



LAW SOCIETY
OF SOUTH AFRICA

PRESS RELEASE

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LAW SOCIETY WELCOMES LAUNCH BY CHIEF JUSTICE OF PROVINCIAL EFFICIENCY ENHANCEMENT COMMITTEES TO IMPROVE THE JUSTICE SYSTEM

The Law Society of South Africa (LSSA) welcomes the launch of the Provincial Efficiency Enhancement Committees, the first of which was launched in Pretoria yesterday by Chief Justice Mogoeng Mogoeng.

The LSSA has participated actively in the National Efficiency Enhancement Committee (NEEC) since its inception last year and is committed to supporting the Office of the Chief Justice, the Judges President, the chairperson of the NEEC, Judge Nathan Erasmus, and all the other stakeholders in this critical endeavor to improve the delivery of justice to members of the public who use the courts and the legal profession to seek redress.

'The public has the constitutional right to access the courts. In order to do so, legal services provided by legal practitioners must be professional, ethical, efficient and affordable. From the side of the attorneys' profession we agree with the Chief Justice that solutions must be sought collectively and concrete strategies implemented by all the stakeholders in the broader justice system,' say LSSA Co-Chairpersons Kathleen Matolo-Dlepu and David Bekker.

With the assistance of the statutory provincial law societies, which are the regulatory bodies for attorneys, the LSSA has committed to

- exploring effective ways of dealing with attorneys who may appear to be unprepared when appearing in court and with those who habitually request postponements of matters,
- dealing with arrangements between judicial officers, prosecutors and lawyers to postpone cases unnecessarily as a favour to each other, but to the detriment of litigants; and
- monitoring legal fees so that they are affordable to the public.

'The legal profession is an honourable one and attorneys are bound by strict rules of ethics and professional conduct. Conduct that leads to unnecessary delays and prejudice to litigants, as well as excessive fees – or overreaching – are not tolerated. We believe that such conduct can be eradicated with the assistance of judicial officers and

prosecutors who report such incidents to the relevant provincial law society,' say Ms Matolo-Dlepu and Mr Bekker.

As regards access to justice, attorneys are committed to providing *pro bono* services to indigent members of the public who cannot afford legal representation, provided they qualify in terms of a means test. In addition, the profession is in the process of instituting a 'First Interview Scheme' on a national basis. In terms of the scheme, members of the public who do not qualify for *pro bono* services or legal aid, will be referred to a participating attorney for a first free half-hour consultation. During the consultation, clients will receive advice on whether there is merit in the matters they wish to pursue and also receive an indication of the costs that could be incurred, should they decide to do this.

In the light of ensuring an efficient court system, the LSSA also welcomes the coming into effect of the Superior Courts Act 10 of 2013 earlier this year. This Act assigns powers and functions to the Office of the Chief Justice and established an integrated system of court governance. This has been a major step towards strengthening the independence of the judiciary.

ISSUED ON BEHALF OF THE CO-CHAIRPERSONS OF THE LAW SOCIETY OF SOUTH AFRICA, KATHLEEN MATOLO-DLEPU AND DAVID BEKKER

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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 21 700 attorneys and 5 800 candidate attorneys.