



# LAW SOCIETY OF SOUTH AFRICA

## MEDIA RELEASE

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For immediate release

### **LAW SOCIETY ADOPTS LEGAL SERVICES SECTOR CHARTER**

The Council of the Law Society of South Africa (LSSA) and its constituent members has unanimously adopted the Legal Services Sector Charter. 'This is a historic achievement and a milestone for the profession,' say LSSA Co-Chairpersons David Gush and Henry Msimang.

The unanimous adoption of the Charter by the LSSA's 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 – illustrates the commitment of the attorneys' profession to transformation and the Charter as a binding and guiding principle to provide for an independent legal profession and to eradicate the inequalities of the past. The LSSA will now, together with the advocates' profession, start the process of drafting the scorecards to apply and measure compliance with transformation within the profession.

The Co-Chairpersons say the LSSA's commitment to transformation is reflected in the sentiments expressed in the Charter. These include the recognition that, while significant progress has been made in restructuring and transforming our society and its institutions, systemic inequalities and unfair discrimination remain deeply embedded in social structures, practices and attitudes, undermining the aspirations of our constitutional democracy. There is also the recognition that a strong, independent and representative legal services sector and profession is essential for the protection of the rights contained in the Bill of Rights and the right of access to justice for all.

The objectives of the Charter are to

- give effect to the Constitution, the Promotion of Access to Equality and Prevention of Unfair Discrimination Act and the Broad-based Black Economic Empowerment Act, through the facilitation of the transformation of the legal services sector, the promotion and empowerment of historically disadvantaged individuals (HDIs);
- ensure access to justice in all respects namely,

- access to legal services;
- access to legal work;
- access to courts; and
- access to the legal profession.
- entrench the independence of the legal profession;
- create an affirming and enabling environment;
- to promote equality and prevent discrimination;
- provide mechanisms for the
  - transformation of the legal services sector;
  - facilitation of economic empowerment;
  - removal of inequalities within the legal services sector; and
  - implementation of positive measures to protect and advance HDIs.

In the Charter, both the legal profession and the Government make a number of undertakings to achieve its objectives. Among these are commitments by the legal profession to

- implement *pro bono* programmes and enhance access to services in rural areas to improve access to justice for historically disadvantaged communities;
- identify and implement equitable procurement strategies to promote access to legal work for HDIs;
- assist and cooperate with the Courts to ensure the expeditious completion of cases and the reduction of backlogs;
- address challenges of entry to the profession, particularly by HDIs, and ensure the standardization and availability of legal training and education, including continued legal training and education; and
- provide skills development and skills transfer programmes, as well as mentorship programmes.

The LSSA has participated actively in the discussions on the Charter since the first draft was launched in August 2006. Since then the Charter has undergone a number of redrafting culminating in a final Charter at the end of November. The Council of the LSSA adopted the Charter at its meeting on 29 November 2007. The legal profession hopes to hand the Charter officially to Minister of Justice and Constitutional Development, Brigitte Mabandla, early in December.

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 17 500 attorneys and 3 500 candidate attorneys.

In Afrikaans items, please refer to the 'Prokureursorde van Suid-Afrika'.

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*ISSUED ON BEHALF OF THE CO-CHAIRPERSONS OF THE LAW SOCIETY OF  
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