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**MINISTRY: JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 3778**

**DATE OF QUESTION: 21 OCTOBER 2022**

**DATE OF SUBMISSION: 04 NOVEMBER 2022**

**Mrs Y N Yako (EFF) to ask the Minister of Justice and Correctional Services:**

What is the nature of support that his department is providing to the Legal Aid lawyers considering the volume of the work that they have to deal with?

**NW4666E**

**REPLY:**

The following are some examples of the support offered by the Department of Justice and Constitutional Development (Department) to Legal Aid South Africa (SA):

1. **Governance**

The Department, through the Minister’s representative in the Legal Aid SA Board, is constantly kept abreast about Legal Aid SA affairs including its challenges occasioned by mandatory budget cuts, and timeously provide advice and support. In addition, I also avail myself whenever the Board of Legal Aid SA requests my intervention.

1. **Service delivery**
2. Court Operations
   1. Legal Aid SA is a key player in all the Justice Cluster Efficiency Enhancement Forums (National Efficiency Enhancement Committee, Provincial Efficiency Enhancement Committee, Regional Efficiency Enhancement Committee, and Lower Courts Efficiency Enhancement Committee).
   2. Legal Aid SA also partakes in the Department’s Court Rationalization Meetings.
   3. Legal Aid SA ‘s lack of adequate resources and lack of relief component is considered in the coordination of Court operations.
3. Special Projects Resources Funding

Where required, the Department provides Legal Aid SA with funding to undertake various special delivery programmes projects, such as Backlog Courts, Sexual Offences Courts and Commercial Crimes Court along with other stakeholders.

1. New Land Mandate
2. The Department played a key role in the coordination of transfer of Land Rights function from Department of Agriculture to Legal Aid SA.
3. The Department ensured that the transfer of function is implemented in line with the Department of Public Service and Administration and National Treasury transfer of function frameworks.
4. **Finance and budgeting**
5. Supported Legal Aid SA in its submission to National Treasury pleading for exemption from budget reduction which has a direct impact on the case load
6. Coordinates meeting between Security Cluster departments/entities with National Treasury wherein departments budgets are presented and considered.
7. Availed funds to Legal Aid SA for Special Commercial Crimes Courts
8. Coordinated the transfer of R33m to from the Department of Agriculture to Legal Aid SA to fund the establishment of the Land Rights Management unit. If these funds were not secured, then Legal Aid SA would have had to use its funds to establish the Land Rights Management Unit.
9. Spearheaded the Land mandate Medium Term Expenditure Framework Budget negotiations with National Treasury to ensure that the new mandate is adequately funded.
10. I have met with the Minister of Finance to present Legal Aid SA case on request for funding.