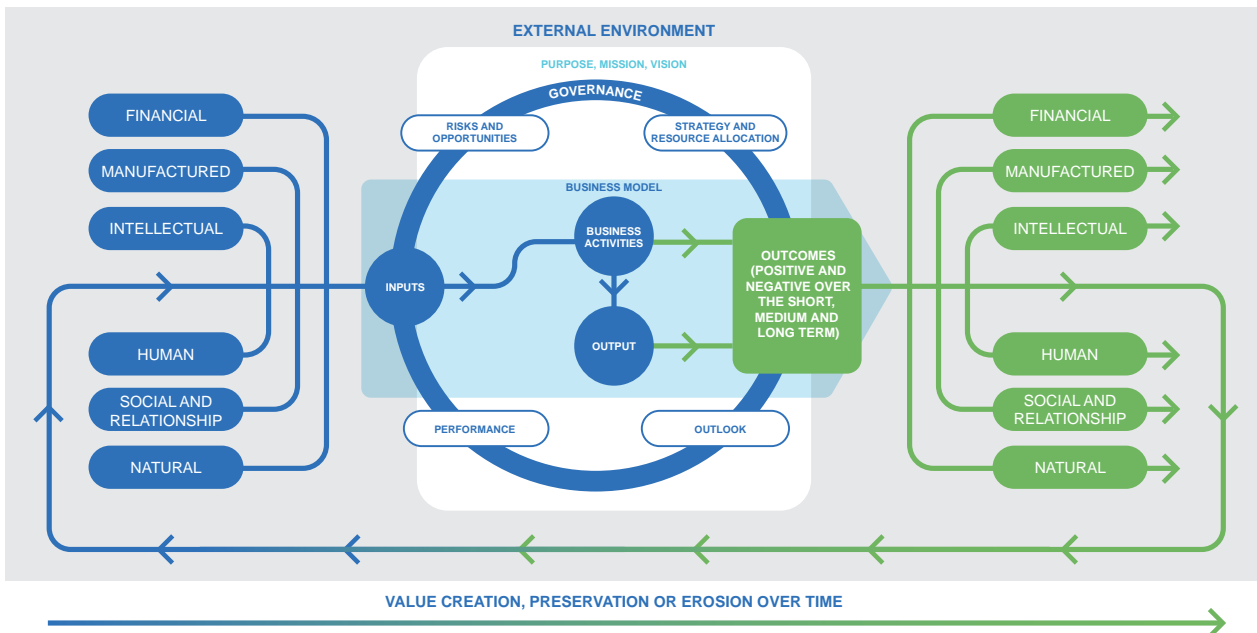
The organisation has a progressive Environmental Policy in place, the application of which is monitored consistently to support environment awareness, adopt practices that are sensitive to the environment and promote biodiversity and ecosystem health.

links to outcome

9

Maintain a regulatory framework that incorporates best practises and is responsive to changes in the overall environment

The graphic below illustrates how the entity’s business model draws on various capital inputs and shows how its activities transform them into outputs.



Source: IIRC

6. PERFORMANCE INFORMATION BY PROGRAMME/ ACTIVITY/OBJECTIVE

The following are the delivery statistics for Legal Aid SA nationally and per province for the 2022-2023 financial year, and the detailed performance information against the approved 2022-2023 Annual Performance Plan.

Table 4: Legal Aid SA Corporate Dashboard

No.	Indicator	PERFORMANCE – 2022-2023					PERFORMANCE PRIOR YEARS	
		Annual Target		Annual Performance			2021-2022	2020-2021
		Number	%	Number	%	Variance Against Target	Number/%	Number/%
OVERALL PERFORMANCE								
Delivery of Business Plan								
1	Client Community			Achieved			Achieved	Not Achieved
2	Financial Sustainability			Achieved			Achieved	Achieved
3	Business Processes			Achieved			Achieved	Achieved
4	Employee & Organisational Capacity			Achieved			Achieved	Achieved
EXECUTIVE AUTHORITY ACCOUNTABILITY								
5	Quarterly/Annual Report/s	5		5		On target	5	5
6	Parliamentary Briefings	2		5		Better than target	3	4
CLIENT COMMUNITY								
7	New Legal Delivery Matters/ Instructions (i.e., number of instructions to legal practitioners) (excluding Pro Bono)			371,468			355,141	297,206
7.1	Local Offices – New Matters	340,327		359,848	106%	6% positive variance to target	342,031	287,294
	(i) District Court			273,920			265,013	227,154
	(ii) Regional Court			39,636			39,237	33,595
	(iii) High Court (including SCA and CC)			2,194			2,090	1,861
	(iv) Civil	43,403		44,098	102%	2% positive variance to target	35,691	24,684
7.2	Judicare – New Matters			7,427			9,654	7,108
7.3	Co-operation Partners – New Matters	2,108		3,493	166%	66% positive variance to target	3,083	2,105
7.4	Agency Agreements – New Matters			359			354	689
7.5	Strategic Litigation – New Matters	16		15	94%	6% negative variance to target	19	10
7.6	Land Rights Management Unit – New Matters	800		326	41%	64% negative variance to target	N/A	N/A
7.7	Pro Bono			115			90	91
8	Finalised Delivery Matters/ Instructions (excluding Pro Bono)			355,384			360,655	331,893

Table 4: Legal Aid SA Corporate Dashboard (continued)

No.	Indicator	PERFORMANCE – 2022-2023					PERFORMANCE PRIOR YEARS	
		Annual Target		Annual Performance			2021-2022	2020-2021
		Number	%	Number	%	Variance Against Target	Number/%	Number/%
8.1	Local Offices – Finalised Matters	340,327		343,569	101%	1% positive variance to target	349,231	321,714
	(i) District Court			261,373			266,662	254,094
	(ii) Regional Court			37,502			40,476	33,315
	(iii) High Court (including SCA and CC)			2,143			2,701	2,187
	(iv) Civil	43,403		42,551	98%	2% negative variance to target	39,392	32,118
8.2	Judicare – Finalised Matters			7,998			7,990	6,989
8.3	Co-operation Partners – Finalised Matters	2,108		2,981	141%	41% positive variance to target	2,717	2,585
8.4	Agency Agreements – Finalised Matters			812			702	592
8.5	Strategic Litigation – Finalised Matters	16		15	94%	6% negative variance to target	15	13
8.6	Land Rights Management Unit – Finalised Matters			9				
8.7	Pro Bono			153			114	47
9.1	Criminal Total New Matters			322,337	87%		314,998	269,388
9.2	Civil Total New Matters			48,805	13%		40,143	27,818
9.3	Land Total New Matters			326	0.1%			
10	General Advice	132,411		209,962	159%	59% positive variance to target	132,411	75,624
10.1	Local Offices & Satellite Offices	94,419		150,754	160%	60% positive variance to target	94,419	50,259
10.2	Advice Line	29,119		38,360	132%	32% positive variance to target	29,119	23,062
10.3	RD – Paralegals	8,873		20,848	235%	135% positive variance to target	8,873	2,303
11	Children Awaiting Trial (Legal Aid SA clients only)							
11.1	Pending (>1 month in custody)			29			21	53
12	Children – Total Matters			13,167			11,686	8,463
12.1	Children – New Criminal Matters			7,161	54%		6,935	4,988
12.2	Children – New Civil Matters			6,006	46%		4,751	3,475
13	Pending Matters							
13.1.1	Pending Matters – LO			172,844			158,061	167,155
13.1.2	Total Backlog Matters (LO)			39,637	22.9%		40,806	54,898
13.2.1	Pending DC – Total (LO)			88,022			77,471	80,696
13.2.2	DC Matters >6 months		20%	12,361	14%	6% positive variance to target	10,756	16,609
13.3.1	Pending RC – Total (LO)			32,550			30,668	32,139

Table 4: Legal Aid SA Corporate Dashboard (continued)

No.	Indicator	PERFORMANCE – 2022-2023					PERFORMANCE PRIOR YEARS	
		Annual Target		Annual Performance			2021-2022	2020-2021
		Number	%	Number	%	Variance Against Target	Number/%	Number/%
13.3.2	RC Matters >9 months		30%	13,208	40.6%	10.6% negative variance to target	13,179	14,165
13.4.1	Pending HC – Total (LO)			3,646			3,603	4,215
13.4.2	Pending HC – excluding Appeal Matters			749			804	817
13.4.3	HC Matters >12 months (excluding Appeal/Petition Matters)		35%	282	37.7%	2.7% negative of target	332	365
13.5.1	Pending Civil – Total (LO)			47,810			46,319	50,105
13.5.2	Civil Matters >18 months		35%	13,786	28.8%	6.2% positive variance to target	16,539	23,759
13.6.1	Land Rights Management Unit			886			N/A	N/A
14	Legal Services Delivery – Quality Monitoring							
14.1.1	CAs – IA (LQAU) File Audit Score		80%		85%	5% positive score variance to target	85%	86%
14.1.2	CAs – IA (LQAU) Court Observation Score		80%		88%	8% positive score variance to target	89%	
14.2.1	LPs – IA (LQAU) File Audit Score		85%		90%	5% positive score variance to target	90%	90%
14.2.2	LPs – IA (LQAU) Court Observation Score		85%		92%	7% positive score variance to target	93%	
14.3.1	HCU LPs – IA (LQAU) File Audit Score		90%		93%	3% positive variance to target	94%	92%
14.3.2	HCU LPs – IA (LQAU) Court Observation Score		90%		93%	3% positive variance to target	96%	
14.4.1	LP – Civil – IA (LQAU) File Audit Score		85%		90%	5% positive variance to target	90%	90%
14.4.2	LP – Civil – IA (LQAU) Court Observation Score		85%		95%	10% positive variance to target		
15	Community Outreach Programmes							
15.1	Prison Cells Branding	331	100%	659	199.1%	Better than target	722	577
15.2	Police Stations Branding	913	100%	1,986	217.5%	Better than target	2,021	1,460
15.3	Court Branding	1,028	100%	1,754	170.6%	Better than target	1,730	1,367
15.4	Community Events at Government Key Points	1,032	100%	1,288	124.8%	Better than target	917	696
FINANCIAL SUSTAINABILITY								
16	Budget			R2,411,951,961			2,132,346,958	2,077,873,157
16.1	MTEF Allocation			2,184,471,000			2,033,188,000	1,958,883,000
16.2	Expenditure (% of budget)		98%	R2,361,467,997	98%	On target	2,017,655,554	1,916,350,927
16.3	Payments (%) within 30 days							

Table 4: Legal Aid SA Corporate Dashboard (continued)

No.	Indicator	PERFORMANCE – 2022-2023					PERFORMANCE PRIOR YEARS	
		Annual Target		Annual Performance			2021-2022	2020-2021
		Number	%	Number	%	Variance Against Target	Number/%	Number/%
16.3.1	Judicare		100%		95.42%	4.58% lower than target	99.7%	81%
16.3.2	Creditors		100%		99.28%	0.72% lower than target	92.1%	98%
17	AFS Reporting Issues							
17.1	Fraud Detected/ Reported							0
17.2	Unauthorised, Irregular, Fruitless, Wasteful Expenditure			21			52	28
17.3	Irregular Expenditure – Sheriffs			-				-
17.4	Financial Misconduct			-			51	18
18	Supply Chain Management							
18.1	BAC Meetings	12 or as required		6		Lower than target	17	12
18.2	Business Continuity/ Crisis Contingency Plan – Meetings	2		22		Better than target	43	45
19	Board							
19.1	Meetings	4		7	175%	Better than target	4	5
19.2	Training	2		1		Lower than target	3	2
19.3	Board Positions Filled	14		12	85.7%	Lower than target	13	13
20	Auditor-General Report							
20.1	A-G Overall Report (2021/22)	Unqualified		Unqualified			Unqualified	Unqualified
20.2	A-G Matters of Emphasis/Mention (2021/22)	0		0			0	0
21	Internal Audit Reports							
21.1	IA Coverage – completed reports	Q1 & Q2: 109 Q3 & Q4: 109	95%	107	96%	Higher than target	110	124
INTERNAL BUSINESS PROCESSES								
22	System Availability (%)		99%		96.24%	2.76% negative variance to target	100.0%	100%
23	User Support (% calls within agreed time)		90%		90.78%	0.78% positive variance to target	91.39%	90%
23.1	IT Security – viruses blocked at firewall		95%		100%	5% positive variance to target	100%	100%
23.2	Business Intelligence – available		99%		99.5%	0.5% positive variance to target	100%	100%
23.3	Disaster Recovery – tested successfully			Completed successfully			Tested successfully	Tested successfully
23.4	WAN Availability		95%		99.27%	4.27% positive variance to target	99.90%	97.95%

Table 4: Legal Aid SA Corporate Dashboard (continued)

No.	Indicator	PERFORMANCE – 2022-2023					PERFORMANCE PRIOR YEARS	
		Annual Target		Annual Performance			2021-2022	2020-2021
		Number	%	Number	%	Variance Against Target	Number/%	Number/%
EMPLOYEE AND ORGANISATIONAL CAPACITY								
24	Infrastructure							
24.1	Local Offices (LOs)	64		64		Maintained	64	64
24.2	Satellite Offices (SOs)	64		64		Maintained	64	64
25	Legal Staffing Recruitment (only LOs)							
25.1	LPs (100% = 1,066 LPs)		95%	1,006	94.4%	0.6% negative variance to target	948	945
25.2	CAs (100% = 504 CAs)		95%	500	99.2%	4.2% positive variance to target	488	413
25.3	Legal Managers (100% = 369 posts)		95%	338	91.6%	3.4% negative variance to target	296	307
25.4	Paralegals (100% = 198 posts)		95%	186	93.9%	1.1% negative variance to target	151	157
26	Staffing							
26.1	Establishment (budgeted posts)			2,840			2,689	2,799
26.2	Number of Staff (recruited)		95%	2,657	93.6%	1.4% negative variance to target	2,468	2,426
26.3	Number of Legal Staff (including Paralegals) (budgeted)			2,138			2,092	2,190
26.4	Number of Legal Staff (including Paralegals) as % of Total Staff (recruited)			2,026	76.3%		1,907	1,871
26.5	Turnover excluding CAs & Temporary/Contract Staff		Less than 10%	104	4.5%	Better than target	5.2%	5.3%
27	Employee Relations							
27.1	Grievances	51	2% of Total Staff	18	0.68%	1.23% positive variance to target	16	12
27.2	Group Grievances			5	0.19%		0	0
27.3	Disciplinary Hearings	63	2.5% of Total Staff	22	0.83%	1.65% positive variance to target	17	9
27.4	Disciplinary Matters	63	2.5% of Total Staff	21	0.79%	1.61% positive variance to target	11	10
27.5	New Labour Disputes	25	1% of Total Staff	8	0.30%	0.77% positive variance to target	5	3
28	Staff Training							
28.1	National Operations Training Unit	4 courses		11	275%	Better than target	11	7
29.1	Legal Staff (LO training/Webinar hours)							
29.1.1	- CA (24 hours per CA)	12,528		18,418	147%	Better than target	18,690	13,269
29.1.2	- LP (Subject to needs profile)	9,438		20,466	217%	Better than target	20,061	18,085
29.2	Support Staff Training							
29.2.1	- Non-Legal Staff (3 strategic courses per functional area)	84		120	143%	Better than target	144	105

Table 4: Legal Aid SA Corporate Dashboard (continued)

No.	Indicator	PERFORMANCE – 2022-2023					PERFORMANCE PRIOR YEARS	
		Annual Target		Annual Performance			2021-2022	2020-2021
		Number	%	Number	%	Variance Against Target	Number/%	Number/%
29.2.2	- Non-Legal Managers (3 strategic courses per functional area)	84		106	126%	Better than target	98	55
30	Health & Safety							
30.1	Injury on Duty	26	1% of Total Staff	14	0.55%	Better than target		5
30.2	HIV/AIDS - Voluntary Counselling and Testing (% Staff tested)		30%				Cancelled due to budget constraints	Cancelled due to budget constraints
31	Employment Equity							
31.1	Overall Total Staff (includes contract and temporary Staff)			2,769			2,637	2,535
31.1.1	Blacks		91.3%	2,531	91.4%	0.1% positive variance to target	2,395	2,282
31.1.2	Africans		79.2%	2,149	77.6%	1.6% negative variance to target	2,010	1,904
31.1.3	Women		45.2%	1,570	56.7%	11.5% positive variance to target	1,452	1,384
31.1.4	People with disabilities		2%	40	1.45%	0.55% negative variance to target	41	40
31.2	Senior Management			118			116	114
31.2.1	Blacks		91.3%	96	81.4%	9.9% negative variance to target	93	91
31.2.2	Africans		79.2%	82	69.5%	9.7% negative variance to target	77	74
31.2.3	Women		45.2%	54	45.8%	0.6% positive variance to target	49	47

Table 5: Legal Aid SA Corporate Dashboard Provincial Split

No.	INDICATOR	PERFORMANCE - 2022-2023													
		Annual Target		Eastern Cape	Free State	Gauteng	KwaZulu-Natal	Limpopo	Mpumalanga	North West	Northern Cape	Western Cape	Full Year		
		Number	%	Number	Number	Number	Number	Number	Number	Number	Number	Number	Number		
LOCAL OFFICE PERFORMANCE MONITOR (LOPM)			90%											96%	
CLIENT COMMUNITY															
1	LOPM National Average														
2	New Legal Delivery Matters/Instructions (i.e., number of instructions to Legal Practitioners)			51,787	30,089	65,957	59,614	20,251	24,339	19,176	17,319	82,894	371,441		
2.1	Local Offices – Total New Matters	382,726		50,083	28,899	62,819	58,141	19,974	23,906	18,599	16,465	80,962	359,848		
2.2	Judicare – Total New Matters			844	610	1,770	1,242	277	293	478	565	1,348	7,427		
2.3	Co-operation Partners – Total New Matters			860	580	1,069	231	-	140	99	-	514	3,493		
2.4	Agency Agreements – Total New Matters			-	-	-	-	-	-	-	289	70	359		
2.5	Strategic Litigation			-	-	-	-	-	-	-	-	-	15		
2.6	Land Rights Management Unit					326							326		
2.7	Pro Bono			6	5	25	20	24	5	15	4	11	115		
2.8	Local Offices – New Criminal Matters			43,559	25,226	54,039	51,154	16,319	20,673	15,542	14,856	74,382	315,750		
2.9	Judicare – New Criminal Matters			707	452	1,321	1,130	218	257	433	467	1,242	6,227		
2.10	Co-operation Partners – New Criminal Matters												-		
2.11	Agency Agreements – New Criminal Matters										289	70	359		
2.12	Strategic Litigation – New Criminal Matters												1		
2.13	Pro Bono – New Criminal Matters			3	2	18	15	8	3	15	3	5	72		
2.14	Local Offices – New Civil Matters			6,524	3,673	8,780	6,987	3,655	3,233	3,057	1,609	6,580	44,098		
2.15	Judicare – New Civil Matters			137	158	449	112	59	36	45	98	106	1,200		
2.16	Co-operation Partners – New Civil Matters			860	580	1,069	231		140	99		514	3,493		
2.17	Agency Agreements – New Civil Matters												-		
2.18	Strategic Litigation – New Civil Matters												14		
2.19	Land Rights Management Unit			-	11	191	29	27	25	5	19	19	326		

Table 5: Legal Aid SA Corporate Dashboard Provincial Split (continued)

No.	INDICATOR	PERFORMANCE - 2022-2023													
		Annual Target		Eastern Cape	Free State	Gauteng	KwaZulu-Natal	Limpopo	Mpumalanga	North West	Northern Cape	Western Cape	Full Year		
		Number	%	Number	Number	Number	Number	Number	Number	Number	Number	Number	Number		
2.20	Pro Bono			3	3	7	5	16	2		1	6	43		
3	Finalised Delivery Matters/Instructions			50,233	29,024	59,614	55,969	19,855	23,204	22,595	16,612	78,278	355,384		
3.1	Local Offices – Finalised Matters		100% of new matters	48,710	27,319	57,172	54,115	19,529	22,818	21,805	15,846	76,255	343,569		
3.2	Judicare – Finalised Matters			954	849	1,545	1,548	326	217	687	461	1,411	7,998		
3.3	Co-operation Partners – Finalised Matters			569	412	873	306		169	103		549	2,981		
3.4	Agency Agreements				444						305	63	812		
3.5	Land Rights Management Unit			-	-	9	-	-	-	-	-	-	9		
3.6	Pro Bono			2	79	5	30	14	7	10		6	153		
4.1	Criminal New Matters			44,266	25,678	55,360	52,284	16,537	20,930	15,975	15,612	75,694	322,337		
4.2	Civil New Matters			7,521	4,422	10,489	7,359	3,741	3,434	3,206	1,726	7,219	49,131		
4.3	Land New Matters			-	11	191	29	27	25	5	19	19	326		
5	Children – Total Matters			2,219	1,010	2,170	1,852	425	558	536	544	3,853	13,167		
5.1	Children – New Criminal Matters			641	319	812	1,006	300	275	246	420	3,142	7,161		
5.2	Children – New Civil Matters			1,578	691	1,358	846	125	283	290	124	711	6,006		
EMPLOYEE & ORGANISATIONAL CAPACITY															
6	Infrastructure														
6.1	Local Offices (LOs)	64		10	6	10	10	5	4	7	3	9	64		
6.2	Satellite Offices (SOs)	64		11	3	4	11	7	10	3	6	9	64		
7	Legal Staffing (only LOs, excludes National Office)														
7.1	LPs (100% = 1,048 LPs)		98%	180	73	197	158	68	79	58	46	147	1,006		
7.2	CAs (100% = 562 CAs)		98%	71	34	115	95	32	30	26	16	81	500		
7.3	Legal Managers (100% = 344 posts)		98%	54	30	58	51	24	27	27	18	49	338		
8	Staffing (only LOs, excludes National Office)														
8.1	Establishment (budgeted posts)			419	206	506	441	188	193	157	117	391	2,618		
8.2	Number of Staff (recruited)			409	196	483	400	176	179	153	108	357	2,461		
9	Budget per Province (total excludes National Office)			287,782,488	127,356,995	367,723,198	294,103,319	113,348,224	123,317,292	115,912,566	74,082,868	267,117,785	1,770,744,735		

Table 6: Annual Performance Report 2022-2023

CLIENT, COMMUNITY, STAKEHOLDER AND SHAREHOLDER PROGRAMMES PER STRATEGY										
Objectives/ Programme No.	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
Objective 1	Empowered clients and communities making informed choices about their legal matters, rights and responsibilities.									
Outcome 1	Quality client-focused legal aid in criminal matters, particularly for indigent and vulnerable persons.									
P1	To deliver quality legal aid services in criminal matters that are client-focused, within available resources.									
P1-1	Access to criminal legal aid services	Delivering quality client-focused legal aid in criminal matters, particularly for indigent and vulnerable persons.	Legal aid provided to qualifying accused persons.	Court Coverage Plan	We had 85% planned coverage of DCs as at the end of the 2020-2021 FY. Our RC planned coverage at the end of FY 2020-2021 was 94%. Representation was provided in all matters that required legal aid in HCs.	Reporting against the originally tabled Annual Performance Plan: Coverage in the DC was 84%. Coverage in the RC was 81%. All legal aid HC matters covered. Reporting against the revised Annual Performance Plan: Planned coverage in the DC was 87.6%. Planned coverage in the RC was 94.4%. All legal aid HC matters covered.	Average planned DC coverage: ≥ 80%. Average planned RC coverage: ≥ 90%. HC planned coverage: All legal aid matters covered.	Planned DC coverage was 86%. Planned RC coverage was 95%. All HC matters requiring legal aid covered.	Positive variance	

Table 6: Annual Performance Report 2022-2023 (continued)

CLIENT, COMMUNITY, STAKEHOLDER AND SHAREHOLDER PROGRAMMES PER STRATEGY										
Objectives/ Programme No.	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
Objective 2 All indigent and vulnerable members of society have equal access to public-funded legal services to protect and defend their rights.										
Outcome 2 Quality client-focused legal aid, including to indigent and vulnerable persons, in civil matters with a priority focus on land and other constitutional rights matters.										
P2 Deliver quality civil legal aid services that are client-focused, with a priority for constitutional rights, within available resources.										
P2-1	Access to civil legal aid services	Delivering quality client-focused legal aid, including to indigent and vulnerable persons, in civil matters with a priority focus on constitutional rights.	Civil clients assisted within available capacity.	Civil legal aid delivery - number of clients assisted in civil matters.	As at the end of the 2020-2021 FY, Legal Aid SA took in 27,818 new civil matters through its delivery mechanisms. This is 54% of the annual target of 51,118. Internal practitioners took in 24,684 new matters, which is 89% of the total new civil matters for the FY.	In the 2021-2022 FY, we took in a total of 40,143 new matters through our various delivery models. This is 79% of the target of 50,705. Internal practitioners took in 35,691 new matters which is 89% of the total new civil matters taken in.	In the 2022-2023 FY, we took in a total number of 48,805 new matters through our delivery mechanisms. This is 104.9% of the annual target of 46,493. Internal Legal Practitioners took in 44,098 new matters which is 102% of the total internal new matters target for the year.	In the 2022-2023 FY, we took in a total number of 48,805 new matters through our delivery mechanisms. This is 104.9% of the annual target of 46,493. Internal Legal Practitioners took in 44,098 new matters which is 102% of the total internal new matters target for the year.	Positive variance	
					Co-operation Partners took in 1,885 new matters, which is 7% of the total new civil matters taken in for the FY. We issued 1,241 civil instructions to Judicare Practitioners, which is 4% of the total new civil matters for the FY. 8 new civil matters have been recognised as strategic litigation matters in the FY.	Co-operation Partners took in 2,762 new civil matters which is 7% of the total new civil matters. 1,671 instructions were issued to Judicare Practitioners which is 4% of the total new civil instructions to Judicare Practitioners, which is 4% of the total new civil matters for the FY. Strategic litigation took in 19 new civil matters in the FY.	i. Local Office: ≥90% of civil practitioner target (@ recruitment rate of 95%). ii. Judicare: ≥10% are civil matters. iii. Co-operation Partners: 3,160 new matters.	The Judicare allocation was 1,200 new matters, which is 124% of the new matters target for the delivery system. Co-operation Partners took in 3,493 new matters.		

Table 6: Annual Performance Report 2022-2023 (continued)

CLIENT, COMMUNITY, STAKEHOLDER AND SHAREHOLDER PROGRAMMES PER STRATEGY											
Objectives/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
						As at the end of the 2020-2021 FY, Legal Aid SA finalised a total of 35,502 civil matters through its various delivery mechanisms. This is 85% of the year to date target of 50,690. This is 69.5% of the annual target of 51,118. Internal practitioners finalised 32,118 civil matters, which is 90.5% of the total civil matters finalised in the FY.	In the 2021-2022 FY we finalised 43,109 civil matters through our various civil delivery mechanisms. This is 85% of the year to date target of 50,690. Internal Legal Practitioners finalised 39,392 matters which is 91% of all civil matters finalised in the FY.		In the 2022-2023 FY we finalised 46,885 civil matters through our civil legal services delivery mechanisms. This is 100.8% of the annual target of 46,493. Internal Legal Practitioners finalised 42,551 matters which is 98% of the internal civil matters finalisation target.	Positive variance	
						Co-operation Partners finalised 2,320 civil matters, which is 6.5% of the total civil matters finalised for the FY. Judicare Practitioners finalised 1,052 civil matters, which is 3% of the total civil matters finalised for the FY. Our Strategic Litigation Unit finalised 12 civil matters as at the end of the FY.	Co-operation Partners finalised 2,431 matters which is 6% of all civil matters finalised. Judicare Practitioners finalised 1,272 matters which is 3% of all civil matters finalised. Strategic litigation finalised 15 civil matters in the FY.		Judicare Practitioners finalised 1,339 matters, which is 139% of the delivery system's finalisation target. Co-operation Partners finalised 2,981 matters.		

Table 6: Annual Performance Report 2022-2023 (continued)

CLIENT, COMMUNITY, STAKEHOLDER AND SHAREHOLDER PROGRAMMES PER STRATEGY											
Objectives/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
P2-2	Access to legal aid services in relation to land matters	Provide legal representation and advice to clients in land matters, thereby protecting clients' constitutional rights.	Deliver quality client-focused legal aid in land related matters, particularly for indigent and vulnerable persons.	Legal aid provided to clients (farm occupiers, labour tenants and restitution claimants) within available capacity and resources.	Access to legal aid in land matters -number of clients assisted in land related matters.	N/A	N/A	Annual target: 800 matters. Legal services will be conducted through the Judicare system until Legal Aid SA has sufficient human and financial resources. 649 matters will be transferred to Legal Aid SA from the LRMF on 1 January 2022.	New land matters - 326 Finalised land matters - 9	Yes	The LRMU is dependent on the DALRRD and other stakeholders for referrals. The Unit has increased capacity at Local Offices in terms of staff and the Legal Practitioners have embarked on outreach programmes for the purpose of advising people about the services that the LRMU is offering and educate them about their land rights. Furthermore, the LRMU Legal Practitioners have held meetings with the officials of the DALRRD and other Government departments for the purpose of creating relationships. Hopefully this will yield good results in terms of increasing the number of matters that will be referred to the LRMU.

Table 6: Annual Performance Report 2022-2023 (continued)

CLIENT, COMMUNITY, STAKEHOLDER AND SHAREHOLDER PROGRAMMES PER STRATEGY										
Objectives/ Programme No.	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
Outcome 3	Quality client-focused legal advice services.									
P3	To deliver quality legal advice services that are client-focused, within available resources.									
P3-1	Legal advice services	Delivering quality client-focused legal advice services.	General advice services provided at all Local Offices.	General legal advice services.	In 2020-2021, Legal Aid SA assisted 75,624 clients with general advice. The number of clients assisted at Local and Satellite Offices is 50,259. The number of clients assisted at correctional facilities is 2,303. The Legal Aid Advice Line assisted 23,062 clients.	In the 2021-2022 FY we assisted 132,410 clients with general advice. The number of clients assisted at Local and Satellite Offices was 94,419. The number of clients assisted at correctional facilities was 8,875. The Legal Aid Advice Line assisted a total of 29,116 clients in the FY.	General advice service available at all Legal Aid SA offices. Growth in legal advice matters: 0% over previous financial year (target set at 0% subject to demand and available capacity).	In 2022-2023, we assisted 209,962 clients with general legal advice. Local and Satellite Offices assisted 150,754 clients which is 71.8% of the total number of clients assisted with general legal advice. We consulted with 20,848 inmates at correctional facilities. The Legal Aid Advice Line assisted 38,360 clients with general legal advice which is 18.2% of the total number of clients assisted in the financial year.	Positive variance	General advice is demand based and no clients are turned away. The number of clients assisted in this FY exceeds the number of clients assisted in the previous FY. Legal Aid SA is not yet on par with the level of performance pre-COVID-19 for walk-in clients, however the Advice Line is performing at pre-COVID-19 levels. Legal Aid SA continues to market its walk-in client services.

Table 6: Annual Performance Report 2022-2023 (continued)

CLIENT, COMMUNITY, STAKEHOLDER AND SHAREHOLDER PROGRAMMES PER STRATEGY											
Objectives/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
Outcome 4	Client-focused strategic litigation services in order to give content to constitutional rights, as well as to increase access to justice for indigent and vulnerable persons.										
P4	To undertake strategic litigation, particularly in social justice related matters in order to give content to the rights enshrined in the Constitution.										
P4-1	Strategic litigation addressing social justice	Provide legal representation to clients in strategic litigation matters relating to constitutional and socioeconomic rights as well as the development of relevant jurisprudence within available budget at a ≥90% success rate.	Delivering client-focused strategic litigation services in order to give content to constitutional rights, as well as to increase access to justice for indigent and vulnerable persons.	Legal representation provided in strategic litigation matters.	Clients' access to strategic litigation services.	The SLU assessed 32 matters and the CCMC approved 10 matters within the revised annual budget. The budget utilised was R2,943,635 from the revised annual budget of R3,795,420. This translates to utilisation of 77.5% of the revised annual budget.	The SLU assessed 49 matters for approval by the CCMC as strategic litigation matters. 41 of these matters were submitted to the CCMC for approval as strategic litigation matters. The CCMC approved 19 as strategic litigation matters within the allocated annual budget of R5 million. The total approved budget for the FY is R3,889,074.05.	4 per quarter (16 matters).	The SLU assessed 40 matters for submission to the CCMC; 27 of those matters were submitted to the CCMC for approval as strategic litigation matters. The CCMC approved 15 matters. 15 matters were finalised; 9 with a positive outcome and 1 with a negative outcome. 5 matters were finalised without an outcome. This translates to a 90% success rate.	Yes	The matters are approved at the discretion of the CCMC. The SLU achieved 94% of the new and finalised matters target but will focus on improving this figure.

Table 6: Annual Performance Report 2022-2023 (continued)

CLIENT, COMMUNITY, STAKEHOLDER AND SHAREHOLDER PROGRAMMES PER STRATEGY											
Objectives/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
						13 matters were finalised in the FY. 11 of these matters were finalised with a positive outcome, 1 was finalised without an outcome and 1 matter was finalised with a negative outcome. This translates to a 91% success rate for the FY.	This translates to a budget spend of 78% at the end of 2021-2022. 15 strategic litigation matters were finalised; 13 of these matters were finalised with an outcome. Of these, 12 were finalised with a positive outcome. This translates to a 91% success rate for the FY. 1 was finalised with a negative outcome. 2 matters were finalised without an outcome. This translates to a 93% success rate.				

Table 6: Annual Performance Report 2022-2023 (continued)

CLIENT, COMMUNITY, STAKEHOLDER AND SHAREHOLDER PROGRAMMES PER STRATEGY										
Objectives/ Programme No.	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target Achievement 2022-2023	Reasons for Deviations
Objective 3	A fair, efficient and effective justice system that ensures equal access to justice for all.									
Outcome 5	Contribute to the effective functioning of the justice and legal sector, thereby promoting the rule of law and increasing access to justice.									
P5	To participate in justice cluster forums to contribute to improving the efficient functioning of the justice system to improve access to justice.									
P5-1	Participate in National and Provincial Efficiency Enhancement Structures	Contributing to the effective functioning of the justice and legal sector, thereby promoting the rule of law and increasing access to justice.	Participation in National and Provincial Efficiency Enhancement Structures.	Participation in efficiency enhancement structures aimed at improving the functioning of courts and justice system.	Legal Aid SA was invited to NEEC and PEEC meetings in order to advance the interests of the organisation, as well as contribute to the efficient functioning of the justice system. Only 5 PEEC meetings were held during the FY. No NEEC meetings were held during the FY.	Legal Aid SA attends arranged NEEC and PEEC meetings by invitation, in order to advance the interests of Legal Aid SA, as well as contribute to the efficient operation of the justice system. PEEC meetings were held during the FY and no NEEC meetings were scheduled.	≥ 90% attendance of all at NEEC and PEEC meetings as per meeting schedules.	All scheduled NEEC and PEEC meetings were attended by Legal Aid SA representatives. 2 NEEC meetings were attended during the financial year. 29 PEEC meetings were attended in all provinces.	Positive variance	

Table 6: Annual Performance Report 2022-2023 (continued)

CLIENT, COMMUNITY, STAKEHOLDER AND SHAREHOLDER PROGRAMMES PER STRATEGY										
Objectives/ Programme No.	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
Objective 4	Delivering on our constitutional and statutory mandate thereby ensuring equal access to justice for all, in an independent, accountable and sustainable manner.									
Outcome 6	Account to the Executive Authority (the Minister of Justice and Correctional Services) and Parliament on delivery of mandate, governance and sustainability.									
P6-1	Reporting and accountability to the Executive Authority	Accounting to the Executive Authority (the Minister of Justice and Correctional Services) and Parliament on delivery of mandate, governance and sustainability.	4 quarterly performance reports: 1 Annual Report.	Accurate quarterly and annual reports submitted timeously to the Executive Authority.	During 2020-2021: 4 Reports on Performance against Annual Performance Plan (Q4 2019-2020, Q1 2020-2021, Q2 2020-2021, Q3 2020-2021) submitted to the EA. 1 Annual Report 2019-2020 submitted to the EA.	During 2021-2022: 4 Reports on Performance against Annual Performance Plan (Q4 2020-2021, Q1 2021-2022, Q2 2021-2022, Q3 2021-2022) submitted to the EA. 1 Annual Report 2020-2021 submitted timeously to the EA.	4 quarterly performance reports submitted within 1 month of the end of the quarter. 1 Annual Report.	During 2022-2023: 4 Reports on Performance against Annual Performance Plan (Q4 2021-2022, Q1 2022-2023, Q2 2022-2023, Q3 2022-2023) 1 Annual Report 2021-2022 submitted timeously to the EA.	No variance	
					4 briefings of the Portfolio Committee held. Legal Aid SA responded to all timeously to all Parliamentary questions received.	3 briefing sessions of the Portfolio Committee held. Legal Aid SA responded to all Parliamentary questions: 1972 on 27 August 2021, 427 on 2 March 2022 and 191 on 15 February 2022.		5 briefing sessions of the 2 Portfolio Committees held. Legal Aid SA responded to all Parliamentary questions: 1585 on 3 May 2022, 2005 on 24 May 2022, 59 on 17 August 2022, 60 on 17 August 2022, 378 on 26 October 2022, 4170 on 21 November 2022, 152 on 14 February 2023 and 513 on 7 March 2023.		

Table 6: Annual Performance Report 2022-2023 (continued)

FINANCE AND SUSTAINABILITY PROGRAMMES PER STRATEGY											
Objectives/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicators	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
Objective 5	An organisation re-inventing and embedding sustainable and agile practices in every segment to positively impact on society, the economy and the environment.										
Outcome 7	Improve financial sustainability and manage the reductions to the budget.										
P7	To continuously improve financial planning (budgeting) including managing the budget cuts to ensure a balanced budget.										
P7-1	Financial planning	To ensure balanced financial plans for each year of the MTEF period that balances planned expenditure against revenue.	Improving financial sustainability and managing the reductions to the budget.	Approved balanced MTEF and budget.	Budget which is balanced.	The Board approved the MTEF for the period 2020/21-2022/23 in June 2019. The balanced budget for 2020-2021 was approved by the Board on 30 November 2019.	The MTEF 2022/23-2024/25 was approved by the Board at the November 2021 meeting. The Budget 2022/23 was approved by the Board at the February 2022 meeting.	Balanced budget (in consideration of Government grant allocation and available cash reserves for Legal Aid SA).	MTEF 2023/24-2025/26 was approved by the Board at the November 2022 meeting. A balanced Budget 2023-2024 was approved by the Board at the February 2023 Board Meeting.	No variance	
						The Board approved the Adjusted Legal Aid SA Budget 2020-2021 in November 2020 due to the NT request for entities to reduce their baseline with R104 million from the Compensation of Employees, as part of the Compensation of Employees reductions announced in the 2020 Budget Speech, which was tabled in Parliament during its October 2020 meeting.					

Table 6: Annual Performance Report 2022-2023 (continued)

FINANCE AND SUSTAINABILITY PROGRAMMES PER STRATEGY											
Objectives/Outcomes/Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicators	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
P8	Maintain strong and best practice financial management and reporting to ensure unqualified audit outcome and high financial maturity.										
P8-1	Financial reporting	Financial reporting for a financial year timeously presented to National Treasury and the Office of the Auditor-General, which is compliant with relevant standards and regulations. To ensure no over-expenditure and under-expenditure ≤2% on the budget in the planned period.	Improving financial sustainability and managing the reductions to the budget.	Annual and mid-year Financial Statements.	Financial reporting compliant with relevant standards and regulations.	The Legal Aid SA mid-year Financial Statements 2020-2021 were prepared and approved by the Board at its November 2020 meeting. The Annual Financial Statements for 2020-2021 were finalised and submitted to the A-G at the end of May 2021.	The mid-year Financial Statements compliant with the applicable standards were approved by the Board at the November 2021 meeting. The Annual Financial Statements have been submitted to the external auditors. The interim audit by the external auditors is still in progress.	Annual and mid-year Financial Statements compliant with relevant standards and regulations.	Annual Financial Statements for 2022-2023 are due in Q1 of 2023/24. The final interim audit report from the A-G identified no material findings.	No variance	
Objective 6	Sustaining good governance, best practises and maintaining high ethical standards and integrity, high performance and accountability.										
Outcome 8	Maintain and enhance good governance.										
P9	To maintain best governance practices (PFMA compliance, King IV guidelines and other relevant statutory requirements).										
P9-1	Compliance with statutory requirements	Governance practices within Legal Aid SA fully compliant with statutory requirements throughout each year.	Maintaining and enhancing good governance.	Monthly statutory compliance and deadlines exception listings; quarterly updated compliance provisions; quarterly Compliance Reports; 6 monthly updated Legislative Universe Reports.	Compliance with statutory requirements including Legal Aid SA Act 2014 and the Public Finance Management Act (PFMA).	The Compliance Universe was updated during the 2020-2021 financial year. Monthly Compliance Checklists were signed off by Executives and the Quarterly Compliance Reports were reviewed and noted by the Board.	i. Compliance Universe updated and confirmed annually by all Executives. ii. Monthly Legislative Compliance Checklist is signed off. iii. Quarterly Compliance Reports submitted. iv. Compliance Policy and SOP revised annually. v. Legislative Checklist updated whenever there are changes in legislation or new legislation is introduced.	100% compliance with statutory requirements.	Legal Aid SA complies with all legislation in the Legislative Universe, except for non-compliance identified in terms of the PFMA.	Yes	There are still sporadic incidents of irregular and fruitless expenditure at the organisation, though not pervasive.

Table 6: Annual Performance Report 2022-2023 (continued)

FINANCE AND SUSTAINABILITY PROGRAMMES PER STRATEGY											
Objectives/Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicators	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
P10-1	Risk-based Audit Coverage Plan	Audit Coverage Plan of the organisation independently implemented from line functionalities/management periodically throughout each year over the MTEF to provide independent assurance on governance, compliance in line with the internal control framework and risk management.	Maintaining and enhancing good governance.	1 annual Audit Coverage Plan; 1 revised Mid-Year Audit Coverage Plan; Audit Reports issued as per the Audit Coverage Plan.	Delivery of annual Audit Coverage Plan.	124 out of 130 Compliance Audit Reports were completed by the end of 2020-2021, resulting in 95% total achievement of the annual target. 6 additional audit projects were completed outside the approved Annual Coverage Plan which translates to the overall achievement of 100% (130 out of 130) total audit projects for the year.	110 out of 113 audit projects were completed, resulting in a 97% achievement of annual target as at the end of 2021-2022. 3 additional projects were completed outside the approved Annual Coverage Plan resulting in the overall achievement of 100% of the annual target.	≥95% of Audit Coverage Plan delivered.	A total of 107 out of 112 projects were completed at year end which translates to 96% achievement of the annual target. The annual target is 95% of the Annual Coverage Plan. 55 projects were completed by the General Audit Unit, 22 were completed by the Computer Audit Unit and 30 were completed by the Forensic Audit Unit.	Positive variance	
						The 124 total reports comprise 86 reports and 1 additional report completed by the General Audit Unit. The Unit completed a total of 21 reports and 4 additional reports. The Forensic Audit Unit completed a total of 17 reports and 1 additional report.	66 projects were completed by the General Audit Unit; 20 projects were completed by the Computer Audit Unit along with 2 additional projects and 24 projects were completed by the Forensic Audit Unit along with 1 additional project.				

Table 6: Annual Performance Report 2022-2023 (continued)

FINANCE AND SUSTAINABILITY PROGRAMMES PER STRATEGY											
Objectives/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicators	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
P11-1	An effective, functional Board	An efficient Board (Accounting Authority) which is properly constituted in terms of the Legal Aid SA Act (39 of 2014) and which is quorate in its meetings as per its meeting schedule; an effective Board which provides strategic direction and which maintains oversight of performance against the Strategic Plan and APP.	Maintaining and enhancing good governance.	Board meetings as per schedule; governance instruments approved by the Board.	Skilled and effective Board and Board Committees.	As at the end of the 2020-2021 FY, the Board of Legal Aid SA was not fully constituted. 13 out of 14 Board positions were filled. An effective and strategic Board provided leadership and oversight of delivery on the performance of Legal Aid SA. Board Committees were in existence and functioned effectively.	As at the end of 2021-2022, the Board of Legal Aid SA was not fully constituted. 13 out of 14 Board positions were filled. An effective and strategic Board provided leadership and oversight of delivery on the performance of Legal Aid SA. Board Committees were in existence and functioned effectively.	Properly constituted Board (in terms of the Legal Aid SA Act, 2014).	As at the end of 2022-2023, the Board of Legal Aid SA was not fully constituted (in terms of the Legal Aid SA Act, Act 39 of 2014). However, the Board was operational to lead the organisation. 7 Board meetings were held during 2022-2023, comprising 4 Board meetings and 3 special Board meetings. Governance instruments were approved by the Board.	Yes	The term of office of the Director-General/ Shareholder representative on the Board ended on 15 March 2023. A memo has been sent to the EA to address same. The appointment of 1 non-executive member was terminated during 2022-2023.

Table 6: Annual Performance Report 2022-2023 (continued)

INTERNAL BUSINESS PROCESSES PROGRAMMES PER STRATEGY										
Objectives/ Programme No.	Programme Purpose	Outcome	Output	Output Indicators	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
Objective 7	Legal Aid South Africa's regulatory framework is responsive to the changing legal, social and economic environment.									
Outcome 9	Maintain a regulatory framework that incorporates best practises and is responsive to changes in the overall environment.									
P12	Ensure that the Legal Aid SA Act, Legal Aid Regulations (policy) and Legal Aid Manual (procedures) are reviewed to ensure relevance to changes in the environment.									
P12-1	Legal Aid SA Act	To ensure a sound regulatory environment under which Legal Aid SA operates, thereby ensuring that the legal aid scheme is sustainable, transparent and fair. To ensure that the Regulations setting out legal aid policy are drafted and that the Legal Aid Manual setting out legal aid procedures is drafted for consideration by the Board.	Maintaining a regulatory framework that incorporates best practises and is responsive to changes in the overall environment.	Legislative framework responsive to business needs.	Legal Aid SA Act was reviewed as required. There were still outstanding amendments that were to be included in the 2020 Judicial Matters Amendment Bill, but same remain outstanding.	The Legal Aid SA Act reviewed as required. There were still outstanding amendments that were to be included in the 2020 Judicial Matters Amendment Bill, but same remain outstanding.	The amendments to the Legal Aid SA Act have been approved by the Board. These amendments were excluded by the DoJ&CD on the Judicial Matters Amendment Bill 2018. The amendments have been resubmitted to be considered for inclusion in a subsequent Judicial Matters Amendment Bill but same is still outstanding.	Legal Aid SA Act reviewed once every 2 years or as and when required.	The Legal Aid SA Act was reviewed by the Board and amendments were submitted to the Executive Authority for the necessary legislative process to be undertaken.	No variance

Table 6: Annual Performance Report 2022-2023 (continued)

INTERNAL BUSINESS PROCESSES PROGRAMMES PER STRATEGY											
Objectives/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicators	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
P12-2	Legal Aid Regulations (Policy)	To ensure a sound regulatory environment under which Legal Aid SA operates, thereby ensuring that the legal aid scheme is sustainable, transparent and fair. To ensure that the Regulations setting out legal aid policy are drafted and that the Legal Aid Manual setting out legal aid procedures is drafted for consideration by the Board.	Maintaining a regulatory framework that incorporates best practices and is responsive to changes in the overall environment.	Policy framework responsive to business needs.	Legal Aid Regulations remain relevant and up to date.	The Board submitted proposed amendments to the Regulations to the Executive Authority. The proposed amendments have been tabled before Parliament in Q4. The Select Committee has been briefed on the proposed amendments which must still be considered by the Portfolio Committee.	The Regulations to the Act were reviewed by the Board in 2020-2021 and the proposed amendments to the Regulations were tabled before Parliament for approval. Both the National Assembly and National Council of Provinces approved the amendments.	Legal Aid Regulations reviewed at least once every 2 years or as and when required.	The Legal Aid Regulations were reviewed by the Board and amendments were approved. The proposed amendments were submitted to the Executive Authority to undertake the necessary legislative process.	No variance	
							The amendments were duly gazetted by the Minister and came into operation on 6 August 2021. Revised Judicare tariffs were approved by the Board in February 2022 with an increase of 4.02% which came into effect from 1 April 2022.				

Table 6: Annual Performance Report 2022-2023 (continued)

INTERNAL BUSINESS PROCESSES PROGRAMMES PER STRATEGY											
Objectives/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicators	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
P12-3	Legal Aid Manual (Procedures)	To ensure a sound regulatory environment under which Legal Aid SA operates, thereby ensuring that the legal aid scheme is sustainable, transparent and fair. To ensure that the Regulations setting out legal aid policy are drafted and that the Legal Aid Manual setting out legal aid procedures is drafted for consideration by the Board.	Maintaining a regulatory framework that incorporates best practices and is responsive to changes in the overall environment.	Organisational procedures remain relevant to business needs.	Legal Aid Manual updated.	Version 5 of the Legal Aid Manual came into operation on 15 December 2020 after tabling in Parliament and gazetting by the Executive Authority.	The Legal Aid Manual was reviewed by the Board and the proposed amendments to the Manual were approved. The proposed amendments were submitted to the Executive Authority on 2 December 2021. The amendments were gazetted on 9 March 2022 and will come into operation on 8 May 2022.	Annual review of Legal Aid Manual or as and when required.	The Manual was reviewed by the Board and amendments were approved for submission to the Executive Authority. The amendments were submitted to the Executive Authority which tabled the updated Manual in Parliament on 22 March 2023. The gazetting was still awaited as at year end.	No variance	

Table 6: Annual Performance Report 2022-2023 (continued)

INTERNAL BUSINESS PROCESSES PROGRAMMES PER STRATEGY											
Objectives/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicators	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
Objective 8		An effective, efficient, economic and environmentally responsive supply chain management system supporting client services delivery and internal business processes.									
Objective 10		Sustain strong financial management, supply chain and asset management practices informed by best practise.									
P13		To maintain an efficient supply chain management framework and practices.									
P13-1	Supply Chain Management	Maintaining 100% compliance with the PPPFA, PFMA and relevant NT regulations on administering procurement of goods and services and managing supply chain management processes.	Sustain strong financial management, supply chain and asset management practices informed by best practise.	Quarterly reports on acquisition of goods/services in excess of R0.5 million, indicating compliance with the PPPFA, PFMA and relevant NT regulations.	Compliance with the PPPFA, PFMA and relevant NT regulations.	The relevant legislation (PPPFA, PFMA and Treasury regulations) have been complied with, except in cases where irregular expenditure incurred was identified.	Quarterly reports for procurement over R500,000 were submitted to the relevant authorities. However, non-compliance instances were identified in irregular expenditure.	100% compliance with PPPFA, PFMA and relevant NT regulations when acquiring goods and services, with specific focus on women, youth and people with disabilities.	Not fully compliant with PPPFA, PFMA and relevant NT regulations when acquiring goods and services, with specific focus on women, youth and people with disabilities.	Yes	Instances of irregular expenditure have been identified, resulting from not following the procurement processes as approved. As a result of changes in the procurement regulations, the procurement of goods and services with specific focus on women, youth and people with disabilities could not be achieved.

Table 6: Annual Performance Report 2022-2023 (continued)

INTERNAL BUSINESS PROCESSES PROGRAMMES PER STRATEGY											
Objectives/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicators	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
							The irregular expenditure has been assessed and confirmed in line with the National Treasury Irregular Expenditure Framework that it is not fraudulent. Consequence management is still in progress. Once concluded, the Irregular Expenditure Report will be submitted to the National Treasury to request for condonation.				

Table 6: Annual Performance Report 2022-2023 (continued)

EMPLOYEE AND ORGANISATIONAL CAPACITY AND INNOVATION AND LEARNING PROGRAMMES PER STRATEGY										
Objective/Programme No.	Programme Purpose	Outcome	Output	Output Indicators	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
Objective 9	An appropriately resourced national footprint that is adaptable to changing technological and environmental factors to ensure improved access to our clients, communities, stakeholders and employees.									
Outcome 11	Appropriately staff all Legal Aid SA offices, within available resources.									
P14-1	Review and develop staffing plans to meet operational requirements for Legal and Support positions	Consolidate and review the resourcing of our national footprint to ensure adequate staffing, as well as safe and secure facilities for clients and staff, within available resources.	Staffing plans ensure effective management of recruitment statistics at ≥95%.	Staffing plans implemented timely.	The recruitment and staff turnover rates were recorded at 86.7% and 5.34%, respectively.	Recruitment was recorded at 91.8%, which is 3.2% below target. Staff turnover was recorded at 5.24%.	Recruitment at ≥95%.	Recruitment was recorded at 93.6%, whereas staff turnover was recorded at 4.5%.	Yes	The recruitment variance is 1.4%. LRMU positions were advertised in January 2023, due to the late transfer of budget from the DALRRD.
Objective 10	Knowledgeable, informed, self-directed and committed employee and expertise for each segment of the national footprint.									
Outcome 12	Strengthen and continuously improve the quality and expertise for each segment of the national footprint.									
P15	To strengthen and continuously improve the quality and expertise for each segment of the national footprint.									
P15-1	Skills development	To develop a competent workforce capable of delivering strategic objectives and outcomes set in each year and cumulatively for the Strategic Planning period of 2020-2025. To develop the legal expertise of the Legal Practitioners to ensure the delivery of quality legal services/advice to clients.	To strengthen and continuously improve the quality and expertise for each segment of the national footprint.	Submissions to comply with the Skills Development Act.	Legal Aid SA submitted the following to the SASSETA in April 2020: i. Workplace Skills Plan (WSP) ii. ATR	WSP and ATR submitted on 30 April 2021.	Submission of the WSP and ATR in compliance with the Skills Development Act.	ATP and ATRs submitted to the SASSETA on 30 April 2022.	No variance	

Table 6: Annual Performance Report 2022-2023 (continued)

EMPLOYEE AND ORGANISATIONAL CAPACITY AND INNOVATION AND LEARNING PROGRAMMES PER STRATEGY										
Objectives/Outcomes/Programme No.	Programme Purpose	Outcome	Output	Output Indicators	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
P15-2	Employment Equity		Diverse workforce in line with annual targets to achieve employment equity goals; Employment Equity (EE) Plan and Reports.	Targets defined nationally per performance, per office and per Department as per approved EE Plan.	Legal Aid SA implemented the EE targets as per the approved EE Plan 2020-2025. There was an improvement in the attraction of African Females to the Senior Management level, with a movement from 19 to 22 of the target of 34 in the EE Plan. Top Management is around the target. The attraction of employees with disability remains a challenge. The organisation is currently sitting at 1.58% of the 2% Department of Labour and Employment Assistance Programme target. The attraction of African Females and employees with disability will be hastened. Strategies to retain and attract them will be developed.	Overall, females are above the target in all races, whereas African Males, Coloured Males, Indian Males and people with disabilities are underrepresented. Females are underrepresented at the Top Management, Senior Management and Professional levels. African Females are above the target at the lower levels.	Implementation of the approved EE Plan 2020-2025.	Overall Employment Equity: Blacks 91.4% (Target 91.3%) - 0.1% above target. Africans 77.6% (Target 79.2%) - 1.6% below target. Women 56.7% (Target 45.2%) - 11.5% above target. Persons with disability 1.45% (Target 2%) - 0.55% below target. Employment equity at Senior Management level is still a challenge: Blacks 81.4% (Target 91.3%) - 9.9% below target. Africans 69.5% (Target 79.2%) - 9.7% below target. Women 45.80% (Target 45.2%) - 0.6% above target.	Yes	Under-representation of Blacks and Africans at Senior Management level, as well as below target with persons with disabilities. The organisation is gradually moving on increasing the appointments in these categories as and when positions become vacant.

Table 6: Annual Performance Report 2022-2023 (continued)

EMPLOYEE AND ORGANISATIONAL CAPACITY AND INNOVATION AND LEARNING PROGRAMMES PER STRATEGY											
Objectives/Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicators	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
Objective 11	Embracing emerging technologies including the Fourth Industrial Revolution to optimise its impact on business and the provision of client services through a responsive and adaptive IT environment.										
Outcome 13	Enhance and maintain an integrated and service and client-oriented and secured Information Technology system with capacity to integrate stakeholders.										
P16	Annual review and approval of IT strategy, IT architecture framework, IT maturity and IT policies with continuous maturity assessments for competitive advantage.										
P16-1	IT Network	Build and maintain an effective, service-oriented Information Systems Architecture and Technology responsive to the daily work requirements of staff and customer needs.	Enhance and maintain an integrated and service-oriented and secured Information Technology system with capacity to integrate stakeholders.	Provide effective throughput of reliable data across accessible IT systems.	Stable and reliable Wide Area Network (WAN) and Virtual Private Network (VPN).	Average WAN availability was 97.95% in 2020-2021, which is 2.95% above the target of 95%.	Average network availability was 99.95% in 2021-2022, which is 4.95% above the target of 95%. Procurement process of 21 switches was completed by the end of the FY.	VPN connected to all sites and available 95% of the time.	In 2022-2023, average WAN availability for all sites was 99.27%, which is 4.27% above the target of 95%.	Positive variance	
P16-2	IT Hardware			Hardware available to support, maintain and sustain business needs.	Stable hardware platform able to meet performance and availability delivery.	Average server availability was 99.97% in the FY, which was 0.97% above the appetite level. 6 new servers were procured and installed on the production environment. 80 asset verification scanners were procured and configured for operation. 10 floor switches were procured and distributed to Local Offices.	The average server availability was 99.98%, which is 0.98% above the target of 99%. 2 servers and Storage Area Network were procured in 2021-2022 to replace the outdated server as per the Capital Asset Replacement Programme (CARP).	IT hardware capacity aligned to business needs and available 99% of the time.	In 2022-2023, average availability was 96.24%, which is 2.76% below the target of 99%.	Yes	Power outages resulting in depleted UPS and systems unavailability for a period of 5 hours on 28 March 2023. Unstable email system, resulting in 77 users without emails for 2 business days (from 27-28 February 2023).

Table 6: Annual Performance Report 2022-2023 (continued)

EMPLOYEE AND ORGANISATIONAL CAPACITY AND INNOVATION AND LEARNING PROGRAMMES PER STRATEGY											
Objectives/ Programmes/ Outcome	Programme	Programme Purpose	Outcome	Output	Output Indicators	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
P16-3	IT Software and Applications			Updated, reliable and dependable IT software and applications responsive to business needs.	Maintain and upgrade IT software and applications.	37 eLAA system bugs developed, tested and deployed. eLAA and Syspro integration re-designed for better performance. 7 eLAA Release 2 modules developed, tested and deployed. 19 user manuals developed and distributed to all users. Average systems availability at 98% which is within the tolerance levels. User satisfaction survey improved from satisfactory levels to good levels. Disaster recovery rehearsal conducted twice in 2020-2021.	Land matters specifications are under development for retrofitting on the eLAA Release 1, with a total of 42 enhancements following the completion of the Business Requirements and Gap Analysis phases for eLAA Release 1 in 2021-2022.	IT software and applications fully integrated and available 99% of the time. IT software upgrade roadmap in place.	31 enhancements were deployed in production in 2022-2023. The K2 environment was upgraded to the latest environment with average systems availability of 96.24%. The eLAA mobile application has been developed to help Legal Practitioners carry out their daily tasks efficiently and conveniently. The functions developed and tested successfully are: i. Matter Activity Report ii. Internal matters finalisation	Yes	Power outages resulting in depleted UPS and systems unavailability for a period of 5 hours on 28 March 2023.

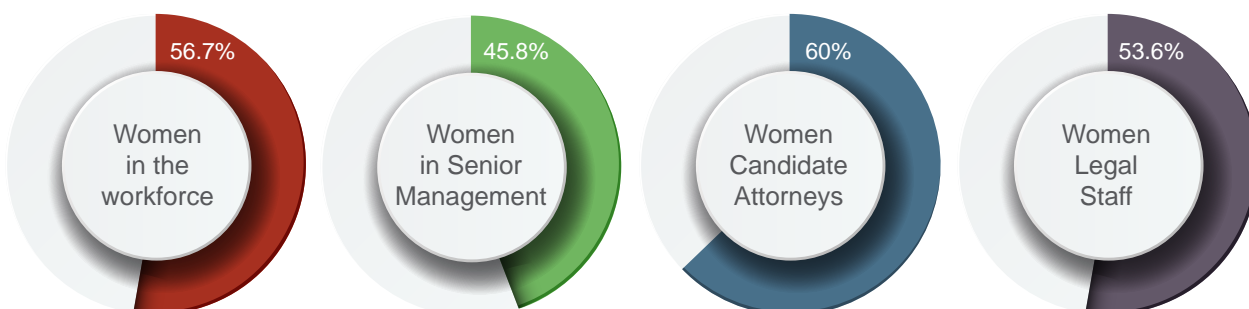
Table 6: Annual Performance Report 2022-2023 (continued)

EMPLOYEE AND ORGANISATIONAL CAPACITY AND INNOVATION AND LEARNING PROGRAMMES PER STRATEGY											
Objectives/ Programme/ Outcome	Programme	Programme Purpose	Outcome	Output	Output Indicators	Audited Actual Performance 2020-2021	Audited Actual Performance 2021-2022	Planned Annual Target 2022-2023	Actual Achievement 2022-2023	Deviation from Planned Target to Actual Achievement 2022-2023	Reasons for Deviations
P16-4	Cybersecurity		Resilient cybersecurity environment.		Develop and maintain organisational cybersecurity metrics.	Cybersecurity Strategy reviewed and approved by the Board. Cybersecurity Risk Register compiled, with mitigation measures effective. Business case was developed and approved by the ISSC for laptop encryption tool to be installed on all laptops.	Cybersecurity Strategic Plan reviewed and approved. Cybersecurity training conducted for all users in 2021-2022. Security penetration testing conducted in 2021-2022. Cybersecurity Committee attended its meeting and reported to the ISSC in 2021-2022.	Cybersecurity roadmap in place.	2 penetration tests conducted in 2022-2023 with improvements on the second penetration test - vulnerabilities detected and no critical findings raised. Cybersecurity roadmap reviewed and approved by the Board as part of the Cybersecurity Strategic Plan review.	No variance	

7. LEGAL AID SA'S RESPONSE TO PRIORITISING WOMEN

As an employer of choice, Legal Aid SA is at the forefront of empowering women in its work environment. The organisation is committed to transformation and equal opportunity and therefore prioritises the employment of women.

An equal and equitable share of female talent is visible throughout the entity:



Women comprise 56.7% of the workforce. Mentorship and development programmes, as well as leading practice in growing exceptional female talent has enabled long-term transformation – this has resulted in 45.8% of the Senior Management workforce being women. This exceeds the targets of the Legal Aid SA Employment Equity Plan 2020-2025, which aims for 45.2% of both the total workforce and Senior Management being women. Female youth also receive focus, with 301 women CAs recruited in 2022-2023 (60% of the 504 total).

The organisation encourages dialogue on pertinent issues that affect women in the country and globally, hosting an annual Women's Lekgotla and gender-based violence awareness workshops.

Legal Aid SA has introduced a Judicare Women Empowerment Programme, which monitors the number of female practitioners who are accredited as Judicare Practitioners, with the aim of mirroring the actual composition of the legal profession. This programme continuously monitors the number of instructions given to women practitioners, as well as the type, number and value of these matters. Mentorship and Trial Advocacy Training is also provided to further empower these practitioners.

The Judicare Women Empowerment Programme has been extended to include such practitioners handling land related matters for the LRMU.

In its first full year of operation, the Unit held two meetings with and participated in three training sessions for female practitioners. This programme remains a critical development tool for gender equality, complementing the policies and practices that have resulted in female legal staff comprising 53.6% of the internal legal workforce.

Legal Aid SA is a leader in protecting and defending the rights of women and vulnerable groups. The entity strongly opposes gender-based violence and is committed to upholding justice, for both victims and the accused. The Legal Aid Regulations have been revised to allow for more people to be able to access legal representation in Domestic Violence Act matters, and ongoing training is conducted to ensure that Legal Practitioners are updated on and aware of any legislative changes. Legal advice is readily available to the public on domestic violence, harassment and maintenance matters.

The organisation is an active participant in the National Steering Committee on GBVF, closely monitoring the justice cluster's progress towards meeting the indicators in the NSP on GBVF.

Women empowerment also extends to Legal Aid SA's Supply Chain Management practices, with 48.2% (55 of a total of 114) of all awarded bids in 2022-2023 being women-owned businesses.

8. REVENUE COLLECTION

Table 7: Linking Performance with Budgets

Programme/ activity/ objective	Description	2022-2023			2021-2022		
		Budget	Actual Expenditure	(Over)/ Under Expenditure	Budget	Actual Expenditure	(Over)/ Under Expenditure
Programme 1	To deliver quality legal aid services in criminal matters that are client-focused, within available resources	1,290,858,657	1,170,306,982	120,551,675	1,177,700,639	1,176,822,191	878,448
Programme 2	Deliver quality civil legal aid and land services that are client-focused, with a priority for constitutional rights, within available resources	210,708,530	191,030,724	19,677,806	191,572,452	142,807,735	48,764,717
Programme 3	To deliver quality legal advice services that are client-focused, within available resources	128,542,899	116,538,438	12,004,460	117,217,753	113,123,575	4,094,179
Programme 4	To undertake strategic litigation, particularly in social justice related matters in order to give content to the rights enshrined in the Constitution	9,020,497	8,178,084	842,413	8,225,755	4,840,002	3,385,753

Table 7: Linking Performance with Budgets (continued)

Programme/ activity/ objective	Description	2022-2023			2021-2022		
		Budget	Actual Expenditure	(Over)/ Under Expenditure	Budget	Actual Expenditure	(Over)/ Under Expenditure
Programme 5	To participate in justice cluster forums to contribute to improving the efficient functioning of the justice system to improve access to justice	7,781,203	7,054,527	726,677	7,095,648	6,945,094	150,554
Programme 6	To account and provide assurance to the Executive Authority (the Minister of Justice and Correctional Services) and Parliament on performance, governance and sustainability	39,254	38,433	822	35,796	34,533	1,262
Programme 7	To continuously improve financial planning (budgeting) including managing the budget cuts to ensure a balanced budget	4,750,886	4,307,206	443,679	3,573,157	3,446,573	126,584
Programme 8	Maintain strong and best practice financial management and reporting to ensure unqualified audit outcome and high financial maturity	9,014,558	8,172,700	841,858	6,779,879	5,467,509	1,312,370

Table 7: Linking Performance with Budgets (continued)

Programme/ activity/ objective	Description	2022-2023			2021-2022		
		Budget	Actual Expenditure	(Over)/ Under Expenditure	Budget	Actual Expenditure	(Over)/ Under Expenditure
Programme 9	To maintain best governance practices (PFMA compliance, King IV guidelines and other relevant statutory requirements)	4,507,828	4,086,847	420,980	3,390,352	3,359,381	30,971
Programme 10	Maintain and enhance independent monitoring and oversight providing combined assurance	26,833,718	24,327,751	2,505,967	20,653,340	19,862,453	790,887
Programme 11	An effective and strategic Board providing leadership and oversight of sustainable performance	1,952,019	1,911,161	40,857	996,508	838,708	157,800
Programme 12	Ensure that the Legal Aid SA Act, Legal Aid Regulations (policy) and Legal Aid Manual (procedures) are reviewed to ensure relevance to changes in the environment	3,487,126	3,161,468	325,658	2,268,200	2,072,478	195,722
Programme 13	To maintain an efficient supply chain management framework and practices	33,446,835	32,746,768	700,067	21,755,482	18,536,663	3,218,819
Programme 14	Appropriately staff all Legal Aid SA offices, within available resources	558,732,552	506,553,218	52,179,334	464,308,256	442,839,120	21,469,136

Table 7: Linking Performance with Budgets (continued)

Programme/ activity/ objective	Description	2022-2023			2021-2022		
		Budget	Actual Expenditure	(Over)/ Under Expenditure	Budget	Actual Expenditure	(Over)/ Under Expenditure
Programme 15	To strengthen and continuously improve the quality and expertise for each segment of the national footprint	67,817,994	61,484,556	6,333,438	59,220,260	35,107,715	24,112,545
Programme 16	Annual review and approval of IT strategy, IT architecture framework, IT maturity and IT policies with continuous maturity assessments for competitive advantage	54,457,406	49,371,697	5,085,709	47,553,482	46,791,025	762,457
		2,411,951,961	2,186,702,786	225,249,176	2,132,346,958	2,022,894,755	109,452,203

Table 8: Summary of Financial Information

REVENUE COLLECTION

Sources of Revenue	2022-2023			2021-2022		
	Original Estimate	Actual Amount Collected	Over/(under) Collection	Original Estimate	Restated Actual Amount Collected	Over/(under) Collection
Grant	2,094,147,000	2,191,427,266	97,280,266	2,022,188,000	2,066,188,000	44,000,000
Services in-kind – Office rental		1,454,400	1,454,400		1,145,580	1,145,580
Interest	21,000,000	52,581,025	31,581,025	21,000,000	27,148,001	6,148,001
Commission and legal fees received/recovered		2,384,971	2,384,971		22,554	22,554
Profit on disposal of assets		-	-		1,755,240	1,755,240
Sundry income		6,076,311	6,076,311		8,651,867	8,651,867
	2,115,147,000	2,253,923,973	138,776,973	2,043,188,000	2,104,911,242	61,723,242

1. The over collection of R97,3 million includes the allocation of R89,6 million received for the LRMU and R6,9 million funding raised for eLAA from the IJS.
2. The R31,5 million interest is additional interest received from the Reserve Bank – Corporation for Public Deposits on funds invested. This is due to invested funds which are higher than anticipated.
3. The amount of R2,4 million is commission and legal fees recovered for 2022-2023.
4. The R6 million surplus which is included in the sundry income is mostly recoveries from other operations.

PROGRAMME EXPENDITURE

The Budget is in terms of the cash basis while the expenditure is on the accrual basis.

Programme Name	2022-2023			2021-2022		
	Budget	Actual Expenditure	(Over)/under Expenditure	Budget	Actual Expenditure	(Over)/under Expenditure
Client, Community, Stakeholders and Shareholders	1,646,951,040	1,493,144,348	153,806,692	1,527,784,068	1,394,291,290	133,492,777
Finance and Sustainability	47,059,008	42,664,226	4,394,782	35,222,011	32,476,362	2,745,649
Business Processes (Internal)	36,933,961	33,484,745	3,449,216	24,085,264	21,980,772.80	2,104,492
Employee and Organisational Capacity and Innovation and Learning	681,007,952	617,409,472	63,598,480	577,755,617	527,273,220	50,482,397
	2,411,951,961	2,186,702,785	225,249,176	2,164,846,959	1,976,021,644	188,825,315
Judicare commitments	-	60,975,877	(60,975,877)	-	59,026,028	(59,026,028)
Judicare land rights commitments	-	75,488,696	(75,488,696)	-	-	-
Rollover commitments		38,300,634	(38,300,634)		13,980,633	-13,980,633
	2,411,951,961	2,361,467,997	50,483,964	2,164,846,959	2,049,028,305	115,818,654

The R225,2 million under expenditure is, *inter alia*, due to rollover requests of R38 million; R60,9 million for Judicare commitments; R75,5 million for Judicare land rights commitments and savings from operations and salaries as there were vacancies for LRMU positions and matter allocations which were delayed due to the allocation of funds only received in quarter three of the financial year.

CAPITAL INVESTMENT, MAINTENANCE AND ASSET MANAGEMENT PLAN

Infrastructure Projects/Capital Assets	2022-2023			2021-2022		
	Budget	Actual Expenditure	(Over)/under Expenditure	Budget	Actual Expenditure	(Over)/under Expenditure
Building improvements	1,442,869	923,367	519,502	1,044,259	321,285	722,974
Computer hardware	31,412,964	19,356,623	12,056,341	33,046,990	23,874,521	9,172,469
Computer software	3,406,151	369,531	3,036,620	7,922,931	4,994,906	2,928,025
Furniture and equipment	1,220,081	859,006	361,075	1,338,087	625,718	712,369
Leasehold improvements	1,474,180	131,309	1,342,871	1,346,287	579,281	767,006
Motor vehicles	37,110,479	15,807,780	21,302,699	25,566,354	17,567,288	7,999,066
	76,066,724	37,447,616	38,619,108	70,264,908	47,962,999	22,301,909

1. The under expenditure on leasehold and building improvements is due to refurbishments on both new acquired and leased buildings which could not be finalised by the end of the financial year due to challenges and changes in the procurement regulations.

2. The under expenditure in computer hardware is due to orders that were not delivered at financial year end. The amount of R12 million has been requested as rollover.
3. The under expenditure on computer software is due to the ongoing development of the eLAA system.
4. The under expenditure on motor vehicles is as a result of vehicles ordered but not yet delivered by financial year end. The amount of R21,3 million has been requested as rollover.

8.1. CAPITAL INVESTMENTS

Table 9: Capital Investments

The infrastructure planned for the 2022-2023 financial year and their progress as at 31 March 2023 is tabulated below.

2022-2023				Comments
Infrastructure Projects	Budget	Actual expenditure	Over/under expenditure	
	R'000	R'000	R'000	
Building improvements	1,442,869	923,367	519,502	Projects were implemented as per the Infrastructure Plan. However, there were projects which could not be finalised due to challenges encountered by the service providers. The remaining funds have been requested for rollover to the new financial year to finalise these projects.
Computer hardware	31,412,964	19,356,623	12,056,341	Computer hardware is implemented according to the CARP. There was however computer equipment procured which could not be delivered by the end of the financial year. The funds to finalise the procurement have been requested for rollover.
Computer software	3,406,151	369,531	3,036,620	The computer software budget included the eLAA software development budget. The eLAA software development Phase 2 is still ongoing, however there were challenges encountered with the service provider which delayed the finalisation as envisaged. A new developer was contracted to assist with the finalisation of the project.
Furniture and equipment	1,220,081	859,006	361,075	The furniture and equipment was procured as per the budgeted amount. However, there were items procured which could not be delivered by the end of the financial year and the funds have been requested as rollover.
Leasehold improvements	1,474,180	131,309	1,342,871	The leasehold improvements were implemented as per the Procurement Plan, however there were refurbishments which commenced but could not be finalised by the end of the financial year. Funds to finalise these refurbishments have been requested as rollover. There were also delays in finalising some of the office leases which delayed the commencement of the refurbishments.
Motor vehicles	37,110,479	15,807,780	21,302,699	Motor vehicles were budgeted for and procured according to the CARP. There were vehicles ordered before the end of the financial year, but delivery could not be finalised due to the limitation of stock for some areas. The remaining funds have been requested for rollover to the 2023-2024 financial year to finalise the procurement.
	76,066,724	37,447,616	38,619,108	

8.2. PROJECTS IN PROGRESS AND FACILITIES TO BE CLOSED DOWN

The eLAA system project is still in progress and is due for completion in 2023-2024.

There are currently no plans to close or downgrade any of the current facilities Legal Aid SA is using, however there is a continuous review of these facilities.

8.3. MAINTENANCE OF PROPERTY, PLANT AND EQUIPMENT

Legal Aid SA incurred R9,6 million towards the maintenance of infrastructure. A total amount of R2,95 million was incurred for building maintenance; R3,95 million for maintenance of motor vehicles and R2,7 million for maintenance of office equipment. All the maintenance projects planned for 2022-2023 were finalised by the end of the financial year.

8.4. ASSETS DISPOSED, SCRAPPED AND LOST DUE TO THEFT

Disposals of assets at Legal Aid SA are processed as per the Fixed Assets Policy, on the lifespan of each asset category or when damaged beyond

repair. The total disposals for the financial year were R4,1 million, of which R3,3 million was for motor vehicles; R473,000 for computer hardware; R295,000 for furniture and equipment and R50,000 for building improvements and leasehold improvements. There were no assets scrapped or lost due to theft.

8.5. MAINTENANCE OF ASSET REGISTER

The Legal Aid SA Fixed Assets Register which is on the Syspro financial system is monitored through quarterly fixed assets verification of assets. All redundant assets are reported and thereafter disposed. Assets due for disposal but are still in use are moved to the Tools and Equipment Register, which is also part of the Fixed Assets Register verification process.

8.6. MAJOR MAINTENANCE PROJECTS THAT HAVE BEEN UNDERTAKEN DURING THE PERIOD UNDER REVIEW

All the maintenance of assets undertaken in 2022-2023 are part of the day-to-day maintenance of the infrastructure. There was no maintenance backlog in the year under review.





“ The Board fulfilled their fiduciary role with utmost care and acted in a way that is consistent with the responsibilities assigned to the Accounting Authority in terms of the Legal Aid SA Act 39 of 2014 and the PFMA ”

PART C

Governance



1. INTRODUCTION

The Board of Legal Aid South Africa worked tirelessly to exercise due care and oversight to undertake its functions in the year under review, despite challenges. The Board’s commitment to its governance framework and practices enabled it to maintain and enhance good governance and thus embrace its responsibilities as the custodian thereof. The Board provided the necessary leadership role that saw Legal Aid SA achieve the effective and efficient use of its financial resources to deliver on its mandate and maintain its clean audit outcome and unqualified audit opinion.

The year under review was the third year of the implementation of the Legal Aid SA Strategic Plan 2020-2025. The Board fulfilled their fiduciary role with utmost care and acted in a way that is consistent with the responsibilities assigned to the Accounting Authority in terms of the Legal Aid SA Act 39 of 2014 and the PFMA.

Key governance instruments including the Legal Aid SA Act, Legal Aid Regulations (policy), Legal Aid Manual (procedures) and all policies of the entity were reviewed to ensure relevance to changes in the environment.

2. PORTFOLIO COMMITTEES

Legal Aid SA was invited to and appeared in four briefings of the Portfolio Committee on Justice and Correctional Services, and one briefing of the Portfolio Committee on Agriculture, Land Reform and Rural Development, as follows:



The entity also responded timeously to all Parliamentary questions received during the financial year, namely:

8
questions

- 1585 on 3 May 2022
- 2005 on 24 May 2022
- 59 on 17 August 2022
- 60 on 17 August 2022
- 3778 on 26 October 2022
- 4170 on 21 November 2022
- 152 on 14 February 2023
- 513 on 7 March 2023

The highlight for 2022-2023 was the Portfolio Committee on Justice and Correctional Services' visit to Legal Aid SA on 31 March 2023 as part of their oversight duty. The fruitful session saw Legal Aid SA showcasing its legal and digital capabilities and passion for justice as members of the Committee witnessed service delivery in action. In their Oversight Report, the Portfolio Committee on Justice and Correctional Services commended Legal Aid SA for being a beacon of excellence.



**Members of the Portfolio Committee on Justice and Correctional Services
with members of the Legal Aid SA Board**

3. EXECUTIVE AUTHORITY

Legal Aid SA continued to be accountable and provide assurance to the Executive Authority (the Minister of Justice and Correctional Services) and Parliament on performance, governance and sustainability of the entity.

The Legal Aid SA Annual Performance Plan 2022-2023 was submitted to and approved by the Minister and tabled in Parliament on 7 April 2022. Reporting on the Annual Performance Plan 2022-2023 was done through quarterly performance reports to provide updates to the Minister on the implementation thereof.

The Legal Aid SA Integrated Annual Report 2021-2022, prepared in accordance with leading practice

and in compliance with the revised Department of Planning, Monitoring and Evaluation *Annual Report Guide for Schedule 3A and 3C Public Entities (March 2019)*, was approved by the Board in July 2022. The finalised Integrated Annual Report was submitted to the Minister, Parliament, National Treasury and the Auditor-General in compliance with section 55(1)(d) of the PFMA by 31 August 2022 and tabled in Parliament on 8 September 2022.

As at the end of the financial year, the Board of Legal Aid SA was not fully constituted in terms of the Legal Aid SA Act, with 12 of 14 Board positions filled. More information is provided in *item 4.1 Challenges*, below.

4. THE ACCOUNTING AUTHORITY/BOARD

The function of the Board is oversight, as guided by the Legal Aid SA Act, the Board Charter, PFMA and other statutory codes, including the King IV Code on Corporate Governance for South Africa, to ensure that the organisation embraces leading practices in the implementation of the Strategic Plan 2020-2025. In the year under review, the Board of Legal Aid SA functioned effectively to expedite its mandate. It embraced the organisation's values; maintained a professional, arm's length approach in handling its oversight responsibilities to guarantee that Legal Aid SA remained a leader in the provision of equal access to justice to the indigent and vulnerable persons of South Africa and ensured that quality legal services were rendered through its functionaries.

Board development in the financial year under review focused on the Board governance instruments, mainly the Board Charter and the Board Code of Ethics. These were necessary interventions following the challenging times the Board had been through in the previous financial years, marked by Board investigations and spurious allegations of information leakages of crucial Board discussions. It was vital to take stock of how to move forward and embrace a good governance framework to remain relevant and effective as a Board. Through this process and others, the Board approved the Board Code of Ethics, which now incorporates disciplinary processes for Board members.

Considering the continued challenges of COVID-19 and other crises, persistent loadshedding and mandatory budget cuts that impact adversely on the entity's operations, sustainability was a key focus for the Board. A workshop on risk management was organised in 2022-2023, with the aim of ensuring that the Board has an intensive understanding of same, specifically of all the risks impacting on the organisation and the plans that are in place to mitigate those risks as well as the opportunities that they present. The workshop was essential for improving oversight of the delivery of Legal Aid SA's strategic goals, as well as alignment with all the applicable regulatory, governance and leading standards. The Board defined the organisation's risk appetite and risk tolerance, ensuring that the implementation of an effective Enterprise Risk Management Strategy was complete. This requires balancing the risk/reward trade-off to provide for a sustainable, long-term result; minimising the costs associated with the attempt to eliminate all risks in an organisation.

The workshop also considered the Board investigation and Board evaluation reports, discussing the findings of the two key governance processes and ways of implementing these. These discussions resulted in robust engagements and fruitful outcomes, and saw the Board recommit to moving forward as a collective.

4.1. CHALLENGES

With only 12 of 14 positions filled in 2022-2023, the Board of Legal Aid SA was not fully constituted in terms of the Legal Aid SA Act. The term of the Director-General/Shareholder representative on the Board ended on 15 March 2023. The two Alternate Board members stepped in during the substantive members' absence.

An investigation into intra-Board disputes, whereby Board members lodged complaints against one another, was concluded in the year under review. An investigative report prepared by an independent service provider was presented to and discussed by the Board at its meeting in July 2022. The Board implemented the resolutions of the report and considered the matter finalised. The acquisition process however incurred irregular expenditure of over R1,6 million, due to the failure to seek approval to vary the scope of the contract.

As noted in table 11 detailing the attendance of Board members, Dr Cleopas Sanangura did not attend any Board and Committee meetings. The non-attendance was occasioned by a Board Resolution of 16 May 2022 that barred him from attending any Board meetings until the investigation into this matter was finalised. Subsequently, the Executive Authority relieved Dr Sanangura of his Board Directorship role on 10 March 2023.

Though the National Operations Executive Mr Thembile Mtati was appointed to serve as an Executive Director on the Board by the Minister in February 2022, he never assumed his role pending the finalisation of his disciplinary process.

Despite these challenges, the Board of Legal Aid SA was able to perform its fiduciary responsibilities and managed to function well to conclude its business at all meetings, confirming the importance of good corporate governance practices.

Composition of the Board



Standing, from left: Advocate Michelle Odayan, Mr Fhedzisan Pandelani, Professor William Gumed, Mr Langelihle Mtshali, Mr Patrick Hundermark, Ms Tintswalo Mofokeng, Ms Marcella Naidoo
Seated, from left: Dr Maureen Tong, Judge Motisamai Makume (Board Chairperson), Ms Mamodike Makgoba, Ms Mantiti Kola (CEO), Mr Nkosana Mvundlela (Deputy Chairperson)
Inset, from top: Mr Matome Leseilane, Mr Sethopo Mamothehi, Ms Thulisile Mlungu

The composition of the Board is detailed in the table below:

Table 10: Composition of the Board and Committees

Name	Designation (in terms of the Public Entity Board structure)	Date Appointed	Qualifications	Area of Expertise	Board Directorships (List the entities)	Other Committees or Task Teams (e.g.: Audit Committee/Ministerial Task Team)
Judge Motsamai Makume	Director: Board Chairperson	1 March 2019 appointed onto new Board	B.Luris (University of the North)	Law	N/A	Governance & Nominations Committee, Board
Mr Fhedzisan Pandelani	Director	Ex-officio (16 March 2022 to 15 March 2023)	BProc, LLB, Higher Diploma: Company Law (University of the Witwatersrand), Sectional Title Scheme Management (University of Cape Town)	Law	Solicitor-General (RSA) Former Chairperson (Gauteng Liquor Board) Former Chairperson of the Appeals Committee (Gauteng province) as envisaged in section 43(5) of the National Environmental Management Act (107 of 1998) Director: FR Pandelani Incorporated (Attorneys)	Legal Services Committee, Remuneration Social and Ethics Committee, Board
Advocate Michelle Odayan	Director	1 March 2019 appointed onto new Board	BA, LLB (University of Natal)	Law	2010-present: Fibre Processing and Manufacturing Sector Education and Training Authority Audit/Projects & Finance/Skills Development and Planning 2015-present: People Opposing Women Abuse/Finance/Violence against Women 2013-2017: PLAYAFRICA/General/Children's Rights	Legal Services Committee, Board

Table 10: Composition of the Board and Committees (continued)

Name	Designation (In terms of the Public Entity Board structure)	Date Appointed	Qualifications	Area of Expertise	Board Directorships (List the entities)	Other Committees or Task Teams (e.g.: Audit Committee/Ministerial Task Team)
Dr Cleopas Sanangura	Director appointed onto new Board	1 March 2019; termination date 10 March 2023	Associate Chartered Certificate Accountant, Fellow Chartered Institute of Business Management, Fellow Chartered Institute of Secretaries & Administrators, Masters, Doctorate: Business Administration (Nottingham Business School), Chartered Director of South Africa (Institute of Directors South Africa)	Corporate Governance	National Gambling Board Audit & Risk Committee Chairman Gambling Regulations for 2 years Northern Cape Economic Development Agency Board Audit & Risk & Dawn Chartered Accountants & Auditors Board Chairman Former Boards: Road Traffic Management Audit & Risk Committee Chairman for 3 years South African National Blood Service Board Member and Chairman Audit, Risk and IT Governance for 6 years Prime Fund Insurance Swaziland for 8 years Gauteng Provincial Government for 8 years Social Housing Regulatory Authority for 5 years City of Johannesburg Audit & Risk Committee for 10 years Johannesburg Fresh Produce for 5 years Johannesburg Social Housing Company for 5 years	Remuneration Social and Ethics Committee, Audit Committee, Board
Professor William Gumede	Director	1 March 2019 appointed onto new Board	Diploma: Economics & Public Finance (University of South Africa), Joint Degree (Utrecht, Aarhus and Cardiff Universities), Masters: Political Studies (University of the Witwatersrand)	Governance	2012-2018: Lead Independent Director, Chair of the Human Resources and Remuneration Committee, South African National Blood Service 2015: Chairperson, Freedom of Expression Institute & Legal Clinic, Johannesburg 2015-2018: Chairman, Audit Committee, Commission for Conciliation, Mediation and Arbitration 2014-2018: Non-executive Director & Chairman, Nominations Committee, Profmed Medical Aid 2012: Non-executive Director, Barone, Budge & Dominick (Pty) Ltd	Audit Committee, Board

Table 10: Composition of the Board and Committees (continued)

Name	Designation (in terms of the Public Entity Board structure)	Date Appointed	Qualifications	Area of Expertise	Board Directorships (List the entities)	Other Committees or Task Teams (e.g.: Audit Committee/Ministerial Task Team)
Mr Nkosana Mvundlela	Director	1 March 2019 appointed onto new Board	BA Law, LLB (University of Venda), Diploma in Corporate Law (University of Johannesburg)	Law	Law Society of South Africa Council and Management Committee from 2017-2020 Black Lawyers' Association Chairperson Limpopo Branch from 2016-2020 Thoyandou Attorneys Association Treasurer from 2010-2017 Council member for South African Judicial Education Council from 2018-present Director of Mvundlela Property Developers (Pty) Ltd from 2018-present Director of Mvundlela and Associated Attorneys Incorporated	Legal Services Committee, Governance & Nominations Committee, Board
Mr Matome Lesellane	Director	1 March 2019 appointed onto new Board	BAdmin (University of the North), PGDip Labour Law, BA Honours: Human Resources Development (University of Johannesburg), Executive Leadership Programme (GSB, University of Cape Town), Advanced Management Programme (GIBS, University of Pretoria & London School of Economics), Executive Human Resources Programme (USB, University of Stellenbosch)	Human Resources	2003-2005: Vice President HR, Foskor Group Limited, Invited Member of the Board HR Committee Employer Trustee Foskor Retirements Funds Managing Member Palfos Aviation Employer Representative Owners Team, Projects Steering Committee from 2014-2016 Senior HR Director, Divisional Board of Directors Group Five Civil Engineering Director of Seaparankwe Consolidated Investments, a family-owned business since 2014 to date – property development and rental Director of K2013154762, a property development joint venture with a partner since 2014 to date	Remuneration Social and Ethics Committee, Governance & Nominations Committee, Board
Mr Langelihle Mtshali	Director	1 March 2019 appointed onto new Board	BProc, Postgraduate Diploma in Practical Legal Studies (University of KwaZulu-Natal)	Law	Member of the Minister of Justice and Constitutional Development Court Annex Mediation Advisory Committee Chairperson of the African Centre of Excellence for Access to Justice Member of the School Governing Body of Cwakeme High School	Legal Services Committee, Board
Ms Marnodike Makgoba	Director	1 March 2019 appointed onto new Board	National Diploma, B Tech: Cost and Management Accounting (Cape Peninsula University of Technology), BCom, Honours: Accounting (University of KwaZulu-Natal), CA(SA)	Accounting, Auditing	The Small Enterprise Foundation Non-Profit Company – Audit Committee & Board Prescient Holdings & Management Company – Audit & Risk Committee iRetire Pension & Provident Fund – Trustee (March 2020-May 2021)	Audit Committee, Governance & Nominations Committee, Board

Table 10: Composition of the Board and Committees (continued)

Name	Designation (in terms of the Public Entity Board structure)	Date Appointed	Qualifications	Area of Expertise	Board Directorships (List the entities)	Other Committees or Task Teams (e.g.: Audit Committee/Ministerial Task Team)
Dr Maureen Tong	Director	26 April 2021	B.Juris, LLB, LLM (University of KwaZulu-Natal), PhD in International Law (Université de Strasbourg), Associate Certified Coach of the International Coaching Federation	Law – Land Matters, International Law, Restitution, Reparations, Political Self-Determination, Indigenous Peoples, Gender and Land Rights; Lecturing in areas of Constitutional Law, Leadership, Human Resources; Governance; Professional coach training services	Human Resources Committee, Council of University of KwaZulu-Natal Board Member, PingLadY Chairperson of Board - Health Systems Trust (also Board Member) Chairperson of Board, Young Women in Business Network Co-operative Finance Institution Deputy National Secretary (Deputy Company Secretary), Coaches and Mentors of South Africa Part-time Company Secretary, Women's Development Banking Trust	Legal Services Committee, Governance & Nominations Committee, Remuneration Social and Ethics Committee, Board
Ms Mantliti Kola	Director	1 November 2019 appointed onto new Board		Executive Management	N/A	Legal Services Committee, Remuneration Social and Ethics Committee, Governance & Nominations Committee, Board
Mr Thembile Mtati	Director	22 February 2022 - see item 4.1 Challenges		Executive Management	N/A	Legal Services Committee, Governance & Nominations Committee*, Board
Mr Patrick Hundermark	Director	1 March 2019 appointed onto new Board	BCom, LLB (Nelson Mandela University, formerly University of Port Elizabeth), Certificate Programme in Leadership Development (WBS, University of the Witwatersrand), Practising Attorney, North Gauteng High Court	Executive Management	Rules Board for Courts of Law (2012-2017, 2017-12 February 2023) Cost Committee Chairperson Alternative Dispute Resolution Committee Small Claims Court Committee and Exco	Legal Services Committee, Governance & Nominations Committee*, Board
Mr Sethopo Mamotheti	Director appointed onto new Board	22 May 2020	BCompt, Postgraduate Diploma: Accounting Science (University of South Africa), HDipTax (University of North-West), MBA (GIBS, University of Pretoria), CIA, CCSA (IIA), AGA(SA) (SAICA)	Executive Management	N/A	Remuneration Social and Ethics Committee, Governance & Nominations Committee*, Board

* Membership of Governance & Nominations Committee terminated later due to changes in the Committee Charter

Table 10: Composition of the Board and Committees (continued)

Name	Designation (in terms of the Public Entity Board structure)	Date Appointed	Qualifications	Area of Expertise	Board Directorships (List the entities)	Other Committees or Task Teams (e.g.: Audit Committee/Ministerial Task Team)
ALTERNATE BOARD MEMBERS						
Ms Thulisile Mhlungu	Alternate Director	1 March 2019 appointed onto new Board	BProc, LLB (University of Natal)	Law	Independent Director of Menzies Aviation South Africa Advisory Board member of the Land Rights Management Facility, a project of the Department of Rural Development and Land Trustee on the Association of University Legal Aid Institutions Board of Trustees Chairperson of Women's Legal Centre	Legal Services Committee, Audit Committee
Ms Marcella Naidoo	Alternate Director	1 March 2019 appointed onto new Board	BSocSci (University of Cape Town)	Social Work, Human Rights	National Alliance for the Development of Community Advice Offices from 2005–2014 Open Democracy Advice Centre from 2002-2012 Ditikeni Investment Trust from 2002-2012 Parliamentary Monitoring Group from 2002-2012 Sakhikamva Investments (Pty) Ltd from 2002-2012	Remuneration Social and Ethics Committee
Ms Tintswalo Mofokeng	Alternate Director	22 February 2022	BCom Accounting (Rand Afrikaans University), BCom Accounting Honours (University of KwaZulu-Natal), CTA, CA(SA) (South African Institute of Chartered Accountants)	Executive Management	Board Member - South African Institute of Chartered Accountants Member of Audit Committee - Motor Industry Retirement Funds Advisory Trustee - Black Sash	N/A
CO-OPTED BOARD MEMBERS						
Mr Satish Roopa	Co-opted Director	1 May 2019	B.Luris, LLB (University of South Africa), MPhil (University of Stellenbosch)	Law, Governance, Stakeholder Management, Risk and Compliance, Human Capital Management, Change Management, Strategy Development, Conflict Resolution, Policy Development and Interpretation, Facilitation of wage/salary negotiations on behalf of JSE listed companies	Board Chairperson - Petroleum Agency SA Member - Independent Commission for Remuneration of Public Office Bearers Board member - Afriforte (Pty) Ltd	Legal Services Committee

Table 10: Composition of the Board and Committees (continued)

Name	Designation (in terms of the Public Entity Board structure)	Date Appointed	Qualifications	Area of Expertise	Board Directorships (List the entities)	Other Committees or Task Teams (e.g.: Audit Committee/Ministerial Task Team)
Professor Matsihlane Mokotong	Co-opted Director	1 May 2019	BProc, LLB (University of Limpopo), LLM with specialisation in Private Law, LLD (University of South Africa)	Law	N/A	Legal Services Committee
Ms Lorraine Francois	Co-opted Director	1 August 2019	BCom (University of Natal), Graduate Certificate: Accounting (Herriot Watt University), MBA (Business School, Netherlands), Certification in Risk Management Assurance, General Internal Auditor (SA)	Accounting, Auditing	Compensation Fund Department of Employment and Labour Road Accident Fund Board	Audit Committee
Mr Samson Nkosi	Co-opted Director	1 May 2019	Higher Diploma: Business Studies (Institute of Business), Postgraduate Diploma, Master of Science: Information Systems (Leeds Beckett University)	IT	N/A	Audit Committee, Governance & Nominations Committee
Ms Lindie Fourie	Co-opted Director	1 May 2019	BCom (Law), LLB, Diploma: Insolvency Law and Practice (University of Pretoria)	Human Resources	N/A	Remuneration Social and Ethics Committee
Ms Rahab Serepong	Co-opted Director	1 June 2019	Bachelor of Administration, Honours (University of the Western Cape), Masters in Business Leadership (University of South Africa)	Human Resources	N/A	Remuneration Social and Ethics Committee

Table 11: Board/Committee Members Attendance of Meetings

No.	Board Member	Board	Audit Committee	Legal Services Committee	Remuneration Social and Ethics Committee	Governance and Nominations Committee (previously Board Executive Committee)
BOARD MEMBERS						
1	Judge Motsamai Makume	7				4
2	Mr Fhedzisanani Pandelani	4		2	4	
3	Advocate Michelle Odayan	7		4		
4	Dr Cleopas Sanangura	0*	0*		0*	
5	Professor William Gumede	7	4			
6	Mr Nkosana Mvundlela	7		4		4
7	Mr Matome Leseilane	7			7	4
8	Mr Langelihle Mtshali	7		4		
9	Ms Mamodike Makgoba	6	4			4
10	Dr Maureen Tong	6		4	6	4
11	Ms Mantiti Kola	7	(4)**	4	4	4
12	Mr Thembile Mtati	0	0	0		0
13	Mr Patrick Hundermark	7	1	4		4
14	Mr Sethopo Mamotheti	6	(4)**	(1)***	4	(4)***
ALTERNATE BOARD MEMBERS						
15	Ms Thulisile Mhlungu	2	3	4		
16	Ms Marcella Naidoo	4			6	
17	Ms Tintswalo Mofokeng	(5)***	(4)***			(3)***
CO-OPTED BOARD MEMBERS						
18	Mr Satish Roopa			3		
19	Professor Matshilane Mokotong			3		
20	Ms Lorraine Francois		3			
21	Mr Samson Nkosi		2			3
22	Ms Lindie Fourie				5	
23	Ms Rahab Serepong				5	

*See item 4.1 Challenges on page 104 **Attended 2 meetings as invitee ***Attended meetings as invitee

4.2. REMUNERATION OF BOARD MEMBERS

The remuneration of Board members is dealt with in section 4(1)(h) in the Legal Aid SA Act and is determined by the Minister of Finance. The table below shows the remuneration of the Board for 2022-2023.

Table 12: Remuneration of Board Members

Name	Remuneration	Other Allowances	Total
Mr Matome Leseilane	R100,386.00	R31,867.29 (Travelling)	R132,253.29
Mr Nkosana Mvundlela	R88,151.62	R27,667.89 (Travelling)	R115,819.51
Advocate Michelle Odayan	R72,345.00		R72,345.00
Dr Cleopas Sanangura	R64,080.00		R64,080.00
Professor William Gumede	R84,610.50		R84,610.50
Mr Langelihle Mtshali	R66,337.50	R13,371.46 (Travelling)	R79,708.96
Ms Mamodike Makgoba	R74,349.00		R74,349.00

Table 12: Remuneration of Board Members (continued)

Name	Remuneration	Other Allowances	Total
Ms Lorraine Francois	R24,781.50		R24,781.50
Ms Rahab Serepong	R20,778.00		R20,778.00
Mr Satish Roopa	R24,782.00		R24,782.00
Professor Matshilane Mokotong	R22,779.00		R22,779.00
Ms Lindie Fourie	R24,781.00		R24,781.00
Ms Thulisile Mhlungu	R50,814.00	R840.00 (Travelling)	R51,654.00
Ms Marcella Naidoo	R59,077.50		R59,077.50
Mr Samson Nkosi	R26,032.50		R26,032.50
Dr Maureen Tong	R84,862.50		R84,862.50

5. RISK MANAGEMENT

Legal Aid SA recognises that risk is inherent to its business and employed Enterprise Risk Management to ensure the achievement of strategic and operational objectives and its mandate. A risk management maturity assessment confirmed that the entity is aligned with the Risk Management Standards (COSO framework and ISO 31000) and National Treasury Risk Management Framework.

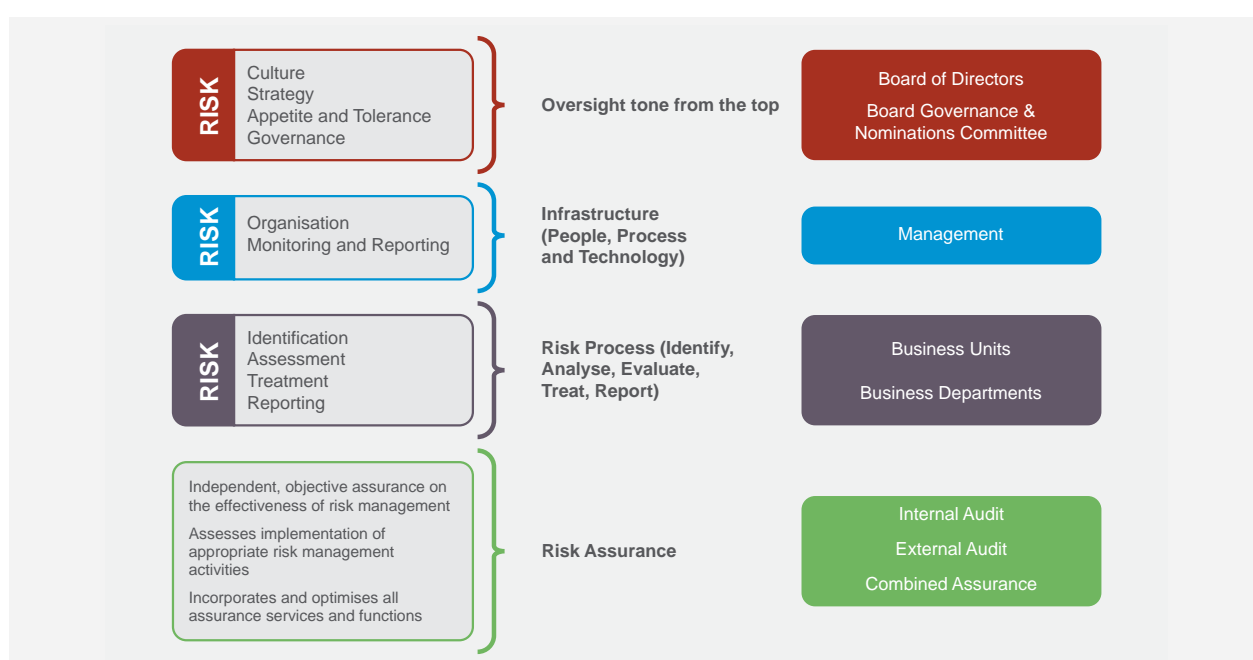
The organisation is committed to building a risk intelligent culture across its footprint by ensuring that risk management is integrated into the strategic planning process, operations, decision-making and business performance. Risk Champions assist in cascading risk management application to lower levels of the organisation.

The Board approved the strategic risks, risk appetite and tolerance whilst Management approved the operational risk appetite and tolerance. In the event

where a risk classified as high to material is accepted by an Executive, a clear motivation supported by the Chief Risk Officer, Chief Financial Officer, Chief Operations Officer/National Operations Executive/ Chief Legal Executive is submitted to the Board for approval.

The maturity of risk management is assessed annually using a Board approved Legal Aid SA Risk Management Maturity Model. In accordance with this model, areas of improvement are identified, and a plan of action developed to address these gaps.

The Enterprise Risk Management Strategy and Plan as well as the Fraud Management Plan were reviewed and approved by the Board. The Legal Aid SA Risk Management Framework is structured as follows:



The Combined Assurance Framework was also approved by the Board and provides for four lines of assurance as shown:



The criteria used for risk rating is shown in the following graphic:

Probability	5	<i>Almost certain</i>	L	M	H	C	C
	4	<i>Likely</i>	L	M	M	H	C
	3	<i>Moderate</i>	L	L	M	H	H
	2	<i>Unlikely</i>	L	L	M	M	H
	1	<i>Remote</i>	L	L	L	M	M
		<i>C - Critical</i> <i>H - High</i> <i>M - Medium</i> <i>L - Low</i>	1	2	3	4	5
			<i>Insignificant</i>	<i>Minor</i>	<i>Moderate</i>	<i>Major</i>	<i>Catastrophic</i>
			Impact				

During the period under consideration, Executives and Management remained committed to applying risk management principles. Their application of these principles and inputs to the assessment of risk maturity assisted in identifying gaps in the effectiveness of risk management. A Cybersecurity Committee was also established during the year, tasked with assessing the robustness of internal controls relating to cybersecurity, monitoring their effectiveness and recommending improvements.

Quarterly Risk Watch Reports were submitted to the Board, detailing the residual value of each risk for each quarter in relation to the risk appetite and risk tolerance settings, together with explanations where tolerance levels have been exceeded.

Risk Control Self-Assessment (RCSA) surveys are conducted bi-annually by all Executives and Managers. A five-scale rating model, ranging from controls both adequate and effective (Level 5) to no controls in place (Level 1), is used by Executives and Heads of Offices to assess mitigating measures or controls for each of the risks listed on the Risk

Register. Executives and Managers indicated that 99% of controls implemented to mitigate 158 risks in 2022-2023 were at Level 5 while 1% of the controls were assessed at below Level 5.

The budgetary risk (SR-6) rating remained moderate throughout the financial year due to the threat of looming budget cuts resulting from the economic downturn faced by the country.

The cybersecurity risk (SR-13) rating was reduced to medium from a high residual rating for the past two years. A penetration test conducted by an external service provider during the year revealed some gaps which have since been closed. A second penetration test was subsequently done in February 2023 with no critical findings.

The Combined Assurance Report is completed semi-annually by all four lines of assurance using the same five rating scales used by Executives and Managers for the completion of RCSA surveys (x-ref page 112).

External and internal environmental scanning was conducted, and emerging risks were identified by Management and noted by the Board. These risks were continuously reviewed throughout the year and their status reported as per the agreed communication plan. Overall, all strategic risks were within acceptable and tolerable levels.

Table 13: Legal Aid SA Strategic Risks with Mitigating Measures

Risk No.	Risk Event	Mitigating Measures or Controls
1	Clients deprived of their constitutional right to access to justice and/or to their liberty	<ul style="list-style-type: none"> i. Linkages with Community Advice Offices/traditional structures/Government departments, Chapter 9 institutions including the Master's Office for estate matters. ii. Stakeholder relationship/engagement programme. iii. Communication programmes (outreach programmes, et cetera). iv. Use of UPS units.
2(a)	Lack of capacity to deliver on the demand for legal services (Criminal)	<ul style="list-style-type: none"> i. Bi-annual review of court coverage plans. ii. Co-operation Partner agreements. iii. Judicare programme. iv. Legal advice capacity. v. Monitoring of recruitment levels per LO. vi. Monthly staffing plans compiled per office. vii. Agency Agreements. viii. Expansion of the Pro Bono Programme.
2(b)	Lack of capacity to deliver on the demand for legal services (Civil)	<ul style="list-style-type: none"> i. Matters exceeding turnaround times webpage. ii. Pending matters exceeding turnaround times report. iii. Pending matters verification webpage. iv. Legal aid only granted where there is a reasonable prospect of success. v. Linkages with Community Advice Offices/traditional structures/Government departments, including the Master's Office for estate matters. vi. Legal aid clinics assisting clients with civil problems. vii. Co-operation Partner agreements. viii. Judicare programmes. ix. Legal advice capacity. x. Community Outreach/Civil Courts Outreach Programme. xi. Self-help programmes. xii. Business model for delivery of civil legal aid. xiii. Review Legal Aid Manual to assess exclusions in line with budget.
2(c)	Lack of capacity to deliver on the demand for legal services (Land Rights Management)	<ul style="list-style-type: none"> i. Recruiting competent practitioners. ii. Temporary staff appointed to verify the information on the files received against the spreadsheet received from Nkosi Sabela (contingent liabilities). iii. Appointment of consultants to verify the contingent liabilities (in planning).
3(a)(i)	Poor quality of the legal services provided by Local Offices (Criminal)	<ul style="list-style-type: none"> i. Quality intervention programmes. ii. Quality monitoring and assessment programmes. iii. Competency development/training of legal staff including webinars. iv. Professional indemnity insurance. v. Recruiting competent practitioners. vi. CA Readiness/Support Programmes. vii. Judicare file reviews. viii. Quality reviews of Judicare and Agency Agreement Practitioners.
3(a)(ii)	Poor quality of the legal services provided by Local Offices (Civil)	<ul style="list-style-type: none"> i. Practitioner support needs assessment. ii. Quality Management Programme. iii. Independent legal quality assessment by the LQAU. iv. Professional Negligence Insurance Cover. v. Client satisfaction survey. vi. Complaints handling SOP.

Table 13: Legal Aid SA Strategic Risks with Mitigating Measures (continued)

Risk No.	Risk Event	Mitigating Measures or Controls
3(b)	Poor quality of the legal services provided by Judicare Practitioners and Co-operation Partners (Civil)	i. Quality file reviews of Judicare Practitioners. ii. Judicare court observations. iii. Co-operation Agreement audits. iv. Judicare induction for newly accredited practitioners. v. Match practitioner experience against matter types.
3(c)	Poor quality of legal services (Land Rights Management)	i. Meetings with DALRRD emphasising the importance of sending instructions for legal representation early. ii. Training. iii. Monitoring.
4	Legal Aid SA reputation risk, arising particularly from managing social media risks	i. Combined Communication Protocol including social media. ii. Revised Media SOPs that include media query response times. iii. User awareness on posting on social media.
5	Lack of confidence in the justice system due to its perceived and experienced ineffectiveness in realising justice outcomes	i. Stakeholder relationship programmes. ii. Case turnaround times monitoring. iii. Cases not worked on for 60 days are monitored.
6	Continuing budgetary cuts and shortfalls impacting on Legal Aid SA's ability to deliver on its mandate	i. Prudent balanced budget and lobby National Treasury for additional budget and to lobby for lower budget cuts. ii. Use own reserves while maintaining minimum current ratio of 1.2:1. iii. Monitor cash flow closely ensuring that MTEF and annual budget are focused on essential and priority spending. iv. Monitor expenditure ensuring that it is within budget v. Filling of critical positions. vi. Follow National Treasury guidelines on transfer of LRMF to Legal Aid SA.
7	Weakening culture of good corporate governance practices resulting in failure to detect system deficiencies and non-compliance	i. Reviewed Board Charter. ii. Board and Committee minutes accurate and timeously distributed. iii. Board self-evaluation reports discussed. iv. Reviewed Sustainability Strategy & Plan. v. Strategic Plan 2020-2025. vi. Business Plan timeously finalised and available. vii. Quarterly Performance Reports submitted timeously to Executive Authority. viii. Assessment of performance on organisational maturity scale. ix. Quarterly Internal Audit Reports submitted to the Audit Committee and Board.
8	Unethical, corrupt or fraudulent practices or acts	i. Monitoring and follow up of issues reported on Fraud and Ethics Hotline. ii. Signing of Confidentiality Agreement by all employees upon commencement of employment. iii. Implementation of Online Register of Interests for Executives and Managers. iv. Implementation of Organisational Culture Programme including fraud awareness. v. Selection and recruitment done in terms of the recruitment policies. vi. Segregation of duties between administrators and interview panel. vii. Segregation of duties between Human Resources and Payroll. viii. Validation of staff records. ix. Implementation of financial controls and segregation of duties between initiation and approval of procurement transactions. x. Management oversight over procurement. xi. Conducting lifestyle audits on Legal Administration Managers, Legal Practitioners and Paralegals. xii. Client Complaints Monitoring Programme.

Table 13: Legal Aid SA Strategic Risks with Mitigating Measures (continued)

Risk No.	Risk Event	Mitigating Measures or Controls
9	Sustainability risk: sustainable high performance and increasing maturity impacted by external factors (budget cuts, focus of state on crime and convictions) and internal factors (leadership, employee engagement, culture) (General Audit – sustainability audits)	<ul style="list-style-type: none"> i. Lobby National Treasury for additional budget and to lobby for lower budget cuts. ii. Cost saving measures. iii. Employee Assistance Programme in place. iv. Staff rationalisation programme to diffuse/mitigate the impact. v. Employee retention strategy and career development through enabling study leave policies and bursary schemes. vi. Sustained high organisational performance and sustained shareholder value-add (Government).
10	Increasing trust deficit by employees due to varied perspectives of reality resulting in a growing conceptual gap against Management and negatively impacting on employee engagement (General Audit – Organisational Cultural Programme)	<ul style="list-style-type: none"> i. Leadership Development Programme implemented to improve leadership and management capability. ii. Organisational Culture Programme implemented to improve the levels of engagement with the values. iii. Annual Internal Omnibus Survey to monitor and measure levels of engagement iv. EVP reviewed to attract, retain and engage talent. v. People development programmes re-aligned to business requirements.
11	Unable to keep pace with the new/emerging technology resulting in poor adoption of the 4IR opportunities that enhances effective business operations (IT Audits – IT Governance)	<ul style="list-style-type: none"> i. IT Strategic Plan 2020-2025 crafted in response to organisational strategy and leading practices. ii. IT system continuously monitored and user queries timeously responded to. iii. Up-to-date IT CARP. iv. IT architecture implemented in line with reviewed Architecture Framework of leading practices and in support of business requirements. v. Consistent review of Information Systems Policies and SOPs. vi. UPS units installed at all Local Offices.
12	Poor data security and protection of information resulting in non-compliance with established regulations and standards of good practice (IT Audits – Network Security Review and Cybersecurity Review)	<ul style="list-style-type: none"> i. Latest anti-virus software version installed and virus signature up-to-date. ii. Continuous security patches update. iii. Up-to-date firewall detection and prevention system. iv. Latest product versions for firewall, Mail and Web Marshall. v. Asset disposal procedure in place. vi. Security awareness rolled out quarterly. vii. Exploring security awareness platform in progress. viii. Daily data replication of the critical servers to Disaster Recovery site. ix. Monthly backup tapes stored off-site.
13	Poor risk-based approach on cybersecurity leading to exposure and losses of business assets and personal information of employees, clients and key stakeholders (IT Audits – Network Security Review and Cybersecurity Review)	<ul style="list-style-type: none"> i. Holistic Legal Aid SA approach to cybersecurity (not only ICT). ii. Approved Cybersecurity Strategic Plan and training of personnel. iii. Proper and adequate data classification framework and effective control over access to and use of organisational data (e.g., HR, Syspro and Active Directory as well as client personal information and privileged lawyer/client communications, et cetera). iv. Effective management and control of access to data and systems by service providers and other off-site access to information. v. Implementation and monitoring of the Document Management Policy. vi. Reinforced data security and end-user data use policies and practices implemented and reviewed at regular intervals. vii. Encryption of laptops.

The following risks materialised but their impact was minimised by the controls and kept within tolerance:

Budget Cuts

The 2022-2023 budget allocation to Legal Aid SA was cut by 10%. Cost-cutting initiatives were implemented to manage the budget reductions to ensure the achievement of objectives and the organisational mandate.

COVID-19

There were 58 mild COVID-19 cases reported during the year, with no fatalities.

Non-compliance with Legislation

There were isolated incidents of non-compliance with section 51(b)(ii) of the PFMA.

Social Media Risk

There were no significant or high-profile social media incidents that caused reputational damage to the Legal Aid SA brand.

Leave Accrual

The year-on-year leave balance as at the end of 2022-2023 was at R49,791,701 compared to R46,222,409 in the previous financial year. This increase of 8.31% can be attributed to an increase in the number of leave days credited to long service employees; an observation which is in line with the low staff turnover rate. Furthermore, the adjustment of the Cost of Living Increase because of salary increases has a direct impact on leave provision.

System Failure due to Power Interruption

Regular power cuts continued to negatively impact Legal Aid SA operations, triggering the use of the generators at its National Office and Provincial Offices, UPS devices at affected Local Offices and dongles across the board. Court postponement of matters due to loadshedding has a lasting effect on the organisation's operations.

Prolonged power cuts also resulted in downtime on critical systems. The email system was impacted for two business days in February 2023, with 77 employees not able to send or receive emails. A depleted UPS unit led to organisation-wide systems unavailability for a period of five hours on 28 March 2023.

Water Disruptions

Water disruptions negatively impacted service delivery, especially in the Eastern Cape. The acquisition of water tanks is in progress. In the meantime, bottled water is used.

Civil Unrest

One hundred and thirty-three (133) incidents of civil unrest were reported in various parts of the country which adversely impacted the operations of Legal Aid SA Local and Satellite Offices. During protests, employees worked from home using their tools of trade.

Cybersecurity

During the period under review, attackers impersonated employees, requesting money from other staff and asking for a change of banking details to intercept salary payments. Additional mitigation measures averted major incidents.

Natural Disasters

KwaZulu-Natal and parts of the Eastern Cape were severely affected by floods during the first quarter of the financial year, with the Legal Aid SA Verulam Local Office and Lusikisiki Satellite Office experiencing some water disruptions. Heavy rains caused flooding of the Legal Aid SA Tonga Satellite Office, as well as road closures which hindered staff movement to offices and courts. The collapse of the Jagersfontein Tailings Dam further limited court proceedings.

5.1.1. NATIONAL DISRUPTION REPORT

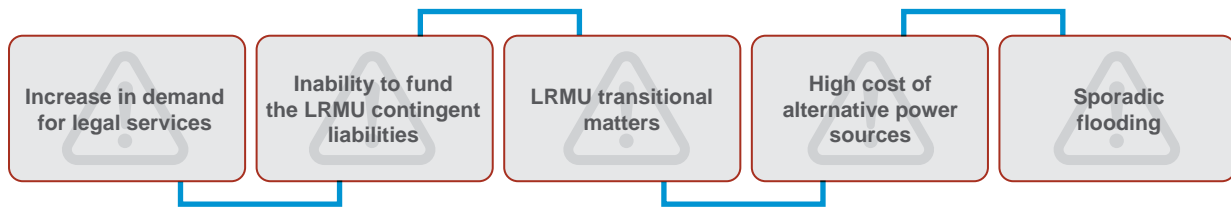
The table below depicts the type and number of disruptions that affected Legal Aid SA operations during 2022-2023.

Table 14: National Disruptions 2022-2023

Quarter	Type of Disruption											TOTAL
	Closure for Decontamination	Electricity – Fault	Electricity – Fault/ Cable Theft	Electricity – Loadshedding	Health and Safety	Labour Issues	Natural Disaster	Network Line Down – UPS not functional	Recording Machine not Working	Service Delivery Protests	Water Disruption	
Quarter 1		1										1
Quarter 2	4		57	706	2	10	3	45		32	29	888
Quarter 3	2		101	1,727	61	50	3	63	86	26	45	2,164
Quarter 4			113	2,552	43	78	8	48	105	75	55	3,077
NATIONAL TOTAL	6	1	271	4,985	106	138	14	156	191	133	129	6,130

Note: Disruption monitoring formally commenced in quarter two of the financial year, when the tracking webpage was deployed.

5.2. EMERGING RISKS



6. IT GOVERNANCE 2022-2023

Legal Aid SA has adopted the Department of Public Service and Administration’s *Corporate Governance of ICT Policy Framework*, from which the Information Systems Steering Committee (ISSC) is established and effective. The ISSC ensures that the IT Strategic Plan is aligned with the business objectives and that Information and Communication Technology (ICT) strategic and operational risks are effectively mitigated and monitored through the quarterly Risk Watch Reports. ICT strategic projects are prioritised and endorsed by the Committee to ensure the realisation of benefits and an improved financial position.

The core system that was implemented in 2019-2020 was upgraded to the latest version to mitigate the risk of failing to keep up with emerging technologies. The new version provides an intuitive user experience, improved integration capabilities and advanced analytics, empowering employees to work more efficiently and effectively. Although Legal Aid SA experienced challenges with the service provider for the eLAA release 2 project, the project status has since improved to 64% overall completion following the cancellation of the contract. The new milestone was achieved by using both internal and externally acquired resources. Recruitment of the specialised developers to assist with the eLAA release 2 project has proven difficult due to the required scarce skills, however the project is back on track.

The ISSC approved business cases for IT investments and business operations enhancements, with the adoption of cloud services prioritised to ensure effective implementation of the digital strategy. The implementation of the Software-defined Wide Area Network (SD-WAN), which will replace the traditional multiprotocol label switching (MPLS) wide area network, is at an advanced stage with 76% of 138 sites migrated to SD-WAN with improved bandwidth capacity.

SD-WAN has emerged as a game-changer in the networking landscape, offering several benefits such as enhanced performance, increased bandwidth utilisation, improved application visibility and simplified network management. This transition has resulted in significant cost savings and improved network performance, enabling seamless connectivity across the organisation’s geographically distributed offices and providing a solid foundation for future growth.

Legal Aid SA has positioned itself by deploying a stable and reliable virtual environment that will allow for a seamless transition to the cloud. The server platform’s management software, which operates in a virtual environment, has been upgraded to keep up with the latest technological advancements. This upgrade was carried out in alignment with the backup systems. To address the issue of frequent downtimes on emails caused by the ongoing power crisis, the entity took the step of migrating user emails (mailboxes) to the Microsoft 365 cloud platform, with the aim of reducing dependence on the on-premises solution. In response to the high demand for data throughput by the growing business, the server infrastructure has been equipped with faster storage disks for data processing. Ensuring maximum reliability of IT platforms remains a priority for business continuity, with disaster recovery sitting at the core. To achieve this, the platform has been equipped with the latest software platform for quicker recovery during disaster.

To achieve the objective of building a resilient cyber environment, penetration testing and security audits are conducted regularly to identify any vulnerabilities. Mobile applications are being explored to empower legal staff with self-service tools that they can access from anywhere on their corporate cellphones, further capacitating remote work.

The insider threats risk rating has improved to medium following the implementation of a cybersecurity training platform for all staff. The strategic risk on cybersecurity is effectively managed with the residual risk reduced from high to a medium rating. The risk of IT staff turnover is effectively mitigated with the minimum number of years in service ranging from five to 15 years.

7. INTERNAL CONTROL UNIT

Legal Aid SA's governance structure highly depends on internal control. This crucial aspect comprises policies and procedures that validate financial reporting consistency, guarantee operational effectiveness and efficiency, as well as compliance with laws and regulations. The Internal Control Unit is specifically liable for mitigating risks, protecting assets from fraud, errors and abuse and ensuring adherence to laws and policies.

Efforts of the Internal Control Unit are concentrated on detecting control deficiencies in procedures while proposing mechanisms to enhance controls and reduce the impact of any findings identified by assurance providers. During 2022-2023, regular site visits to Local Offices were conducted and the internal control team was able to assist offices in reinforcing control measures wherever vulnerabilities were detected.

Non-compliance with policies and procedures and the allocation of matters to tax non-compliant practitioners in the newly established LRMU have led to a rise in irregular expenditure. However, efforts are being made to address the deficiencies by providing more SCM training interventions and redefining processes for the Unit.

The organisation's Internal Control Unit offers reasonable assurance that Legal Aid SA's financial statements are dependable, its operations are efficient and the entity abides by relevant laws and statutes, with the aim of consistently enhancing the internal control system to meet changing organisational and stakeholder needs.

8. INTERNAL AUDIT AND AUDIT COMMITTEE

Internal Audit provides independent and objective assurance and consulting services that cover a wide spectrum of activities and operations to improve the effectiveness of governance, risk management and internal control. The assurance work undertaken covers all the risk areas, including financial risk, operational risk, compliance risk and information technology risk.

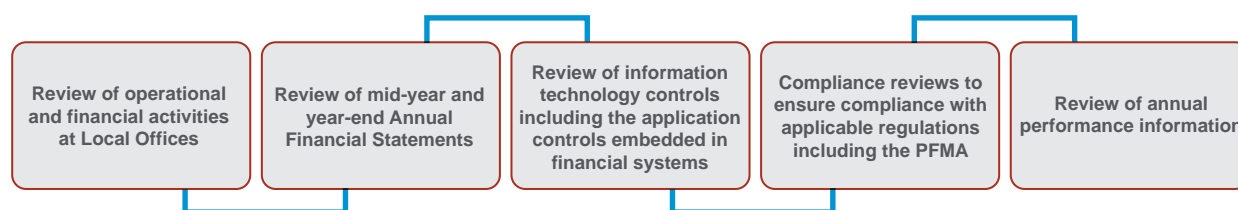
The Internal Audit Department's independence is realised as it reports administratively to the CEO and functionally to the Audit Committee. The Internal Audit Executive has unrestricted access to the Audit Committee.

Internal Audit adopts a risk-based approach when developing an Annual Audit Plan which is tailored to the needs of the organisation and considers the

identified strategic risks to ensure its relevance and usefulness. The Department completed 96% of the approved Annual Audit Plan during 2022-2023.

In ensuring continuous quality improvement, Internal Audit has adopted a quality improvement framework which requires both internal and external quality assessments to be conducted on an ongoing basis and at least once every five years. The last external quality assessment was performed in 2018 and confirmed that Internal Audit generally conforms to the International Standards for the Professional Practice of Internal Audit. The next assessment will be conducted during the 2023-2024 financial year.

A wide spectrum of activities covered by Internal Audit during the financial year included but were not limited to:



8.1. COMBINED ASSURANCE

Internal Audit drives the implementation of Legal Aid SA's Combined Assurance Model and coordinates the provision of risk assurance services through a combined assurance initiative. The model is approved and supported by the Board, signalling the importance of the process.

Internal Audit, as a third line of assurance in terms of the approved Combined Assurance Methodology, also collaborates with other assurance providers, both internally (first and second line of assurance) and externally (fourth line of assurance) to coordinate and continually enhance its combined assurance efforts.

The Combined Assurance Model embraces four lines of assurance as denoted in the graphic below:

Line of Assurance	1 st Line	2 nd Line	3 rd Line	4 th Line
Risk Assurance Instruments/ Report	Control Self Assessment Report to Board (Management), Insurance Report, CFO	Risk Analysis Report (CRO), Compliance Report (CRO), Health & Safety Audit (Health & Safety Committee)	Internal Audit Report, Quarterly Reports on Audit Coverage Plan (IAE), Written Assessment of Financial Control & Risk Management (IAE)	AGSA Report (Financial & Performance Information Assessment (A-G))
Identification and Management of Risk and Controls	Risk Identification, Risk Management	Risk Assessment & Support, Compliance Risk Assessment	Risk Assessment, Financial Risk Identification	Risk Assessment, Financial Risk Identification
Assurance Providers	<i>Functions that own and manage risk:</i> Executive Management, Management Exco, HoO Forums, FAMANCO, LSTC, CCMC, SSTC, BAC, ISSC, CSC, Asset Disposal Committee	<i>Functions that oversee risk:</i> EE & Skills Development Committee, Health & Safety Committee, CRO, Board Secretary	<i>Function that provides independent assurance:</i> Internal Audit Department including the Legal Quality Assurance Unit	<i>Functions that provide independent assurance:</i> A-G, Independent Consultants

Combined Assurance

8.2. LEGAL QUALITY ASSURANCE

The LQAU is located within the Internal Audit Department and is mandated to provide independent assurance on the quality of legal services provided by internal Legal Practitioners and external service providers on behalf of Legal Aid SA. The LQAU achieved 103% of its coverage plan which included, but was not limited to, internal and Judicare Practitioner file assessments, court proceedings and Paralegal and Legal Practitioners' Advice Line operations.

8.3. AUDIT COMMITTEE

The Audit Committee is responsible for playing an oversight role and monitoring the effectiveness of internal control, particularly financial controls and risk management; compliance with legislation and regulations and the review of the Annual Financial Statements. Internal Audit reports to the Committee on a quarterly basis and submits written annual assessments of controls and risk management at the end of each year.

Details of the membership of the Audit Committee appears in the table below:

Table 15: Composition of the Audit Committee

Name	Designation (in terms of the Public Entity Board structure)	Qualifications	Area of Expertise
Ms Mamodike Makgoba	Director - Chairperson	National Diploma, BTech: Cost and Management Accounting (Cape Peninsula University of Technology), BCom, Honours: Accounting (University of KwaZulu-Natal), CA(SA)	Accounting, Auditing
Professor William Gumede	Director	Diploma: Economics & Public Finance (University of South Africa), Joint Degree (Utrecht, Aarhus and Cardiff Universities), Masters: Political Studies (University of the Witwatersrand)	Governance
Dr Cleopas Sanangura	Director - termination date 10 March 2023	Associate Chartered Certificate Accountant, Fellow Chartered Institute of Business Management, Fellow Chartered Institute of Secretaries & Administrators, Masters, Doctorate: Business Administration (Nottingham Business School), Chartered Director of South Africa (Institute of Directors South Africa)	Corporate Governance
Ms Thulisile Mhlungu	Alternate Director	BProc, LLB (University of Natal)	Law
Ms Lorraine Francois	Co-opted Director	Certified Director (Institute of Directors South Africa), Masters: Business Administration (Business School Netherlands), Graduate Certificate: Accounting (Herriot Watt University – UK), BCom (University of KwaZulu-Natal)	Accounting, Auditing
Mr Samson Nkosi	Co-opted Director	Higher Diploma: Business Studies (Institute of Business), Postgraduate Diploma, Master of Science: Information Systems (Leeds Beckett University)	IT

Attendance of Audit Committee members is shown in table 11 on page 102.

9. COMPLIANCE WITH LAWS AND REGULATIONS

Legal Aid SA's Compliance Universe consists of all applicable laws. Executives identified 16 applicable laws that require the attention of Management on an ongoing basis.

A Legislative Compliance Checklist which includes deadline dates for complying with certain statutory requirements is confirmed annually by all Executives and Heads of Offices through a webpage, and thereafter monthly confirmations are done by all Executives. As a quality control, Executives and Provincial Executives scan the legislative environment within their functional responsibilities for changes on a quarterly basis and the Compliance Universe is updated accordingly.

A Legislative Compliance Checklist was completed monthly by all Executives and Managers. Quarterly Compliance Reports were thereafter submitted to the Board. The Legislative Compliance Checklist

was updated whenever new legislation or provisions came into effect. Management strives to ensure 100% compliance with all relevant legislation, regulations and directives/practice notes.

Legal Aid SA complied with all legislation that comprises the Legislative Universe, except for non-compliance with the PFMA. There were isolated incidents of non-compliance with SCM deviations which were not approved in accordance with the applicable instruction note. The allocation of land rights matters to Judicare Practitioners who are not tax compliant or registered on the CSD resulting in irregular expenditure of R11,7 million was detected towards the end of the financial year and has since been addressed.

The entity meets all applicable principles of the King IV Code on Corporate Governance.

9.1. PAIA REQUESTS FOR THE YEAR UNDER REVIEW

During 2022-2023, Legal Aid SA did not receive any PAIA requests.

In the last financial year, the entity reported that there were pending court applications by a requester which were reported in previous years; namely, five applications in the Eshowe Magistrate’s Court (case numbers 257/14, 258/14, 259/14, 1005/15 and 1432/15), compelling Legal Aid SA to provide records and/or information that was refused or which the requester insists they were not fully provided with. The application for the transfer of these matters to the Pietermaritzburg High Court has been issued and served on the applicant as per agreement and applications have since been removed from the Eshowe Magistrate’s Court.

There were three applications under case numbers 11187/16, 14224/17 and 5239/18 at the

Pietermaritzburg High Court. In terms of the case management processes, the court directed that case 11187/16 be prosecuted first to determine the issues in dispute, which are similar. Upon determination of same, all other applications including those transferred from Eshowe Magistrate’s Court would be disposed of based on the determination of case 11187/16.

Case 11187/16 has now been finalised and the application to compel the provision of records was dismissed with costs. The applicant was granted leave to appeal but he has not been able to proceed with the appeal as he has been ordered to pay security for costs before proceeding with the prosecution of the appeal. He is now appealing against the decision to order him to provide security for costs and Legal Aid SA is opposing.

In compliance with section 32 of the PAIA, a report was submitted to the Information Regulator through its electronic Portal.

10. FRAUD PREVENTION AND MANAGEMENT

Prevention of fraud and corruption remains the most vital activity that Legal Aid SA has embarked on to ensure the impeccable integrity of the organisation and its employees. The importance of fraud prevention has led to the completion of fraud risk assessments, the development and implementation of a Fraud, Corruption and Ethics Management Policy and the execution of fraud awareness programmes to reduce the risk of fraud within Legal Aid SA.

Additionally, the establishment and implementation of an independent Fraud and Ethics Hotline, administered by an outsourced service provider,

is one of the most effective response plans to identify instances of fraud, enabling investigations to be conducted and consequence management or ethical conduct restorative measures to be implemented.

Ten fraud matters were brought forward from the 2021-2022 financial year and seven new fraud matters were reported in the year under review. The investigation of eight matters was finalised, with the remaining nine carried forward to 2023-2024.

The table below details some of the investigated fraud matters from the financial year under review:

Table 16: Summary of Investigated Fraud Matters and Outcomes in 2022-2023

No.	Summary of Allegations	Period Completed	Outcome
1	A caller alleged that an employee based at the Legal Aid SA Welkom Local Office solicited a bribe of R8,500 from him with a promise of being appointed to a vacant Paralegal position.	Q1 2022-2023	The caller was complicit in the case of corruption involving the exchange of money for the position of Paralegal in that he implicated himself. The employee who had allegedly solicited a bribe from a caller was deceased and no information could be obtained from the other party to corroborate or substantiate the claims that were made by the caller. The investigation was closed.

Table 16: Summary of Investigated Fraud Matters and Outcomes in 2022-2023 (continued)

No.	Summary of Allegations	Period Completed	Outcome
2	An employee failed to disclose an important matter that would have assisted the organisation in making an informed decision regarding his appointment before the appointment was made.	Q1 2022-2023	The investigation was completed and the employee was suspended pending the finalisation of a disciplinary process.
3	A caller alleged that Legal Aid SA's Bloemfontein Local Office offered legal aid to a client who did not qualify for legal assistance.	Q2 2022-2023	The client refused to assist with the investigation and instead terminated Legal Aid SA's mandate and opted for private legal representation.
4	The approved HR policy was not followed in that a Legal Practitioner at the Legal Aid SA Johannesburg Local Office was appointed to a vacant position that was not advertised nor were interviews and assessments conducted for the position.	Q2 2022-2023	The investigation found that a Legal Practitioner at the Legal Aid SA Johannesburg Local Office was appointed to a vacant position that was not advertised. A disciplinary process is underway.
5	An anonymous caller reported that a Legal Aid SA client, who was a self-employed businessman, was receiving legal aid but does not qualify for it.	Q4 2022-2023	The investigation found that the client provided incorrect information when the application form for legal assistance was completed, thus misleading Legal Aid SA. Legal aid has since been terminated.
6	A bidder in the tender process reported that they received a call from a person who claimed to be working for Legal Aid SA and solicited a bribe in exchange for the awarding of a three-year tender.	Q4 2022-2023	While the identity of the impostor who purported to be or impersonated Legal Aid SA's Supply Chain Officer could not be determined, there was no evidence that linked the impostor with any of the organisation's employees.

11. ETHICS MANAGEMENT AND MINIMISING CONFLICT OF INTEREST

All employees of Legal Aid SA are obligated to declare gifts they receive, as well as instances of conflict of interest on the Gifts and Register of Interest. This is an important exercise to minimise conflict of interest in SCM and other critical operations of the organisation.

In the year under review, 98% of employees declared registerable interests. Similarly, all Directors of the Board declared interest in all meetings they attended in 2022-2023 to ensure adherence to the Legal Aid SA Code of Ethics.

A three-year average view of compliance by employees in terms of the disclosure of interest is shown in the table below:

Table 17: Average Percentage Completion of the Register of Interest by Employees – three-year comparison

Financial Year	2020-2021	2021-2022	2022-2023
Compliance Rate	99%	99%	98%

The process above is supported by lifestyle audits conducted by the Internal Audit Department. Where Internal Audit concludes that there may be potential conflict of interest detected in any of the business

units, the Forensic Audit Unit conducts a forensic investigation and the resulting report is shared with relevant Executives to address the concern.

12. CODE OF CONDUCT

The organisational Code of Ethics and Conduct Policy articulates the values of the entity and represents the highest ethical standards applicable to all employees and the Board. The Code was reviewed in 2022-2023.

Contraventions of the Code are dealt with in the provisions of the Human Resources Policies as well as the Terms and Conditions of Legal Aid SA. Matters are investigated and sanctions issued based on the merits of the cases.

The Board reviewed the Code of Ethics that supports the organisation's mission, values and principles. In the year under review, the Board also approved the disciplinary processes that link to the Code of Ethics that specifically addresses the disciplinary issues for Board members.

13. HEALTH, SAFETY AND ENVIRONMENTAL ISSUES

Legal Aid SA has a Health and Safety Policy in place and complies with the Occupational Health and Safety Act 85 of 1993. The organisational policy provides for and maintains, as far as is reasonably practicable, a safe working environment without risks to employees and persons other than those in employment who may be directly affected by the activities of Legal Aid SA. This policy provides guiding principles for achieving the entity's health and safety programmes.

Health and Safety Representatives and Committees are in place, and inspections are carried out regularly. Legal Aid SA also discharges its legal duty to inform its employees about health and safety and takes all the necessary prescribed steps to mitigate hazards associated with its operations.

All severe injuries, reportable diseases or dangerous occurrences at work are reported to the Human Resources Department and the Department of Employment and Labour in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993, as amended. Fourteen incidents were reported in the 2022-2023 financial year, including motor vehicle accidents, slip and fall accidents and assault. All incidents have been investigated and reported to the Compensation Fund as per the Compensation for Occupational

Injuries and Diseases Act. The Human Resources Department continues to assess health and safety risks and hazards in the workplace on a regular basis to ensure that these incidents are minimised and eliminated where possible.

14. BOARD SECRETARY

The Board Secretary played a pivotal role in the achievement of good corporate governance. Amongst others, they:

- I. provided collective and individual guidance to members of the Board on their duties and good governance;
- II. assisted with the development of the Board members by inducting new members and arranging training programmes/content for Board members;
- III. ensured that Board and Committee Charters are up to date;
- IV. ensured that the content of meeting agendas is agreed with the Chairperson, and that agendas and documents are distributed timeously to Board members and attendees;
- V. ensured that copies of the entity's Annual Report, incorporating the Annual Financial Statements, were sent to all relevant stakeholders in line with the PFMA and relevant legislation;
- VI. performed all other necessary tasks to ensure that meetings were held as scheduled and ensured that the minutes of Board and Committee meetings were recorded, agreed to by members of the Board and that the decisions were implemented, and
- VII. assisted with the evaluation of the Board, its Committees and individual members.

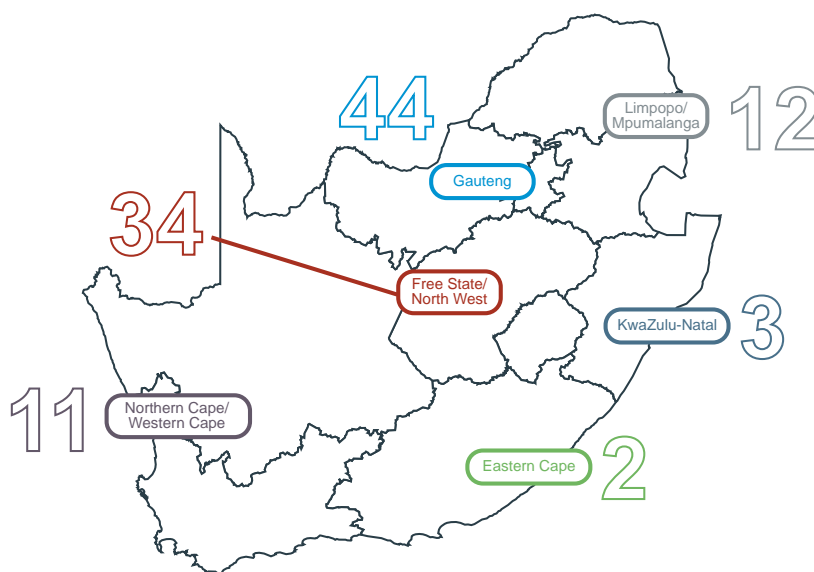
15. SOCIAL RESPONSIBILITY

Legal Aid SA engaged in several activities to support vulnerable groups to ultimately ensure that communities have increased access to justice. These activities included the administration of a Pro Bono Scheme through which legal practitioners rendered Pro Bono services to indigent and vulnerable communities, allowing access to justice in 115 new legal matters.

The organisation has 75 employees registered as Smalls Claims Court Commissioners, who spent a total of 1,168 hours serving as Commissioners. The entity's contribution to the pool of Small Claims Court Commissioners ensures the speedy resolution of minor disputes.

The Legal Aid SA Fixed Assets Policy and Procedures apply Treasury Regulation 16A7 which provides that “The Accounting Officer or Accounting Authority must, when disposing of computer equipment, firstly approach any State institution involved in education and/or training to determine whether such an institution requires such equipment. In the event of computer equipment being required by such a State institution, the Accounting Officer or Accounting Authority may transfer such equipment free of charge to the identified institution”. The policy further provides

that should there be no State institutions which require the computer equipment due for disposal, these assets are offered as donations to non-profit organisations, non-governmental organisations, community-based organisations and Community Advice Offices dealing with the delivery of legal services and increasing access to justice and the promotion and protection of human rights, as well as community radio stations. In 2022-2023, 106 items of computer equipment were donated to 27 recipients.



Provincial spread of the 2022-2023 donations

16. AUDIT COMMITTEE REPORT

The Legal Aid SA Audit Committee is a Committee of the Board duly constituted in terms of the PFMA. Its main purpose is to assist the Board in fulfilling its oversight responsibility on the system of internal financial control, the governance of risk, Internal and External Audit functions, integrated reporting and Legal Aid SA's processes for monitoring statutory and regulatory compliance. To this end, the Board delegates the above listed responsibilities to the Audit Committee. This is over and above its statutory responsibility to the governing authority.

The Audit Committee accordingly adopted its Terms of Reference, which are updated year-on-year and approved by the Board of Directors. Throughout the financial year, the Committee carried out its duties in accordance with its Terms of Reference, the PFMA, National Treasury Regulations 3.1.13 and King IV Report on Corporate Governance for South Africa 2016.

16.1. COMPOSITION

The Committee consists of four independent Non-executive Directors and one independent specialist member. Collectively, they have sufficient skills and knowledge to deliver on the set responsibilities of this Committee. The meetings of the Audit Committee members for the year as well as their qualifications are detailed in tables 11 and 15, on pages 102 and 113, respectively. Reference to the attendance of Dr Cleopas Sanangura on the Committee is also made on page 94.

The Legal Aid SA CEO, COO, NOE, CFO and other senior members of Management, together with the internal and external auditors, attend these meetings by invitation. During the year, the Committee held separate meetings with Senior Management, external auditors and internal auditors before every meeting. The internal and external auditors have unrestricted access to the Audit Committee. The Audit Committee and its members are assessed for effectiveness on an annual basis.

The Audit Committee is happy to report that it has regulated its affairs in compliance with its set Terms of Reference and has delivered on all its responsibilities as contained therein.

16.2. THE EFFECTIVENESS OF INTERNAL CONTROL

The Committee reviewed:

- I. the significant issues raised by both internal and external auditors, discussed and was satisfied regarding the resolution of all these issues as and when they were reported;
- II. the policies and procedures relating to the prevention and detection of fraud and corruption, and
- III. the effectiveness of Legal Aid SA's systems of internal control including the assurance received from Management, Internal Audit and External Audit, throughout the financial year.

The Combined Assurance Model was updated and the tracking map reported to us during 2022-2023. The final Combined Assurance Report concluded that the internal controls are satisfactory.

16.2.1. Regulatory Compliance

The Committee has complied with all applicable legal and regulatory responsibilities. These are tracked, reported and discussed at the quarterly meetings.

16.2.2. External Audit

We reviewed, discussed and deliberated on the External Audit scope and coverage including the fees as set out in note 26 of the financial statements. We concur with the conclusions on the status of the internal financial controls and we therefore recommended these to the Board for approval.

16.2.3. Internal Audit

The Committee:

- I. reviewed the updated Internal Audit Charter and recommended it for approval by the Board;
- II. evaluated the independence, effectiveness and performance of the function as well as compliance with its charter;
- III. considered and satisfied itself that Internal Audit has the necessary resources, budget and appropriate standing within Legal Aid SA;

- IV. approved the Internal Audit Plan and the adjustments thereafter, and
- V. continuously encouraged co-operation and reliance between Internal and External Audit.

16.3. MANAGEMENT MONTHLY/ QUARTERLY REPORTS

Legal Aid SA submitted monthly and quarterly reports to the Executive Authority.

16.4. EVALUATION OF FINANCIAL STATEMENTS

We have reviewed the Annual Financial Statements prepared by Legal Aid SA.

16.5. AUDITOR'S REPORT

We have reviewed Legal Aid SA's implementation plan for audit issues raised in the prior year as stated above and we are satisfied that the matters raised by External Audit have been adequately resolved, barring one unresolved finding.

The Audit Committee concurs and accepts the conclusions by the external auditor as articulated in the Annual Financial Statements. We are of the opinion that the audited Annual Financial Statements should be accepted and read together with the report of the Auditor-General.

16.5.1. Integrated Reporting

We recommended the Integrated Annual Report for approval by the Board on the basis of the processes in place, underpinned by the assurance provided by the Internal Audit Function.

In conclusion, nothing came to our attention to indicate any material breakdown of the Legal Aid SA internal control processes, risk management, corporate governance and compliance.



Ms Mamodihe Makgoba
Chairperson of the Audit Committee
Legal Aid SA
31 July 2023

17. B-BBEE COMPLIANCE PERFORMANCE INFORMATION

Table 18: Application of Code of Good Practice

Has the Public Entity applied any relevant Code of Good Practice (B-BBEE Certificate Levels 1 – 8) with regard to the following:		
Criteria	Response Yes/No	Discussion <i>(include a discussion on your response and indicate what measures have been taken to comply)</i>
Determining qualification criteria for the issuing of licences, concessions or other authorisations in respect of economic activity in terms of any law?	N/A	
Developing and implementing a preferential procurement policy?	Yes	Legal Aid SA's Supply Chain Management Policy is guided by the PPPFA Regulations.
Determining qualification criteria for the sale of state-owned enterprises?	N/A	
Developing criteria for entering into partnerships with the private sector?	No	Legal Aid SA does not have such initiatives/ programmes.
Determining criteria for the awarding of incentives, grants and investment schemes in support of Broad-based Black Economic Empowerment?	No	Legal Aid SA does not have such initiatives/ programmes.

Legal Aid SA appointed a service provider for the assessment of its B-BBEE status, to ascertain the status of its compliance with the Broad-Based Black Economic Empowerment Act 46 of 2013. The outcome of the study found that the organisation is non-compliant.



“ In developing the Strategic Plan 2020-2025, Legal Aid SA incorporated a sustainability focus, allowing it to be viewed as a long-term goal and enabling the organisation to address sustainability issues while incrementally working towards its long-term positive impact on both clients and society ”

PART D

Sustainability Report

1,112
interactions
with stakeholders
that work with
vulnerable
groups



23
stakeholder
clusters saw
fruitful
engagement



Long-term
sustainability focus
= meaningful
social, governance
and environmental
outcomes

1,516
visits to
community
outreach
sites



106
assets donated
to 27 community
radio stations,
schools, CBOs,
NGOs


















1. SUSTAINABILITY REPORT

In developing the Strategic Plan 2020-2025, Legal Aid SA incorporated a sustainability focus, allowing it to be viewed as a long-term goal and enabling the organisation to address sustainability issues while incrementally working towards its long-term positive impact on both clients and society.

SOCIAL

Access to Justice:

Legal Representation, Advice, Information

	All criminal courts are covered through the practitioner per court model, ensuring that clients do not go unrepresented and enabling qualifying clients to obtain legal representation as required.	RDs in custody are tracked: 2,321 RDs were in the tracking system at the end of the reporting period.	
	All children (total 13,167, new criminal 7,161 & civil 6,006) are provided with legal representation in criminal and civil matters. CAT are monitored and tracked individually so that their matters may be resolved speedily. Coverage of dedicated Child Justice Courts. Children's estate matters: 2,559 new deceased estate matters for children.	Clients in civil matters do not go unrepresented. More civil matters were attended to than the target; overall finalisation of civil matters through civil legal services delivery mechanisms achieved 100.8% of the annual target.	
	Clients in specialist courts represented through coverage of dedicated Sexual Offences Courts and Commercial Crimes Courts, where dedicated LPs are assigned.	Achieved new mandate of representation of clients in land matters with most matters being allocated to Judicare whilst internal capacitation of the LRMU was in progress.	
	Linked with 99 CAOs and made 580 visits to CAOs where 2,505 clients were consulted with and 369 files were opened. LOs maintained linkages with 909 stakeholders that work with vulnerable groups and had 1,112 interactions with these groups. LOs also made 1,516 visits to community outreach sites and consulted with 4,122 clients during these visits.	Represented clients in specialist and vulnerable groups: 1,325 new labour matters. 31 new refugee matters. 25 new matters for mental healthcare users.	
	All clients requiring general advice services were assisted. A total of 209,962 clients obtained general advice, which includes at LOs and SOs, inmates at correctional facilities and through the Legal Aid Advice Line. Access to telephonic advice through the Legal Aid Advice Line provided to 38,360 clients, whilst an additional 19,350 clients were assisted with information requests.	Assisted clients to attend to their own legal or administrative issues through web-based self-help legal services, with 143 self-help modules available under 21 categories on the website. There were 77,909 pageviews.	
	Quality monitoring was undertaken by the LQAU, which included file audits and court observations. All categories of LPs (CAs, LPs, HCU LPs and civil LPs) exceeded the annual targets. The LQAU achieved 103% of its Annual Coverage Plan. Legal quality performance measurement instruments were updated and approved by the Board.	Strategic litigation matters ensured the protection of constitutional rights with 15 matters finalised – 9 with a positive outcome, 1 with a negative outcome and 5 finalised without an outcome. 9 of the 10 matters finalised with an outcome were finalised with a positive outcome which translates to a 90% success rate.	
	Support needs of LPs was assessed as part of the risk-based approach to quality monitoring. Competency of supervisory staff was assessed bi-annually.	Quality of legal services receives continuous focus as this impacts on the outcomes of cases and therefore the lives of clients. Various interventions form part of the Quality Monitoring Programme. Met the objective of providing education and information concerning legal rights and obligations, as envisaged in the Constitution and Legal Aid SA Act, through marketing and branding activities. This included the use of innovative advertising and public relations campaigns, community outreach events in partnership with stakeholders and increased usage of social media platforms.	 



LPs have access to electronic libraries, online research platforms such as Jutastat and LexisNexis, monthly legal newsletters, legislative updates and mentorship and supervision.



Justice system and stakeholder partnerships:
 Legal Aid SA is represented on all justice cluster forums, including Case Flow Management meetings at local level, PEEC meetings in the provinces and the NEEC and Development Committee at national level, as well as various committees and task teams to increase efficiencies in the functioning of the justice system.
 The entity participates in Pillar 3 of the National Steering Committee on GBVF, Senior Executives attended the Second Presidential Summit on GBVF to contribute to national interventions that are developed.
 Legal Aid SA participated in National Wills Week, Child Protection Week, Women's Month and Human Rights Month activities.

Client Relationship Management Strategy and Client Services Charter; client relationship management training in place.



Client satisfaction surveys conducted:
 Average satisfaction levels for criminal clients 91% and for civil clients 77%.



Client complaints mechanism in place:
 95% of civil complaints and 92% of criminal complaints received at LO level were finalised.



Clients able to access legal aid services in their language of choice and interpretation is arranged where there are language barriers.
 Legal Aid Advice Line can assist clients in all 11 official languages.



Hosted delegations from Botswana Legal Aid, Uganda, Ethiopia and Eswatini, who requested support as they develop their legal aid systems.



Participated in the Statistics South Africa process to develop the Country Report on Progress on the Implementation of SDGs within SA.



People Resources



Employer of choice:
 Recruitment rate of 93.6% and staff turnover rate of 4.5% for permanent positions.
 Top Employer South Africa accreditation for the 14th consecutive year.
 Succession Planning Strategy was reviewed and approved by the Board.
 Further enhancement of the EVP.

Employee training interventions for legal and support employees exceeded targets.
 Introduction of webinars as a training method resulted in improved training attendance and development and the exceeding of training targets.
 Candidate Attorney Support School established.



Sound labour relations achieved through favourable relations with the 2 recognised trade unions.
 Low number of grievances, disciplinary hearings and matters and new labour disputes.

Positive organisational culture maintained through Human Resources programmes that promote a motivated and engaged workforce:
 Internal Communications Programme was executed to provide vital information to staff, further promoting employee engagement.
 EWP in place, conducted by in-house Clinical Psychologist and external service provider. Programme conducted virtually, facilitated by various healthcare professionals and raised awareness of physical and mental health issues.
 Vicarious trauma workshops conducted in all provinces, attended by 163 employees.
 Health and safety is monitored quarterly.
 Achiever Awards, held provincially and nationally, recognised high performing employees.



75 Legal Aid SA employees registered as Smalls Claims Court Commissioners and served 1,168 hours.



106 assets were donated to various community radio stations, schools, CBOs and NGOs.



Pro bono scheme administered, through which LPs rendered services in 115 new legal matters.

FINANCE AND GOVERNANCE

Good Governance



Effective governance framework and monitoring systems in place:

Compliant with all legislation in the Legislative Universe, except for non-compliance identified in terms of the PFMA.

Zero tolerance approach on fraud and corruption is ingrained. An independent Fraud and Ethics Hotline is in place with 28 new matters reported. To reduce the risk of fraud, 8 fraud awareness workshops were conducted by the Internal Audit Department.



Internal Audit Function completed 107 audit projects, resulting in 96% achievement of the Annual Coverage Plan; 1% more than the annual target of 95%.

Internal audit has assessed the overall controls and control environment, financial controls and risk management for the FY under review to be effective.



The 15th clean and 22nd unqualified audit opinion was obtained in the 2022-2023 FY.

Expenditure was appropriately utilised in the achievement of the Business Plan objectives, with 98% budget expenditure.

Financial planning aimed at financial sustainability resulted in the MTEF 2023/24-2025/26 and balanced Budget 2023-2024 approval by the Board.

Board fully functional and operational despite not being fully constituted as at the end of the FY. The 2 Alternate Board members attended meetings as required.

Board self-evaluation completed and report submitted to the Board.

Governance instruments reviewed and approved by Board.

Board monitored the execution of the Strategic Plan through the quarterly reports on performance.

Considered and approved all policies to ensure effective risk management within Legal Aid SA and reviewed quarterly risk reports.

Combined Assurance Model approved and implemented.

Board was actively involved in IT governance and approved the IT Strategic Plan Review, the Cybersecurity Strategic Plan and IT investments, and reviewed IT performance reports including quarterly cybersecurity reports.



Financial maturity performance was focused on by:

Keeping up-to-date with accounting standards and preparing financial statements that are compliant with the standards.

Implementing all NT prescripts and legislation to ensure compliance.

Development of webpages for various SCM items to improve reporting.

The employment of an Internal Control Officer to assist with the implementation of policies and SOPs.



ENVIRONMENT

Carbon Footprint



Environmental Policy and Implementation Plan reviewed and approved by the Board

Virtual meetings reduced overall carbon footprint



Efficiency measures in place to reduce electricity consumption

Partnership with recycling company to collect recyclable materials



Total kilometres travelled through flights: 687,558.

Carbon emissions expelled through flights: 42,395 kilotons.

Fleet of 696 vehicles enabled service delivery nationally.

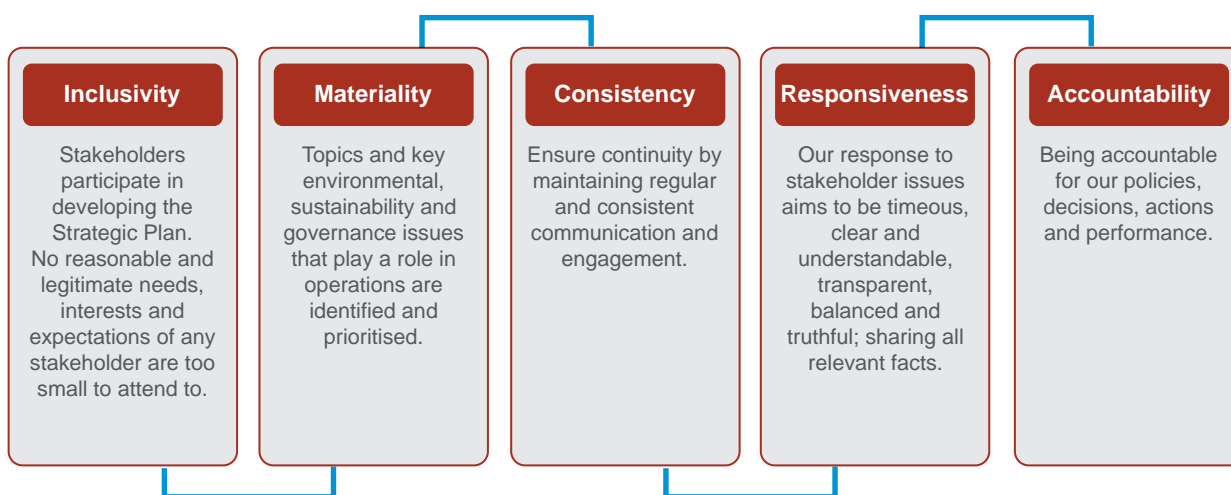
CO² emissions expelled through vehicles: 1,403.915.92 kilograms.



2. STAKEHOLDER ENGAGEMENT 2022-2023

Legal Aid SA defines a stakeholder as an individual, group of individuals or organisation that directly or indirectly has vested interest which may be affected by the entity’s activities, decisions and performance, including those that may have interest in or the ability to influence the organisation’s outcomes negatively or positively. Legal Aid SA deals with multiple stakeholders from a complex stakeholder universe, each with distinct needs and expectations and types and levels of involvement with the organisation.

In the financial year under review, Legal Aid SA continued to focus on the interdependent relationships with its stakeholders in the quest to create shared value. The success of the relationships relied on robust, transparent and mutually beneficial engagements underpinned by the following principles:



Legal Aid SA values the relational capital built through the stakeholder engagement process since it enables the organisation to stay relevant and alive to stakeholder expectation and true to its mandate.



Stakeholder Engagement Process

Such engagements strive to remain meaningful, relevant and robust with the ultimate aim of finding amicable and mutually beneficial outcomes for all parties. To this end, Legal Aid SA realises that where there is a trust surplus and not deficit between itself and its valued stakeholders, the relational dividend has a multiplier effect resulting in above-average collaborated performance.

The organisation has a vast Stakeholder Universe comprising nine stakeholder clusters and several stakeholder types in each cluster.

The Legal Aid SA Stakeholder Universe can be classified as follows:

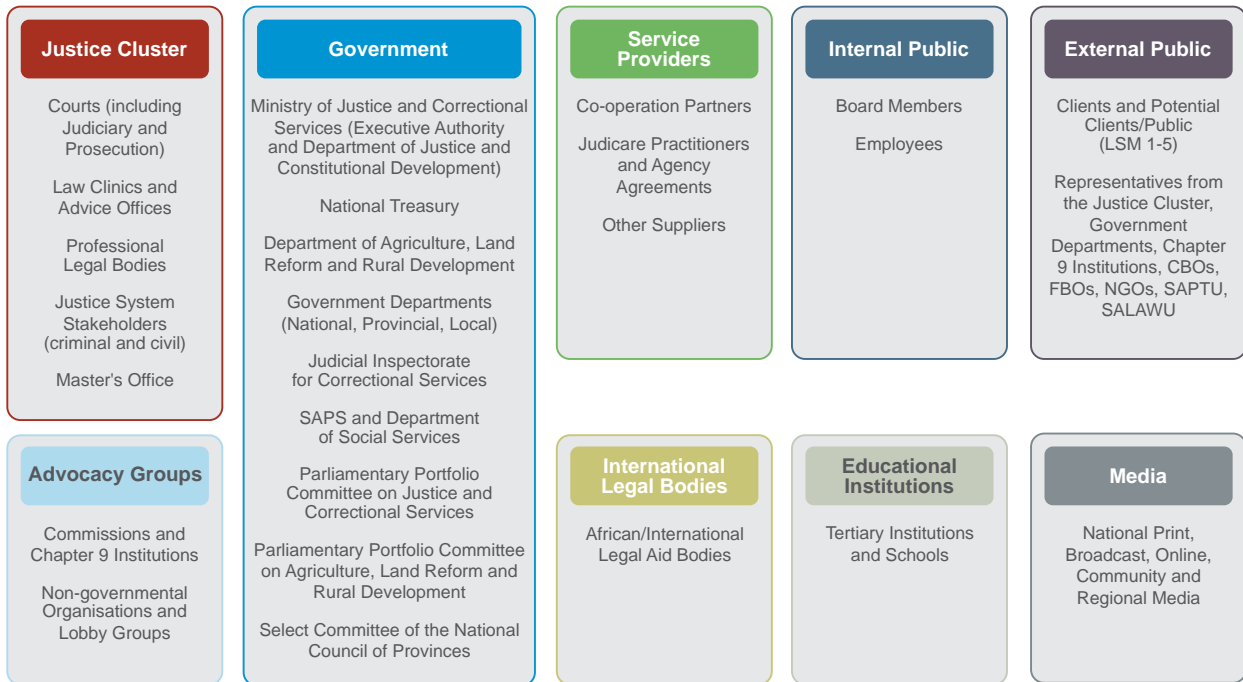


Table 19: Engagement with Stakeholders

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
A. Legal/ Justice	1. Courts (including Judiciary and Prosecution)	<p>Strategic Objectives</p> <p>A) Shared vision and commitment to ensure an effective justice system that upholds constitutional rights.</p> <p>B) Review of criminal legal aid demand and ensure adequate coverage.</p> <p>C) Acquire meaningful insight and input to the organisation's strategic direction.</p> <p>D) Improved relationship with courts in order to facilitate the provision of quality legal services as well as contribute to the efficient operation of the justice system as a whole.</p> <p>Report on Performance</p> <p>Legal Aid SA's National Office, as well as Legal Aid SA Provincial and Local Offices engaged court-based stakeholders through the following engagements:</p> <p>i. Participated in meetings/interactions (3,920) with Presiding Officers.</p> <p>ii. NEEC (2), PEEC (27) and Development Committee meetings.</p> <p>iii. Participated in meetings (1,143) of local Case Flow Committees (409).</p> <p>iv. Participated in the Intersectoral Committee on Child Justice that deals with matters of children in conflict with the law.</p> <p>v. Participated in meetings of the Sexual Offences Committee.</p>	<p>A) Stakeholder concerns about the extent of Legal Aid SA's criminal legal aid coverage and capacity in courts, e.g., organisation's inability to provide 100% coverage in both DC and RC; the lack of relief capacity; as well as response to reduced budgets.</p> <p>B) Stakeholder representation on increased civil legal aid services, e.g., civil legal aid services/consultations at all courts; increased legal services in maintenance matters and domestic violence, and representation for unrepresented civil litigants in the High Courts.</p> <p>C) Concerns about accused persons in custody for extended periods of time awaiting trial.</p> <p>D) Concerns about delays in finalising appeals.</p> <p>E) Legal representation in land matters.</p> <p>F) Access to civil legal aid in rural areas.</p> <p>G) Lack of communication with civil legal aid clients.</p>	<p>A) The details of criminal service delivery were shared with stakeholders, explaining:</p> <p>i. the need to align supply and demand per court room to maintain optimal court coverage levels in light of reduced staffing levels.</p> <p>ii. the Staff Deployment Programme at courts is aligned to current capacity. However, due to budget constraints, this may not always be in line with what other court stakeholders require from Legal Aid SA.</p> <p>iii. the SOPs regarding contingency measures to cover courts in the absence of the regular practitioner, which were canvassed.</p> <p>iv. the importance of allowing practitioners a day out of court for consultation and preparation in order to improve the quality of their work.</p> <p>v. statistics on all children represented by Legal Aid SA.</p> <p>vi. staff deployment plans ensuring that practitioner preparation days are spread throughout the week.</p> <p>B) Tracking reports for RDs in custody over 2 years were shared with stakeholders.</p> <p>C) Details of the organisation's appeal tracking system were shared. The challenges relating to securing court records for appeal purposes were canvassed.</p> <p>D) The civil delivery programme was explained:</p> <p>i. The policy on maintenance and domestic violence matters has been revised to increase access, especially for elderly and disabled persons.</p> <p>ii. Legal Aid SA introduced a contribution policy in civil matters which will increase access to civil legal aid services for clients who do not meet the Means Test but cannot afford the costs of private legal representation.</p> <p>iii. Civil legal aid clinics where prevalent legal issues are addressed and awareness of legal aid services are communicated continue in circumstances where clients and staff are protected and adhere to COVID-19 safety measures.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
A. Legal/ Justice	2. Law Clinics and Advice Offices	<p>Strategic Objectives</p> <p>A) To be responsive and have co-operative relationships with other service providers.</p> <p>B) To increase access to legal services through partnering with like-minded organisations.</p> <p>Report on Performance</p> <p>A) Local Offices linked to 99 CAOs through 580 visits to provide assistance and back-up legal services. A total of 2,505 clients were seen and 369 new files were opened.</p> <p>B) Legal Aid SA continued to engage with Community Advice Offices of South Africa (CAOSA) to provide support and input on the regulatory framework of CAOs and Paralegal work.</p>	<p>A) CAOs require support to ensure their sustainability.</p> <p>B) Legal representation support required for clients whose matters require litigation.</p> <p>C) Support required when expertise available at CAOs cannot address legal needs of their clients.</p> <p>D) CAOs require material help.</p>	<p>E) Satellite Office Paralegals attend to the outreach sites in SO coverage areas which are mainly rural. Back-up legal services by Civil Legal Practitioners are made available to CAOs to extend civil legal services to such areas that are far from Legal Aid SA offices, particularly rural areas.</p> <p>F) Legal Aid SA implemented SMS communication functionality to improve communication and the provision of feedback to clients.</p>
			<p>A) Legal Aid SA not in a position to provide financial support to CAOs as well as focus support on addressing legal services needs of clients.</p> <p>B) Litigation support and specialist legal advice support is made available, with the programme amended to allow CAOs to call on Legal Aid SA when they need assistance.</p> <p>C) Access to self-help modules support Paralegals at CAOs to assist clients with their legal needs.</p> <p>D) Policy on donation of usable assets to CAOs remains in place.</p> <p>E) Legal Aid SA sits on the Legislative Task Team appointed by the Minister to prepare legislation to recognise the Paralegal sector.</p> <p>F) Legal Aid SA has made office space available to CAOSA for meetings and workshops, where requested.</p> <p>G) The availability of the Legal Aid Advice Line to assist clients of CAOs was highlighted.</p>	

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
A. Legal/ Justice	3. Professional Legal Bodies	<p>Strategic Objectives</p> <p>A) Effective interaction with professional bodies regarding professional regulatory matters concerning legal professionals.</p> <p>B) Acquire meaningful insight and input to the organisation's strategic direction.</p> <p>C) Increase access to justice through pro bono agreements with private practitioners.</p> <p>Report on Performance</p> <p>A) Legal Aid SA kept up to date with developments in the legal profession through continued interaction with legal professional bodies.</p> <p>B) The organisation has 1 seat on the LPC.</p> <p>C) Legal Aid SA participated in 43 meetings with legal professional bodies.</p> <p>D) Legal Aid SA has directly elected officials on both the National and Provincial LPCs.</p> <p>E) Legal Aid SA officials have executive positions in voluntary professional organisations such as NADEL, the Black Lawyers' Association and South African Women Lawyers Association.</p> <p>F) Agreement in place with the Johannesburg Bar to do pro bono work for Legal Aid SA.</p> <p>G) Legal Aid SA embarked on a programme to empower women legal practitioners by providing access to higher income legal instructions.</p>	<p>A) Increasing the exposure of CAs to a variety of work.</p> <p>B) Processing of payments of membership fees for practitioners.</p> <p>C) Efficient processing of contracts of community service for CAs.</p> <p>D) The extension of contracts of CAs who went on maternity leave.</p> <p>E) The maximum number of CAs to a Principal.</p> <p>F) Implementation of Quality Monitoring Programme for Judicare Practitioners.</p> <p>G) Changes brought about by the Legal Aid SA Act and Regulations as well as the new Legal Aid Manual.</p> <p>H) The allocation of pro bono work to Legal Practitioners.</p> <p>I) Male Legal Practitioners receive instructions that afford them higher earnings as opposed to females.</p> <p>J) The impact of the Legal Sector Code.</p> <p>K) B-BBEE and women empowerment in the allocation of Judicare.</p>	<p>A) The Preadmission Training Programme was revised to ensure that CAs are exposed to as wide a variety of work as possible.</p> <p>B) The CA Programme makes provision for CAs to carry criminal as well as civil files to ensure practical exposure to a variety of matters.</p> <p>C) Improved processing of documentation for registration of community service.</p> <p>D) Information was disseminated through a newsletter to all Judicare Practitioners on the performance of such practitioners in file quality and court observation reviews.</p> <p>E) SOP developed to guide Legal Aid SA Local Offices where a conflict exists between 2 people, both seeking legal aid assistance.</p> <p>F) Statistics on the number of pro bono instructions issued have been shared with practitioners.</p> <p>G) Comment and input provided to the LPC where rules and regulations changes are proposed.</p> <p>H) Legal Aid SA implemented a Women Empowerment Programme through which women Legal Practitioners will be given access to higher income instructions in an effort to improve the level of earnings for women Legal Practitioners.</p> <p>I) A revised formula was approved by the Board to ensure that a proportionally higher number of instructions are allocated to women.</p> <p>J) Training as well as mentorship was provided to practitioners in the Women Empowerment Programme.</p> <p>K) Legal Aid SA expressed the view that as a statutory organisation with its own B-BBEE objectives, it is not subject to the Legal Sector Code.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
A. Legal/ Justice	4. Justice System Stakeholders (criminal and civil)	<p>Strategic Objectives</p> <p>A) An improved criminal justice system.</p> <p>B) To increase civil legal aid.</p> <p>C) Joint efforts aimed at improving case flows at courts.</p> <p>D) Improved access to detainees.</p> <p>E) Improvement of the process of serving of civil process and executing court orders.</p> <p>F) Improved relationship with Justice Cluster stakeholders in order to facilitate the provision of quality legal services as well as contribute to the efficient operation of the justice system as a whole.</p> <p>Report on Performance</p> <p>A) Legal Aid SA is represented at all justice system stakeholder meetings, including participation in all local Case Flow Management Committees.</p> <p>B) Legal Aid SA Local Offices hosted annual Justice Cluster Forums.</p> <p>C) Legal Aid SA participated in 13 joint projects to increase access to justice including 40 media interviews during Wills Week.</p> <p>D) Represent Legal Aid SA in the Court Optimisation Task Team chaired by the Deputy Minister and introduced during COVID-19.</p> <p>E) Legal Aid SA participates in the forum established to monitor the cross-border abduction of children in terms of the Hague Convention.</p> <p>F) Legal Aid SA participated in 196 joint projects to increase access to justice such as Wills Week, Access To Justice Week, Women's Month, 16 Days of Activism for No Violence Against Women and Children, Youth Month, Human Rights Month.</p>	<p>A) Practises that cause delays in the finalisation of cases.</p> <p>B) Reducing the number of RDs in custody, especially those in custody for greater than 2 years.</p> <p>C) Implementation of protocols to improve the functioning of the criminal justice system.</p> <p>D) Improving relationship with Justice Cluster stakeholders to ensure improved communication to address local challenges.</p> <p>E) Making qualifying practitioners available to act as Commissioners of the Small Claims Courts.</p> <p>F) Non-payment of Sheriff accounts.</p> <p>G) The resignation of Legal Aid SA practitioners at short notice to join the National Prosecuting Authority and other stakeholders.</p> <p>H) Legal Aid SA practitioners taking up acting positions as Magistrates or Judges.</p>	<p>A) All complaints/concerns raised at local Case Flow Management Committees investigated and addressed.</p> <p>B) Legal Aid SA compiles top 20 RDs list per province for the attention of respective PEECs.</p> <p>C) Legal Aid SA has implemented all protocols in as far as it affects the organisation.</p> <p>D) Legal Aid SA ensures participation of Senior Managers at all local Case Flow meetings.</p> <p>E) Enhanced tracking and monitoring of CAT.</p> <p>F) A divorce self-help package is available on the website.</p> <p>G) The protocol with the Sheriff's Board provides guidelines on the processing and payment of Sheriff's accounts as well as the lodging of complaints.</p> <p>H) Capacity constraints explained, recommendation that local Case Flow Task Teams prioritise backlog.</p> <p>I) Legal Aid SA's policy on acting judicial appointments was explained.</p> <p>J) Stakeholders were requested to consider the impact on court coverage whenever they recruited Legal Aid SA practitioners.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
A. Legal/ Justice	5. Master's Office	<p>Strategic Objective Linkage with Master's Office to attend to estate matters on behalf of children.</p> <p>Report on Performance A) Engagements with Chief Master to respond to operational challenges. Provincial engagements in place to resolve local challenges. B) The implementation of the Memorandum of Understanding reviewed quarterly. C) 2,559 new deceased estate with minor children matters were taken on. D) Payments to beneficiaries were effected in the amount of approximately R36 million. E) Legal Aid SA engaged with service providers that investigate and provide details of financial products held by the deceased in order to facilitate that such information is available to Local Offices. F) Legal Aid SA engaged with the Banking Association of South Africa to provide contacts at banks to provide information on unknown deposits in deceased estate matters.</p>	<p>A) Lack of referral of matters to Legal Aid SA from Master's Offices. B) Delay in deceased estate matters.</p>	<p>A) Engagements with Provincial Master's Offices to discuss the referral systems. B) Legal Aid SA implemented weekly tracking of the oldest deceased estate matters and discussed measures to expedite finalisation. C) Continued engagement with Master's Office to facilitate the payment of monies into the Guardian's Fund. D) Internal tracking report of payment requests from Trust Account circulated daily to ensure that any delays in processing payments are identified and addressed. E) Legal Aid SA engaged a company that can provide information on financial benefits held by deceased persons at the time of death, to address the delays caused when families are not able to provide information.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
B. Government	<p>6. Ministry of Justice and Correctional Services (Executive Authority) and Department of Justice and Constitutional Development</p>	<p>Strategic Objective Ensure best governance practice, King IV guidelines, and compliance with PFMA and other statutory requirements. Report on Performance Account to the Executive Authority (the Minister of Justice and Correctional Services) and Parliament on delivery of mandate, governance and sustainability.</p>	<p>A) The Executive Authority acknowledged and commended Legal Aid SA for good performance and for being a shining light in the Justice Cluster. B) Meetings with the Executive Authority and other stakeholders occurred as and when required. C) Meeting with the Minister of Justice and Correctional Services was held on 15 June 2022 (Legal Aid SA Act - succession planning; Finance - budget cuts (impact of the budget cuts on the EVP; Terms and Conditions of Employment); HR - Terms and Conditions of Employment and EVP; land mandate transfer; appointment of Board members to Board; intra-Board disputes investigations; NOE matter and scheduled meeting with the MoJ). D) Meeting with the Minister of Justice and Correctional Services was held on 7 March 2023 (proposed amendments to the Legal Aid SA Act of 2014; approval of the Legal Aid SA Terms and Conditions of Employment; Board fees; finalisation of Board member's matter; Constitution of the Board; appointment of CFO as an Alternate member; Finance - Land Rights Management Unit Budget allocation; MTEF 2023-2024; briefing on the Annual Performance Plan 2023/2024).</p>	<p>A) No issues raised by the Executive Authority. Legal Aid SA was accountable and compliant with relevant legislation. B) The organisation participated in all relevant stakeholder meetings as required.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
B. Government	7. National Treasury	<p>Strategic Objective Ensure best governance practice and compliance with PFMA and other statutory requirements.</p> <p>Report on Performance A) SCM and Procurement officials met with officials from Office of the Chief Procurement Officer to discuss challenges with property lease procurement and other various SCM matters. B) Legal Aid SA attended the Medium Term Expenditure Committees and MTEF bilateral meetings arranged by the National Treasury.</p>	<p>A) Legal Aid SA is seen as a professional entity. Meetings and presentations on finance matters are handled in a very proficient manner at all times. No additional funds allocated for the financial year under review due to financial constraints facing the country as a whole. B) There were budget cuts implemented for Legal Aid SA during the period under review. C) Legal Aid SA seen as one of the few entities with an excellent track record on the Auditor-General's independent audit opinions.</p>	<p>A) Material compliance on PFMA and full compliance with other statutory requirements. B) New circulars and NT guidelines introduced were implemented by Legal Aid SA to ensure good governance and financial maturity. C) Accounting Standards were applied when preparing the quarterly and Annual Financial Statements. D) Engagement with National Treasury and Department of Justice for the funding of the LRMF.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
B. Government	8. Government Departments (other) (National, Provincial, Local)	<p>Strategic Objectives</p> <p>A) To be responsive and have co-operative relationships with Government departments.</p> <p>B) Acquire meaningful insight and input to the organisation's strategic direction.</p> <p>C) Linkage with Department of Health for assistance of mental healthcare patients.</p> <p>Report on Performance</p> <p>A) 547 posters displayed at Government service points.</p> <p>B) 1,986 posters displayed at police stations, correctional centres and courts across the country.</p> <p>C) 1,295 community events held at Government key service delivery points.</p> <p>D) Successful collaboration with Justice Cluster partnership on justice service delivery Imbizos held in Carolina, Ermelo and Delft, Cape Town.</p> <p>E) Partnership with the Department of Women, Youth and Persons with Disabilities, Department of Justice and Constitutional Development for the Presidential Gender-Based Violence and Femicide Summit 2022.</p> <p>F) Partnership with Constitution Hill, Government departments and non-governmental organisations for the Human Rights Festival engaging with communities about their human rights.</p> <p>G) Various civil society groups reflected and gave feedback on the past 25 years of the Constitution at the National Conference on the Constitution.</p>	<p>A) Stakeholders raised issues of face-to-face accessibility for community interactions.</p> <p>B) There is a need for regular partnerships with key Government stakeholders and sharing of information at public education campaigns.</p> <p>C) Accessing some police stations for branding purposes remained one of the key challenges.</p>	<p>A) Legal Aid SA offices are now open weekdays for walk-in stakeholders/clients.</p> <p>B) Illustrative stationery/printed materials and branded promotional items with information on how to access Legal Aid SA services were produced and are continuously shared during community and stakeholder engagements.</p> <p>C) Police management in various provinces engaged and lobbied for enabling Legal Aid SA to place posters for public education purposes.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
B. Government	9. Judicial Inspectorate for Correctional Services (JICS)	<p>Strategic Objectives</p> <p>A) Continuous linkages with Department of Correctional Services for better access to detainees.</p> <p>B) Partnership with JICS to increase access to legal aid for detainees and inmates.</p> <p>C) Joint initiatives with all Justice Crime Prevention and Security Cluster stakeholders to reduce the number of RDs in custody for periods exceeding 2 years.</p> <p>Report on Performance</p> <p>A) Continuous linkages with Department of Correctional Services for better access to detainees.</p> <p>B) Partnership with JICS to increase access to legal aid for detainees and inmates.</p> <p>C) Ongoing meetings with JICS and interactions with Independent Correctional Centre Visitors (ICCVs) at Local Offices.</p> <p>D) Attendance at Visitation Committee meetings, where operational.</p> <p>E) Joint initiatives with all Justice Crime Prevention and Security Cluster stakeholders to reduce the number of RDs in custody for periods exceeding 2 years.</p>	<p>A) Legal Aid SA to ensure that senior Legal Aid SA Local Office Managers attend the local JICS meetings as arranged so that all inmate concerns regarding the provision of legal aid can be addressed.</p> <p>B) All inmate concerns regarding legal aid can be addressed.</p> <p>C) Visits undertaken by Legal Aid SA Local Office Paralegals to offer assistance to unrepresented accused.</p>	<p>A) Legal Aid SA ensures that senior Legal Aid SA Local Office Managers attend the local JICS meetings as arranged so that all inmate concerns regarding the provision of legal aid can be addressed.</p> <p>B) All inmate concerns regarding legal aid are investigated and addressed.</p> <p>C) Local Office Paralegals continued with their visitation programme to correctional centres to offer assistance to unrepresented accused.</p> <p>D) Proactive linkage by Local Offices with ICCVs within coverage area to ensure that prisoner complainants and legal representation issues are attended to timeously.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
B. Government	<p>10. South African Police Service (SAPS) and Department of Social Development (DSD)</p>	<p>Strategic Objectives</p> <p>A) Effective engagement with SAPS and DSD to ensure legal representation for children in criminal matters.</p> <p>B) Improved linkages with the SAPS system for referral of matters relating to legal aid.</p> <p>Report on Performance</p> <p>A) Legal Aid SA was part of 409 Case Flow Management Committees. The SAPS and DSD are represented in all these committees.</p> <p>B) Interaction with SAPS, DSD and other stakeholders to deal with children in conflict with the law takes place through the ISCCJ.</p> <p>D) Legal Aid SA contributes a section in the Integrated Annual Report of the ISCCJ.</p> <p>D) Provincial Offices participated in Provincial Child Justice fora.</p> <p>E) Integration of Legal Aid SA's legal administration system and the Crime Administration System is still being pursued as part of the JS deliverables.</p> <p>F) Legal Aid SA partnership extends to other areas including outreach programmes, social mobilisation and rights-based awareness through branding at numerous SAPS police cells nationally.</p> <p>G) There is a common understanding among stakeholders to share information regarding children in custody.</p> <p>H) Solid relationships are built to jointly coordinate efforts in dealing with child justice matters.</p>	<p>A) Stakeholder departments are continuously trying to find alignment in statistical reporting compared with the reporting of Legal Aid SA.</p> <p>B) Information is shared within Legal Aid SA on research studies on trends regarding children and social ills such as cyberbullying, substance abuse and school pregnancy.</p> <p>C) Information shared within Legal Aid SA on research conducted by the DSD on the link between drug abuse and offending.</p> <p>D) Data provided on children represented in Preliminary Inquiries and in Child Justice Courts.</p>	<p>A) Legal Aid SA visits all holding cells where children are held to ensure legal representation is provided. Legal Aid SA also tracks all children held in custodial facilities.</p> <p>B) DSD and Department of Correctional Services stakeholders are continuously engaged on the quality of reports prepared in children's matters, both criminal and civil.</p> <p>C) Information is shared within Legal Aid SA on research studies on trends regarding children used by adults to commit crime, as well as cyberbullying, substance abuse and school pregnancy.</p> <p>D) Information shared within Legal Aid SA on research conducted by the DSD on the link between drug abuse and offending.</p> <p>E) Data provided on children represented in Preliminary Inquiries and in Child Justice Courts.</p> <p>F) Legal Aid SA was part of delegations during visits to One Stop Child Justice Centres.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
B. Government	11. Parliamentary Portfolio Committee on Justice and Correctional Services and Agriculture, Land Reform and Rural Development	<p>Strategic Objective Reporting and accountability to the Executive Authority and statutory compliance maintained and improved.</p> <p>Report on Performance A) Legal Aid SA appeared 4 times before the Portfolio Committee on Justice and Correctional Services, as follows: i. 6 May 2022 - Legal Aid SA Strategic Plan 2020-2025, Annual Performance Plan 2022-2023 and the 2022-2023 Budget ii. 12 October 2022 - Briefing on Legal Aid SA Integrated Annual Report 2021-2022 iii. 8 February 2023 - Briefing on matters of mutual interest iv. 31 March 2023 - Portfolio Committee visit to Legal Aid SA B) Legal Aid SA appeared once before the Portfolio Committee on Agriculture, Land Reform and Rural Development, as follows: i. 9 September 2022 - Briefing on the living and working conditions in farming areas of South Africa</p>	<p>The Portfolio Committee was appreciative of the work done by Legal Aid SA and the good systems in place to monitor legal quality.</p>	<p>Legal Aid SA responded to all Parliamentary questions; a total of 8.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
C. Service Providers	12. Co-operation Partners	<p>Strategic Objective Boost capacity and resources to deliver quality legal services/ensure increased access to justice.</p> <p>Report on Performance A) New proposals for Co-operation Agreements as well as for the termination or restructuring of existing agreements considered by the LSTC. Legal Aid SA entered into 9 Co-operation Agreements with University Law Clinics to increase access to legal services in specific geographical areas or specific matter types. B) Annual audits of all Co-operation Partners successfully conducted. C) Effective referral system in place with Co-operation Agreement Partners in respect of specialist matters or in instances where a conflict of interest prevents Legal Aid SA from providing legal representation.</p>	<p>A) There are many funding requests for Co-operation Agreements and Legal Aid SA is not able to meet the full funding requests. B) Co-operation Partners seek additional assistance through donations of vehicles. C) Assistance for clients that cannot be assisted by Legal Aid SA.</p>	<p>A) Funding for Co-operation Partners available but limited to the allocated budget for Co-operation Agreements. B) Vehicles made available for donation to Co-operation Partners in terms of asset disposal policy. C) Referral systems in place between Legal Aid SA Local Offices and relevant Co-operation Partners to ensure that clients that Legal Aid SA cannot assist are assisted by a Co-operation Partner without delay. D) Allocation of Co-operation Agreements consider assistance to clients in geographical areas that are far from Legal Aid SA contact points. E) Co-operation Partners productivity monitored by Provincial Offices and tabled at LSTC for deliberation.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
C. Service Providers	13. Judicare Practitioners and Agency Agreements	<p>Strategic Objectives</p> <p>A) Boost capacity and resources to deliver quality legal services/ensure increased access to justice.</p> <p>B) Increase access to justice in rural-based courts that are uneconomical to service from a Legal Aid SA Local Office.</p> <p>Report on Performance</p> <p>A) Bi-annual newsletter published for Judicare Practitioners.</p> <p>B) Judicare Practitioner briefing sessions were held at Local Offices to discuss all issues affecting Judicare Practitioners.</p> <p>C) Individual communications sent to Judicare Practitioners to highlight changes in policy.</p> <p>D) All Agency Agreements renewed.</p> <p>E) Individual engagements held with Judicare Practitioners on quality.</p> <p>F) New requirement introduced for Judicare quality self-reviews to be submitted with all accounts.</p> <p>G) A project was initiated to empower female Judicare Practitioners.</p>	<p>A) Clarification on the payment of accounts including interim accounts.</p> <p>B) Clarification on the prescription of accounts and the prevention of prescription.</p> <p>C) Clarification on the Judicare Quality Monitoring Programme.</p> <p>D) Questions on the tendering process for Agency Agreements.</p>	<p>A) Accreditation criteria reviewed and refinements effected.</p> <p>B) Communications sent regarding the payment of interim accounts.</p> <p>C) Details of Quality Monitoring Programme shared with practitioners.</p> <p>D) Issues around the prescription of Judicare accounts were addressed in Judicare briefing sessions as well as in the Judicare Newsletter.</p> <p>E) Ethics and the concerning issue of fraudulent claims addressed in the Judicare newsletter.</p> <p>F) The revised Judicare travel policy was explained to Judicare Practitioners.</p> <p>G) The Judicare Women Empowerment Programme was initiated.</p> <p>H) An increase in Judicare tariffs based on the CPI was approved.</p> <p>I) The Legal Aid Manual was amended to allow for interim accounts in all matters and in all courts.</p> <p>J) All Agency Agreements were audited.</p> <p>K) The LQAU conducted quality reviews of 2 Agency Agreements.</p>
14. Other Suppliers		<p>Strategic Objectives</p> <p>A) Improved relations and supplier co-operation.</p> <p>B) Promote better understanding of Legal Aid SA's procurement policies and procedures.</p> <p>Report on Performance</p> <p>A) Regular updates with regard to SCM matters and guidelines sent out to suppliers through newsletters, SMS and emails.</p> <p>B) Tender briefings and publishing of tender results on website.</p> <p>C) Prospective suppliers advised to register on the NT CSD.</p>	<p>Suppliers requested Legal Aid SA to clarify SCM requirements for tenders and requested assistance with CSD registration.</p>	<p>A) Held tender briefing meetings, where applicable, to clarify SCM requirements.</p> <p>B) Suppliers were assisted with registration on the NT CSD.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
D. Internal Public	15. Board Members	<p>Strategic Objectives</p> <p>A) Skilled and properly constituted Board and Board Committees that function effectively to lead the organisation.</p> <p>B) Ensure ongoing dialogue between Legal Aid SA Management and Board.</p> <p>Report on Performance</p> <p>A) Board meetings convened as scheduled.</p> <p>B) Board evaluation will take place in the new financial year.</p> <p>C) Board of Legal Aid SA not fully constituted as at end of the financial year, with 2 vacancies due to the term of office of the Director-General/Shareholder representative on the Board ending on 15 March 2023. A memo has been sent to the EA to address same. The appointment of 1 non-executive member was terminated during 2022-2023.</p> <p>D) Board strategic and effective in providing leadership and oversight of delivery on performance.</p> <p>E) Board Workshop held in July 2022, predominantly focusing on Board dynamics and conflict management, Board roles and responsibilities, new Legal Aid SA mandate: land matters and associated risks, suggestions from the Board Investigation Report, Board and Committee Charters and Board Code of Ethics.</p> <p>F) Board governance instruments approved.</p>	<p>Board members engaging on the issues in the organisational environment.</p>	<p>Board member training and being effective in their oversight role.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
D. Internal Public	16. Employees	<p>Strategic Objectives Ongoing dialogue between Legal Aid SA employees and Management at all levels.</p> <p>Report on Performance A) Ongoing Management and staff discussions on the importance of strategic planning and pertinent management and operational matters. B) Employee Wellness and People Development Programmes implemented during the year. C) Values-based Legal Aid SA Organisational Culture Programme implemented, including diversity. D) Social and Ethics Programme implemented. E) Monthly staff meetings including quarterly forums. F) Issued weekly online newsletters and Good News Alerts. G) Internal events on human rights and other special days implemented for employees, including annual Achiever Awards ceremonies.</p>	<p>Feedback received from virtual workshops raised comments concerning practical implementation issues such as models of providing legal aid in criminal and civil matters, improving legal services delivery and access for clients, processes within the criminal justice system, stakeholder relations and raising awareness of the Legal Aid SA brand.</p>	<p>A) Comments and suggestions with regard to operational issues were considered in the Legal Aid SA Business Plan 2022-2023. B) Suggestions and recommendations were received through internal communication platforms, i.e., mainly emails, virtual meeting discussion sessions and the Intranet. C) Strengthened focus on both social media and internal communication. D) Maintenance and monitoring of brand uniformity in terms of embedding revised corporate identity colours at offices, on vehicle fleet, signage and other corporate identity templates including the use of updated logo and email signature. E) Issued over 700 daily staff email updates, 20 internal staff communiques on human rights/special days and 17 CEO messages that included clean audit status, revised EVP benefits, religious messages and other special announcements. F) 34 Organisational Culture Programme/Employee Wellness Programme and special days events were conducted during the reporting period. G) Issued 132 COVID-19 weekly updates on infections, vaccinations and other precautionary measures on the pandemic and 41 Good News Alerts positively marketing the Legal Aid SA brand, such as the Top Employer South Africa announcement and clean audit status.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
E. External Public	<p>17. Clients and Potential Clients/ Public (LSM 1-5)</p>	<p>Strategic Objective Increased awareness and usage of Legal Aid SA services.</p> <p>Report on Performance A) 1,295 community events held at Government key service delivery points. B) Innovative advertising campaigns including digital billboards on freeways, commuter networks and TV in-content advertising with messages commemorating Child Protection Week. C) Transit exterior full wrap branding on taxis as part of the National 16 Days of Activism for No Violence Against Women and Children. D) Out-of-Home advertising (mall adverts) to expose the Legal Aid SA brand and the Land Rights Management Unit, Strategic Litigation Unit services as well as the Advice Line. E) Forming part of panelists to provide legal expert commentary on 384 national TV and radio interviews. F) Partnership with Department of Justice and Constitutional Development on Wills Week at various courts. G) All Legal Aid SA pool vehicles travelling between all courts branded with the Advice Line number and website address, thus serving as transit advertising. H) Communities were also engaged through 528 community media interviews on different legal topics.</p>	<p>A) Increased demand for legal aid services on general public email. B) Requests for printed promotional items in indigenous languages. C) Unavailability of Legal Aid SA employees to participate in outreach initiatives on weekends and public holidays. D) Social media and Google advertising should be regularly used to grow exposure of these platforms and further boost the public's awareness of Legal Aid SA. E) The website can be made more user-friendly to better enable users to find the information they need.</p>	<p>A) Improved relationship with internal business units for facilitation of all requests and legal aid applications - National Operations Department (criminal matters) and Legal Development Department (civil and general advice). B) Ongoing engagements for new content and designs to produce materials in all official languages including Braille materials for the blind. C) Provinces engaged to consider utilising unaccounted hours during public education campaigns held on weekends and public holidays. HR to also be engaged on how the issue can be further resolved. D) Social media and Google advertising implementation to continue into the new FY, and become a regular feature. E) Website enhancements are planned for the new FY, including the integration of artificial intelligence tools that will better assist users to navigate the website and benefit further from the Self-help Portal.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
E. External Public	18. Representatives from the Justice Cluster, Government Departments, Chapter 9 Institutions, CBOs, FBOs, NGOs, SAPTU, SALAWU	<p>I) Legal Aid SA's social media platforms continue to attract more followers. In the FY, Facebook grew to 52,746 followers; Twitter to 13,482 followers; Instagram to 3,515 followers, LinkedIn to 25,947 followers and YouTube to 305 subscribers.</p> <p>J) Website usage grew exponentially, with a total of 533,590 users accessing the website in the FY; a 43% growth in website users from the previous FY.</p> <p>Strategic Objective Improved linkages to increase awareness of legal aid services as well as referral of clients to Legal Aid SA.</p> <p>Report on Performance A) Community-based organisation (CBO) and faith-based organisation (FBO) stakeholders invited as part of Provincial Stakeholder Forums. B) A total of 528 media interviews conducted on community radio stations to provide education and information concerning legal rights and obligations.</p>	<p>A) Many community radio stations rely on advertising revenue/ financial support to also provide public relations slots and other opportunities. B) Some community radio stations refuse to partner with the organisation and request paid public relations placements.</p>	<p>The motivation to have community media listed as beneficiaries of old computer equipment and furniture was updated and noted by the National Office Disposal Committee and thereby adopted.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
<p>F. Advocacy Groups</p>	<p>19. Commissions and Chapter 9 Institutions</p>	<p>Strategic Objectives</p> <p>A) To network with Commissions in safeguarding the rights of vulnerable persons.</p> <p>B) Ensure effective referral systems of clients with legal representation needs to Legal Aid SA.</p> <p>C) Co-branding initiatives/human rights awareness campaigns.</p> <p>Report on Performance</p> <p>A) Legal Aid SA maintained partnerships with Commissions and other Chapter 9 institutions.</p> <p>B) Legal Aid SA represented on the South African National Aids Council's Human Rights Technical Task Team.</p> <p>C) Public information sharing with relevant institutions through co-partnerships on access to justice and awareness on constitutional rights.</p> <p>D) Legal Aid SA participated in the South African Law Reform Commission (SALRC) discussion on legal fees.</p> <p>E) Legal Aid SA has a single source of referral for all correspondence and legal aid related complaints from Chapter 9 institutions.</p> <p>F) Public information sharing with relevant institutions through co-partnerships on access to justice and awareness on constitutional rights.</p> <p>G) Legal Aid SA engaged with the South African Human Rights Commission and the Public Protector on how complaints received at their various offices can be processed.</p> <p>H) Legal Aid SA participated in the SALRC Issue and Discussion Papers on Alternative Dispute Resolution in Family Law and Mediation.</p>	<p>A) Referral procedure for clients that need legal aid assistance.</p> <p>B) Reduced assistance to clients.</p> <p>C) Availability of Legal Practitioners and ability to access Local Offices.</p> <p>D) Legal Aid SA opinion sought on making legal services more affordable.</p>	<p>A) Referral system and procedure in place with the Commissions and Chapter 9 institutions.</p> <p>B) A Paralegal in the Legal Development Department and a Legal Admin Officer in the National Operations Department perform a Public Liaison function to facilitate the receipt of complaints, distribution of relevant internal persons and follow-up on finalisation of complaints to ensure response to complainants.</p> <p>C) Toll-free Legal Aid Advice Line available for clients to contact to make appointments with Legal Practitioners during periods when access to Local Offices was restricted.</p> <p>D) Legal Aid SA implemented SMS communication functionality to improve communication and the provision of feedback to clients.</p> <p>E) All Legal Practitioners linked with Microsoft Teams which can be used to consult with clients online.</p> <p>F) Input was provided on the SALRC report on legal fees.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
F. Advocacy Groups	20. Non-governmental Organisations (NGOs) and Lobby Groups	<p>Strategic Objectives</p> <p>A) To strengthen partnerships.</p> <p>B) To ensure effective referral systems of clients with legal representation needs to Legal Aid SA.</p> <p>Report on Performance</p> <p>A) Partnership with NGOs (Blind SA, For U Foundation, South African Women Lawyers Association, Childline, National Shelter Movement, Ubuntu Pathways) for public education campaigns.</p> <p>B) Partnerships with lobby groups as part of the national commemorative events held during Women's Month and Human Rights Month.</p>	<p>A) Access to legal aid services not fully publicised to NGOs.</p> <p>B) Lack of resources by NGOs for collaborative community outreach events.</p>	<p>A) Linkages with NGOs for streamlined referral processes.</p> <p>B) Promotional items placed at NGO offices for ease of access to the public.</p> <p>C) Donate old computer hardware to NGOs and CAOs.</p>
G. International Legal Bodies	21. African/International Legal Aid Bodies	<p>Strategic Objective</p> <p>Foster relationships that will result in partnerships to strengthen legal aid internationally.</p> <p>Report on Performance</p> <p>A number of foreign delegations were hosted by Legal Aid SA.</p>	<p>A) General questions about establishing a legal aid provider.</p> <p>B) Delegates wanted to know about governance structures, financing models, internal audit, legal service delivery as well as quality management.</p>	<p>A) 4 delegations were hosted - from Botswana, Uganda, Ethiopia and Eswatini.</p> <p>B) Presentations were made by all departments within Legal Aid SA.</p> <p>C) Further resources were shared with delegations as requested.</p>
H. Educational Institutions	22. Tertiary Institutions and Schools	<p>Strategic Objectives</p> <p>A) Position Legal Aid SA as an employer of choice to potential CAs.</p> <p>B) Educate learners about their rights and responsibilities at schools/brand awareness.</p> <p>C) Ensure that students understand the organisation's EVP.</p> <p>Report on Performance</p> <p>A) 16 University outreach programmes were conducted virtually. The total number of students that participated was 1,773.</p> <p>B) 3,044 CA applications were received, and 233 were placed.</p>	<p>A) Legal Aid SA is mostly the preferred organisation that students want to do their Articles of Clerkship with.</p> <p>B) Students enquired about the recruitment process to become a CA.</p>	<p>Complaints regarding CA recruitment were referred to Provincial Offices for further clarification and resolution.</p>

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
I. Media	23. National Print, Broadcast, Online, Community and Regional Media	<p>Strategic Objectives</p> <p>A) Improved share of voice for Legal Aid SA in the media.</p> <p>B) Position thought leadership within Legal Aid SA.</p> <p>Report on Performance</p> <p>A) 48 media networking sessions held with mainstream media editors and producers.</p> <p>B) 26 self-written media pieces produced, including press releases highlighting the amended Legal Aid SA Means Test, estate planning and stakeholder forums and published in national and regional media spaces.</p> <p>C) 912 broadcast interviews conducted by senior Legal Practitioners discussing legal issues and the mandate of Legal Aid SA.</p> <p>D) 46 media queries received and responded to timeously.</p> <p>E) Converged content across different media platforms continues to be an effective strategy for brand visibility.</p>	<p>A) The majority of news reporting is done through digital platforms instead of print.</p> <p>B) There are still media publications that refer to the organisation as the Legal Aid Board.</p>	<p>A) Continually maintaining relationships with journalists from a variety of media platforms.</p> <p>B) Continuous engagement with journalists and news editors regarding the correct naming convention for the organisation.</p>





“ Human Resources Management continued to ensure sustainable employment practices and people management despite the challenges caused by long-term budgetary constraints. The focus remains on continuously adding value to the core business and supporting the organisation in achieving its strategic goals ”



PART E

Human Resources Management



1. OVERVIEW OF HR MATTERS AT THE PUBLIC ENTITY

The 2022-2023 financial year saw Human Resources Management continue to ensure sustainable employment practices and people management despite the challenges caused by long-term budgetary constraints. The focus remains on continuously adding value to the core business and supporting the organisation in achieving its strategic goals.

Staff wellness, health and safety was prioritised, alongside an improved EVP, which included performance incentives, employee engagement, cohesion education, training and development

in creative ways given financial constraints and human resources policy developments, with adjusted flexible work arrangements. Although recruitment levels were below target, a satisfactory turnover rate and training and development targets were achieved.

Human Resources Management continued to build and foster good individual and collective relations with the recognised trade unions, SALAWU (South African Lawyers and Allied Workers Union) and SAPTU (South African Parastatals and Tertiary Institutions Union).

2. SET HR PRIORITIES FOR THE YEAR UNDER REVIEW AND THE IMPACT OF THESE PRIORITIES

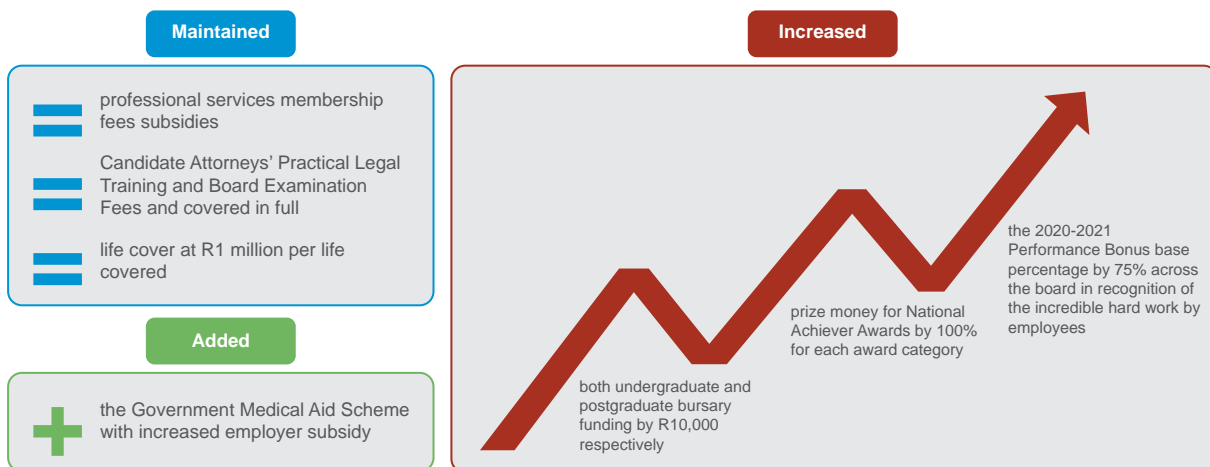
Legal Aid South Africa’s strategic objectives can only be achieved through a motivated and engaged workforce, which requires continuous EVP improvements to attract and retain talent and skill, the enhancement of employment practices and ensuring proper individual and collective labour relations.

Human Resources Management endeavours to maintain an organisational culture of continuous self-development, learning and high work performance whilst striking the necessary work-life balance. This translates into sustaining talent management programmes and a competitive EVP, as well as ongoing leadership development and high levels of employee engagement, whilst managing budget reductions to the cost of employment.

2.1. MAINTAINING A COMPETITIVE EVP

In keeping with its commitment to continuous improvement in people management practices, Legal Aid SA has benchmarked its human resources policies and practices against the Top Employers Institute and Unicentrix standards. The entity has proudly received Top Employer South Africa accreditation for the 14th consecutive year.

The EVP was strengthened to maintain a healthy and satisfied workforce, with the following elements reviewed:



Furthermore, more than half of Legal Aid SA’s staff have been with the organisation for more than 11 years, indicating the worth of the EVP in an era when employment tends to be fluid rather than fixed.

2.2. LEADERSHIP DEVELOPMENT PROGRAMME

Leaders continue to be held accountable for reinforcing the organisational culture and growing employee engagement. They are supported to build trust and influence the discourse during organisational culture activities and in any crisis and moments of uncertainty. Leadership training activities were conducted to help leaders understand the importance of delivering services efficiently and empowering them to act in ethically responsible ways, focusing on values-based ethical leadership training, client management services and leadership development.

Succession planning is driven by the *9 Box Talent Management Tool*, which is used to identify high-potential incumbents for the pool for succession planning. This tool ensures a more intentional, purpose-driven leadership and succession management approach.

The entity's Succession Planning Programme is further aimed at developing organisational

leadership readiness and preparedness as mitigation in the event of unexpected turnover in critical organisational roles. In the year under review, one such role that became vacant was filled by an internal candidate.

2.3. MANAGING EMPLOYEE ENGAGEMENT

Employee engagement is critical to business outcomes and in delivering Legal Aid SA's constitutional mandate. The organisation is partially applying a hybrid workforce model to boost work-life balance and improve employee engagement. Employee satisfaction has been stable for the past two years, confirming that employees are well integrated into the workplace and feel supported by the Management in their working environment.

Legal Aid SA also conducted staff surveys, which continue to grow its affinity to employees, the brand and society at large. Additionally, the entity ensured that employees had appropriate platforms for engagement and support through collaboration.

3. WORKFORCE PLANNING FRAMEWORK AND KEY STRATEGIES TO ATTRACT AND RECRUIT A SKILLED AND CAPABLE WORKFORCE

Legal Aid SA remained reasonably well recruited throughout 2022-2023, with a recruitment rate of 93.6% against the targeted recruitment of 95%. The recruitment rate was below target due to the late transfer of budget from the DALRRD which led to the late advertising of vacant positions in the LRMU in the final quarter of 2022-2023.

Workforce planning for civil legal aid provision is based on the demand in each Legal Aid SA Local Office coverage area, together with the organisation's capacity to satisfy this demand efficiently. The workforce planning approach for support services is one of continuous improvement and alignment with leading practices, to refine and develop support models to improve sustainability,

efficiency and effectiveness of delivery. Business processes and organisational structures in support departments were reviewed in response to the need to reduce the total cost of employment.

The 2022-2023 turnover rate of 4.5% for permanent positions is well within acceptable norms and is an indication of successful implementation of retention strategy and employee satisfaction in the organisation. The key Legal Aid SA attraction and retention strategy is an EVP which is appealing to the entity's knowledge-based workforce both in terms of financial rewards, professional fulfilment and work-life balance.

4. EMPLOYEE PERFORMANCE MANAGEMENT FRAMEWORK

Performance management is central to Legal Aid SA and is embedded in the Performance Management Framework, which continued to deliver sustainable, holistic and integrated organisational performance. The Performance Management Policy applies to all permanent employees and contains elements of collective and individual performance which must be delivered within budget and in accordance with organisational rules and procedures. Whilst each employee’s performance is critical, a team approach to performance is paramount so that the entity’s Business Plan can be delivered holistically in line with budgetary and policy frameworks.

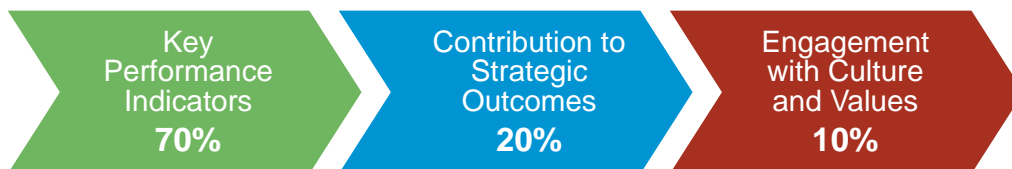
and flexible approach to the organisation’s performance management in a way that recognises achievement, deals with underperformance and reflects leading practice at the international level. The framework allows Legal Aid SA to calibrate effectively and relevantly within the diverse cultural environment and its challenges, sustaining talent pool identification for critical job positions. The Performance Management Framework also includes aspects aimed at stimulating innovation, exceptional performance beyond agreed deliverables and paradigm-changing organisational solutions. In addition, leadership development and performance form part of the system for all Managers.

The annual revision of the Performance Management Framework provides a comprehensive, continuous

Each Management employee’s performance assessment is weighted as follows:



Each non-Management employee’s performance assessment is weighted as follows:



5. EMPLOYEE WELLNESS PROGRAMME

Wellness management was a priority during 2022-2023 due to increasing recognition that the health and wellbeing of employees directly impacts on the productivity of the organisation.

Vicarious trauma training was also provided nationally to assist legal professionals in understanding how exposure to trauma in criminal cases can affect them and help them find ways of dealing with and managing trauma symptoms.

The Employee Wellness Programme (EWP) is offered through the in-house Clinical Psychologist and an external service provider which is staffed by qualified professionals and provides assistance and support on a strictly confidential basis. This allowed Legal Aid SA employees to freely access these healthcare professionals nationally and receive assistance in managing both personal and occupational difficulties.

Psycho-educational material and wellness talks were also presented regularly to help all employees improve and manage their physical and mental health. These wellness talks were facilitated by different healthcare professionals and included topics such as awareness of HIV/AIDS, cancer, men’s health, women’s health and physical health in the workplace.

6. POLICY DEVELOPMENTS: HIGHLIGHTS, CHALLENGES, FUTURE GOALS

Human Resources is continuously reviewing its policies to ensure alignment with leading practices and changes in legislation, in keeping with its commitment to continuous improvement in people management practice.

Legal Aid SA has made reasonable progress in transformation of its Top Management level and remains committed to advancing the Employment Equity agenda. The number of women employed at Senior and Top Management levels is 54, which is 45.8% of the total Management workforce. The recruitment of persons with disabilities remains a challenge at 1.45% against a target of 2%.

Going forward, the focus will be on the continuous execution of programmes, tireless empowerment

of Managers and a highly efficient, relevant and contemporary Human Resources Function that will continue cementing Legal Aid SA as a listening and responsive organisation.

These goals will be attained by prioritising recruitment of human capital as per staffing and equity plans and within available resources; improving the EVP within available resources; strengthening the organisational culture and employee engagement to promote good employee relations; retention of skills; managing performance in a virtual world of work and developing competencies to embrace the Fourth Industrial Revolution. Additionally, leadership must be supported through training and development to manage and lead the transformation agenda while maintaining a humanistic work environment.

Culture Statement

Proudly Legal Aid SA... champion of legal rights, serving our clients with compassion, integrity and confidence. Your Voice. For Justice.

Leadership Statement

Mentor Leaders that have genuine concern for people development and success, leading with integrity, empathy and excellence.

7. HUMAN RESOURCES OVERSIGHT STATISTICS

Table 20: Personnel Cost by Business Unit

Directorate/Business Unit	Total Expenditure for the Entity (R'000)	Personnel Expenditure (R'000)	Personnel Exp. as a % of Total Exp. (R'000)	No. of Employees	Average Personnel Cost per Employee (R'000)
Legal Aid SA National Office	R550,446,272	R160,161,188	29%	236	R5,921,193
Office of the CEO (includes COO & BS)	R13,220,985	R11,632,827	88%	16	R727,052
Communication	R12,660,470	R7,003,530	55%	8	R875,441
Finance (includes PPU & Creditors)	R92,282,501	R32,933,980	36%	60	R548,900
Human Resources	R158,791,847	R15,576,142	10%	26	R599,082
Internal Audit	R22,340,551	R22,644,846	101%	28	R808,745
Information Systems (includes eLAA Development)	R75,413,912	R27,015,701	36%	34	R794,579
Legal Development Services	R31,852,985	R21,003,319	66%	33	R636,464
National Operations	R92,360,251	R14,894,880	16%	16	R930,930
Land Rights Management	R51,522,770	R7,455,964	14%	15	R497,064
Eastern Cape Province	R276,209,938	R257,883,413	93%	460	R6,502,846
Legal Aid SA Butterworth LO	R15,557,077	R14,270,576	92%	30	R475,686
Legal Aid SA East London LO	R23,297,083	R22,031,129	95%	48	R458,982
Legal Aid SA Eastern Cape Provincial Office	R10,865,075	R9,159,663	84%	9	R1,017,740
Legal Aid SA Gqeberha LO	R59,850,499	R59,110,663	99%	90	R656,785
Legal Aid SA Graaff-Reinet LO	R14,175,865	R12,705,059	90%	22	R577,503
Legal Aid SA Kariega LO	R14,921,548	R13,848,615	93%	25	R553,945
Legal Aid SA Komani LO	R24,887,769	R23,549,438	95%	45	R523,321
Legal Aid SA Makhanda LO	R24,730,087	R22,231,211	90%	41	R542,225
Legal Aid SA Maletswai LO	R11,354,067	R10,356,327	91%	17	R609,196
Legal Aid SA Mthatha LO	R50,432,195	R46,330,544	92%	91	R509,127
Legal Aid SA Qonce LO	R26,138,673	R24,290,188	93%	42	R578,338
Free State/North West Province	R231,226,895	R208,017,547	90%	389	R7,094,030
Legal Aid SA Bethlehem LO	R18,986,478	R17,209,798	91%	31	R555,155
Legal Aid SA Bloemfontein LO	R39,190,778	R34,878,389	89%	61	R571,777
Legal Aid SA Botshabelo LO	R12,703,658	R11,413,343	90%	24	R475,556
Legal Aid SA Free State/North West Provincial Office	R11,532,831	R8,189,605	71%	9	R909,956
Legal Aid SA Klerksdorp LO	R19,311,429	R18,689,916	97%	31	R602,901
Legal Aid SA Kroonstad LO	R12,678,964	R11,455,918	90%	25	R458,237
Legal Aid SA Lichtenburg LO	R10,196,764	R9,399,711	92%	19	R494,722
Legal Aid SA Mafikeng LO	R21,691,482	R18,734,370	86%	37	R506,334
Legal Aid SA Phuthaditjhaba LO	R13,606,395	R12,295,994	90%	28	R439,143

Table 20: Personnel Cost by Business Unit (continued)

Directorate/Business Unit	Total Expenditure for the Entity (R'000)	Personnel Expenditure (R'000)	Personnel Exp. as a % of Total Exp. (R'000)	No. of Employees	Average Personnel Cost per Employee (R'000)
Legal Aid SA Potchefstroom LO	R19,959,528	R18,952,002	95%	32	R592,250
Legal Aid SA Rustenburg LO	R17,696,442	R16,400,894	93%	31	R529,061
Legal Aid SA Vryburg LO	R9,618,939	R8,159,965	85%	19	R429,472
Legal Aid SA Welkom LO	R24,053,207	R22,237,641	92%	42	R529,468
Gauteng Province	R341,881,013	R312,456,904	91%	566	R6,602,632
Legal Aid SA Alexandra LO	R18,287,814	R17,361,437	95%	37	R469,228
Legal Aid SA Benoni LO	R32,242,569	R30,402,189	94%	65	R467,726
Legal Aid SA Ga-Rankuwa LO	R22,129,772	R20,874,522	94%	36	R579,848
Legal Aid SA Gauteng Provincial Office	R18,794,971	R6,464,761	34%	10	R646,476
Legal Aid SA Germiston LO	R21,137,968	R19,911,491	94%	40	R497,787
Legal Aid SA Johannesburg LO	R58,913,448	R58,183,178	99%	90	R646,480
Legal Aid SA Krugersdorp LO	R24,025,326	R23,359,427	97%	51	R458,028
Legal Aid SA Pretoria LO	R52,718,823	R47,424,905	90%	75	R632,332
Legal Aid SA Soshanguve LO	R15,767,765	R15,131,292	96%	25	R605,252
Legal Aid SA Soweto LO	R34,001,364	R31,871,012	94%	57	R559,141
Legal Aid SA Tembisa LO	R16,866,851	R15,816,096	94%	30	R527,203
Legal Aid SA Vereeniging LO	R26,994,342	R25,656,594	95%	50	R513,132
KwaZulu-Natal Province	R279,225,242	R258,412,367	93%	492	R6,032,032
Legal Aid SA Durban LO	R51,845,306	R48,568,281	94%	76	R639,056
Legal Aid SA Empangeni LO	R26,939,242	R24,944,175	93%	66	R377,942
Legal Aid SA KwaZulu-Natal Provincial Office	R11,030,504	R9,097,884	82%	10	R909,788
Legal Aid SA Ladysmith LO	R12,741,182	R11,459,687	90%	26	R440,757
Legal Aid SA Newcastle LO	R19,318,875	R17,999,294	93%	34	R529,391
Legal Aid SA Pietermaritzburg LO	R44,493,612	R40,007,915	90%	73	R548,054
Legal Aid SA Pinetown LO	R18,438,318	R18,715,652	102%	35	R534,733
Legal Aid SA Port Shepstone LO	R24,638,657	R22,519,038	91%	46	R489,544
Legal Aid SA Umlazi LO	R22,854,200	R21,365,076	93%	34	R628,385
Legal Aid SA Verulam LO	R29,644,726	R28,273,354	95%	56	R504,881
Legal Aid SA Vryheid LO	R17,280,620	R15,462,011	89%	36	R429,500
Limpopo/Mpumalanga Province	R225,379,732	R206,166,249	91%	397	R5,623,275
Legal Aid SA eMalahleni LO	R23,919,250	R22,028,062	92%	47	R468,682
Legal Aid SA Ermelo LO	R19,273,597	R17,780,339	92%	35	R508,010
Legal Aid SA Limpopo/Mpumalanga Provincial Office	R14,505,819	R8,036,530	55%	8	R1,004,566
Legal Aid SA Louis Trichardt LO	R15,413,229	R13,790,542	89%	29	R475,536

Table 20: Personnel Cost by Business Unit (continued)

Directorate/Business Unit	Total Expenditure for the Entity (R'000)	Personnel Expenditure (R'000)	Personnel Exp. as a % of Total Exp. (R'000)	No. of Employees	Average Personnel Cost per Employee (R'000)
Legal Aid SA Mbombela LO	R37,853,594	R35,289,445	93%	78	R452,429
Legal Aid SA Middelburg LO	R21,853,887	R20,986,060	96%	41	R511,855
Legal Aid SA Modimolle LO	R12,034,958	R11,159,213	93%	25	R446,369
Legal Aid SA Polokwane LO	R39,176,104	R37,990,480	97%	69	R550,587
Legal Aid SA Thohoyandou LO	R17,969,098	R17,074,878	95%	28	R609,817
Legal Aid SA Tzaneen LO	R23,380,196	R22,030,699	94%	37	R595,424
Northern Cape/Western Cape Province	R319,315,909	R292,855,456	92%	553	R7,393,073
Legal Aid SA Athlone LO	R45,463,387	R43,970,497	97%	89	R494,051
Legal Aid SA Bellville LO	R26,786,454	R24,594,561	92%	55	R447,174
Legal Aid SA Caledon LO	R15,463,708	R14,373,647	93%	27	R532,357
Legal Aid SA Cape Town LO	R42,258,415	R38,887,963	92%	63	R617,269
Legal Aid SA Colesberg LO	R13,496,677	R12,528,787	93%	21	R596,609
Legal Aid SA George LO	R35,945,965	R34,650,056	96%	52	R666,347
Legal Aid SA Kimberley LO	R35,183,302	R32,678,831	93%	61	R535,719
Legal Aid SA Malmesbury LO	R14,437,751	R13,127,100	91%	24	R546,963
Legal Aid SA Northern Cape/Western Cape Provincial Office	R12,535,189	R9,020,126	72%	9	R1,002,236
Legal Aid SA Stellenbosch LO	R28,046,910	R24,966,063	89%	61	R409,280
Legal Aid SA Upington LO	R19,784,955	R16,238,631	82%	44	R369,060
Legal Aid SA Vredendal LO	R12,782,713	R11,594,199	91%	22	R527,009
Legal Aid SA Worcester LO	R17,130,483	R16,224,993	95%	25	R649,000
TOTAL	R2,223,685,001	R1,695,953,125	76%	3,093	R548,320

Table 21: Personnel Cost by Salary Band

Level	Personnel Expenditure (R'000)	% of Personnel Exp. to Total Personnel Cost (R'000)	No. of Employees	Average Personnel Cost per Employee (R'000)
Top Management	R31,572,566	1.86%	18	R1,754,031
Senior Management	R144,660,391	8.53%	100	R1,446,604
Professional Qualified	R1,175,775,653	69.33%	1,598	R735,780
Skilled	R223,442,551	13.18%	973	R229,643
Semi-skilled	R120,501,964	7.11%	404	R298,272
Total	R1,695,953,125	100.00%	3,093	

Table 22: Performance Rewards

Salary Band	Performance Rewards	Personnel Expenditure (R'000)	% of Performance Rewards to Total Personnel Cost (R'000)
Top Management	R4,006,109	R31,572,566	13%
Senior Management	R11,964,451	R144,660,391	8%
Professional Qualified	R60,701,304	R1,175,775,653	5%
Skilled	R1,926,072	R223,442,551	1%
Semi-skilled	R8,787,638	R120,501,964	7%
Total	R87,385,574	R1,695,953,125	5%

Table 23: Training Costs

Directorate/Business Unit	Personnel Expenditure (R'000)	Training Expenditure (R'000)	Training Expenditure as a % of Personnel Cost	No. of Employees Trained	Avg. Training Cost per Employee
Legal Aid SA National Office	R550,446,272	R1,623,671.00	1.66%	254	R6,392.41
Office of the CEO (includes COO & BS)	R13,220,985	R0.00	0.00%	6	R0.00
Communication	R12,660,470	R20,000.00	0.16%	7	R2,857.14
Finance (includes PPU & Creditors)	R92,282,501	R60,333.00	0.07%	53	R1,138.36
Human Resources	R158,791,847	R1,204,000.00	0.76%	84	R14,333.33
Internal Audit	R22,340,551	R20,000.00	0.09%	29	R689.66
Information Systems	R75,413,912	R24,281.00	0.03%	24	R1,011.71
Land Rights	R31,852,985	R0.00	0.00%	10	R0.00
Legal Development Services	R92,360,251	R19,057.00	0.02%	27	R705.81
National Operations	R51,522,770	R276,000.00	0.54%	14	R19,714.29
Eastern Cape Province	R276,209,938	R188,585.00	1.13%	328	R574.95
Legal Aid SA Butterworth LO	R15,557,077	R0.00	0.00%	23	R0.00
Legal Aid SA East London LO	R23,297,083	R0.00	0.00%	32	R0.00
Legal Aid SA Eastern Cape Provincial Office	R10,865,075	R30,000.00	0.28%	8	R3,750.00
Legal Aid SA Gqeberha LO	R59,850,499	R30,000.00	0.05%	71	R422.54
Legal Aid SA Graaff-Reinet LO	R14,175,865	R0.00	0.00%	18	R0.00
Legal Aid SA Kariega LO	R14,921,548	R10,000.00	0.07%	21	R476.19
Legal Aid SA Komani LO	R24,887,769	R0.00	0.00%	24	R0.00
Legal Aid SA Makhanda LO	R24,730,087	R30,000.00	0.12%	32	R937.50
Legal Aid SA Maletswai LO	R11,354,067	R54,985.00	0.48%	14	R3,927.50
Legal Aid SA Mthatha LO	R50,432,195	R0.00	0.00%	15	R0.00
Legal Aid SA Qonce LO	R26,138,673	R33,600.00	0.13%	70	R480.00

Directorate/Business Unit	Personnel Expenditure (R'000)	Training Expenditure (R'000)	Training Expenditure as a % of Personnel Cost	No. of Employees Trained	Avg. Training Cost per Employee
Free State/North West Province	R231,226,895	R59,640.00	0.42%	299	R199.46
Legal Aid SA Bethlehem LO	R18,986,478	R4,650.00	0.02%	24	R193.75
Legal Aid SA Bloemfontein LO	R39,190,778	R9,990.00	0.03%	46	R217.17
Legal Aid SA Botshabelo LO	R12,703,658	R0.00	0.00%	19	R0.00
Legal Aid SA Free State/North West Provincial Office	R11,532,831	R15,000.00	0.13%	8	R1,875.00
Legal Aid SA Klerksdorp LO	R19,311,429	R0.00	0.00%	25	R0.00
Legal Aid SA Kroonstad LO	R12,678,964	R30,000.00	0.24%	15	R2,000.00
Legal Aid SA Lichtenburg LO	R10,196,764	R0.00	0.00%	14	R0.00
Legal Aid SA Mafikeng LO	R21,691,482	R0.00	0.00%	27	R0.00
Legal Aid SA Phuthaditjhaba LO	R13,606,395	R0.00	0.00%	21	R0.00
Legal Aid SA Potchefstroom LO	R19,959,528	R0.00	0.00%	28	R0.00
Legal Aid SA Rustenburg LO	R17,696,442	R0.00	0.00%	23	R0.00
Legal Aid SA Vryburg LO	R9,618,939	R0.00	0.00%	13	R0.00
Legal Aid SA Welkom LO	R24,053,207	R0.00	0.00%	36	R0.00
Gauteng Province	R341,881,013	R124,705.00	0.56%	447	R278.98
Legal Aid SA Alexandra LO	R18,287,814	R0.00	0.00%	26	R0.00
Legal Aid SA Benoni LO	R32,242,569	R4,710.00	0.01%	45	R104.67
Legal Aid SA Ga-Rankuwa LO	R22,129,772	R0.00	0.00%	32	R0.00
Legal Aid SA Gauteng Provincial Office	R18,794,971	R30,000.00	0.16%	7	R4,285.71
Legal Aid SA Germiston LO	R21,137,968	R0.00	0.00%	32	R0.00
Legal Aid SA Johannesburg LO	R58,913,448	R0.00	0.00%	78	R0.00
Legal Aid SA Krugersdorp LO	R24,025,326	R24,995.00	0.10%	37	R675.54
Legal Aid SA Pretoria LO	R52,718,823	R15,000.00	0.03%	61	R245.90
Legal Aid SA Soshanguve LO	R15,767,765	R0.00	0.00%	21	R0.00
Legal Aid SA Soweto LO	R34,001,364	R0.00	0.00%	47	R0.00
Legal Aid SA Tembisa LO	R16,866,851	R30,000.00	0.18%	25	R1,200.00
Legal Aid SA Vereeniging LO	R26,994,342	R20,000.00	0.07%	36	R555.56
KwaZulu-Natal Province	R279,225,242	R224,035.00	1.20%	378	R592.69
Legal Aid SA Durban LO	R51,845,306	R15,710.00	0.03%	62	R253.39
Legal Aid SA Empangeni LO	R26,939,242	R0.00	0.00%	41	R0.00
Legal Aid SA KwaZulu-Natal Provincial Office	R11,030,504	R20,000.00	0.18%	7	R2,857.14
Legal Aid SA Ladysmith LO	R12,741,182	R54,935.00	0.43%	22	R2,497.05
Legal Aid SA Newcastle LO	R19,318,875	R0.00	0.00%	25	R0.00
Legal Aid SA Pinetown LO	R44,493,612	R15,000.00	0.03%	27	R555.56
Legal Aid SA Pietermaritzburg LO	R18,438,318	R0.00	0.00%	60	R0.00
Legal Aid SA Port Shepstone LO	R24,638,657	R0.00	0.00%	32	R0.00

Table 23: Training Costs (continued)

Directorate/Business Unit	Personnel Expenditure (R'000)	Training Expenditure (R'000)	Training Expenditure as a % of Personnel Cost	No. of Employees Trained	Avg. Training Cost per Employee
Legal Aid SA Umlazi LO	R22,854,200	R48,400.00	0.21%	32	R1,512.50
Legal Aid SA Verulam LO	R29,644,726	R39,990.00	0.13%	44	R908.86
Legal Aid SA Vryheid LO	R17,280,620	R30,000.00	0.17%	26	R1,153.85
Limpopo/Mpumalanga Province	R225,379,732	R413,670.00	2.09%	293	R1,411.84
Legal Aid SA eMalahleni LO	R23,919,250	R79,645.00	0.33%	33	R2,413.48
Legal Aid SA Ermelo LO	R19,273,597	R0.00	0.00%	25	R0.00
Legal Aid SA Limpopo/ Mpumalanga Provincial Office	R14,505,819	R26,330.00	0.18%	8	R3,291.25
Legal Aid SA Louis Trichardt LO	R15,413,229	R124,995.00	0.81%	28	R4,464.11
Legal Aid SA Mbombela LO	R37,853,594	R15,000.00	0.04%	53	R283.02
Legal Aid SA Middelburg LO	R21,853,887	R70,000.00	0.32%	22	R3,181.82
Legal Aid SA Modimolle LO	R12,034,958	R0.00	0.00%	17	R0.00
Legal Aid SA Polokwane LO	R39,176,104	R47,700.00	0.12%	54	R883.33
Legal Aid SA Thohoyandou LO	R17,969,098	R50,000.00	0.28%	23	R2,173.91
Legal Aid SA Tzaneen LO	R23,380,196	R0.00	0.00%	30	R0.00
Northern Cape/Western Cape Province	R319,315,909	R45,436.00	0.13%	409	R111.09
Legal Aid SA Athlone LO	R45,463,387	R0.00	0.00%	67	R0.00
Legal Aid SA Bellville LO	R26,786,454	R0.00	0.00%	41	R0.00
Legal Aid SA Caledon LO	R15,463,708	R0.00	0.00%	19	R0.00
Legal Aid SA Cape Town LO	R42,258,415	R15,000.00	0.04%	49	R306.12
Legal Aid SA Colesberg LO	R13,496,677	R0.00	0.00%	18	R0.00
Legal Aid SA George LO	R35,945,965	R0.00	0.00%	41	R0.00
Legal Aid SA Kimberley LO	R35,183,302	R15,000.00	0.04%	44	R340.91
Legal Aid SA Malmesbury LO	R14,437,751	R0.00	0.00%	22	R0.00
Legal Aid SA Northern Cape/ Western Cape Provincial Office	R12,535,189	R0.00	0.00%	7	R0.00
Legal Aid SA Stellenbosch LO	R28,046,910	R15,436.00	0.06%	41	R376.49
Legal Aid SA Upington LO	R19,784,955	R0.00	0.00%	24	R0.00
Legal Aid SA Vredendal LO	R12,782,713	R0.00	0.00%	16	R0.00
Legal Aid SA Worcester LO	R17,130,483	R0.00	0.00%	20	R0.00
	R2,223,685,001	R2,679,742	7.2%	2,408	R1,113

Note: Excluding Board members

*HR training expenditure includes bursaries awarded to employees

Table 24: Employment and Vacancies per Category

Programme/activity/objective	Approved Posts	No. of Employees (Filled Permanent Posts)	Vacancies	% of Vacancies	*No. of Employees (Posts Filled Additional to Establishment)
Top Management	16	16	0	0.00%	0
Senior Management	105	102	3	2.86%	0
Professional qualified	1,514	1,436	78	5.15%	135
Skilled	791	726	65	8.22%	13
Semi-skilled	414	377	37	8.94%	29
Total	2,840	2,657	183	6.44%	177

* Includes overlapping Candidate Attorneys and Temps

Table 25: Employment Changes

Salary Band	Employment at Beginning of Period	Appointments	Terminations	Employment at End of the Period
Top Management	16	1	1	16
Senior Management	100	9	6	102
Professional Qualified	1,297	388	77	1,436
Skilled	711	124	157	726
Semi-skilled	344	65	10	377
Total	2,468	587	250	2,657

Note: There will be differences at the various levels between opening and closing – this is due to persons moving through the levels internally. Most important is the total, which does balance with zero discrepancy

Table 26: Reasons for Staff Leaving

Reason	Number	% of Total No. of Staff Leaving
Death	9	3.60%
Resignation	115	46.00%
Dismissal	2	0.80%
Retirement	12	4.80%
Ill Health	1	0.40%
Expiry of Contract	111	44.40%
Other	0	0.00%
Total	250	100.00%

Table 27: Labour Relations: Misconduct and Disciplinary Action

Nature of Disciplinary Action	Number
Verbal Warning	7
Written Warning	13
Final Written Warning	6
Dismissal	2
Total	28

Table 28: Equity Target and Employment Equity Status

Levels	Male							
	African		Coloured		Indian		White	
	Current	Target	Current	Target	Current	Target	Current	Target
Top Management	9	7	0	1	0	0	1	1
Senior Management	39	43	5	5	3	2	7	5
Professional Qualified	532	611	38	71	26	24	102	70
Skilled	107	116	9	13	0	5	1	13
Semi-skilled	72	151	5	18	3	6	1	17
Unskilled	0	0	0	0	0	0	0	0
Total	759	928	57	108	32	37	112	106

Levels	Female							
	African		Coloured		Indian		White	
	Current	Target	Current	Target	Current	Target	Current	Target
Top Management	6	6	0	1	0	0	1	1
Senior Management	28	36	3	4	3	1	13	4
Professional Qualified	481	512	105	61	54	13	84	54
Skilled	133	97	15	12	1	2	3	10
Semi-skilled	208	126	36	15	7	3	19	13
Unskilled	0	0	0	0	0	0	0	0
Total	856	777	159	93	65	19	120	82

Note: The figures exclude Candidate Attorneys/Temps

Levels	Disabled Staff			
	Male		Female	
	Current	Target	Current	Target
Top Management	0	0	0	0
Senior Management	0	1	1	1
Professional Qualified	21	14	6	14
Skilled	1	2	3	3
Semi-skilled	2	2	2	5
Unskilled	0	0	0	0
Total	24	19	12	23



“ The PFMA Compliance and Reporting Framework was released by the National Treasury in 2022 and requires entities to report irregular, fruitless and wasteful spending incurred during the year in which the initial expenses were made and deemed non-compliant with legal and regulatory requirements if the procurement method used was non-compliant ”



PART F

PFMA Compliance Report



1. INFORMATION ON IRREGULAR, FRUITLESS AND WASTEFUL EXPENDITURE AND MATERIAL LOSSES

The PFMA Compliance and Reporting Framework was released by the National Treasury in 2022, replacing the previous guidance to reinforce the identification, investigation, management, condonation and reporting mechanisms in Government departments and entities. As per the framework, entities must report irregular, fruitless and wasteful spending incurred during the year in which the initial expenses were made and deemed non-compliant with legal and regulatory requirements if the procurement method used was non-compliant.

The increase in irregular spending in 2022-2023 is largely associated with new land rights matters allocated to Judicare Practitioners who lacked tax

compliance and/or CSD registration. The eLAA system's integration for land rights matters is helping to address the defect in control as the system can verify practitioners' tax compliance status and CSD registration. The system only assigns matters to compliant practitioners.

The irregularities linked to non-adherence to proper procurement procedures are tackled by intensifying focused training interventions for staff. All staff members undergo quarterly training workshops, with more specific categories of training for staff presented more frequently. Interactive graphics and videos are shared with staff, ensuring that compliance remains a top priority.

1.1. IRREGULAR EXPENDITURE

Table 29: Reconciliation of Irregular Expenditure

Description	2022/2023	2021/2022	2020/2021
Opening Balance	R576,322.00	R10,981,836.00	R9,272,909.00
Prior Period Errors	R0.00	R0.00	
As Restated	R576,322.00	R10,981,836.00	R9,272,909.00
Add: Irregular Expenditure confirmed	R14,240,352.43	R2,867,086.76	R1,708,927.00
Less: Irregular Expenditure condoned	R890,654.04	R11,655,149.00	
Less: Irregular Expenditure not condoned and removed	R0.00	R0.00	R0.00
Less: Irregular Expenditure recoverable	R0.00	R0.00	R0.00
Less: Irregular Expenditure not recovered and written off	R0.00	R0.00	R0.00
Closing Balance	R13,926,020.39	R2,193,773.76	R10,981,836.00

Table 30: Reconciling notes to the Annual Financial Statements disclosure

Description	2022/2023	2021/2022
Irregular expenditure that was under assessment in 2021/22		R0.00
Irregular expenditure that relates to 2021/2022 and identified in 2022/2023		
Irregular expenditure for the current year	R14,240,352.43	R553,293.00
Total	R14,240,352.43	R553,293.00

Table 31: Details of current and previous year irregular expenditure (under assessment, determination and investigation)

Description	2022/2023	2021/2022
Irregular expenditure under assessment	R0.00	R0.00
Irregular expenditure under determination	R13,868,413.37	R2,250,000.00
Irregular expenditure under investigation	R0.00	R0.00
Total	R13,868,413.37	R2,250,000.00

Table 32: Details of current and previous year irregular expenditure condoned

Description	2022/2023	2021/2022
Irregular expenditure condoned	R890,654.04	R11,655,149.00
Total	R890,654.04	R11,655,149.00

Table 33: Details of current and previous year irregular expenditure removed - (not condoned)

Description	2022/2023	2021/2022
Irregular expenditure NOT condoned and removed	R0.00	R0.00
Total	R0.00	R0.00

Table 34: Details of current and previous year irregular expenditure recovered

Description	2022/2023	2021/2022
Irregular expenditure recovered	R0.00	R0.00
Total	R0.00	R0.00

Table 35: Details of current and previous year irregular expenditure written-off (irrecoverable)

Description	2022/2023	2021/2022
Irregular expenditure written-off	R0.00	R0.00
Total	R0.00	R0.00

Table 36: Details of non-compliance cases where an institution is involved in an inter-institutional arrangement (where such institution is not responsible for the non-compliance)

Description		
None		

Table 37: Details of non-compliance cases where an institution is involved in an inter-institutional arrangement (where such institution is responsible for the non-compliance)

Description	2022/2023	2021/2022
None	R0.00	R0.00

Table 38: Details of current and previous year disciplinary or criminal steps taken as a result of irregular expenditure

Description	2022/2023	2021/2022
Written warnings issued	R285,593.70	R141,219.42
Verbal warning issued	R65,926.66	R269,669.77
No action taken as employee resigned	R20,418.70	R206,197.92
Determination and investigation in progress	R13,868,413.37	R2,250,000.00
Total	R14,240,352.43	R2,867,087.11

Fruitless and wasteful expenditure**Additional disclosure relating to material losses in terms of PFMA section 55(2)(b)(i) &(iii)**

Recovery of fruitless and wasteful expenditure is done promptly. Legal Aid South Africa emphasises the significance of compliance during performance review procedures, where incidents that affect compliance reflect negatively on an employee's performance score. This approach motivates employees to comply since it may have an impact on pay progression and other incentives offered by the organisation.

Table 39: Reconciliation of Fruitless and Wasteful expenditure

Description	2022/2023	2021/2022
Opening Balance	R0.00	R0.00
Add: Fruitless and Wasteful Expenditure confirmed	R15,003.86	R34,641.41
Less: Fruitless and Wasteful Expenditure written off	R0.00	R0.00
Less: Fruitless and Wasteful Expenditure recoverable	R15,003.86	R34,641.41
Closing Balance	R0.00	R0.00

Table 40: Reconciling notes to the Annual Financial Statements disclosure

Description	2022/2023	2021/2022
Fruitless and Wasteful expenditure that was under assessment in 2021/22		R0.00
Fruitless and Wasteful expenditure that relates to 2021/2022 and identified in 2022/2023		R8,092.41
Fruitless and Wasteful expenditure for the current year	R15,003.86	R26,549.00
Total	R15,003.86	R34,641.41

Table 41: Details of current and previous year Fruitless and Wasteful expenditure (under assessment, determination and investigation)

Description	2022/2023	2021/2022
Fruitless and Wasteful expenditure under assessment	R0.00	R0.00
Fruitless and Wasteful expenditure under determination	R0.00	R25,583.15
Fruitless and Wasteful expenditure under investigation	R0.00	R0.00
Total	R0.00	R25,583.15

Table 42: Details of current and previous year Fruitless and Wasteful expenditure recovered

Description	2022/2023	2021/2022
Fruitless and Wasteful expenditure recovered	R1,428.11	R33,572.32
Total	R1,428.11	R33,572.32

Table 43: Details of current and previous year Fruitless and Wasteful expenditure written off

Description	2022/2023	2021/2022
Fruitless and Wasteful expenditure written off	R0.00	R0.00
Total	R0.00	R0.00

Table 44: Details of current and previous year disciplinary or criminal steps taken as a result of Fruitless and Wasteful expenditure

Description	2022/2023	2021/2022
Written warnings issued	R0.00	R166.46
Verbal warning issued	R1,183.85	R2,699.80
No employee held responsible	R13,773.81	R4,340.17
Disciplinary action still in progress	R46.20	R27,435.39
Total	R15,003.86	R34,641.82

2. INFORMATION ON LATE AND/OR NON-PAYMENT OF SUPPLIERS

Suppliers are paid within 30 days except where there are queries requiring resolution prior to settlement. A total of 97% of suppliers were paid within 30 days or less. Most of the disputes were resolved in the new financial year.

Table 45: Late and/or non-payment of suppliers

Description	2022/2023	2021/2022
Valid invoices received	44,460	R1,043,724,998
Invoices paid within 30 days or agreed period	43,636	R1,023,679,423
Invoices paid after 30 days or agreed period	676	R6,080,593
Invoices older than 30 days or agreed period (unpaid without dispute)	18	R34,046
Invoices older than 30 days or agreed period (unpaid and in dispute)	130	R13,930,936

3. INFORMATION ON SUPPLY CHAIN MANAGEMENT

Legal Aid SA has had challenges in the procurement of office accommodation for acquisition and leases. The footprint of the organisation includes underdeveloped areas where office buildings are not available and residential buildings have been converted to commercial buildings without appropriate approvals or certificates. This has resulted in bids declared non-responsive and contracts are varied while identifying other means of procurement.

Table 46: Procurement by other means

Project Description	Name of Supplier	Type of procurement by other means	Contract Number	Value of Contract
Germiston LO Office Accommodation	SBK Properties CC	Single Source	N/A	R4,691,923.45
Kuruman SO Office Accommodation	Denny's Homes	Single Source	N/A	R1,830,443.00
Library Publication	Juta	Sole Service Provider	N/A	R1,318,588.00
Library Publication	LexisNexis	Sole Service Provider	N/A	R3,505,420.65
				R11,346,375.10

Table 47: Contract variations or deviations

Project Description	Name of Supplier	Contract Modification type (Expansion or variation)	Contract Number	Original Contract Value	Value of previous contract expansions	Value of current contract expansion or variation
Aliwal North (Maletswai) LO PABX Services	CAG SOLUTIONS cc	Variation	N/A	R40,365.00	R0.00	R1,121.25
Atlantis SO Office Accommodation	Wesfleur Medical Centre	Variation	N/A	R551,109.89	R42,664.76	R68,476.92
Bethlehem LO Office Accommodation	Naudestraat 24 Bethlehem Trust	Variation	N/A	R1,536,409.44	R0.00	R189,753.36
Butterworth LO Cleaning Services	Darah Suppliers	Variation	N/A	R297,900.00	R28,400.00	R47,250.00
Butterworth LO PABX Services	CAG SOLUTIONS cc	Variation	N/A	R70,255.80	R0.00	R5,854.65

Table 47: Contract variations or deviations (continued)

Project Description	Name of Supplier	Contract Modification type (Expansion or variation)	Contract Number	Original Contract Value	Value of previous contract expansions	Value of current contract expansion or variation
Cape Town LO Office Accommodation	South African Reserve Bank	Variation	N/A	R8,769,120.19	R1,438,673.20	R1,143,745.20
De Aar SO Office Accommodation	Hotel Water CC	Variation	N/A	R734,625.95	R82,263.00	R82,263.00
Durban LO Office Accommodation	Delta Property Fund	Variation	N/A	R5,242,181.99	R391,545.72	R293,659.29
East London LO PABX Services	CAG SOLUTIONS cc	Variation	N/A	R103,458.60	R0.00	R11,495.40
Eastern Cape PO PABX Services	CAG SOLUTIONS cc	Variation	N/A	R64,128.60	R0.00	R5,344.05
Eastern Cape Provincial Office PABX Services	CAG SOLUTIONS cc	Variation	N/A	R64,128.60	R0.00	R25,464.32
Elliot (Khowa) SO Cleaning Services	Ndiyagunda Cleaning Services	Variation	N/A	R133,711.20	R0.00	R7,865.20
Elliot (Khowa) SO Security Services	Red Guard Security Services	Variation	N/A	R27,320.00	R0.00	R2,520.00
Fort Beaufort SO PABX Services	CAG SOLUTIONS cc	Variation	N/A	R33,078.96	R0.00	R2,756.58
Frankfort SO Office Accommodation	Golden Bay Properties	Variation	N/A	R423,645.84	R0.00	R47,439.60
George LO Office Accommodation	Tommy Joubert Trust	Variation	N/A	R3,226,576.96	R255,457.24	R383,185.86
Germiston LO Office Accommodation	TRAFALGAR PROPERTY MANAGEMENT	Variation	N/A	R4,655,860.97	R1,480,885.47	R87,110.91
Giyani SO Office Accommodation	ASZ Property Trust	Variation	N/A	R631,601.31	R0.00	R82,800.00
Grahamstown (Makhanda) LO PABX Services	CAG SOLUTIONS cc	Variation	N/A	R81,765.00	R0.00	R6,813.75
Greytown SO Office Accommodation	NV Family Trust	Variation	N/A	R138,000.00	R0.00	R144,900.00
Groblersdal & Siyabuswa Cleaning Services	Noko dia Fula	Variation	N/A	R192,561.75	R0.00	R7,607.25
Hartswater SO Office Accommodation	Cosmic Gold Trading 257 cc	Variation	N/A	R124,200.00	R10,350.00	R130,410.00

Table 47: Contract variations or deviations (continued)

Project Description	Name of Supplier	Contract Modification type (Expansion or variation)	Contract Number	Original Contract Value	Value of previous contract expansions	Value of current contract expansion or variation
Heidelberg SO Office Accommodation	George Willem Annandale	Variation	N/A	R397,845.48	R0.00	R91,892.28
Humansdorp SO Office Accommodation	Werda Humansdorp Beleggings CC	Variation	N/A	R679,612.09	R0.00	R33,985.53
Information Systems DELL Computer Hardware*	Dell	Variation	N/A	R75,247,994.49	R0.00	R0.00
Kirkwood Lease Agreement	Aqua Algemene Handelaars	Variation	N/A	R833,931.12	R0.00	R187,006.68
Kirkwood SO Office Accommodation	Madison Park Properties 29 cc	Variation	N/A	R794,836.56	R0.00	R187,006.68
Klerksdorp Lease Agreement	The Apostolic Faith Mission of SA	Variation	N/A	R1,746,963.48	R0.00	R32,604.01
Klerksdorp Lease Agreement	The Apostolic Faith Mission of SA	Variation	N/A	R1,746,963.48	R0.00	R358,644.11

**Note: The contract duration was extended in order to finalise the procurement processes.*



“ In the MTEF cycle 2021/22-2024/25, Legal Aid SA experienced a 15% reduction in its budget. Nevertheless, the organisation demonstrated resilience and dedication towards attaining its service delivery goals, despite these challenging circumstances. To cope with these budget cuts, Management implemented rigorous mitigating measures to ensure efficient cost management and prudent financial decisions ”

PART G

Financial Information



1. STATEMENT OF RESPONSIBILITY

Refer to page 21 for the Statement of Responsibility

2. REPORT OF THE CHIEF EXECUTIVE OFFICER

2.1. GENERAL FINANCIAL REVIEW

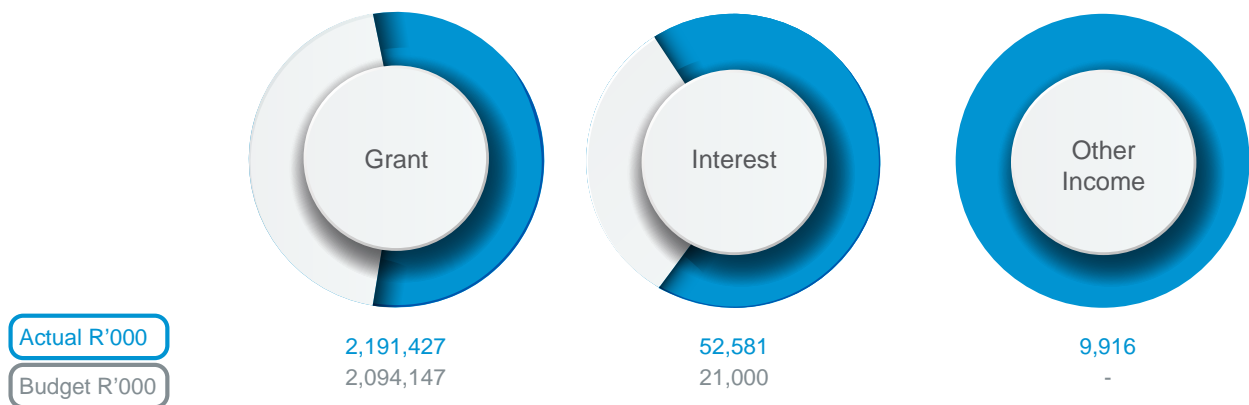
The South African economy has experienced various global and local disruptions in the past year, including slow global growth, geopolitical tensions and unavailability of constant power supply, among others. If these disruptions continue, the economy may continue to face difficulties, which will increase the fiscal constraints resulting in further baseline reductions in the following MTEF cycle. The economic impact of the pandemic still lingers as indicators including inflation and employment statistics continue to show negative growth.

In the MTEF cycle 2021/22-2024/25, Legal Aid South Africa experienced a 15% reduction in its budget. Nevertheless, the organisation demonstrated resilience and dedication towards attaining its service delivery goals, despite these challenging circumstances. To cope with these budget cuts, Management implemented rigorous mitigating measures to ensure efficient cost management and prudent financial decisions.

The National Treasury authorised the retention of unused funds from the previous year, part of which was utilised to finance the LRMF that was transferred from the DALRRD in the last quarter of the preceding financial year. The retained surplus funded the LRMU staff while awaiting the baseline allocation from the National Treasury. The allocation was only received in the last quarter of the financial year, resulting in a delay in filling its vacancies. Additionally, funding was allocated for the contingent liability associated with matters transferred to Legal Aid SA that were yet to be finalised.

2.2. REVENUE COLLECTION

The grant collected was more than the allocation due to funds received for the LRMU from DALRRD of R89 million, Specialised Commercial Crimes Court of R11 million and the IJS for the development of the eLAA system of R6,9 million. The interest income received more than doubled compared to budget due to a higher balance in the bank during the year.



Revenue Collection

2.3. EXPENDITURE: TRENDS AND CHALLENGES

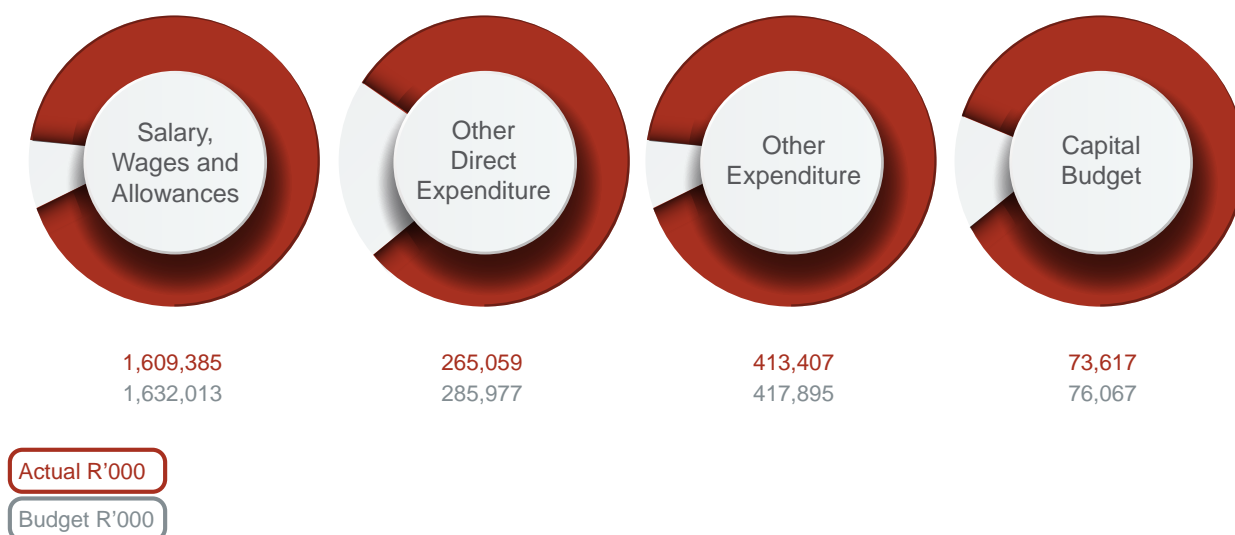
The baseline reductions have caused Management to be very cautious to increase staff capacity and conclude contractual obligations longer than the outer year of the MTEF cycle. The moratorium on recruitment is the primary reason for the increase in surplus funds. Legal Aid SA has managed to spend and commit 98% of the budget, which is on target.

Salaries and related costs are the main cost driver accounting for 80% of the allocation, therefore the non-filling of positions leads to a higher surplus realised. The amount of R23 million underspending on employment costs links to the unfilled vacancies in the approved structure, especially for the LRMU as the funding was only received in the last quarter of the financial year. The operational budget is 12% of the allocation and is expended through the procurement of goods or services. The budget was underspent by 1% which is better than expected as there were challenges with procurement regulations.

The implementation and finalisation of tender processes was stalled towards the end of the financial year due to procurement challenges brought about by legally disputed requirements in the Preferential Procurement Regulations of 2017. Moreover, the tenders that were advertised were evaluated as unresponsive, particularly with regard to office accommodation, resulting in the need to review specification requirements while ensuring that they comply with the regulations. Legal Aid SA continues to mature its financial management processes, internal controls and financial risk management controls. This is ensured through the review of policies and procedures in line with leading practices. The areas where the entity is using court buildings has been disclosed in the related party notes in the financial statements.

Legal Aid SA follows the CARP for the management of assets. The capital budget is 3% of the allocation and R2 million of the budget remains unspent at year end because of the allocation of capital expenditure to the LRMU even though funding was received in the last quarter.

Although this prudent budgeting has worked in the past financial years, it is not sustainable in the long-term. Unfortunately, Legal Aid SA must continue to implement stringent controls in the budget process until the financial challenges that Government is encountering improves as this influences the grant allocations.



Expenditure Summary

2.4. ROLLOVER OF FUNDS FROM 2022-2023 FINANCIAL YEAR

The rollover of funding of R38,3 million relates to orders placed but not delivered at year end. The bulk of the rollover relates to motor vehicles, computer hardware and software and delivery is due to be received in the new financial year.

2.5. ECONOMIC VIABILITY

The organisation understands the budget constraints the country is facing. The shedding of jobs due to the COVID-19 pandemic will increase the demand for legal services with the consequent impact on the fiscus which is the main source of funding for Legal Aid SA. Management remains optimistic that the South African economy will recover, and the entity will continue to deliver on its constitutional mandate to ensure access to justice for all.

2.6. OUTLOOK/PLAN TO ADDRESS FINANCIAL CHALLENGES

During the year under review, Legal Aid SA received the MTEF allocations for 2023/24-2025/26. However, the allocation for 2023/24 had a final budget cut of R122 million against the compensation of employees, which will notably affect the organisation's operations in the upcoming financial year, particularly after implementing the Cost of Living adjustment announced in April and May 2023 for all staff, i.e., 7% for levels 1-12 and 3.3% for Senior Management Service. To prevent expenses from exceeding the budget allocation, a staff rationalisation process will be considered. Additionally, the available reserves will be used to fund the employee cost shortfall. Still, for the MTEF, the baseline costs for staff will be considered for a potential increased funding allocation from the National Treasury. The budget allocation has an increase of 9.2% over the MTEF without considering the salary increases that will be implemented in the new financial year.

The non-availability of continuous power supply will increase costs as the entity will need to ensure that operations are not affected. Legal Aid SA is continuously investigating alternatives to ensure operations continue even during the implementation of load reduction.

The organisation will continue to implement prudent and cost-effective measures in striving to achieve its strategies and deliver legal services as well as address the challenge of increasing demands for legal aid services in the context of limited funding.

2.7. GOING CONCERN

The Board is of the view that Legal Aid SA will continue to be in operational existence during the 12 months ahead, and therefore the preparation and presentation of the Annual Financial Statements on a going concern basis is considered appropriate.

3. Report of the auditor-general to Parliament on Legal Aid South Africa

Report on the audit of the financial statements

Opinion

1. I have audited the financial statements of Legal Aid South Africa set out on pages 185 to 233, which comprise the statement of financial position as at 31 March 2023, statement of financial performance, statement of changes in net assets, cash flow statement and statement of comparison of budget and actual amounts for the year then ended, as well as notes to the financial statements, including a summary of significant accounting policies.
2. In my opinion, the financial statements present fairly, in all material respects, the financial position of Legal Aid South Africa as at 31 March 2023 and its financial performance and cash flows for the year then ended in accordance with the Standards of Generally Recognised Accounting Practice (Standards of GRAP) and the requirements of the Public Finance Management Act 1 of 1999 (PFMA).

Basis for opinion

3. I conducted my audit in accordance with the International Standards on Auditing (ISAs). My responsibilities under those standards are further described in the responsibilities of the auditor-general for the audit of the financial statements section of my report.
4. I am independent of the public entity in accordance with the International Ethics Standards Board for Accountants' *International code of ethics for professional accountants (including International Independence Standards)* (IESBA code) as well as other ethical requirements that are relevant to my audit in South Africa. I have fulfilled my other ethical responsibilities in accordance with these requirements and the IESBA code.
5. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Other matter

6. I draw attention to the matter below. My opinion is not modified in respect of this matter.

National Treasury Instruction Note No. 4 of 2022-23: PFMA Compliance and Reporting Framework

7. On 23 December 2022 National Treasury issued Instruction Note No. 4: PFMA Compliance and Reporting Framework of 2022-23 in terms of section 76(1)(b), (e) and (f), 2(e) and (4)(a) and (c) of the PFMA, which came into effect on 3 January 2023. The PFMA Compliance and Reporting Framework also addresses the disclosure of unauthorised expenditure, irregular expenditure and fruitless and wasteful expenditure. Among the effects of this framework is that irregular and fruitless and wasteful expenditure incurred in previous financial years and not addressed is no longer disclosed in the disclosure notes of the annual financial statements, only the current year, and prior year figures are disclosed in notes 39 and 40 to the financial statements. The movements in respect of irregular expenditure and fruitless and wasteful expenditure are no longer disclosed in the notes to the annual financial statements of Legal Aid South Africa. The disclosure of these movements (e.g., condoned, recoverable, removed, written off, under assessment, under determination and under investigation) are now required to be included as part of other information in the annual report of the auditees. I do not express an opinion on the disclosure of irregular expenditure and fruitless and wasteful expenditure in the annual report.

Responsibilities of the accounting authority for the financial statements

8. The accounting authority is responsible for the preparation and fair presentation of the financial statements in accordance with Standards of GRAP and the requirements of the PFMA and for such internal control as the accounting authority determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.
9. In preparing the financial statements, the accounting authority is responsible for assessing the public entity's ability to continue as a going concern; disclosing, as applicable, matters relating to going concern; and using the going concern basis of accounting unless the appropriate governance structure either intends to liquidate the public entity or to cease operations, or has no realistic alternative but to do so.

Responsibilities of the auditor-general for the audit of the financial statements

10. My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.
11. A further description of my responsibilities for the audit of the financial statements is included in the annexure to this auditor's report.

Report on the annual performance report

12. In accordance with the Public Audit Act 25 of 2004 (PAA) and the general notice issued in terms thereof, I must audit and report on the usefulness and reliability of the reported performance information against predetermined objectives for the selected material performance indicators presented in the annual performance report. The accounting authority is responsible for the preparation of the annual performance report.
13. I selected the following material performance indicators related to empowered clients and communities making informed choices about their legal matters, rights and responsibilities and, all indigent and vulnerable members of society have equal access to public funded legal services to protect and defend their rights presented in the annual performance report for the year ended 31 March 2023. I selected those indicators that measure the public entity's performance on its primary mandated functions and that are of significant national, community or public interest.
 - Court coverage plan.
 - Civil legal aid delivery – number of clients assisted in civil matters.
14. I evaluated the reported performance information for the selected material performance indicators against the criteria developed from the performance management and reporting framework, as defined in the general notice. When an annual performance report is prepared using these criteria, it provides useful and reliable information and insights to users on the public entity's planning and delivery on its mandate and objectives.
15. I performed procedures to test whether:
 - the indicators used for planning and reporting on performance can be linked directly to the public entity's mandate and the achievement of its planned objectives
 - the indicators are well defined and verifiable to ensure that they are easy to understand and apply consistently and that I can confirm the methods and processes to be used for measuring achievements

- the targets linked directly to the achievement of the indicators and are specific, time bound and measurable to ensure that it is easy to understand what should be delivered and by when, the required level of performance as well as how performance will be evaluated
- the indicators and targets reported on in the annual performance report are the same as what was committed to in the approved initial or revised planning documents
- the reported performance information is presented in the annual performance report in the prescribed manner
- there is adequate supporting evidence for the achievements reported and for the reasons provided for any over- or underachievement of targets.

16. I performed the procedures for the purpose of reporting material findings only.

17. I did not identify any material findings on the reported performance information for the selected material performance indicators.

Other matter

18. I draw attention to the matter below.

Achievement of planned targets

19. The annual performance report includes information on reported achievements against planned targets and provides explanations for over- and under-achievement.

Report on compliance with legislation

20. In accordance with the PAA and the general notice issued in terms thereof, I must audit and report on compliance with applicable legislation relating to financial matters, financial management and other related matters. The accounting authority is responsible for the public entity's compliance with legislation.

21. I performed procedures to test compliance with selected requirements in key legislation in accordance with the findings engagement methodology of the Auditor-General of South Africa (AGSA). This engagement is not an assurance engagement. Accordingly, I do not express an assurance opinion or conclusion.

22. Through an established AGSA process, I selected requirements in key legislation for compliance testing that are relevant to the financial and performance management of the public entity, clear to allow consistent measurement and evaluation, while also sufficiently detailed and readily available to report in an understandable manner. The selected legislative requirements are included in the annexure to this auditor's report.

23. I did not identify any material non-compliance with the selected legislative requirements.

Other information in the annual report

24. The accounting authority is responsible for the other information included in the annual report. The other information referred to does not include the financial statements, the auditor's report and those selected material indicators in the scoped-in objectives presented in the annual performance report that have been specifically reported on in this auditor's report.

25. My opinion on the financial statements, the report on the audit of the annual performance report and the report on compliance with legislation do not cover the other information included in the annual report and I do not express an audit opinion or any form of assurance conclusion on it.

26. My responsibility is to read this other information and, in doing so, consider whether it is materially inconsistent with the financial statements and the selected material indicators in the scoped-in objectives presented in the annual performance report, or my knowledge obtained in the audit, or otherwise appears to be materially misstated.
27. If, based on the work I have performed, I conclude that there is a material misstatement in this other information, I am required to report that fact.
28. I have nothing to report in this regard.

Internal control deficiencies

29. I considered internal control relevant to my audit of the financial statements, annual performance report and compliance with applicable legislation; however, my objective was not to express any form of assurance on it.
30. I did not identify any significant deficiencies in internal control.

Auditor-General

Pretoria
31 July 2023



Annexure to the auditor's report

The annexure includes the following:

- the auditor-general's responsibility for the audit
- the selected legislative requirements for compliance testing.

Auditor-general's responsibility for the audit

Professional judgement and professional scepticism

As part of an audit in accordance with the ISAs, I exercise professional judgement and maintain professional scepticism throughout my audit of the financial statements and the procedures performed on reported performance information for selected material performance indicators and on the public entity's compliance with selected requirements in key legislation.

Financial statements

In addition to my responsibility for the audit of the financial statements as described in this auditor's report, I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the public entity's internal control.
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made.
- conclude on the appropriateness of the use of the going concern basis of accounting in the preparation of the financial statements. I also conclude, based on the audit evidence obtained, whether a material uncertainty exists relating to events or conditions that may cast significant doubt on the ability of the public entity to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements about the material uncertainty or, if such disclosures are inadequate, to modify my opinion on the financial statements. My conclusions are based on the information available to me at the date of this auditor's report. However, future events or conditions may cause a public entity to cease operating as a going concern.
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

Communication with those charged with governance

I communicate with the accounting authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I also provide the accounting authority with a statement that I have complied with relevant ethical requirements regarding independence and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence and, where applicable, actions taken to eliminate threats or safeguards applied.

Compliance with legislation – selected legislative requirements

The selected legislative requirements are as follows:

Legislation	Sections or regulations
Public Finance Management Act 1 of 1999 (PFMA)	Sections 51(1)(a)(iv); 51(1)(b)(ii); 51(1)(e)(iii); 53(4); 54(2)(c); 54(2)(d); 55(1)(a); 55(1)(b); 55(1)(c)(i); 56(1); 56(2); 57(b)
Treasury Regulations for departments, trading entities, constitutional institutions and public entities (TR)	Treasury Regulations 8.2.1; 8.2.2; 16A3.1; 16A3.2; 16A3.2(a); 16A6.1; 16A6.2(a) & (b); 16A6.2(e); 16A6.3(a); 16A3.3(a)(i); 16A6.3(b); 16A6.3(c); 16A6.3(d); 16A6.3(e); 16A6.4; 16A6.5; 16A6.6; 16A7.1; 16A7.3; 16A7.6; 16A7.7; 16A8.2(1); 16A8.2(2); 16A8.3; 16A8.3(d); 16A8.4; 16A9.1; 16A9; 16A9.1(b)(ii); 16A9.1(c); 16A9.1(d); 16A9.1(e); 16A9.1(f); 16A9.2; 16A9.2(a)(ii); 16A9.2(a)(iii); 30.1.1; 30.1.3(a); 30.1.3(b); 30.1.3(d); 30.2.1; 31.1.2(c); 31.2.1; 31.3.3; 33.1.1; 33.1.3
Prevention and Combating of Corrupt Activities Act No. 12 of 2004 (PRECCA)	Section 29; 34(1)
Construction Industry Development Board Act No. 38 of 2000 (CIDB)	Section 18(1)
Construction Industry Development Board Regulations	Regulations 17; 25(1); 25(5) & 25(7A)
Preferential Procurement Policy Framework Act 5 of 2005 (PPPFA)	Sections 1(i); 2.1(a); 2.1(b); 2.1(f)
Preferential Procurement Regulations 2017 (PPR)	Regulations 4.1; 4.2; 5.1; 5.3; 5.6; 5.7; 6.1; 6.2; 6.3; 6.5; 6.6; 7.1; 7.2; 7.3; 7.5; 7.6; 7.8; 8.2; 8.5; 9.1; 9.2; 10.1; 10.2; 11.1; 11.2; 12.1 and 12.2
Preferential Procurement Regulations (PPR) 2022	Regulations 3.1; 4.1; 4.2; 4.3; 4.4; 5.1; 5.2; 5.3; 5.4
PFMA SCM Instruction No. 09 of 2022/2023	Paragraphs 3.1; 3.3(b); 3.3(c); 3.3(e); 3.6
National Treasury Instruction (NTI) No. 1 of 2015/16	Paragraphs 3.1; 4.1; 4.2
NT SCM Instruction Note 03 2021/22	Paragraphs 4.1; 4.2(b); 4.3; 4.4; 4.4(a); 4.4 (c)-(d); 4.6; 5.4; 7.2; 7.6
NT SCM Instruction 4A of 2016/17	Paragraph 6
NT SCM Instruction Note 03 2019/20	Paragraphs 5.5.1(vi); 5.5.1(x)
NT SCM Instruction Note 11 2020/21	Paragraphs 3.1; 3.4(a) and (b); 3.9; 6.1; 6.2; 6.7
NT SCM Instruction Note 2 of 2021/22	Paragraphs 3.2.1; 3.2.2; 3.2.4(a)&(b); 3.3.1; 3.2.2; 4.1
PFMA SCM Instruction 04 of 2022/23	Paragraphs 4(1); 4(2); 4(4)
Practice Note 5 of 2009/10	Paragraph 3.3
PFMA SCM Instruction 08 of 2022/23	Paragraphs 3.2; 4.3.2; 4.3.3
NT Instruction Note 4 of 2015/16	Paragraph 3.4
Second Amendment of NTI 05 of 2020/21	Paragraphs 4.8; 4.9; 5.1; 5.3
Erratum NTI 5 of 202/21	Paragraphs 1; 2
Practice Note 7 of 2009/10	Paragraph 4.1.2
Practice Note 11 of 2008/09	Paragraphs 3.1; 3.1(b)
NT Instruction Note 1 of 2021/22	Paragraph 4.1

4. ANNUAL FINANCIAL STATEMENTS

GENERAL INFORMATION

Country of incorporation and domicile	South Africa
Legal form of entity	Provide legal services to the indigent
Members of Accounting Authority	<p>Non-executive Members</p> <p>Judge M Makume – Chairperson</p> <p>Mr MNF Mvundlela</p> <p>Mr M Leseilane</p> <p>Prof. W Gumede</p> <p>Dr C Sanangura</p> <p>Adv. M Odayan</p> <p>Ms M Makgoba</p> <p>Mr L Mtshali</p> <p>Mr F Pandelani</p> <p>Dr M Tong</p> <p>Executive Members</p> <p>Ms M Kola</p> <p>Mr S Mamotheti</p> <p>Mr P Hundermark</p>
Registered office	<p>29 De Beer Street</p> <p>Braamfontein</p> <p>Johannesburg</p> <p>2000</p>
Business address	<p>29 De Beer Street</p> <p>Braamfontein</p> <p>Johannesburg</p> <p>2000</p>
Postal address	<p>Private Bag X76</p> <p>Braamfontein</p> <p>2017</p>
Bankers	<p>First National Bank</p> <p>South African Reserve Bank</p>
Auditors	Auditor-General of South Africa

Index

The reports and statements set out below comprise the Annual Financial Statements presented to the National Legislature:

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Board's Responsibilities and Approval	183
Report of the Accounting Authority	184
Statement of Financial Position	185
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Cash Flow Statement	188
Statement of Comparison of Budget and Actual Amounts	189
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Board's Responsibilities and Approval

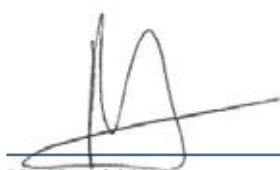
The members are required by the Public Finance Management Act (Act 1 of 1999), to maintain adequate accounting records and are responsible for the content and integrity of the Annual Financial Statements and related financial information included in this report. It is the responsibility of the members to ensure that the Annual Financial Statements fairly present the state of affairs of the entity as at the end of the financial year and the results of its operations and cash flows for the period then ended. The external auditors are engaged to express an independent opinion on the Annual Financial Statements and were given unrestricted access to all financial records and related data.

The Annual Financial Statements have been prepared in accordance with Standards of Generally Recognised Accounting Practice (GRAP) including any interpretations, guidelines and directives issued by the Accounting Standards Board.

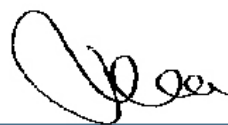
The Annual Financial Statements are based upon appropriate accounting policies consistently applied and supported by reasonable and prudent judgments and estimates.

The external auditors are responsible for independently reviewing and reporting on the entity's Annual Financial Statements. The Annual Financial Statements have been examined by the entity's external auditors and their report is presented on page 175.

The Annual Financial Statements set out on page 185, which have been prepared on the going concern basis, were approved by the Board on 29 July 2023 and were signed on its behalf by:



Ms Mantiti Kola
Chief Executive Officer
Legal Aid South Africa



Judge Motsamai Makume
Chairperson
Legal Aid South Africa

Report of the Accounting Authority

The members submit their report for the year ended 31 March 2023.

1. INCORPORATION

Legal Aid SA was established on 26 March 1969 in terms of the Legal Aid Act (No. 22 of 1969). The Act was replaced by the new Legal Aid SA Act (No. 39 of 2014) which came into effect on 1 March 2015.

2. REVIEW OF ACTIVITIES

Main business and operations

The entity carries out the business of providing legal services to indigent residents of South Africa utilising State funding. There was no major change in the nature of the business.

3. FINANCIAL RESULTS

The financial statements are prepared in accordance with the Standard of Generally Recognised Accounting Practice (GRAP) as set out in the Accounting Policy. The financial statements fairly present the state of affairs of Legal Aid SA at 31 March 2023, the results of its operations and cash flow information for the quarter then ended. The results of the organisation and the state of its affairs are set out in the attached Annual Financial Statements and do not, in our opinion, require further comments. The financial position of the organisation, which is set out in the Statement of Financial Position, shows it has no borrowings.

4. GOING CONCERN

We draw attention to the fact that at 31 March 2023, the entity had an accumulated surplus of R723,319,025 and that the entity's total assets exceed its liabilities by R723,319,025.

The Accounting Authority reviewed Legal Aid SA's budgets and cash flow forecasts for the period under review. On the basis of this review, and in view of the organisation's current sound financial position, the Accounting Authority assesses the organisation's going concern in the year ahead. The Accounting Authority also considered the responsibility of the Minister of Justice and Correctional Services to fund the operations of the organisation as envisaged by the Legal Aid SA Act. Accordingly, the Annual Financial Statements are prepared on a going concern basis based on the Accounting Authority's assessment.

5. SUBSEQUENT EVENTS

The members of the Accounting Authority are not aware of any matter or circumstance arising since the end of the financial year that require disclosure in the Annual Financial Statements.

STATEMENT OF FINANCIAL POSITION AS AT 31 MARCH 2023

		2023	2022 Restated*
	Note(s)	R	R
Assets			
Non-current assets			
Property, plant and equipment	3	216,392,174	213,281,248
Intangible assets	4	16,588,254	16,452,108
Leased assets	5	4,000,046	132,360
		236,980,474	229,865,716
Current assets			
Cash and cash equivalents	6	860,298,920	703,088,371
Receivables from exchange transactions	7	11,502,055	36,233,096
Prepayments	8	3,777,140	3,790,918
Deposits	9	1,793,134	1,736,548
Client trust funds	10	64,567,585	55,827,063
		941,938,834	800,675,996
Total assets		1,178,919,308	1,030,541,712
Liabilities			
Non-current liabilities			
Employee benefit obligation	11	934,043	945,308
Finance lease obligation	14	825,690	-
		1,759,733	945,308
Current liabilities			
Payables from exchange transactions	12	127,756,137	114,083,161
Provisions	13	258,111,114	159,886,259
Finance lease obligation	14	3,405,713	80,056
Client trust funds	15	64,567,585	55,827,063
		453,840,549	329,876,539
Total liabilities		455,600,282	330,821,847
Net assets		723,319,026	699,719,865
Accumulated surplus		723,319,025	699,719,865
Total net assets		723,319,025	699,719,865

STATEMENT OF FINANCIAL PERFORMANCE

		2023	2022 Restated*
	Note(s)	R	R
Revenue			
Revenue from exchange transactions			
Interest received – investment	17	52,581,025	27,148,001
Other income	18	8,461,282	8,674,421
Total revenue from exchange transactions		61,042,307	35,822,422
Revenue from non-exchange transactions			
Transfer revenue			
Government grants and subsidies	19	2,191,427,266	2,066,188,000
Service in-kind – office rental	19	1,454,400	1,145,580
Total revenue from non-exchange transactions		2,192,881,666	2,067,333,580
Total revenue	16	2,253,923,973	2,103,156,002
Expenditure			
Employee related costs	21	(1,763,092,076)	(1,654,295,880)
Depreciation and amortisation	22	(32,817,695)	(22,637,787)
Finance costs	24	(565,096)	(142,025)
Administrative expenses	25	(210,374,585)	(101,056,142)
Operating Expenses	26	(222,897,887)	(191,498,696)
Total expenditure		(2,229,747,339)	(1,969,630,530)
Operating surplus		24,176,634	133,525,472
(Loss) gain on disposal of assets and liabilities	20	(161,836)	1,755,240
Debt impairment	23	(415,639)	(331,936)
		(577,475)	1,423,304
Surplus for the year		23,599,159	134,948,776

STATEMENT OF CHANGES IN NET ASSETS

	Accumulated surplus / deficit	Total net assets
	R	R
Balance at 1 April 2021	564,771,089	564,771,089
Changes in net assets		
Surplus for the year	134,948,776	134,948,776
Total changes	134,948,776	134,948,776
Opening balance as previously reported	701,608,277	701,608,277
Adjustments		
Prior year adjustments 34	(1,888,411)	(1,888,411)
Restated* balance at 1 April 2022 as restated*	699,719,866	699,719,866
Changes in net assets		
Surplus for the year	23,599,159	23,599,159
Total changes	23,599,159	23,599,159
Balance at 31 March 2023	723,319,025	723,319,025

CASH FLOW STATEMENT

		2023	2022 Restated*
Note(s)		R	R
Cash flows from operating activities			
Receipts			
	Grants	2,216,158,307	2,033,188,000
	Interest income	52,581,025	27,148,001
	Other receipts	8,461,282	8,674,421
		2,277,200,614	2,069,010,422
Payments			
	Employee costs	(1,709,216,570)	(1,601,802,102)
	Suppliers	(373,651,006)	(298,973,846)
	Finance costs	(565,096)	(142,025)
		(2,083,432,672)	(1,900,917,973)
	Net cash flows from operating activities	27 193,767,942	168,092,449
Cash flows from investing activities			
	Purchase of property, plant and equipment	3 (37,078,085)	(42,968,088)
	Proceeds from sale of property, plant and equipment	3 3,968,892	4,746,645
	Purchase of other intangible assets	4 (369,531)	(428,522)
	Net cash flows from investing activities	(33,478,724)	(38,649,965)
Cash flows from financing activities			
	Finance lease payments	(3,078,669)	(324,390)
	Net increase/(decrease) in cash and cash equivalents	157,210,549	129,118,094
	Cash and cash equivalents at the beginning of the year	703,088,371	573,970,277
	Cash and cash equivalents at the end of the year	6 860,298,920	703,088,371

STATEMENT OF COMPARISON OF BUDGET AND ACTUAL AMOUNTS

Budget on Accrual Basis	Approved budget	Adjustments	Final Budget	Actual amounts on comparable basis	Difference between final budget and actual	Reference
	R	R	R	R	R	
Statement of Financial Performance						
Revenue						
Revenue from exchange transactions						
Interest received – investment	21,000,000	-	21,000,000	52,581,025	31,581,025	41.1
Other income	-	-	-	8,461,282	8,461,282	41.2
Total revenue from exchange transactions	21,000,000	-	21,000,000	61,042,307	40,042,307	
Revenue from non-exchange transactions						
Transfer revenue						
Government grants and subsidies	2,094,147,000	90,324,000	2,184,471,000	2,191,427,266	6,956,266	41.3
Services in-kind – office rental	-	-	-	1,454,400	1,454,400	41.4
Total revenue from non-exchange transactions	2,094,147,000	90,324,000	2,184,471,000	2,192,881,666	8,410,666	
Total revenue	2,115,147,000	90,324,000	2,205,471,000	2,253,923,973	48,452,973	
Expenditure						
Employee related costs	(1,724,909,189)	(63,467,511)	(1,788,376,700)	(1,763,092,076)	25,284,624	41.5
Depreciation and amortisation	(33,793,745)	(4)	(33,793,749)	(32,817,695)	976,054	41.6
Debt impairment	-	-	-	(415,639)	(415,639)	41.7
Finance costs	-	-	-	(565,096)	(565,096)	41.8
Administrative expenses	(136,691,816)	(149,285,252)	(285,977,068)	(210,374,585)	75,602,483	41.9
Operating expenses	(227,028,646)	(709,074)	(227,737,720)	(222,897,887)	4,839,833	41.10
Total expenditure	(2,122,423,396)	(213,461,841)	(2,335,885,237)	(2,230,162,978)	105,722,259	
Operating surplus	(7,276,396)	(123,137,841)	(130,414,237)	23,760,995	154,175,232	
Loss on disposal of assets and liabilities	-	-	-	(161,836)	(161,836)	41.11
Surplus before taxation	(7,276,396)	(123,137,841)	(130,414,237)	23,599,159	154,013,396	
Basis as Presented in the Budget and Actual Comparative Statement	(7,276,396)	(123,137,841)	(130,414,237)	23,599,159	154,013,396	

1. SIGNIFICANT ACCOUNTING POLICIES

The principal accounting policies applied in the preparation of these Annual Financial Statements are set out below.

1.1. BASIS OF PREPARATIONS

The Annual Financial Statements have been prepared in accordance with the Standards of Generally Recognised Accounting Practice (GRAP), issued by the Accounting Standards Board in accordance with section 91(1) of the Public Finance Management Act (Act 1 of 1999).

These Annual Financial Statements have been prepared on an accrual basis of accounting and are in accordance with historical cost convention as the basis of measurement, unless specified otherwise. They are presented in South African Rands.

Assets, liabilities, revenues and expenses were not offset, except where offsetting is either required or permitted by a Standard of GRAP, when Legal Aid SA has a legal right to set-off the amount and intends to settle on a net basis to realise the asset and settle the liability simultaneously.

These accounting policies are consistent with the previous period.

1.2. PRESENTATION CURRENCY

These Annual Financial Statements are presented in South African Rands, which is the functional currency of the entity.

1.3. GOING CONCERN ASSUMPTION

These Annual Financial Statements have been prepared based on the expectation that the entity will continue to operate as a going concern for at least the next 12 months.

1.4. MATERIALITY

Omissions or misstatements of items are material if they could, individually or collectively, influence the decisions or assessments of users made on the basis of the financial statements. Materiality depends on the nature or size of the omission or misstatement judged in the surrounding circumstances. The nature or size of the information item, or a combination of both, could be the determining factor.

Assessing whether an omission or misstatement could influence decisions of users, and so be material, requires consideration of the characteristics of those users. The Framework for the Preparation and Presentation of Financial Statements states that users are assumed to have a reasonable knowledge of Government, its activities, accounting and a willingness to study the information with reasonable diligence. Therefore, the assessment takes into account how users with such attributes could reasonably be expected to be influenced in making and evaluating decisions.

Section 55(2) of the PFMA specifies components of the financial statements that have to take into account tolerance levels both in terms of financial, non-financial and disclosure of specific information such that it enables the Executive Authority to effectively perform their fiduciary duties. The entity has an approved framework of acceptable levels of materiality and significance.

1.5. SIGNIFICANT JUDGMENTS AND SOURCES OF ESTIMATION UNCERTAINTY

In preparing the Annual Financial Statements, Management is required to make estimates and assumptions that affect the amounts represented in the Annual Financial Statements and related disclosures. Use of available information and the application of judgment is inherent in the formation of estimates. Actual results in the future could differ from these estimates which may be material to the Annual Financial Statements. Significant judgments include Judicare provision, impairment of receivables, employee benefits and useful lives and depreciation or amortisation methods and asset impairment.

Other significant judgments, sources of estimation uncertainty and/or relating information have been disclosed in the relating notes.

Trade receivables

The entity assesses its trade receivables for impairment at the end of each reporting period. In determining whether an impairment loss should be recorded in surplus or deficit, the entity makes judgments as to whether there is observable data indicating a measurable decrease in the estimated future cash flows from a financial asset.

Impairment testing

Management conducts annual tests to determine whether receivables have suffered any impairment.

Provisions

Provisions were raised and Management determined an estimate based on the information available. Additional disclosure of these estimates of provisions are included in note 13 – Provisions.

Judicare for land matters is calculated by determining the stage of the matter at reporting date and applying the applicable percentages against the budget set aside for the matter.

The budget is determined based on the category of the matter prior to allocation to Legal Practitioners. The provision is determined for stages completed where no account has been received at reporting date. There is no provision for internally allocated matters.

Useful lives of tangible and intangible assets

Legal Aid SA Management determines the estimated useful lives and related depreciation and amortisation charges for the property, plant and equipment and intangible assets. This estimate is based on industry norm. Management will increase the depreciation and amortisation charge where useful lives are less than previously estimated useful lives.

Post-retirement benefits

The present value of the post-retirement obligation depends on a number of factors that are determined on an actuarial basis using a number of assumptions. The assumptions used in determining the net cost (income) include the discount rate. Any changes in these assumptions will impact on the carrying amount of post-retirement obligations.

The entity determines the appropriate discount rate at the end of each year. This is the interest rate that should be used to determine the present value of estimated future cash outflows expected to be required to settle the pension obligations. In determining the appropriate discount rate, the entity considers the interest rates of high-quality corporate bonds that are denominated in the currency in which the benefits will be paid, and that have terms to maturity approximating the terms of the related pension liability.

Other key assumptions for pension obligations are based on current market conditions. Additional information is disclosed in note 11.

Allowance for doubtful debts

On debtors an impairment loss is recognised in surplus and deficit when there is objective evidence that it is impaired. The impairment is measured as the difference between the debtors' carrying amount and the present value of estimated future cash flows discounted at the effective interest rate, computed at initial recognition.

Depreciation and amortisation

During each financial year, Management reviews property, plant and equipment and intangible assets to assess whether the useful lives and residual values applicable to each asset are appropriate. At the end of each financial year, Management assesses whether there is any indication that Legal Aid SA's expectations about the residual value and the useful life of assets included in property, plant and equipment have changed since the preceding reporting date.

1.6. PROPERTY, PLANT AND EQUIPMENT

Property, plant and equipment are tangible non-current assets (including infrastructure assets) that are held for use in the production or supply of goods or services, rental to others or for administrative purposes, and are expected to be used during more than one period.

The cost of an item of property, plant and equipment is recognised as an asset when:

- it is probable that future economic benefits or service potential associated with the item will flow to the entity; and
- the cost of the item can be measured reliably.

Property, plant and equipment is initially measured at cost.

The cost of an item of property, plant and equipment is the purchase price and other costs attributable to bring the asset to the location and condition necessary for it to be capable of operating in the manner intended by Management. Trade discounts and rebates are deducted in arriving at the cost.

Where an item of property, plant and equipment is acquired in exchange for a non-monetary asset or monetary assets, or a combination of monetary and non-monetary assets, the asset acquired is initially measured at fair value (the cost). If the acquired item's fair value was not determinable, its deemed cost is the carrying amount of the asset(s) given up.

Property, plant and equipment is carried at cost less accumulated depreciation and any impairment losses, except for land which is carried at revalued amounts.

Property, plant and equipment is carried at cost less accumulated depreciation and any impairment losses. The useful lives of items of property, plant and equipment have been assessed as follows:

Item	%	Average useful life
Land	0	Infinite
Buildings	4%	25 years
Furniture and equipment	6.67% - 20%	5 to 15 years
Motor vehicles	11.1%	9 years
Computer equipment	10% - 20%	5 to 10 years
Leasehold improvements	Lease term	Lease term
Building improvements	6.67%	15 years
Fittings and fixtures	5%	20 years

The depreciable amount of an asset is allocated on a systematic basis over its useful life.

Each part of an item of property, plant and equipment with a cost that is significant in relation to the total cost of the item is depreciated separately.

The depreciation method used reflects the pattern in which the asset's future economic benefits or service potential are expected to be consumed by the entity. The depreciation method applied to an asset is reviewed at least at each reporting date and, if there has been a significant change in the expected pattern of consumption of the future economic benefits or service potential embodied in the asset, the method is changed to reflect the changed pattern. Such a change is accounted for as a change in an accounting estimate.

The entity assesses at each reporting date whether there is any indication that the entity's expectations about the residual value and the useful life of an asset have changed since the preceding reporting date. If any such indication exists, the entity revises the expected useful life and/or residual value accordingly. The change is accounted for as a change in an accounting estimate.

The depreciation charge for each period is recognised in surplus or deficit unless it is included in the carrying amount of another asset.

Items of property, plant and equipment are derecognised when the asset is disposed of or when there are no further economic benefits or service potential expected from the use of the asset.

The gain or loss arising from the derecognition of an item of property, plant and equipment is included in surplus or deficit when the item is derecognised. The gain or loss arising from the derecognition of an item of property, plant and equipment is determined as the difference between the net disposal proceeds, if any, and the carrying amount of the item.

Subsequent expenditure incurred on items of property, plant and equipment is only capitalised to the extent that such expenditure enhances the value or previous capacity of those assets. Repairs and maintenance not deemed to enhance the economic benefits or service potential of items of property, plant and equipment are charged to the Statement of Financial Performance during the period in which they are incurred.

The entity separately discloses expenditure to repair and maintain property, plant and equipment in the notes to the financial statements (see note 3).

1.7. INTANGIBLE ASSETS

An asset is identifiable if it either:

- is separable, i.e., is capable of being separated or divided from an entity and sold, transferred, licensed, rented or exchanged, either individually or together with a related contract, identifiable assets or liability, regardless of whether the entity intends to do so; or
- arises from binding arrangements (including rights from contracts), regardless of whether those rights are transferable or separable from the entity or from other rights and obligations.

Intangible assets consist of computer software and are defined as an identifiable non-monetary asset without physical substance.

An intangible asset is recognised when:

- it is probable that the expected future economic benefits or service potential attributable to the asset will flow to the entity; and
- the cost or fair value of the asset can be measured reliably.

The entity assesses the probability of expected future economic benefits or service potential using reasonable and supportable assumptions that represent Management's best estimate of the set of economic conditions that will exist over the useful life of the asset.

Where an intangible asset is acquired through a non-exchange transaction, its initial cost at the date of acquisition is measured at its fair value as at that date.

Expenditure on research (or on the research phase of an internal project) is recognised as an expense when it is incurred.

Cost includes the purchase price, all developmental costs incurred in preparing the intangible asset to be ready for use, less discounts received on acquisition including service costs. Intangible assets are carried at cost less any accumulated amortisation and any impairment losses.

An intangible asset is regarded as having an indefinite useful life when, based on all relevant factors, there is no foreseeable limit to the period over which the asset is expected to generate net cash inflows or service potential. Amortisation is not provided for these intangible assets, but they are tested for impairment annually and whenever there is an indication that the asset may be impaired. For all other intangible assets amortisation is provided on a straight-line basis over their useful life.

The amortisation period and the amortisation method for intangible assets are reviewed at each reporting date.

Reassessing the useful life of an intangible asset with a finite useful life after it was classified as indefinite is an indicator that the asset may be impaired. As a result, the asset is tested for impairment and the remaining carrying amount is amortised over its useful life.

Amortisation is provided to write down the intangible assets, on a straight-line basis, to their residual values as follows:

Item	Depreciation method	Average useful life
Computer software	Straight-line	1 year to indefinite

The entity discloses relevant information relating to assets under construction or development, in the notes to the financial statements.

1.8. LEASED ASSETS

Leased assets are property (land or a building – or part of a building – or both) held to earn rentals or for capital appreciation or both, rather than for administrative purposes.

A lease is classified as a finance lease if it transfers substantially all the risks and rewards incidental to ownership. A lease is classified as an operating lease if it does not transfer substantially all the risks and rewards to ownership.

Finance leases – lessee

Finance leases are recognised as assets and liabilities in the Statement of Financial Position at amounts equal to the fair value of the leased property or, if lower, the present value of the minimum lease payments. Finance lease payments are apportioned between the capital and the interest portions.

The corresponding liability to the lessor is included in the Statement of Financial Position as a finance lease obligation. The interest is expensed in the Statement of Financial Performance and allocated to each period during the lease term so as to produce a constant periodic rate of the remaining balance of the liability.

The lease assets are depreciated over the lease period. The present value of the minimum lease payments is calculated at the net present value based on the applicable prime rate at the reporting date. The minimum lease payments are apportioned between the finance charge and the reduction of the outstanding liability, the discount rate for the calculation of the present value of minimum lease payments 1.4%.

The finance lease obligations are derecognised when Legal Aid SA's obligation to settle the liability is extinguished. The assets capitalised under the finance lease are derecognised when the entity no longer expects any economic benefits or service potential to flow from the asset.

Operating leases

Operating lease payments are straight lined and recognised as an expense over the period of the lease in the Statement of Financial Performance. The difference between the amounts recognised as an expense and contractual payments is recognised as an operating lease asset or liability. The operating lease commitments are disclosed in the notes to the financial statements.

The operating lease liabilities are derecognised when Legal Aid SA's obligation to settle the liability is extinguished. The operating lease assets are derecognised when the entity no longer anticipates any economic benefits or service potential to flow from the asset.

1.9. FINANCIAL INSTRUMENTS

A financial instrument is any contract that gives rise to a financial asset of one entity and a financial liability or a residual interest of another entity.

Credit risk is the risk that one party to a financial instrument will cause a financial loss for the other party by failing to discharge an obligation.

Currency risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in foreign exchange rates.

The effective interest method is a method of calculating the amortised cost of a financial asset or a financial liability (or group of financial assets or financial liabilities) and of allocating the interest income or interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments or receipts through the expected life of the financial instrument or, when appropriate, a shorter period to the net carrying amount of the financial asset or financial liability. When calculating the effective interest rate, an entity shall estimate cash flows considering all contractual terms of the financial instrument (for example, prepayment, call and similar options) but shall not consider future credit losses. The calculation includes all fees and points paid or received between parties to the contract that are an integral part of the effective interest rate (see the Standard of GRAP on Revenue from Exchange Transactions), transaction costs and all other premiums or discounts. There is a presumption that the cash flows and the expected life of a group of similar financial instruments can be estimated reliably. However, in those rare cases when it is not possible to reliably estimate the cash flows or the expected life of a financial instrument (or group of financial instruments), the entity shall use the contractual cash flows over the full contractual term of the financial instrument (or group of financial instruments).

Fair value is the amount for which an asset could be exchanged, or a liability settled, between knowledgeable willing parties in an arm's length transaction.

A financial asset is:

- cash;
- a residual interest of another entity; or
- a contractual right to:
 - receive cash or another financial asset from another entity; or
 - exchange financial assets or financial liabilities with another entity under conditions that are potentially favourable to the entity.

A financial liability is any liability that is a contractual obligation to:

- deliver cash or another financial asset to another entity; or
- exchange financial assets or financial liabilities under conditions that are potentially unfavourable to the entity.

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates.

Liquidity risk is the risk encountered by an entity in the event of difficulty in meeting obligations associated with financial liabilities that are settled by delivering cash or another financial asset.

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Market risk comprises three types of risk: currency risk, interest rate risk and other price risk.

Initial recognition and measurement

The financial instruments at Legal Aid SA are currently classified as Financial Instruments at Amortised Cost and are detailed as follows:

Trade and other receivables

- Trade and other receivables are initially measured at fair value, and subsequently measured at amortised cost. Appropriate allowances for estimated irrecoverable amounts are recognised in surplus or deficit when there is objective evidence that not all amounts due will be collected according to original terms of receivables. Significant financial difficulties of the debtor, probability that the debtor will default or delinquency in payments are considered indicators that the receivable is impaired.
- An estimate of doubtful debts is made based on a review of all outstanding individual amounts at statement of position date. The allowance recognised is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the effective interest rate.
- The Accounting Authority writes off irrecoverable debts in accordance with Treasury Regulations 11.4.1(a) and (b) after having taken the necessary steps to recover the debt.
- Receivables included in the Statement of Financial Position arise from staff debtors, duplicate Judicare travel claims by practitioners, normal Judicare debtors and other debtors.

Cash and cash equivalents

- Cash and cash equivalents comprise balances in the current and call investment accounts and the cash on hand.
- Cash and cash equivalents are initially recorded at fair value.
- Deposits held on call and investments are classified as financial assets at amortised cost. Due to the short-term nature of these instruments, the amortised cost approximates its fair value.

Trade and other payables

- Trade and other payables are initially measured at fair value, using the effective interest rate method.
- Trade and other payables are classified as financial liabilities at amortised cost.

Derecognition of financial instruments

Financial assets are derecognised when the entity loses control of the contractual rights that comprise the financial assets. Legal Aid SA loses such control if rights to benefits specified in the contract are realised, the rights expire or the entity surrenders those rights. Financial liabilities are derecognised when the obligation is discharged, cancelled or expires.

Classification

The entity has the following types of financial assets (classes and category) as reflected on the face of the Statement of Financial Position or in the notes thereto:

Class	Category
Cash and cash equivalents	Financial asset measured at amortised cost
Receivables from exchange transactions	Financial asset measured at amortised cost
Deposits	Financial asset measured at amortised cost
Client trust	Financial asset measured at amortised cost

The entity has the following types of financial liabilities (classes and category) as reflected on the face of the Statement of Financial Position or in the notes thereto:

Class	Category
Payables from exchange transactions	Financial liability measured at amortised cost
Deposits	Financial liability measured at amortised cost
Client trust	Financial liability measured at amortised cost
Finance lease obligation	Financial liability measured at amortised cost

1.10. IMPAIRMENT OF NON-CASH-GENERATING ASSETS

Cash-generating assets are assets used with the objective of generating a commercial return. Commercial return means that positive cash flows are expected to be significantly higher than the cost of the asset.

Non-cash-generating assets are assets other than cash-generating assets.

Impairment is a loss in the future economic benefits or service potential of an asset, over and above the systematic recognition of the loss of the asset's future economic benefits or service potential through depreciation (amortisation).

Legal Aid SA's property, plant and equipment including intangible assets are classified as non-cash generating assets, as they are not used to generate profit but to provide legal services.

The non-cash generating assets are assessed at each reporting date to determine if there is any indication that the assets are impaired. If there is an indication that the asset may be impaired, the recoverable service amount is estimated for the individual asset. The recoverable service amount of an asset is the higher of its fair value less cost to sell and its value in use. If the recoverable service amount of an asset is less than its cost less accumulated depreciation or amortisation, the impairment loss is recognised immediately in surplus or deficit.

Intangible assets with an indefinite useful life and intangible assets under development are assessed for impairment at each reporting date.

At each reporting date, the entity assesses whether there is an indication that an impairment loss recognised in prior periods for assets may no longer exist or may have decreased. If any indication exists, the recoverable service amounts of those assets are estimated. The increased carrying amount of assets attributable to a reversal of an impairment loss does not exceed the carrying amount that would have been determined had no impairment loss been recognised for assets in the prior years. A reversal of an impairment loss of assets carried at cost less accumulated depreciation or amortisation is recognised immediately in surplus or deficit.

1.11. PREPAYMENTS

Prepayments are payments made in advance for services or goods that have not been delivered, for which Legal Aid SA expects the delivery in the next financial period. Prepayments are recognised as current assets and are not discounted as the discounting effect thereof is considered immaterial.

1.12. CLIENT TRUST FUND

These constitute amounts received from estates late and settlements reached in civil matters. These amounts are payable to recipients based on court settlement orders and/or heirs, legatees or other claimants in estate matters.

1.13. DEPOSITS

These constitute amounts held by landlords for the various buildings leased by the entity, and travel agencies.

Deposits are recorded at fair value.

1.14. EMPLOYEE BENEFITS

Employee benefits are all forms of consideration given by an entity in exchange for service rendered by employees.

Short-term employee benefits

The cost of short-term employee benefits (those payable within 12 months after the service is rendered, such as paid vacation leave, sick leave, bonuses and non-monetary benefits such as medical care) are recognised in the period in which the service is rendered and are not discounted.

The expected cost of compensation for absences is recognised as an expense as the employees render services that increase their entitlement, or, in the case of non-accumulating absences, when the absence occurs, Legal Aid SA recognises the expected cost of bonus, incentive and performance related payments when Legal Aid SA has a present legal or constructive obligation to make such payments as a result of past events and a reliable estimate of the obligation can be made. A present obligation exists when Legal Aid SA has no realistic alternative but to make the payments.

Employee entitlements to annual leave are recognised when they accrue to employees. An accrual, based on total employment cost, is raised for the estimated liabilities as a result of services rendered by employees up to reporting date.

Defined contribution plans

Legal Aid SA has a defined contribution plan, where contributions are made to a separately administered fund. The fund is administered under the control of the National Government. The National Treasury stands as guarantor for any shortfall that the fund may experience.

Existing employees

Past service costs, experience adjustments, the effects of changes in actuarial assumptions and the effects of plan amendments in respect of existing employees in a defined contribution plan are recognised as an expense or as income systematically over the expected average remaining working lives of those employees (except in the case of certain plan amendments where the use of a shorter time year is necessary to reflect the receipt of economic benefits by the entity).

Plan terminations, curtailments and settlements

When it is probable that a defined contribution plan will be terminated or that there will be a curtailment or settlement of the retirement benefits payable under that plan,

- any resulting increase in the retirement benefit cost is recognised as an expense immediately; and
- any resulting gain is recognised as income in the year in which the termination, curtailment or settlement occurs.

Post-retirement medical benefit

The defined benefit obligation, the related current cost, and, where applicable, past service costs, is determined by using the Projected Unit Credit Method. A portion of the actuarial gains and losses is recognised as income or expense in the year it occurs.

Unvested past service cost is recognised as an expense on the straight-line basis over the average year until the benefits become vested, while vested past service costs are recognised as an expense in the Statement of Financial Performance.

1.15. PROVISIONS

Provisions are recognised when:

- the entity has a present obligation as a result of a past event;
- it is probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation; and
- a reliable estimate can be made of the obligation.

The amount of a provision is the best estimate of the expenditure expected to be required to settle the present obligation at the reporting date.

Provisions are reviewed at each reporting date and adjusted to reflect the current best estimate. Provisions are reversed if it is no longer probable that an outflow of resources embodying economic benefits or service potential will be required, to settle the obligation.

Provisions are recognised when Legal Aid SA has a present legal or constructive obligation as a result of past events; it is probable that an outflow of resources embodying economic benefits will be required to settle the obligation, and a reliable estimate of the amount of the obligation can be made. These provisions are raised based on Management's determined estimate using information available and represent the best estimate expected to be required to settle the present obligation at the reporting date. Other provisions of the entity are short-term in nature and thus ignore the effects of discounting.

Where the effect of time value of money is material, the amount of a provision is the present value of the expenditures expected to be required to settle the obligation. The discount rate is a pre-tax rate that reflects current market assessments of the time value of money and the risks specific to the liability.

Provisions are reviewed at each reporting date and adjusted to reflect the current best estimate. Provisions are reversed if it is no longer probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation. A provision is used only for expenditures for which the provision was originally recognised. Provisions are not recognised for future operating deficits.

Judicare provision

Judicare provisions are recognised when Legal Aid SA has a present legal or constructive obligation as a result of past events, for which it is probable that an outflow of economic benefits will be required.

In the process of applying the Accounting Authority's accounting policies, Management has made the following judgment that has the most significant effect on the amounts recognised in the financial statements:

- The calculation for this provision is based on reviewing actual payments for matters over a minimum period of five (5) financial years and adjusting all payments made during this period to their present value. Management thereafter determines the percentage of case activities that is completed per month for each matter and/or court type, up to a maximum of 36 months. This information is then used to determine the provision amount for each pending matter based on its age and the cost per case of the matter.

Corporate litigation

Corporate litigation is provided for legal matters where it is probable that an outflow of economic benefits will be required to settle the obligation and the amount can be reliably measured.

1.16. CONTINGENT LIABILITIES

Contingent liabilities are possible obligations that arise from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within control of Legal Aid SA, or a present obligation that is not recognised because the outflow of economic benefits or service potential is not probable and/or a real present obligation that may not be recognised, either because the timing or the measurement is not known. Contingent liabilities are only disclosed in the notes to the Annual Financial Statements.

1.17. COMMITMENTS

Items are classified as commitments when an entity has committed itself to future transactions that will normally result in the outflow of cash.

Commitments are disclosed at cost in the notes to the financial statements when there is a contractual arrangement or an approval by Management in a manner that raises a valid expectation that the entity will discharge its responsibilities, thereby incurring future expenditure that will result in the outflow of cash. Commitments are not recognised in the Statement of Financial Position but are disclosed in the notes to the Annual Financial Statements.

1.18. REVENUE FROM EXCHANGE TRANSACTIONS

Revenue is the gross inflow of economic benefits or service potential during the reporting period when those inflows result in an increase in net assets, other than increases relating to contributions from owners.

An exchange transaction is one in which the entity receives assets or services, or has liabilities extinguished, and directly gives approximately equal value (primarily in the form of goods, services or use of assets) to the other party in exchange.

Fair value is the amount for which an asset could be exchanged, or a liability settled, between knowledgeable, willing parties in an arm's length transaction.

Measurement

Revenue is measured at the fair value of the consideration received or receivable, net of trade discounts and volume rebates.

Interest

Interest is recognised on a time proportion basis that takes into account the effective yield on cash and cash equivalent.

Other income

The entity receives occasional income by way of a share in awards made to clients in civil matters as well as receiving cost awards, and income from disposed assets sold to staff. Due to the nature of services as well as the prospect of appeals, Legal Aid SA only recognises this income as soon as it is awarded to it.

1.19. REVENUE FROM NON-EXCHANGE TRANSACTIONS

Non-exchange transactions are transactions that are not exchange transactions. In a non-exchange transaction, an entity either receives value from another entity without directly giving approximately equal value in exchange or gives value to another entity without directly receiving approximately equal value in exchange.

Recognition

An inflow of resources from a non-exchange transaction recognised as an asset is recognised as revenue, except to the extent that a liability is also recognised in respect of the same inflow.

As the entity satisfies a present obligation recognised as a liability in respect of an inflow of resources from a non-exchange transaction recognised as an asset, it reduces the carrying amount of the liability recognised and recognises an amount of revenue equal to that reduction.

Government grant

Legal Aid SA receives an unconditional Government grant from the Department of Justice and Constitutional Development. The Government grant is recognised in the period when it becomes receivable.

Services in-kind

Where services in-kind are not significant to the entity's operations and/or service delivery objectives and/or do not satisfy the criteria for recognition, the entity discloses the nature and type of services in-kind received during the reporting period.

The entity recognises services in-kind that are significant to its operations and/or service delivery objectives as assets and recognises the related revenue when it is probable that the future economic benefits or service potential will flow to the entity and the fair value of the assets can be measured reliably.

1.20. FINANCE COSTS

Finance costs are charges incurred by the entity in connection with the finance lease liability. Finance costs are recognised as an expense in the period in which they are incurred.

1.21. TRANSLATION OF FOREIGN CURRENCIES

Foreign currency transactions

A foreign currency transaction is recorded, on initial recognition in Rands, by applying to the foreign currency amount the spot exchange rate between the functional currency and the foreign currency at the date of the transaction.

Exchange differences arising on the settlement of monetary items or on translating monetary items at rates different from those at which they were translated on initial recognition during the period or in previous Annual Financial Statements are recognised in surplus or deficit in the period in which they arise.

1.22. TAX

No provision is made for taxation as Legal Aid SA is exempt in terms of section 10(1)(CA) of the Income Tax Act.

1.23. COMPARATIVE FIGURES

Where necessary, comparative figures have been reclassified to conform to changes in presentation in the current year.

1.24. FRUITLESS AND WASTEFUL EXPENDITURE

Fruitless expenditure means expenditure which was made in vain and would have been avoided had reasonable care been exercised.

All expenditure relating to fruitless and wasteful expenditure is recognised as an expense in the Statement of Financial Performance in the period that the expenditure was incurred.

Fruitless and wasteful expenditure is recorded in the notes to the financial statements when confirmed. The amount recorded is equal to the total value of the fruitless and/or wasteful expenditure incurred.

Fruitless and wasteful expenditure is removed from the notes to the financial statements when it is resolved or transferred to receivables for recovery.

Fruitless and wasteful expenditure receivables are measured at the amount that is expected to be recoverable and are derecognised when settled or subsequently written off as irrecoverable.

1.25. IRREGULAR EXPENDITURE

Irregular expenditure means expenditure other than unauthorised expenditure, incurred in contravention of, or that is not in accordance with, the requirements of any applicable legislation from the definition in the PFMA.

All expenditure relating to irregular expenditure is recognised as an expense in the Statement of Financial Performance in the period that the expenditure was incurred.

Irregular expenditure is recorded in the notes to the financial statements when confirmed. The amount recorded is equal to the value of the irregular expenditure incurred unless it is impracticable to determine, in which case reasons therefore are provided in the note.

Irregular expenditure is removed from the note when it is either condoned by the relevant authority, transferred to receivables for recovery or is not condoned and is not recoverable.

Irregular expenditure receivables are measured at the amount that is expected to be recoverable and are derecognised when settled or subsequently written off as irrecoverable.

1.26. BUDGET INFORMATION

Entities are typically subject to budgetary limits in the form of appropriations or budget authorisations (or equivalent), which is given effect through authorising legislation, appropriation or similar.

General purpose financial reporting by an entity shall provide information on whether resources were obtained and used in accordance with the legally adopted budget.

The approved budget is prepared on an accrual basis and presented by economic classification linked to performance outcome objectives.

The approved budget covers the fiscal period from 1/4/2022 to 31/3/2023.

The budget for the economic entity includes all the entities' approved budgets under its control.

The Annual Financial Statements and the budget are on the same basis of accounting therefore a comparison with the budgeted amounts for the reporting period have been included in the Statement of Comparison of Budget and Actual Amounts.

1.27. RELATED PARTIES

A related party is a person or an entity with the ability to control or jointly control the other party, or exercise significant influence over the other party, or vice versa, or an entity that is subject to common control, or joint control.

Related party transaction is a transfer of resources, services or obligations between the reporting entity and a related party, regardless of whether a price is charged.

Close members of the family of a person are those family members who may be expected to influence, or be financially influenced by that person in their dealings with the entity.

The entity is exempt from disclosure requirements in relation to related party transactions if that transaction occurs within normal supplier and/or client/recipient relationships on terms and conditions no more or less favourable than those which it is reasonable to expect the entity to have adopted if dealing with that individual entity or person in the same circumstances and terms and conditions are within the normal operating parameters established by that reporting entity's legal mandate.

Where the entity is exempt from the disclosures in accordance with the above, the entity discloses narrative information about the nature of the transactions and the related outstanding balances, to enable users of the entity's financial statements to understand the effect of related party transactions on its Annual Financial Statements.

All payments to Executive Management and Non-executive members of Legal Aid SA are disclosed as related party transactions. Transactions with State-controlled organisations falling under the definition of control or significant influence which occur other than in accordance with operating parameters established are disclosed separately in the notes to the financial statements.

1.28. EVENTS AFTER REPORTING DATE

Events after reporting date are those events, both favourable and unfavourable, that occur between the reporting date and the date when the financial statements are authorised for issue. Two types of events can be identified:

- those that provide evidence of conditions that existed at the reporting date (adjusting events after the reporting date); and
- those that are indicative of conditions that arose after the reporting date (non-adjusting events after the reporting date).

Legal Aid SA will adjust the amount recognised in the financial statements to reflect adjusting events after the reporting date once the event occurred.

Legal Aid SA will disclose the nature of the event and an estimate of its financial effect or a statement that such estimate cannot be made in respect of all material non-adjusting events, where non-disclosure could influence the economic decisions of users taken on the basis of the financial statements.

1.29. BUDGET

Legal Aid SA prepares its annual budget on a cash basis in terms of the PFMA and the National Treasury Medium Term Expenditure Framework Guidelines issued annually. The budget is approved by the Accounting Authority before the commencement of the new financial year. The Statement of Financial Performance is prepared on an accrual basis.

2. NEW STANDARDS AND INTERPRETATIONS

2.1. STANDARDS AND INTERPRETATIONS ISSUED, BUT NOT YET EFFECTIVE

The entity has not applied the following standards and interpretations, which have been published and are mandatory for the entity's accounting periods beginning on or after 1 April 2023 or later periods:

Standard/Interpretation:	Effective date: Years beginning on or after	Expected impact:
<ul style="list-style-type: none"> GRAP 25 (as revised): Employee Benefits 	To be determined	Unlikely there will be a material impact
<ul style="list-style-type: none"> iGRAP 7 (as revised): Limit on defined benefit asset, minimum funding requirements and their interaction 	To be determined	Unlikely there will be a material impact
<ul style="list-style-type: none"> Guideline: Guideline on the Application of Materiality to Financial Statements 	To be determined	Unlikely there will be a material impact
<ul style="list-style-type: none"> GRAP 104 (as revised): Financial Instruments 	April 1, 2023	Unlikely there will be a material impact
<ul style="list-style-type: none"> iGRAP 21: The Effect of Past Decisions on Materiality 	April 1, 2023	Unlikely there will be a material impact
<ul style="list-style-type: none"> GRAP 2020: Improvements to the standards of GRAP 2020 	April 1, 2023	Unlikely there will be a material impact
<ul style="list-style-type: none"> GRAP 1 (amended): Presentation of Financial Statements 	April 1, 2025	Unlikely there will be a material impact

3. PROPERTY, PLANT AND EQUIPMENT

	2023			2022		
	Cost / Valuation	Accumulated depreciation and accumulated impairment	Carrying value	Cost / Valuation	Accumulated depreciation and accumulated impairment	Carrying value
	R	R	R	R	R	R
Land	7,180,822	-	7,180,822	7,180,822	-	7,180,822
Buildings	59,838,796	(19,092,557)	40,746,239	59,838,796	(16,699,005)	43,139,791
Furniture and equipment	26,730,164	(14,522,014)	12,208,150	26,633,289	(14,367,797)	12,265,492
Motor vehicles	114,123,592	(33,464,786)	80,658,806	106,124,260	(31,102,423)	75,021,837
Computer equipment	128,433,019	(74,356,126)	54,076,893	113,397,892	(63,082,621)	50,315,271
Leasehold improvements	22,195,787	(14,742,582)	7,453,205	22,535,308	(12,136,715)	10,398,593
Building improvements	27,873,338	(14,042,212)	13,831,126	26,967,744	(12,249,490)	14,718,254
Fittings and fixtures	2,979,926	(2,742,993)	236,933	2,979,926	(2,738,738)	241,188
Total	389,355,444	(172,963,270)	216,392,174	365,658,037	(152,376,789)	213,281,248

Reconciliation of property, plant and equipment – 2023	Opening balance	Additions	Disposals	Depreciation	Total
Land	7,180,822	-	-	-	7,180,822
Buildings	43,139,791	-	-	(2,393,552)	40,746,239
Building improvements	14,718,254	923,367	(39,957)	(1,770,538)	13,831,126
Motor vehicles	75,021,837	15,807,780	(3,312,125)	(6,858,686)	80,658,806
Furniture and equipment	12,265,492	859,006	(295,192)	(621,156)	12,208,150
Fittings and fixtures	241,188	-	-	(4,255)	236,933
Leasehold improvements	10,398,593	131,309	(10,452)	(3,066,245)	7,453,205
Computer equipment	50,315,271	19,356,623	(473,002)	(15,121,999)	54,076,893
	213,281,248	37,078,085	(4,130,728)	(29,836,431)	216,392,174

Reconciliation of property, plant and equipment – 2022	Opening balance	Additions	Disposals	Depreciation	Total
Land	7,180,822	-	-	-	7,180,822
Buildings	45,470,352	-	-	(2,330,561)	43,139,791
Building improvements	16,130,258	321,285	-	(1,733,289)	14,718,254
Motor vehicles	67,569,348	17,567,283	(2,392,068)	(7,722,726)	75,021,837
Furniture and equipment	12,296,001	625,718	(76,044)	(580,183)	12,265,492
Fittings and fixtures	245,443	-	-	(4,255)	241,188
Leasehold improvements	10,383,933	579,281	(66,586)	(498,035)	10,398,593
Computer equipment	35,856,770	23,874,521	(456,707)	(8,959,313)	50,315,271
	195,132,927	42,968,088	(2,991,405)	(21,828,362)	213,281,248

Pledged as security

None of the carrying value of assets was pledged as security.

Initial measurements

Land

The first land is described as ERF 4410 Johannesburg Township Registration Division I.R., provision of Gauteng, Johannesburg Division Gauteng Province. The land measures 1,490 square metres. It was transferred (sold) to Legal Aid South Africa on 4 September 2008. For initial split, the land was revaluated by an independent valuator, J.O. Schoonraad, on 23 September 2011 and has been stated at cost of R11,788,000.

The second land is described as ERF 408 Middelburg Registration Division I.R., provision of Mpumalanga, Middelburg Division Mpumalanga Province. The land measures 966 square metres. It was transferred (sold) to Legal Aid South Africa on 8 March 2017. For initial recognition split, the land was revaluated by an independent valuator, Kgolofelo Property Services CC, on 15 August 2015 and has been stated at cost of R630,000.

The third land is described as ERF 1956 Lichtenburg Registration Division I.R., provision of North West, Lichtenburg Division North West Province. The land measures approximately 1,086 square metres. It was transferred (sold) to Legal Aid South Africa on 19 May 2016. For initial recognition split purpose, the land was revaluated by an independent valuator, Ettienne E. Pretorius, on 20 September 2016 and has been stated at cost of R543,000.

The fourth land is described as ERF 884 Johannesburg Registration Division I.R., provision of Gauteng, Johannesburg Division Gauteng Province. The land measures approximately 595 square metres. It was transferred (sold) to Legal Aid South Africa on 29 July 2016. For initial recognition split purpose, the land was revaluated by an independent valuator, Ettienne E. Pretorius, on 20 September 2016 and has been stated at cost of R595,000.

The fifth land is described as ERF 1737 Krugersdorp Township Registration Division I.R., provision of Gauteng, Krugersdorp Division Gauteng Province. The land measures approximately 495 square metres. It was transferred (sold) to Legal Aid South Africa on 13 April 2017. For initial recognition split purpose, the land was revaluated by an independent valuator, Tsebo Real Asset Management, on 14 November 2017 and has been stated at cost of R850,000.

The sixth land is described as ERF 39 Welkom Registration Division I.R., provision of Free State, Welkom Division Free State Province. The land measures approximately 373 square metres. It was transferred (sold) to Legal Aid South Africa on 10 May 2017. For initial recognition split purpose, the land was revalued by an independent valuator, Equity Property Professionals, on 28 March 2018 and has been stated at cost of R292,696.

The seventh land is described as ERF 109 Witbank Registration Division I.R., provision of Mpumalanga, Witbank Division Mpumalanga Province. The land measures approximately 2,231 square metres. It was transferred (sold) to Legal Aid South Africa on 12 July 2017. For initial recognition split purpose, the land was revalued by an independent valuator, Equity Property Professionals, on 28 March 2018 and has been stated at cost of R1,382,130.

The eighth land is described as ERF 840 Port Elizabeth Registration Division I.R., provision of Eastern Cape, King Williams Town Division Eastern Cape Province. The land measures approximately 2,725 square metres. It was transferred (sold) to Legal Aid South Africa on 27 July 2020. For initial recognition split purpose, the land was revalued by an independent valuator, Modi-Res Valuers, on 5 April 2018 and has been stated at cost of R1,100,000.

Building

The first building is described as ERF 4410 Johannesburg Township Registration Division I.R., provision of Gauteng, Johannesburg Division Gauteng Province. The building measures approximately 8,289 square metres and it was transferred (sold) to Legal Aid South Africa on 4 September 2008. The estimated useful life of the building is 25 years and has been stated at the cost price of R21,981,000 in order to comply with GRAP 17. The building included building improvements made to Legal Aid House.

The second building is described as ERF 408 Middelburg Registration Division I.R., provision of Mpumalanga, Middelburg Division Mpumalanga Province. The building measures approximately 616 square metres and it was transferred (sold) to Legal Aid South Africa on 8 March 2017. The estimated useful life of the building is 25 years and has been stated at the cost price of R5,250,554.

The third building is described as ERF 1956 Lichtenburg Registration Division I.R., provision of North West, Lichtenburg Division North West Province. The building measures approximately 258 square metres and it was transferred (sold) to Legal Aid South Africa on 19 May 2016. The estimated useful life of the building is 25 years and has been stated at the cost price of R1,307,425.

The fourth building is described as ERF 884 Ekurhuleni Metropolitan Registration Division I.R., provision of Gauteng, Johannesburg Division Gauteng Province. The building measures approximately 1,696 square metres and it was transferred (sold) to Legal Aid South Africa on 29 July 2016. The estimated useful life of the building is 25 years and has been stated at the cost price of R3,089,310.

The fifth building is described as ERF 1737 Krugersdorp Township Registration Division I.R., provision of Gauteng, Krugersdorp Division Gauteng Province. The building measures approximately 1,380 square metres and it was transferred (sold) to Legal Aid South Africa on 13 April 2017. The estimated useful life of the building is 25 years and has been stated at the cost price of R4,325,371.

The sixth building is described as ERF 39 Welkom Registration Division I.R., provision of Free State, Welkom Division Free State Province. The building measures approximately 1,073 square metres and it was transferred (sold) to Legal Aid South Africa on 10 May 2017. The estimated useful life of the building is 25 years and has been stated at the cost price of R7,292,718.

The seventh building is described as ERF 109 Witbank Registration Division I.R., provision of Mpumalanga, Witbank Division Mpumalanga Province. The building measures approximately 1,548 square metres and it was transferred (sold) to Legal Aid South Africa on 12 July 2017. The estimated useful life of the building is 25 years and has been stated at the cost price of R6,433,243.

The eighth building is described as ERF 840 Port Elizabeth Registration Division I.R., provision of Eastern Cape, King Williams Town Division Eastern Cape Province. The building measures approximately 1,701 square metres. It was transferred (sold) to Legal Aid South Africa on 27 July 2020. The estimated useful life of the building is 25 years and has been stated at the cost price of R10,159,172.80.

Expenditure incurred to repair and maintain property, plant and equipment

	2023	2022
	R	R
Expenditure incurred to repair and maintain property, plant and equipment included in Statement of Financial Performance		
Buildings	2,951,988	834,156
Motor vehicles	3,958,966	3,509,488
Office equipment	2,654,382	2,298,482
	9,565,336	6,642,126

4. INTANGIBLE ASSETS

	2023			2022		
	Cost / Valuation	Accumulated amortisation and accumulated impairment	Carrying value	Cost / Valuation	Accumulated amortisation and accumulated impairment	Carrying value
	R	R	R	R	R	R
Computer software	22,411,167	(5,822,913)	16,588,254	22,041,636	(5,589,528)	16,452,108

	Opening balance	Additions	Amortisation	Total
	R	R	R	R
Reconciliation of intangible assets – 2023				
Computer software	16,452,108	369,531	(233,385)	16,588,254

	Opening balance	Additions	Amortisation	Total
	R	R	R	R
Reconciliation of intangible assets – 2022				
Computer software	16,538,341	428,522	(514,755)	16,452,108

Pledged as security

None of the carrying value of intangible assets was pledged as security.

5. LEASED ASSETS

	2023			2022		
	Cost / Valuation	Accumulated depreciation and accumulated impairment	Carrying value	Cost / Valuation	Accumulated depreciation and accumulated impairment	Carrying value
	R	R	R	R	R	R
Finance lease	6,444,928	(2,444,882)	4,000,046	2,628,260	(2,495,900)	132,360

Reconciliation of leased assets – 2023

	Opening balance	Additions	Depreciation	Total balance
Finance lease	132,360	6,615,564	(2,747,878)	4,000,046

Reconciliation of leased assets – 2022

	Opening balance	Depreciation	Total
Finance lease	427,031	(294,671)	132,360

Finance leases relate to cellphone contracts for cellphones issued to all staff and the contract is for 24 months.

Pledged as security

None of the carrying value of assets was pledged as security.

6. CASH AND CASH EQUIVALENTS

Cash and cash equivalents consist of:

	2023	2022
	R	R
Cash on hand	242,000	242,000
Bank balances	12,436,653	23,533,195
Short-term deposits	847,620,267	679,313,176
	860,298,920	703,088,371

Credit quality of cash at bank and short-term deposits, excluding cash on hand

The credit quality of cash at bank and short-term deposits, excluding cash on hand that are neither past due nor impaired can be assessed by reference to external credit ratings (if available) or historical information about counterparty default rates:

Cash and cash equivalents pledged as collateral

None of the cash and cash equivalents were pledged as a security.

7. RECEIVABLES FROM EXCHANGE TRANSACTIONS

	2023	2022
	R	R
Trade receivables	19,694,183	46,760,427
Other receivables	2,902,710	418,989
Provision for doubtful debts	(11,094,838)	(10,946,320)
	11,502,055	36,233,096

Included in the trade and other receivables is an amount of R10,310,262 (2022: R11,946,320) relating to Judicare duplicate travel claims raised from 2004/2005 to date.

Included in receivables is an amount of R6,956,266 for the eLAA project funded through the Integrated Justice System.

Credit quality of trade and other receivables

Credit risk arises mainly from receivables and cash and cash equivalents. Legal Aid SA's exposure to credit risk arises because of default of counterparties with maximum exposure equal to the carrying amount of these instruments:

	2023	2022
	R	R
Groups		
Group 1	1,517,215	646,639
Group 2	-	1,258,142
Group 3	10,345,008	33,182,609
Group 4	9,295,526	12,092,026
Group 5	1,439,144	-
	22,596,893	47,179,416

Group 1 – Staff debtors outstanding for less than 90 days and with no defaults; these largely comprise membership fees.

Group 2 – Other staff debtors outstanding for more than 90 days and with no defaults.

Group 3 – Existing debtors outstanding.

Group 4 – Judicare and other legal debtors outstanding for more than 90 days and handed over for collection.

Group 5 – Other receivables.

The total gross carrying amount of the impaired receivables as at reporting date is R22,596,893 (March 2022: R47,179,416) and the associated total impairment is R11,094,838 (March 2022: R10,946,320). The recovery of R11,094,838 (March 2022: R10,946,320) has been handed over for collection.

Fair value of trade and other receivables

Trade and other receivables past due but not impaired

Trade and other receivables which are less than three months past due are not considered to be impaired. As at 31 March 2023, R11,505,055 (2022: R36,233,096) was past due but not impaired.

Other receivables which are past due for more than three months but not impaired were assessed in line with GRAP 104 and the resultant impairment on the gross account receivables amounted to R11,094,838 (2022: R10,946,320).

The ageing of amounts past due but not impaired is as follows:

	2023	2022
	R	R
1 month past due	8,819,785	33,206,193
3 - 6 months past due	-	1,142,531
6 months to 1 year past due	-	6,918
1+ year past due	2,682,270	1,877,454
	11,502,055	36,233,096

	2023	2022
	R	R
Reconciliation of provision for impairment of trade and other receivables		
Opening balance	10,946,320	11,687,464
Amounts written off as uncollectible	(267,122)	(1,073,080)
(Decrease)/Increase in provision for doubtful debt	415,640	331,936
	11,094,838	10,946,320

The majority of the debts written off is mainly due to the travel claim recoveries balance remaining from settlement agreements which was written off. The other write off is as a result of Judicare Practitioners who have passed on and those whose practices have closed down.

8. PREPAYMENTS

	2023	2022
	R	R
Prepayments	3,777,140	3,790,918

Prepayments relate to computer licences which are payable in advance for the period of the licence.

9. DEPOSITS

	2023	2022
	R	R
Deposits	1,793,134	1,736,548

The total deposit above is classified as follows:

Later than 1 year and not later than 5 years	1,736,548	1,395,799
Not later than 1 year	56,586	340,749
	1,793,134	1,736,548

Deposit reconciliation

Opening balance	1,736,548	1,708,705
Recoveries	(2,500)	(12,996)
Deposits expensed	(1,500)	(14,566)
Deposits moved to debtors	-	(8,156)
Deposits written off	(32,129)	-
New deposits for the year	92,715	63,561
	1,793,134	1,736,548

This mainly constitutes amounts paid to landlords as a security for offices occupied by Legal Aid SA.

10. CLIENT TRUST FUNDS

	2023	2022
	R	R
Client trust funds	64,567,585	55,827,063

These constitute amounts received from estates late and settlements reached in civil matters. These amounts are payable to recipients based on court settlement orders.

The corresponding liability for the client trust asset. Refer to note 15.

11. EMPLOYEE BENEFIT OBLIGATIONS

Defined benefit plan

Post-retirement medical aid plan

Legal Aid SA contributes to a medical aid scheme for certain retired employees. The liability for future contributions to the scheme in respect of three (3) retirees was actuarially valued at year end. The scheme is valued every three (3) years.

Legal Aid SA provided for the payment of medical aid for retired employees. This practise has ceased; however, a contractual obligation exists for certain employees who retired with this condition. It is anticipated that these amounts will be paid out over the remaining lives of these pensioners.

Pension benefits

Defined contribution plan

Legal Aid SA has a defined contribution plan, where contributions are made to a separately administered fund. The plan is governed by the AIPF Act 41 of 1963. The assets of the plan are administered by trustees in a fund independent of Legal Aid SA. The fund is administered under the control of the National Government. The National Treasury stands as guarantor for any shortfall that the fund may experience. For this reason, no provision is made in the books of Legal Aid SA for any shortfall or surplus that may arise. The disclosure for this plan is done in accordance with a defined contribution plan due to the following reasons: Legal Aid SA is not the only member of the Pension Fund and the liability exposure and the assets cannot be separated from the other members' liability and assets.

Group Life risk cover

Legal Aid SA contributes to a Group Life scheme on behalf of its employees and is not exposed to any actuarial or investment risk of the fund. As the contributions made are those of the employees from guaranteed remuneration, the contributions paid are expensed as remuneration.

The amounts recognised in the Statement of Financial Position are as follows:

	2023	2022
	R	R
Carrying value		
Post-retirement benefit March 2023	(934,043)	(945,308)

Changes in the present value of the defined benefit obligation are as follows:

Opening balance	945,308	1,396,015
Net expense recognised in the Statement of Financial Performance	(11,265)	(450,707)
	934,043	945,308

Net expense recognised in the Statement of Financial Performance

Interest cost	79,939	117,659
Actuarial (gains) losses	93,596	(354,284)
Settlement	(184,800)	(214,082)
	(11,265)	(450,707)

Calculation of actuarial gains and losses

Actuarial (gains) losses – obligation	93,596	(354,284)
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Key assumptions used

Assumptions used at the reporting date:

	2023	2022
	R	R
Discount rate	9.13%	9.35%
General inflation	5.10%	6.25%
Real bond rate	3.83%	2.91%
Healthcare inflation	6.60%	7.75%
Healthcare inflation premium	1.50%	1.50%

Other assumptions

Assumed healthcare cost trends rates have a significant effect on the amounts recognised in surplus or deficit. A one percentage point change in assumed healthcare cost trends rates would have the following effects:

	One percentage point increase	One percentage point decrease
	R	R
Discount rate Cost/(Saving)	(32,510)	34,973
Healthcare/(Savings)	35,489	(33,556)
Mortality age rating Cost/(Saving)	(55,703)	58,262

Amounts for the current and previous four years are as follows:

	2023	2022	2021	2020	2019
	R	R	R	R	R
Defined benefit obligation	834,043	945,308	1,396,015	1,408,492	1,468,998

12. PAYABLES FROM EXCHANGE TRANSACTIONS

	2023	2022
	R	R
Trade payables	153,420	74,180
Bonus pay benefits (13th cheque)	35,939,841	32,794,131
Leave pay benefits	49,791,701	46,033,194
Accruals	3,677,893	4,795,985
Sundry creditors	38,193,282	30,385,671
	127,756,137	114,083,161

Trade payables amount includes accruals for goods received which were not receipted on the system by the end of the period. This represents invoices not paid as at end of 31 March 2023.

Maturity analysis of trade and other payables from exchange

	2023	2022
	R	R
<1 year	123,214,486	109,599,282
1 - 2 years	4,541,652	4,483,879
	127,756,138	114,083,161

13. PROVISIONS

Reconciliation of provisions – 2023

	Opening Balance	Additions	Utilised during the year	Reversed during the year	Total
Judicare	68,444,437	144,351,792	(78,663,688)	(68,444,437)	65,688,104
Provision for incentive payments	90,008,885	134,336,862	(87,385,574)	-	136,960,173
Strategic litigation	1,432,937	10,180,122	-	(1,432,937)	10,180,122
Judicare – Land Rights	-	45,282,715	-	-	45,282,715
	159,886,259	334,151,491	(166,049,262)	(69,877,374)	258,111,114

Reconciliation of provisions – 2022

	Opening Balance	Additions	Utilised during the year	Reversed during the year	Total
Judicare	69,982,828	63,451,507	(64,989,898)	-	68,444,437
Provision for incentive payments	33,632,870	107,240,582	(50,864,567)	-	90,008,885
Provision for SARS	2,734,184	-	-	(2,734,184)	-
Corporate litigation	1,594,618	-	-	(1,594,618)	-
Strategic litigation	-	1,432,937	-	-	1,432,937
	107,944,500	172,125,026	(115,854,465)	(4,328,802)	159,886,259

Judicare

Legal Aid SA instructs independent Legal Practitioners where it believes that the interests of the client are best handled in this manner. These practitioners are paid according to a tariff set by Legal Aid SA from time to time. A consequence of the nature of court cases is that while an estimate can be made of the cost of cases based on historical experience, the actual payments may vary. In addition, the length of time taken to complete cases often varies; in general, payment is only made on completion of a case.

Gross claims incurred comprise all claims arising from events that have occurred in the period and for which Legal Aid SA is responsible, whether or not reported by the end of the period.

Net claims incurred comprise:

- claims submitted and accrued for services rendered during the period net of recoveries; and
- claims for services rendered during the previous period not included in the outstanding claims provision for that period, net of recoveries.

Outstanding claims provision

The method used is based on reviewing actual payments for matters over a minimum period of five (5) financial years and adjusting all payments made during this period to their present-day value. We thereafter determine the percentage of case activities that is completed per month for each matter and/or court type, up to a maximum of 36 months. This information is then used to determine the provision amount for each pending matter based on its age and the cost per case of the matter.

Changes in assumptions and sensitivities to changes in key variables

Assumptions are based on actual claims experienced in determining the outstanding claims provision. Due to the nature of the provision, no material change is expected in any assumptions made.

Legal Aid SA believes that the liability for claims reported in the Statement of Financial Position is adequate. However, it recognises that the process of estimation is based upon variable factors and assumptions which could differ when claims arise. A retrospective review of actual claims experience is performed monthly to determine the accuracy of the outstanding claims provision. Due to this, the impact of a change in the key variables is not considered to be significant and no further sensitivity analysis is provided.

Incentive payments

An incentive payment is payable to employees during August each year based on their individual performance as well as that of the organisation as a whole.

Litigation

Legal Aid SA, by the nature of its activities, has at any time several legal matters in process. The cost of these, as well as the possible effect of any outcome, is provided for in the year in which the cause of action arises. No certainty exists as to the timing of when these amounts will be paid.

Judicare – Land Rights

Judicare for land matters is calculated by determining the stage of the matter at reporting date and applying the applicable percentages against the budget set aside for the matter.

The budget is determined based on the category of the matter prior to allocation to Legal Practitioners. The provision is determined for stages completed where no account has been received at reporting date. There is no provision for internally allocated matters.

14. FINANCE LEASE OBLIGATION

	2023	2022
	R	R
Minimum lease payments due		
- within one year	3,405,713	80,057
- in second to fifth year inclusive	825,690	-
Present value of minimum lease payments	4,231,403	80,057
	2023	2022
	R	R
Present value of minimum lease payments due		
- within one year	3,405,713	80,057
- in second to fifth year inclusive	825,690	-
	4,231,403	80,057
Non-current liabilities	825,690	-
Current liabilities	3,405,713	80,056
	4,231,403	80,056

Finance leases relate to cellphone contracts for cellphones issued to all staff and the contract is for 24 months.

15. CLIENT TRUST FUNDS

	2023	2022
	R	R
Client trust funds	64,567,585	55,827,063

These constitute amounts received from estate lates and settlements reached in civil matters. These amounts are payable to recipients based on court settlement orders.

The corresponding asset for the client trust liability. Refer to note 10.

16. REVENUE

	2023	2022
	R	R
Other income	8,461,282	8,674,421
Interest received – investment	52,581,025	27,148,001
Government grants and subsidies	2,191,427,266	2,066,188,000
Services in-kind – office rental	1,454,400	1,145,580
	2,253,923,973	2,103,156,002

The amounts included in revenue arising from exchanges of goods or services are as follows:

Other income	8,461,282	8,674,421
Interest received – investment	52,581,025	27,148,001
	61,042,307	35,822,422

The amount included in revenue arising from non-exchange transactions is as follows:

Taxation revenue

Transfer revenue

Government grants and subsidies	2,191,427,266	2,066,188,000
Services in-kind – office rental	1,454,400	1,145,580
	2,192,881,666	2,067,333,580

17. INVESTMENT REVENUE

	2023	2022
	R	R
Interest revenue		
Bank	52,581,025	27,148,001

18. OTHER INCOME

	2023	2022
	R	R
Commission on garnishee order and benefit to Legal Aid SA	2,384,971	22,554
Sundry income	6,076,311	8,651,867
	8,461,282	8,674,421

19. GOVERNMENT GRANTS AND SUBSIDIES

	2023	2022
	R	R
Operating grants		
Unconditional Government baseline allocation	2,083,703,000	2,022,188,000
Services in-kind – office rental	1,454,400	1,145,580
Land Rights Management Grant	89,603,000	33,000,000
Specialised Commercial Crimes Court	11,165,000	11,000,000
Integrated Justice System	6,956,266	-
	2,192,881,666	2,067,333,580

The allocation of R89,603,000 (2022: R33,000,000) is in relation to the Land Rights Management Function transferred to Legal Aid SA from the Department of Agriculture, Land Reform and Rural Development.

The amount of R11,640,000 (2022: R11,000,000) relates to the establishment of the Specialised Commercial Crimes Court Unit.

Legal Aid SA recognised services in-kind relating to office accommodation in Mitchells Plain, Polokwane, Kuruman and Mbombela. The Department of Justice and Constitutional Development offered Legal Aid SA office space in their court buildings.

The amount of R6,956,266 for use on the eLAA project accrued from the Integrated Justice System.

20. GAIN/(LOSS) ON SALES OF ASSETS

	2023	2022
	R	R
Property, plant and equipment	(161,836)	1,755,240

21. EMPLOYEE RELATED COSTS

	2023	2022
	R	R
Basic	1,343,990,165	1,285,689,453
Incentive bonus	134,336,862	107,240,582
Medical aid – company contributions	20,450,603	18,273,269
UIF	5,597,873	5,406,724
Leave pay provision charge	7,823,079	2,507,482
Overtime payments	195,775	29,808
Long-service awards	961,664	326,970
13th cheques	79,632,379	73,770,931
Car allowance	8,859,065	8,826,373
Housing benefits and allowances	24,029,860	20,791,876
Pension contributions	117,742,648	109,556,186
Insurance – Group Life	19,369,860	15,687,577
Other improved conditions of service	81,993	26,399
Telecom/Phone allowance	20,250	6,162,250
	1,763,092,076	1,654,295,880

22. DEPRECIATION AND AMORTISATION

	2023	2022
	R	R
Property, plant and equipment	29,836,431	21,828,362
Finance leases	2,747,878	294,671
Intangible assets	233,386	514,754
	32,817,695	22,637,787

23. DEBT IMPAIRMENT

	2023	2022
	R	R
Impairments		
Receivables from exchange transactions	415,639	331,936

24. FINANCE COSTS

	2023	2022
	R	R
Finance costs	565,096	142,025

Finance cost relates actual interest calculated on the handsets issued to employees for the year under review.

25. ADMINISTRATIVE

	2023	2022
	R	R
Co-operation and Agency Agreements	9,992,936	7,471,526
Strategic Litigation	9,902,434	2,947,048
Judicare	184,049,068	83,816,829
Civil disbursements	6,430,147	6,820,739
	210,374,585	101,056,142

26. OPERATING EXPENSES

	2023	2022
	R	R
Advertising	5,453,933	2,048,694
Auditors' remuneration	4,534,522	4,194,097
Board fees	837,396	1,034,648
Cleaning	10,846,525	10,440,380
Communication	1,325,690	1,355,293
Computer expenses	15,368,749	12,473,431
Consulting and professional fees	1,770,700	(1,339,326)
Document exchange	676	4,520
Education and training	1,430,076	1,779,922
Health and safety – COVID-19	1,049,235	2,038,195
IT expenses	815,289	641,702
Insurance	6,799,294	6,735,140
Library and publications	2,548,568	2,285,823
Maintenance – buildings	2,951,988	834,156
Maintenance – office equipment	2,654,382	2,298,482
Management fees	234,531	235,962
Municipal services	16,677,622	15,407,685
Office rental – satellite	9,534,323	9,194,597
Other expenses	8,808,211	6,009,242
Postage and courier	1,118,449	1,144,362
Printing and stationery	4,349,854	3,824,122
Recruitment	2,023,510	1,089,385
Refreshments	697,027	354,558
Security costs	2,592,047	2,316,278
Skills development levy	1,509,161	1,415,837
Software maintenance	607,403	997,765
Storage costs	820,336	1,059,870
Office rental	46,770,200	44,948,427
Subscriptions and membership fees	3,294,650	3,863,145
Telephone and fax	14,350,453	11,370,251
Tools and equipment	363,664	356,345
Travelling and Sub-Circuit Court	1,492,928	1,316,727
Travelling and subsistence	5,169,422	1,605,918
Vehicle – fuel	14,082,546	9,837,892
Vehicle – maintenance	3,958,966	3,509,488
Vehicle tracking	1,505,003	1,419,670
Wide Area Network	22,169,935	21,800,638
Workmen's Compensation	1,823,697	1,418,504
Workshops	556,926	176,871
	222,897,887	191,498,696

27. CASH GENERATED FROM OPERATIONS

	2023	2022
	R	R
Surplus	23,599,159	134,948,776
Adjustments for:		
Depreciation and amortisation	32,817,695	22,637,787
(Gain) loss on sale of assets and liabilities	161,836	(1,755,240)
Movement on impairment of assets	415,639	331,936
Movements in retirement benefit liabilities	(11,265)	(450,707)
Movements in provisions	98,224,855	51,941,759
Bad debts written off	267,122	1,073,079
Changes in working capital:		
Receivables from exchange transactions	24,662,733	(32,029,497)
Prepayments	13,778	(902,459)
Deposits	(56,586)	(27,843)
Payables from exchange transactions	13,672,976	(7,675,142)
	193,767,942	168,092,449

28. CHANGE IN ESTIMATE

Property, plant and equipment

In the current period, Management has reassessed the useful lives of property, plant and equipment (computer hardware, leasehold improvements, furniture and equipment as well as building improvements) as it had been determined that the assets could be used for a longer period in line with the cost containment measures applied in the organisation. The effect of the change in accounting estimate has resulted in a decrease in depreciation charge of R602,863 for the current period (2022: R6,046,300). The effect on future periods could not reasonably be determined.

29. FINANCIAL INSTRUMENTS DISCLOSURE

Categories of financial instruments

2023

	At amortised cost	Total
	R	R
Financial assets		
Cash and cash equivalents	860,298,920	860,298,920
Receivables from exchange transactions	11,502,055	11,502,055
Prepayments	3,777,140	3,777,140
Deposits	1,793,134	1,793,134
Client trust account	64,567,585	64,567,585
	941,938,834	941,938,834
Financial liabilities		
Trade payables from exchange transactions	127,756,137	127,756,137
Finance lease obligation	4,231,403	4,231,403
Client trust account	64,567,585	64,567,585
	196,555,125	196,555,125

2022

	At amortised cost	Total
	R	R
Financial assets		
Cash and cash equivalents	703,088,371	703,088,371
Receivables from exchange transactions	36,233,096	36,233,096
Deposits	1,736,548	1,736,548
Prepayment	3,790,918	3,790,918
Client trust account	55,827,063	55,827,063
	800,675,996	800,675,996
Financial liabilities		
Trade payables from exchange transactions	114,083,161	114,083,161
Finance lease obligation	80,056	80,056
Client trust account	55,827,063	55,827,063
	169,990,280	169,990,280

30. COMMITMENTS

Authorised operational expenditure

	2023	2022
	R	R
Already contracted for but not provided for		
• Judicare	60,975,877	59,026,028
• Suppliers' orders – rollovers	38,300,634	13,980,633
• Strategic Litigation	-	9,173,243
• Judicare – Land Rights	75,488,696	-
	174,765,207	82,179,904
Suppliers' orders – contractual obligations		
- within one year	152,373,353	80,388,859
- in second to fifth year inclusive	318,855,625	90,169,128
	471,228,978	170,557,987
Operational commitments		
Already contracted for but not provided for	174,765,207	82,179,904
Suppliers' orders – contractual obligations	471,228,978	170,557,987
	645,994,185	252,737,891
Total commitments		
Minimum lease payments due – office rental	66,769,546	92,685,075
Operational commitments	645,994,185	252,737,891
	712,763,731	345,422,966

Judicare – Committed expenditure related to the estimated value of instructions issued before year end where no accounts have been received.

Suppliers Orders – Legal Aid SA placed orders with suppliers before year end and the goods and services were not received on 31 March 2023. Included in the commitments above is capital commitments approved and contracted.

Judicare – Land rights, for new and transferred matters where instructions were issued and there is progress in the matter and certainty of the next stages of each matter.

Contractual obligations relate to operational contracts that were entered into between suppliers and Legal Aid SA.

Operating leases – as lessee (expense)

	2023	2022
	R	R
Minimum lease payments due – office rental		
- within one year	38,241,854	43,690,203
- in second to fifth year inclusive	28,527,692	48,994,872
	66,769,546	92,685,075

Rental accommodation – Legal Aid SA leases office space from different landlords in all nine (9) provinces. The various lease agreements provide for an escalation rate linked to the percentage increase. Most of the leases are for a minimum of three (3) years. No contingent rent is payable.

	2023	2022
	R	R
Minimum lease payments due – photocopiers		
Not later than 1 year	-	1,838,189
Later than 1 year and not later than 5 years	-	(1,838,189)
	-	-

Photocopiers – Legal Aid SA leases 159 photocopiers for all nine (9) provinces. The lease agreements do not provide for escalation. The duration of the lease period is from 1 April 2020 to 31 March 2023.

For the year ending 31 March 2023, Legal Aid SA does not have a commitment.

31. CONTINGENCIES

- 1) There are nine (9), 2022 ten (10) claims that are covered by insurance (including five (5) professional negligence matters).
- 2) There are two (2), 2022 five (5) other general claims, for the current financial year.
- 3) For the current financial year there was a decline in matters with no insurance cover.
- 4) The contingent liability relates to the transfer of the Land Rights Management Function from the DALRRD effective 1 January 2022. The transfer of the legal representation to Legal Aid SA is intended to close the service delivery gaps for key stakeholders and indigent clients.
- 5) For new and transferred matters where there was no activity and uncertainty relating to the next stages, this is disclosed as a contingent liability.

	2023	2022
	R	R
List of contingencies		
1) Legal claims with insurance cover	1,620,000	1,800,000
2) Other legal claims with no insurance	274,622	81,307,024
3) Legal claim for land rights matters	185,122,569	144,686,671
	187,017,191	227,793,695

Surplus funds

In terms of section 53(3) of the PFMA, a public entity may not accumulate surplus funds without approval from the National Treasury. Approval will be requested from the National Treasury for surpluses for the year amounting to R482,528,011. If the approval is not granted, the entity will be liable to repay the surpluses amounting to R482,528,011.

32. SURPLUS FUND LINKED TO ROLLOVERS

	2023	2022
	R	R
Rollover funding		
Computer hardware and IT support	13,124,304	2,683,413
Computer software	-	2,606,910
Signage and branding	54,110	14,260
Furniture and equipment	223,362	167,230
Leasehold improvements	619,347	21,315
Tools and equipment	-	80,126
Motor vehicles	22,357,055	7,449,205
Communication	480,823	147,609
Professional services	947,784	241,500
Storage costs	-	2,296
Expert witness	79,995	-
Printing and stationery	27,552	38,445
Maintenance – office equipment	65,980	83,174
Maintenance – buildings	141,550	55,565
Buildings Improvements	178,772	389,585
	38,300,634	13,980,633

33. RELATED PARTIES

All the parties that have the ability to control or exercise significant influence over Legal Aid SA in making financial and operating decisions were considered to be related parties of the organisation. Legal Aid SA operates under the umbrella of the Department of Justice and Constitutional Development and the relevant Executive Authority is the Minister of Justice and Correctional Services. The following entities are considered to be related parties due to common control:

- National Prosecuting Authority
- Special Investigating Unit
- South African Human Rights Commission
- Public Protector
- Guardian's Fund
- President's Fund
- South African Board of Sheriffs
- Criminal Asset Recovery Account
- Council of Debt Collectors
- South African Law Reform Commission

Legal Aid SA is related to all national spheres of Government and transactions that are not at arm's length include the provision of office space at courts at no cost.

Related party balances

	2023	2022
Trade payables – owing to Telkom	R	R
Telkom – telecommunication account	529,685	587,145

Legal Aid SA had related party transactions with Telkom for telecommunication which had outstanding balances as at year end.

	2023	2022
Trade payable – owing to Compensation Fund Commissioner	R	R
Compensation Fund	1,823,697	1,418,504

Included in the Statement of Financial Position is an amount payable to the Office of the Compensation Fund Commissioner for compensation of employees' injury on duty.

	2023	2022
Legal Aid SA pays monies to the Guardian's Fund	R	R
Guardian's Fund – minor children	20,189,096	13,863,423

In administering deceased estates for minor children, Legal Aid SA pays all monies due to minor children from the estate of their deceased parents into the Guardian's Fund as per the requirements of section 43(6) of the Administration of Estates Act 66 of 1965.

	2023	2022
Legal Aid SA receives services in-kind from Department of Justice and Constitutional Development	R	R
Department of Justice and Constitutional Development	1,454,400	1,145,580

Legal Aid SA receives services in-kind for office accommodation in Mitchells Plain, Polokwane, Kuruman and Mbombela that is offered by the Department of Justice and Constitutional Development in their court buildings.

Key management information

Remuneration of Management

Management class: Non-executive members 2023

Name	Board fees	Travel Allowance	Total
Judge M Makume – Non-beneficial (Chairperson of Board & Governance and Nominations Committee member)	-	-	-
Mr F Pandelani – Non-beneficial (DoJ representative; Legal Services Committee & Remuneration Social and Ethics Committee member)	-	-	-
Ms M Naidoo – ((Alternate member) Remuneration Social and Ethics Committee member)	59,078	-	59,078
Ms T Mhlungu – ((Alternate member) Legal Services Committee & Audit Committee member)	50,814	840	51,654
Mr N Mvundlela – (Chairperson of Legal Services Committee & Governance and Nominations Committee member)	88,151	27,668	115,819
Mr M Leseilane – (Chairperson of Remuneration Social and Ethics Committee & Governance and Nominations Committee member)	100,386	31,867	132,253
Mr L Mtshali – (Legal Services Committee member)	66,337	13,371	79,708
Adv. M Odayan – (Legal Services Committee member)	72,345	-	72,345
Prof. W Gumede – (Audit Committee member)	84,611	-	84,611
Ms M Makgoba – (Chairperson of Audit Committee & Governance and Nominations Committee member)	74,349	-	74,349
Dr C Sanangura – (Remunerations Social and Ethics Committee & Audit Committee member)	64,080	-	64,080
Ms R Serepong – ((Co-opted member) Remuneration Social and Ethics Committee member)	20,778	-	20,778
Prof. M Mokotong – ((Co-opted member) Legal Services Committee member)	22,779	-	22,779
Mr S Nkosi – ((Co-opted member) Audit Committee & Governance and Nominations Committee member)	26,033	-	26,033
Mr S Roopa – ((Co-opted member) Legal Services Committee member)	24,782	-	24,782
Ms L Fourie – ((Co-opted member) Remuneration Social and Ethics Committee member)	24,781	-	24,781
Ms L Francois – ((Co-opted member) Audit Committee member)	24,782	-	24,782
Dr M Tong – (Legal Services Committee; Remunerations Social and Ethics Committee & Governance and Nominations Committee member)	84,863	-	84,863
	888,949	73,746	962,695

2022

Name	Board fees	Data Allowance	Travel Allowance	Total
Judge M Makume – Non-beneficial (Chairperson of Board & Board Executive Committee)	-	-	-	-
Mr F Pandelani – Non-beneficial (DoJ representative; Legal Services Committee & Remuneration Social and Ethics Committee member)	-	-	-	-
Ms M Naidoo – ((Alternate member) Remuneration Social and Ethics Committee member)	44,712	-	-	44,712
Ms T Mhlungu – ((Alternate member) Legal Services Committee & Audit Committee member)	52,002	6,000	-	58,002
Mr N Mvundlela – (Chairperson of Legal Services Committee & Board Exco member)	122,958	-	48,820	171,778
Mr M Leseilane – (Chairperson of Remuneration Social and Ethics Committee & Board Exco member)	106,920	6,000	29,995	142,915
Mr L Mtshali – (Legal Services Committee member)	75,087	6,000	-	81,087
Adv. M Odayan – (Legal Services Committee member)	75,087	-	-	75,087
Prof. W Gumede – (Audit Committee member)	72,651	6,000	-	78,651
Ms M Makgoba – (Chairperson of Audit Committee & Board Exco member)	104,004	-	-	104,004
Dr C Sanangura – (Remuneration Social and Ethics Committee member)	66,582	-	-	66,582
Ms R Serepong – ((Co-opted member) Remuneration Social and Ethics Committee member)	27,216	-	-	27,216
Prof. M Mokotong – ((Co-opted member) Legal Services Committee member)	40,095	6,000	-	46,095
Mr S Nkosi – ((Co-opted member) Audit Committee & Board Exco member)	41,553	-	-	41,553
Mr S Roopa – ((Co-opted member) Legal Services Committee member)	40,095	-	-	40,095
Ms L Fourie – ((Co-opted member) Remuneration Social and Ethics Committee member)	31,104	-	-	31,104
Ms L Francois – ((Co-opted member) Audit Committee member)	41,553	6,000	-	47,553
Dr M Tong – (Full Board member)	92,440	-	-	92,440
	1,034,059	36,000	78,815	1,148,874

Management class: Executive Management 2023

Name	Basic salary	Incentive	Allowances	Other expenses	Total
Ms MJ Kola – Chief Executive Officer	1,680,380	636,898	982,033	18,790	3,318,101
Mr S Mamotheti – Chief Operations Officer	1,154,008	366,238	777,511	29,387	2,327,144
Mr R Baloyi – Human Resources Executive	1,111,123	230,421	239,641	149,628	1,730,813
Mr P Hundermark – Chief Legal Executive	1,434,256	390,401	450,742	201,097	2,476,496
Adv. B Nair – National Operations Executive*	-	275,635	-	453	276,088
Mr MV Shabangu – Communication Executive	953,932	205,629	429,168	13,859	1,602,588
Mr TC Mbhense – Legal Executive: Land Rights Management	1,116,598	-	240,499	149,894	1,506,991
Mr V Mdaka – Provincial Executive KZN*	727,581	243,441	127,377	79,260	1,177,659
Mr H Bambiso – Provincial Executive EC	1,185,108	245,350	265,643	158,133	1,854,234
Adv. W Lambley – Provincial Executive GP	938,369	243,441	656,808	20,322	1,858,940
Mr T Makamedi – Provincial Executive FS/NW	1,051,321	240,835	251,613	146,933	1,690,702
Ms M Kgabi – Provincial Executive L/MP*	1,180,952	237,800	499,958	209,848	2,128,558
Mr HM Ndlangamandla – Internal Audit Executive	829,921	217,369	561,452	29,821	1,638,563
Ms M Monwa – Information Systems Executive	982,000	238,860	549,702	14,564	1,785,126
Ms N Jali – Provincial Executive NC/WC	1,163,502	233,791	265,194	155,571	1,818,058
Ms BCL Magoso – Provincial Executive KZN*	604,629	-	123,760	77,464	805,853
Ms TM Mofokeng – Chief Financial Officer	1,013,024	-	695,689	18,945	1,727,658
Mr VT Mtati – National Operations Executive	1,158,289	-	781,379	27,355	1,967,023
Mr ME Mogashoa – Acting Provincial Executive L/MP*	-	-	6,041	-	6,041
	18,284,993	4,006,109	7,904,210	1,501,324	31,696,636

2022

Name	Annual remuneration	Incentive	Allowances	Other expenses	Total
Ms MJ Kola – Chief Executive Officer	1,514,400	240,709	887,188	16,093	2,658,390
Mr S Mamotheti – Chief Operations Officer	1,107,929	203,457	746,791	27,010	2,085,187
Ms P Mbingo – Chief Financial Officer	428,522	-	289,087	52,446	770,055
Mr R Baloyi – Human Resources Executive	1,068,139	108,378	231,412	142,238	1,550,167
Mr P Hundermark – Chief Legal Executive	1,392,481	220,940	417,512	214,807	2,245,740
Adv. B Nair – National Operations Executive	1,381,296	115,754	278,316	260,547	2,035,913
Mr MV Shabangu – Communication Executive	915,848	120,362	412,846	12,473	1,461,529
Mr TC Mbhense – Legal Executive: Land Rights Management	667,622	27,818	155,822	110,281	961,543
Mr V Mdaka – Provincial Executive KZN	1,150,796	139,066	247,574	155,184	1,692,620
Mr H Bambiso – Provincial Executive EC	1,203,112	88,137	248,586	151,889	1,691,724
Adv. W Lambley – Provincial Executive GP	911,038	140,235	627,698	13,378	1,692,349
Mr T Makamedi – Provincial Executive FS/NW	1,151,450	139,066	247,572	155,103	1,693,191
Ms M Kgabi – Provincial Executive L/MP*	1,078,689	136,727	243,695	142,221	1,601,332
Mr HM Ndlangamandla – Internal Audit Executive	796,783	-	539,360	24,605	1,360,748
Ms M Monwa – Information Systems Executive	943,493	135,097	528,567	13,106	1,620,263
Ms N Jali – Provincial Executive NC/WC	1,117,459	134,142	241,563	147,956	1,641,120
Ms N Liphosa – Acting Chief Financial Officer	-	-	92,397	-	92,397
Ms TM Mofokeng – Chief Financial Officer	245,880	-	169,005	3,458	418,343
Mr VT Mtati – National Operations Executive	281,138	63,719	190,482	5,803	541,142
	17,356,075	2,013,607	6,795,473	1,648,598	27,813,753

*Mr V Mdaka – Provincial Executive KZN, retired on 31 September 2022.

*Ms BCL Magoso – appointed as Provincial Executive KZN on 1 October 2022.

*Ms M Kgabi – Provincial Executive L/MP, was acting as National Operations Executive from 1 March 2022 to 15 January 2023.

*Mr ME Mogashoa – Acting as Provincial Executive L/MP from 15 May 2022 to 15 January 2023.

34. PRIOR-YEAR ADJUSTMENTS

Presented below are those items contained in the Statement of Financial Position, Statement of Financial Performance and Cash Flow Statement that have been affected by prior-year adjustments:

Statement of Financial Position 2021

	Note	As previously reported	Correction of error	Restated
Intangible assets	4	19,426,800	(2,888,459)	16,538,341

2022

	Note	As previously reported	Correction of error	Restated
Intangible assets	4	22,131,437	(5,679,329)	16,452,108
Prepayments	8	-	3,790,918	3,790,918
		22,131,437	(1,888,411)	20,243,026

Statement of Financial Performance 2022

	Note	As previously reported	Correction of error	Restated
Depreciation and Amortisation	22	(24,413,300)	1,775,513	(22,637,787)
Operating expenditure	26	(187,834,772)	(3,663,924)	(191,498,696)
Surplus for the year		(212,248,072)	(1,888,411)	(214,136,483)

The prior period adjustment is as a result of the capitalisation of computer licences to intangible assets which should have been recognised as prepayments and then expenses, based on the lapse of the periods for which the licence relates to. The amortisation was straight lined based on the validity period of the licence.

35. RISK MANAGEMENT

Financial risk management

The entity's activities expose it to a variety of financial risks: market risk (including currency risk, fair value interest rate risk, cash flow interest rate risk and price risk), credit risk and liquidity risk.

Liquidity risk

The entity's risk to liquidity is a result of the funds available to cover future commitments. The entity manages liquidity risk through an ongoing review of future commitments. This risk is regarded as low considering Legal Aid SA's current funding structures and the management of available cash resources.

Credit risk

Credit risk arises mainly from receivables and cash and cash equivalents. Legal Aid SA's exposure to credit risk arises because of default of counterparties with maximum exposure equal to the carrying amount of these instruments. These risks are mitigated as follows:

- Cash and cash equivalents are placed with high credit quality financial institutions, thus rendering the credit risk with regard to cash and cash equivalents limited.
- Transactions are entered into with reputable institutions approved by the National Treasury.
- With regard to accounts receivables, credit risk is limited by the fact that the organisation does not issue loans or raise debtors in its day-to-day business.
- Legal Aid SA does not offer credit facilities to neither employees nor any other person, except where a debtor may be raised due to advances on travel and subsistence.

Credit risk consists mainly of cash deposits, cash equivalents and trade debtors. The entity only deposits cash with major banks with high quality credit standing and limits exposure to any one counterparty. Financial assets exposed to credit risk at year end were as follows:

	2023	2022
	R	R
Financial instrument		
Cash and cash equivalents	860,298,920	703,088,371
Receivables from exchange transactions	11,502,055	36,233,096
Deposits	1,793,134	1,736,548
Client trust account	64,567,585	55,827,063
Prepayments	3,777,140	3,790,918

Market risk

Interest rate risk

The organisation is exposed to interest rate risk in respect of returns on investments with financial institutions and interest payable on finance leases contracted with outside parties. The organisation's income and operating cash flows are substantially independent of changes in market interest rates. The organisation has no significant interest-bearing assets other than liquid cash.

Sensitivity analysis risk

Legal Aid SA's major source of revenue is a Government grant and to a lesser extent, interest income depending on cash equivalents held. A major expense is salaries which are fixed for the period under review. Below is the recalculated financial assets and liabilities showing the effect of:

- A one (1) percentage point decrease or increase in the current account interest rate.
- A one (1) percentage point decrease or increase in the trade and other payables account interest rate.
- A one (1) percentage point decrease or increase in the trade and other receivables account interest rate.

Method used

It is assumed that the deceased estates funds and the rental deposit interest rate trend have a significant effect on the amounts recognised in surplus or deficit. A one (1) percentage point change in the assumed deceased estates funds and rental deposit interest rate would have the following effects:

	March 2023 (1%)	1%	March 2022 (1%)	1%
Cash and cash equivalents	860,298,920	8,602,989	703,088,371	7,030,884
Trade and other receivables	11,502,055	115,020	36,233,096	362,331
Client trust account	64,567,585	645,676	55,827,063	558,271
Deposits	1,793,134	17,931	1,736,548	17,365
Prepayments	3,777,140	37,771	3,790,918	37,909
	941,938,834	9,419,387	800,675,996	8,006,760

36. GOING CONCERN

We draw attention to the fact that as at 31 March 2023, the entity had an accumulated surplus of R723,319,025 and that the entity's total liabilities exceed its assets by R723,319,025.

The Annual Financial Statements have been prepared on the basis of accounting policies applicable to a going concern. This basis presumes that funds will be available to finance future operations and that the realisation of assets and settlement of liabilities, contingent obligations and commitments will occur in the ordinary course of business.

The Accounting Authority reviewed Legal Aid SA's budgets and cash flow forecasts for the period under review. On the basis of this review, and in view of the organisation's current sound financial position, the Accounting Authority assesses the organisation's going concern in the year ahead. The Accounting Authority also considered the responsibility of the Minister of Justice and Correctional Services to fund the operations of the organisation as envisaged by the Legal Aid SA Act.

37. EVENTS AFTER THE REPORTING DATE

No material events were reported after the reporting date.

38. COMPARATIVE FIGURES

None of the comparative amounts were reclassified in the current financial year.

39. FRUITLESS AND WASTEFUL EXPENDITURE

	2023	2022
	R	R
Fruitless and wasteful expenditure identified – current	15,004	34,641

The fruitless and wasteful expenditure amount for the prior year has changed due to the National Treasury Practice Note No. 4 on the disclosure of fruitless and wasteful expenditure, effective 3 January 2023.

Disciplinary steps taken/criminal proceedings

Eight (8) incidents of financial misconduct which relate to fruitless and wasteful expenditure were reported for the period under review.

In one (1) instance, a verbal warning was issued.

In two (2) instances, no action was taken as the employees resigned.

In three (3) instances, no employee was held responsible.

In two (2) instances, there is still a disciplinary process in progress.

40. IRREGULAR EXPENDITURE

	2023	2022
	R	R
Irregular expenditure – current	14,240,352	2,867,087

The irregular expenditure amount for the prior year has changed due to the National Treasury Practice Note No. 4 on the disclosure of irregular expenditure, effective 3 January 2023.

Disciplinary steps taken/criminal proceedings

Forty-two (42) instances of financial misconduct which relate to irregular expenditure were reported for the year under review:

In three (3) instances, written warnings were issued.

In two (2) instances, verbal warnings were issued.

In three (3) instances, no action was taken as the employees resigned.

In thirty-four (34) instances, the disciplinary process is still in progress.

Included in the thirty-four (34) instances above are twenty-six (26) instances which are for land rights matters that were issued to Legal Practitioners who were not CSD and/or non-tax compliant.

41. BUDGET DIFFERENCES

Material differences between budget and actual amounts

The excess of actual expenditure under the final budget of 5% is acceptable.

- 41.1 Interest received** – The variance is mainly due to the changes in the interest rate already experienced in the current year and a higher balance held with the Reserve Bank.
- 41.2 Other income** – The variance mainly relates to profit on disposal of assets and recoveries from the Trust account.
- 41.3 Government grant and subsidies** – The variance is due to the IJS funding raised as a debt.
- 41.4 Services in-kind** – This item represents services recognised in accordance with GRAP 23 for the office accommodation space provided by the Department of Justice and Constitutional Development which is not budgeted for.
- 41.5 Employee related costs** – The over expenditure of 4% in employee related costs as compared to the final budget is less significant.
- 41.6 Depreciation and amortisation** – The under expenditure of 3% in depreciation and amortisation as compared to the final budget is less significant.
- 41.7 Debt impairment** – These are non-cash items. No budget is made available for them.
- 41.8 Finance costs** – This item was not budgeted for. It relates to the finance cost paid on the handsets issued to employees.
- 41.9 Administrative costs** – The under expenditure of 60% in administrative costs is due to the increase in new Land Right Management Unit matters that are still to be finalised in terms of commitments or provisions.
- 41.10 Operating expenses** – The 14% variance on other expenses is due to certain projects such as the purchase and maintenance of motor vehicles, computer software and hardware, tools and IT support that could not be finalised due to matters beyond the control of the organisation. A request to rollover the funds has been submitted.
- 41.11 Gains and loss on disposal of assets** – These are non-cash items. No budget is made available for them.



“ While the national footprint of 64 Local Offices and 64 Satellite Offices, supported by six Provincial Offices and one National Office remains in place, the entity continuously monitors the efficacy of these service points to ensure that the people who need legal aid services are assisted




PART H

Legal Aid SA Contact Details




1. LEGAL AID SA NATIONAL OFFICE

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Please Call Me number: 079 835 7179
Legal Aid SA Ethics Hotline: 0800 153 728

 **Website:** www.legal-aid.co.za

Table 48: National Office Management Structure

Name	Designation	Email Address
Judge Motsamai Makume	Board Chairperson	
Ms Mantiti Kola	Chief Executive Officer	MantitiK@legal-aid.co.za
Mr Sethopo Mamotheti	Chief Operations Officer	SethopoM@legal-aid.co.za
Mr Patrick Hundermark	Chief Legal Executive/Acting National Operations Executive	PatrickH@legal-aid.co.za
Mr Mthunzi Ndlangamandla	Internal Audit Executive	MthunziN@legal-aid.co.za
Ms Tintswalo M. Mofokeng	Chief Financial Officer	TintswaloMM@legal-aid.co.za
Mr Thabiso Mbhense	Legal Executive: Land Rights Management	ThabisoM1@legal-aid.co.za
Mr Richard Baloyi	Human Resources Executive	RichardBa@legal-aid.co.za
Ms Mmantsha Monwa	Information Systems Executive	MmantshaM@legal-aid.co.za
Mr Mpho Phasha	Acting Communication Executive	MphoP@legal-aid.co.za

2. LEGAL AID SA PROVINCIAL MANAGEMENT

EASTERN CAPE PROVINCE



Standing, from left: Mr Lunga Marenene (Butterworth HoO), Mr Mandla Mngaza (Mthatha HoO), Ms Imkitha Salman-Beya (Makhanda HoO), Mr Mashumi Giwu (Maletswai Acting HoO), Ms Yolundi Ngxola-Tshona (Komani HoO), Ms Sylvia Mlalandle-Magwentshu (Graaff-Reinet HoO), Ms Wongiwe Makhenyane (Kariega HoO)

Seated, from left: Mr Hope Bambiso (EC PE), Ms Lynette Franklin (Gqeberha HoO), Ms Tobeka Maqwati (East London HoO), Mr Phumlani Dlamkile (Qonce HoO)

FREE STATE/NORTH WEST PROVINCE



From left: Mr Sekonyela Moeketsi Moeketsi (Botshabelo HoO), Ms Jacqueline de Vries (Bloemfontein Acting HoO), Mr Puseletso Mokoena (Bethlehem HoO), Mr Mvula Khambule (Rustenburg Acting HoO), Ms Busiswa Matiwane (Lichtenburg HoO), Mr Moima Phakedi (Potchefstroom HoO), Ms Victoria Maelisa Mophulane (Mafikeng HoO), Mr Tshotlego Makamedi (FS/NW PE), Ms Anele Tshapa (Kroonstad HoO), Ms Melinda de Kock (Klerksdorp HoO), Mr Aubrey Kunene (Vryburg HoO), Mr Tsepo Mosetlhe (Phuthaditjhaba HoO), Mr Muziwandile Nhlapo (Welkom HoO)

GAUTENG PROVINCE



Standing, from left: Mr Fhimani Tshivhase (Alexandra HoO), Mr Mmeli Motsepe (Soweto HoO), Ms Nokuphiwa Nguqu (Johannesburg HoO), Mr Lungelo Mdletshe (Ga-Rankuwa HoO), Adv. Elizabeth Nieuwoudt (Tembisa HoO), Adv. Wilna Lambley (GP PE), Ms Daphney Morudu (Vereeniging HoO)

Seated, from left: Ms Nelisa Soji (Krugersdorp HoO), Ms Aysha Gani (Germiston HoO), Ms Silindile Hlatshwayo (Benoni HoO), Ms Flavia Isola (Pretoria HoO), Mr Michael Ramaphosa (Soshanguve HoO)

KWAZULU-NATAL PROVINCE



Standing, from left: Mr Roger Jasson (Port Shepstone HoO), Ms Vuyiswa Mzimkhulu (Empangeni HoO), Ms Lungelwa Madela (Umlazi HoO), Ms Lynn Holtshausen (Pietermaritzburg HoO), Ms Nomsa Nkosi (Durban HoO), Ms Thobile Zungu (Verulam HoO), Mr Vis Nair (Pinetown HoO)

Seated, from left: Mr Mbulelo Makinyane (Vryheid HoO), Ms Lungile Magoso (KZN PE), Mr Sthembiso Khumalo (Ladysmith HoO)

Inset: Ms Fathima Buckus (Newcastle HoO)

LIMPOPO/MPUMALANGA PROVINCE



From left: Mr Mphile Ndzondo (Ermelo HoO), Mr Thomas Madzaga (Thohoyandou HoO), Ms Jacobeth Rampa (Middelburg HoO), Mr Elton Makhadi (Louis Trichardt HoO), Ms Mpho Kgabi (L/MP PE), Mr Thabo Ledwaba (Polokwane HoO), Ms Onica Maponya (Modimolle HoO), Mr Evans Mabitsela (eMalahleni HoO), Mr Siphso Ndhlovu (Mbombela HoO), Ms Tsakani Maluleke-Sihlangu (Tzaneen HoO)

NORTHERN CAPE/WESTERN CAPE PROVINCE



Standing, from left: Ms Liezel du Toit (Worcester HoO), Ms Netarie Verwey (Caledon HoO), Ms Ronelle Arendse (Bellville HoO), Ms Lerato Maake (Colesberg HoO), Mr Elroy Machelm (Cape Town HoO), Ms Annemi Duursema-Joubert (Upington HoO), Mr Motsamai Tlisane (Kimberley HoO), Ms Nomawethu Mtebele (Athlone HoO), Mr Shawn Flowers (Stellenbosch HoO), Ms Zukiswa Mavuso (George HoO)

Seated, from left: Mr Janus Roothman (Vredendal HoO), Ms Nolitha Jali (NC/WC PE), Mr Renaat Bodart (Malmesbury HoO)

3. LEGAL AID SA LOCAL OFFICES AND SATELLITE OFFICES

Table 49: Legal Aid SA Local Offices

EASTERN CAPE PROVINCE

No.	Legal Aid SA Local Office	Head of Office	Address	Telephone Number
1	Butterworth	Mr Lunga Marenene	ECDC Building, 24 High Street, Butterworth, 4960	047 491 0006
2	East London	Ms Tobeka Maqwati	33 Fleet Street (Commissioner Street entrance), East London, 5200	043 704 4700
3	Gqeberha	Ms Lynette Franklin	1 Uitenhage Road, North End, Gqeberha, 6001	041 408 2800
4	Graaff-Reinet	Ms Sylvia Mlalandle-Magwentshu	64 Church Street, Graaff-Reinet, 6280	049 807 2500
5	Kariega	Ms Wongiwe Makhenyane	32-36 Baird Street, Kariega, 6230	041 991 1811
6	Komani	Ms Yolundi Ngxola-Tshona	Jeantel Building, Erf 5273, 2-4 Shepstone Road, Komani, 5319	045 807 3500 /045 839 3204
7	Makhanda	Ms Imkitha Salman-Beya	69 High Street, Makhanda, 6140	046 622 9350
8	Maletswai	Ms Pindiwe Kuzane	67 Somerset Street, Maletswai, 9750	051 633 2579
9	Mthatha	Mr Mandla Mngaza	PRD Building, 96 Sutherland Street, Mthatha, 5099	047 501 4600
10	Qonce	Mr Phumlani Dlamkile	Old Mutual Building, 2nd Floor, corner Cathcart & Mclean Streets, Qonce, 5601	043 604 6600
Eastern Cape Provincial Office		Mr Hope Bambiso Provincial Executive	5 Mangold Street, Newtown Park, Gqeberha, 6001	041 363 8863

FREE STATE/NORTH WEST PROVINCE

No.	Legal Aid SA Local Office	Head of Office	Address	Telephone Number
FREE STATE				
1	Bethlehem	Mr Puseletso Mokoena	24 corner Commissioner & Naude Streets, Bethlehem, 9700	058 303 6824
2	Bloemfontein	Mr Cuma Siyo	Fedsure Building, 4th Floor, 49 Charlotte Maxeke Street, Bloemfontein, 9300	051 447 9915
3	Botshabelo	Mr Sekonyela Moeketsi Moeketsi	Re-A-Hola Shopping Complex, Shop No. 1, Botshabelo, 9781	051 534 1045/7
4	Kroonstad	Ms Anele Tshapa	99 Murray Street, Kroonstad, 9501	056 216 4800
5	Phuthaditjhaba	Mr Tsepo Moseitlhe	FDC Office Block E, corner Motloung & Setai Streets, Phuthaditjhaba, 9866	058 713 5000
6	Welkom	Mr Muziwandile Nhlapo	Archiquant Building, 8 Heeren Street, Welkom, 9460	057 357 1680/ 1724/1835/2847

NORTH WEST				
7	Klerksdorp	Ms Melinda de Kock	19 Bram Fischer Street, Klerksdorp, 2570	018 464 3022/ 018 462 7020
8	Lichtenburg	Ms Busiswa Matiwane	25 Bantjes Street, Lichtenburg, 2740	018 632 7600
9	Mafikeng	Ms Victoria Maelisa Mophulane	Borekelong House, South Wing, Dr James Moroka Drive, Mafikeng, 2735	018 381 1096 /0211/4582/ 4602/4605
10	Potchefstroom	Mr Moima Phakedi	Royal Building, 2nd Floor, 44 Dr James Moroka Street, Potchefstroom, 2531	018 293 0045
11	Rustenburg	Mr Mvula Khambule (Acting)	Albach Building, 122 Beyers Naude Drive, Rustenburg, 0299	014 592 3185/6
12	Vryburg	Mr Aubrey Kunene	71 Vry Street, Vryburg, 8601	053 927 0095/ 0142/0145
Free State/North West Provincial Office		Mr Tshotlego Makamedi Provincial Executive	Hydro Park Building, 100 Kellner Street, Westdene, Bloemfontein, 9301	051 412 8040 /43

GAUTENG PROVINCE

No.	Legal Aid SA Local Office	Head of Office	Address	Telephone Number
1	Alexandra	Mr Fhimani Tshivhase	Yarona Building, 1st Floor, 89 Watt Avenue, Wynberg, 2090	011 786 3603
2	Benoni	Ms Silindile Hlatshwayo	18 Howard Street, Benoni, 1501	011 845 4311
3	Ga-Rankuwa	Mr Lungelo Mdletshe	Direla Complex, 222 Main Street, Zone 15, Ga-Rankuwa Industrial, 0208	012 700 1416
4	Germiston	Ms Aysha Gani	38 Lambert Street, Germiston, 1401	011 842 7300/ 825 7987
5	Johannesburg	Ms Nokuphiwa Nguqu	56 Main Street, Marshalltown, Johannesburg, 2000	011 870 1480
6	Krugersdorp	Ms Nelisa Soji	51 Burger Street, Krugersdorp, 1739	011 660 2335
7	Pretoria	Ms Flavia Isola	Locarno House, 4th Floor, 317 Francis Baard Street, Pretoria, 0001	012 304 0576
8	Soshanguve	Mr Michael Ramaphosa	Medicross Centre, Stand No. 2093, Block H, Soshanguve, 0152	012 797 2721
9	Soweto	Mr Mmeli Motsepe	Maponya Mall, Office 403 & 411A, Chris Hani Road, Klipspruit, 1809	011 938 3547
10	Tembisa	Adv. Elizabeth Nieuwoudt	Tembisa MegaMart Mall, Shop 42, Botswana Road (Olifantsfontein Road), Tswelopelo Section, Tembisa, 1632	011 316 0164
11	Vereeniging	Ms Daphney Morudu	8 Jasmine Mansions, 28 Senator Marks Avenue, Vereeniging, 1938	016 421 3527
Gauteng Provincial Office		Adv. Wilna Lambley Provincial Executive	Selborne Centre, 2nd Floor, 144 Cantonments Road, Lyttelton, Pretoria, 0157	012 664 2921

KWAZULU-NATAL PROVINCE

No.	Legal Aid SA Local Office	Head of Office	Address	Telephone Number
1	Durban	Ms Nomsa Nkosi	The Marine Building, Ground Floor, 22 Dorothy Nyembe Street (formerly Gardiner Street), Durban, 4001	031 304 0100
2	Empangeni	Ms Vuyiswa Mzimkhulu	Mazule House, 7 Maxwell Street, Empangeni, 3008	035 792 4949
3	Ladysmith	Mr Sthembiso Khumalo	65/67 Queen Street, Ladysmith, 3370	036 638 2500
4	Newcastle	Ms Fathima Buckus	65 Scott Street, Newcastle, 2940	034 328 7100
5	Pietermaritzburg	Ms Lynn Holtshausen	187 Hoosen Haffejee Street, Pietermaritzburg, 3201	033 394 2190
6	Pinetown	Mr Vis Nair	ABSA Building, 1st Floor, 1 Church Lane, Pinetown, 3600	031 719 2700
7	Port Shepstone	Mr Roger Jasson	MB Centre, 2nd Floor, 49 Aiken Street, Port Shepstone, 4240	039 688 9600
8	Umlazi	Ms Lungelwa Madela	V1332/1333, Ithala Industrial Park, corner Mangosuthu Highway & Road 1902, Umlazi, 4089	031 918 8100
9	Verulam	Ms Thobile Zungu	Ayesha Razak Centre, Suite 1, 1st Floor, 23 Groom Street, Verulam, 4340	032 533 2654
10	Vryheid	Mr Mbulelo Makinyane	116 Landdrost Street, Vryheid, 3100	034 989 8300
KwaZulu-Natal Provincial Office		Ms Lungile Magoso Provincial Executive	MTL House, 7th Floor, corner Crompton & Union Streets, Pinetown, 3600	031 717 8450

LIMPOPO/MPUMALANGA PROVINCE

No.	Legal Aid SA Local Office	Head of Office	Address	Telephone Number
LIMPOPO				
1	Louis Trichardt	Mr Elton Makhadi	Noor Gardens, corner Krogh & Devenish Streets, Louis Trichardt, 0920	015 519 1100
2	Modimolle	Ms Onica Maponya	Nyl Sake Sentrum, Shop 8, 95 Nelson Mandela Drive, Modimolle, 0510	014 717 4977
3	Polokwane	Mr Thabo Ledwaba	Polokwane High Court, 3rd Floor, corner Bodenstein & Biccard Streets, Polokwane, 0700	015 291 2429
4	Thohoyandou	Mr Thomas Madzaga	Metropolitan Complex, Shop 2, Thohoyandou, 0950	015 962 6206
5	Tzaneen	Ms Tsakani Maluleke-Sihlangu	Tzaneen Crossing Mall, Office 220-237, corner Lydenburg & Skurving Streets, Tzaneen, 0850	015 307 3129
MPUMALANGA				
6	eMalahleni	Mr Evans Mabitsela	17 corner Northey & Botha Streets, eMalahleni, 1035	013 656 5290
7	Ermelo	Mr Mphile Ndzondo	14 Joubert Street, Ermelo, 2350	017 819 7291
8	Mbombela	Mr Siphon Ndhlovu	Mpumalanga High Court Building, 3rd Floor, East Wing, Samora Machel Drive, Mbombela, 1200	013 756 4500
9	Middelburg	Ms Jacobeth Rampa	5A Laver Street, Middelburg, 1050	013 243 5964
Limpopo/ Mpumalanga Provincial Office		Ms Mpho Kgabi Provincial Executive	No. 3 Cormar Park Building, Rhodes Drift Avenue, Bendor, Polokwane, 0700	015 296 0117

NORTHERN CAPE/WESTERN CAPE PROVINCE

No.	Legal Aid SA Local Office	Head of Office	Address	Telephone Number
NORTHERN CAPE				
1	Colesberg	Ms Lerato Maake	8 Campbell Street, Colesberg, 9795	051 753 2281
2	Kimberley	Mr Motsamai Tlisane	Pretmax Building, 4 Sydney Street, Kimberley, 8301	053 832 2348
3	Upington	Ms Annemi Duursema-Joubert	11 Lutz Street, Upington, 8800	054 337 9200
WESTERN CAPE				
4	Athlone	Ms Nomawethu Mtebele	Melofin Centre, 2nd Floor, Old Klipfontein Road, Athlone, 7764	021 697 5252
5	Bellville	Ms Ronelle Arendse	Van Der Stel Building, 68 Durban Road, corner Voortrekker & Durban Roads, Bellville, 7535	021 949 3062
6	Caledon	Ms Netarie Verwey	22 Church Street, Caledon, 7230	028 212 1815
7	Cape Town	Mr Elroy Machelm	South African Reserve Bank Building, 3rd Floor, 60 St Georges Mall, Cape Town, 8001	021 426 4126
8	George	Ms Zukiswa Mavuso	Tommy Joubert Building, corner Craddock & Courtenay Streets, George, 6530	044 802 8600
9	Malmesbury	Mr Renaat Bodart	The Frank Building, 1st Floor, 47 Voortrekker Road, Malmesbury, 7300	022 482 1784
10	Stellenbosch	Mr Shawn Flowers	Eikestad Mall, Office 201, 2nd Floor, Bird Street, Stellenbosch, 7600	021 882 9221
11	Vredendal	Mr Janus Roothman	9 Dorp Street, Vredendal, 8160	027 201 1030
12	Worcester	Ms Liezel du Toit	WC Building, 1st Floor, corner High & Stockenström Streets, Worcester, 6850	023 348 4040
Northern Cape/ Western Cape Provincial Office		Ms Nolitha Jali Provincial Executive	Shiraz House, 2nd Floor, Brandwacht Office Park, Trumali Street, Stellenbosch, 7600	021 861 3000

Table 50: Legal Aid SA Satellite Offices

EASTERN CAPE PROVINCE

Legal Aid SA Local Office	No.	Legal Aid SA Satellite Office	Address	Telephone Number
Graaff-Reinet	1	Cradock	Market Square, Adderley Street, Cradock, 5880	048 881 4867
	2	Somerset East	Visser Centre, 12 Nojoli Street, Somerset East, 5850	042 243 0610
Gqeberha	3	Humansdorp	Tredalux Building, 23 Main Street (at the rear), Humansdorp, 6300	042 295 2794
Kariega	4	Kirkwood	32B John Street, Kirkwood, 6120	042 230 0713
Komani	5	Khowa	18 Market Street, Khowa, 5460	045 931 1984
Makhanda	6	Fort Beaufort	37 Henrietta Street, Fort Beaufort, 5720	046 645 2270
Maletswai	7	Sterkspruit	Site 99, Main Street, Sterkspruit, 9762	051 611 0348
Mthatha	8	KwaBhaca	106 Chanca Street, KwaBhaca, 4870	039 255 1473
	9	Lusikisiki	Mlonzi Square, Jacaranda Street, Lusikisiki, 4820	039 253 1442
	10	Mbizana	129 Finn Property, Mayaba Street, Mbizana, 4800	039 251 0098
Qonce	11	Stutterheim	75 Hill Street, Stutterheim, 4930	043 683 2973

FREE STATE PROVINCE

Legal Aid SA Local Office	No.	Legal Aid SA Satellite Office	Address	Telephone Number
Bethlehem	12	Ficksburg	15 Erwee Street, Ficksburg, 9730	051 933 3061
	13	Frankfort	33 J.J. Hadebe Street, Frankfort, 9830	058 813 1624
Botshabelo	14	Ladybrand	30 Joubert Street, Ladybrand, 9745	051 924 0350
Phuthaditjhaba	15	Vrede	18A Ras Street, Vrede, 9835	058 913 3521

NORTH WEST PROVINCE

Legal Aid SA Local Office	No.	Legal Aid SA Satellite Office	Address	Telephone Number
Klerksdorp	16	Wolmaransstad	Kruger Mall, 12 Kruger Street, Wolmaransstad, 2630	018 596 2775
Lichtenburg	17	Delareyville	49 Government Street, Delareyville, 2770	053 948 1092
Potchefstroom	18	Carletonville	49 A. van Zyl & Smit Streets, Oberholzer, 2502	018 787 2346

GAUTENG PROVINCE

Legal Aid SA Local Office	No.	Legal Aid SA Satellite Office	Address	Telephone Number
Benoni	19	Nigel	Kruger and Okes, 23 Kingsway Street, Nigel, 1491	011 814 5159
Soweto	20	Westonaria	Elizabeth Centre, Shop 3, President Steyn Street, Westonaria, 1779	011 753 2604
Vereeniging	21	Heidelberg	Eslin Building, Portion 4, 24 Uekerman Street, Heidelberg, 1441	016 341 4430

KWAZULU-NATAL PROVINCE

Legal Aid SA Local Office	No.	Legal Aid SA Satellite Office	Address	Telephone Number
Empangeni	22	Ingwavuma	Kosibay Hot Chicken Complex, Shop No. 4, Skhemelele, 3968	035 591 0950
	23	Mkuze	Mkuze Plaza, Shop 22F, Old Main Road, Mkuze, 3974	035 573 1655
Ladysmith	24	Estcourt	Shop No. 1, 127 Albert Street, Estcourt, 3310	036 352 1997
Newcastle	25	Dundee	Unit 13, 56 Smith Street, Dundee, 3000	034 212 4460
Pietermaritzburg	26	Bulwer	Stavcom Building, Shop No. 5, Main Road, Bulwer, 3244	039 832 0515/6
	27	Greytown	Shop No. 1, 40 Bell Street, Greytown, 3250	033 417 2146
Port Shepstone	28	Ixopo	Shop No. 3, Ixopo Bottlestore Building, Margaret Street, Ixopo, 3276	039 834 9392
	29	Kokstad	29 Barker Street, Kokstad, 4700	039 727 5081
Umlazi	30	Umzinto	Hypersingh Centre, Office A11, corner Court & Textile Roads, Umzinto, 4200	031 942 1001
Verulam	31	KwaDukuza	Stanger Mall, Suite 1, 55 King Shaka Street, KwaDukuza, 4450	032 551 3740
Vryheid	32	Ulundi	Fairbreeze Office Park, Princess Magogo Street, Ulundi, 3838	035 870 0832

LIMPOPO PROVINCE

Legal Aid SA Local Office	No.	Legal Aid SA Satellite Office	Address	Telephone Number
Louis Trichardt	33	Musina	Stand No. 2110, Nkhata Crescent Street, Nancefield Extension 5, Musina, 0900	015 533 1691
Modimolle	34	Lephalale	5 Herman Street, Ellisrus, Lephalale, 0555	014 717 4977
Polokwane	35	Lebowakgomo	Old Mutual Building, 1st Floor, Lebowakgomo, 0737	015 633 7636
	36	Mokopane	Rayveen Complex, 50 Rabe Street, Mokopane, 0626	015 491 4461
	37	Senwabarwana	Shalas Complex, Block B2, Main Street, Senwabarwana, 0790	015 505 9031/2
Tzaneen	38	Giyani	Old Mutual Building, Ground Floor, Giyani Main Road, Giyani, 0826	015 812 3065
	39	Phalaborwa	Shop No. 4, 32 Wildevey Street, Phalaborwa, 1390	015 781 0960

MPUMALANGA PROVINCE

Legal Aid SA Local Office	No.	Legal Aid SA Satellite Office	Address	Telephone Number
eMalahleni	40	Kwa-Mhlanga	Erf 538/7, Kwa-Mhlanga, Bankview, 1022	013 947 3379
	41	Secunda	Old Mutual Building, 2nd Floor, Horwood Street, Secunda Complex, Secunda, 2302	017 634 8532
Ermelo	42	Elukwatini	88 Main Street, Nhlazatshe G, Elukwatini, 1192	017 883 7931
	43	Piet Retief	14 Kruger Street, Piet Retief, 2380	017 826 4567
	44	Standerton	14 Vry Street, Standerton, 2429	017 712 5928
Mbombela	45	Burgersfort	Umshanti Building, Suite 2, Ground Floor, 83 Aloe Street, Aloe Ridge West, Burgersfort, 1150	013 231 7058
	46	Bushbuckridge	Protea Building, R40 Road, Bushbuckridge, 1280	013 799 1832
	47	Tonga	Stand 77, Tonga View	082 725 0729
Middelburg	48	Groblersdal	Eldoland Building, 7 Voortrekker Street, Groblersdal, 0470	013 262 4770/4769
	49	Siyabuswa	1664 A. Maqhawe Street, Siyabuswa, 0472	013 973 3963

NORTHERN CAPE PROVINCE

Legal Aid SA Local Office	No.	Legal Aid SA Satellite Office	Address	Telephone Number
Colesberg	50	De Aar	47 Church Street, De Aar, 7000	053 631 1950
	51	Victoria West	14 Church Street, Victoria West, 7070	053 621 0039
Kimberley	52	Hartswater	21 Tom Naude Street, Hartswater, 8570	053 474 0341
Upington	53	Kuruman	32 Steward Street, Kuruman, 8460	053 712 3782/3
	54	Postmasburg	22 Boe Street, Postmasburg, 8420	053 313 3642
	55	Prieska	37 Main Street, Prieska, 8940	053 353 1184

WESTERN CAPE PROVINCE

Legal Aid SA Local Office	No.	Legal Aid SA Satellite Office	Address	Telephone Number
Athlone	56	Mitchells Plain	Mitchells Plain Court, Mitchells Plain, 7785	021 370 4220
Caledon	57	Swellendam	67 Voortrek Street, Swellendam, 6470	028 514 3026
George	58	Beaufort West	102 Bird Street, Beaufort West, 6970	023 415 1689
	59	Oudtshoorn	Allied Building, Room 302, 303 & 304, Kerk Street, Oudtshoorn, 6625	044 279 2255
	60	Riversdale	17 Heidelberg Road, Riversdale, 6670	028 713 4620
Malmesbury	61	Atlantis	Drosdy Centre, Wesfleur Circle, Atlantis, 7349	021 572 8522
	62	Vredenburg	Standard Bank Building, 1st Floor, 20 Main Street, Vredenburg, 7380	022 713 1006
Vredendal	63	Calvinia	20 Hantam Street, Calvinia, 8190	027 341 2240
	64	Springbok	Sten Centre, Office 4, 17 Van Riebeeck Street, Springbok, 8240	027 718 2449

CONTACT DETAILS

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