



## JOINT PRESS STATEMENT BY LAW SOCIETY OF SOUTH AFRICA AND THE ATTORNEYS FIDELITY FUND

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### LAW SOCIETY AND ATTORNEYS FIDELITY FUND LAUNCH TRUSTLINE: PROMOTING TRUST IN THE ATTORNEYS' PROFESSION

The Law Society of South Africa (LSSA) and the Attorneys Fidelity Fund (AFF) launched the **Trustline** campaign by the attorneys' profession this week.

'We trust our attorneys because we are confident of their genuine commitment to serve the public as properly trained professionals. The Trustline campaign has arisen from the knowledge that we are a proud, service-oriented, ethical and well-regulated profession, but also the acknowledgement that there are members of our profession – very few in the overall scheme – who fall short of the ethical norms that define us as a profession. We will not tolerate dishonesty within the profession because, as attorneys, we are in a position of trust towards our clients and the money and information they entrust to us. Integrity is central to that trust,' say LSSA Co-chairpersons Kathleen Matolo-Dlepu and David Bekker.

'The current regulatory framework ensures that complaints by members of the public are investigated by the relevant provincial law society and appropriate action is taken. In 2012, 72 attorneys were struck from the roll by the High Court. This is 72 of 21 400 attorneys – or only 0,3% of all practising attorneys. However, even 0,3% is too many. We want the public to be able to trust attorneys. If they have any reason not to do so, we want them to tell us,' say Ms Matolo-Dlepu and Mr Bekker.

Trustline provides a complaints line and tip-off service for members of the public who may wish to report alleged and suspected unethical, fraudulent, corrupt or dishonest behavior by attorneys or their staff members, even confidentially. Trustline is operated independently from the profession as part of the Deloitte Tip-Offs Anonymous system which allows for confidentiality and anonymity where appropriate. Calls are screened and analysed by professional agents and report analysts who are trained to separate malicious calls from the genuine ones and identify these as such when reports are made to the relevant statutory provincial law society.

The provincial law societies – which are the regulatory bodies for attorneys – bring applications to the High Court to suspend attorneys from practice, while investigations are carried out, if there is suspicion of theft of trust moneys so that no further damage can be wrought by the errant attorney.

'We believe that Trustline will provide an additional complaints mechanism for the public besides the complaints facilities already provided by the provincial law societies. We are also confident that this initiative will enhance the integrity of our profession and assist to root out any unethical, fraudulent and corrupt behavior in the profession,' say Ms Matolo-Dlepu and Mr Bekker.

The Attorneys Fidelity Fund (AFF) was started by the attorneys' profession and has been in existence since 1941 to protect the public against loss as a result of the theft of trust funds by attorneys. The protection provided by the AFF encourages attorneys' clients to use the services provided by attorneys with confidence. The AFF is funding the Trustline initiative as part of its risk management

It is clear from the data available to the AFF that a tiny minority of practitioners is involved in unethical behavior, but that reflects negatively on the entire profession which – in the interests of all including members of the public – must ensure that this is stopped. Further this initiative is also to ensure that members of the public who are so inclined might take time to go out of their way to compliment those members of the profession who work tirelessly and yet have their efforts dimmed by others guilty of errant behaviour. The AFF is of the view that, while the latter are in the minority, this is not reflected in the figures of theft from trust accounts that have increased, hence the need to have the regulators [the provincial law societies] and the AFF alerted as early as possible to acts of theft by practitioners.

The Trustline campaign is supported by the six constituent members of the LSSA: (the Cape Law Society, the KwaZulu-Natal Law Society, the Law Society of the Free State, the Law Society of the Northern Provinces, the Black Lawyers Association and the National Association of Democratic Lawyers), and funded by the AFF.

The TRUSTLINE number is 0800 20 20 36  
and the e-mail address is [trustline@tip-off.com](mailto:trustline@tip-off.com)

**ISSUED ON BEHALF OF THE CO-CHAIRPERSONS OF THE LAW SOCIETY OF SOUTH AFRICA, KATHLEEN MATOLO-DLEPU AND DAVID BEKKER AND THE CHAIRPERSON OF THE BOARD OF CONTROL OF THE ATTORNEYS FIDELITY FUND, CP FOURIE**

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**Editor's note:**

**The Law Society of South Africa** brings together its six constituent members – the Cape Law Society, the KwaZulu-Natal Law Society, the Law Society of the Free State, the Law Society of the Northern Provinces, the Black Lawyers Association and the National Association of Democratic Lawyers – in representing South Africa's 21 400 attorneys and 5 800 candidate attorneys.

**The Attorneys Fidelity Fund** is a statutory body established and regulated by the provisions of the Attorneys Act, 1979. Its objective is to protect the public against loss as a result of the theft of trust funds by attorneys. The protection provided by the AFF encourages the public to use the services provided by attorneys with confidence. The AFF also provides professional indemnity cover through the Attorneys Insurance Indemnity Fund to protect the clients of attorneys against negligence by attorneys.