



**LAW SOCIETY**  
OF SOUTH AFRICA

**PRESS RELEASE**

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**LAW SOCIETY SAYS TAXPAYERS SHOULD NOT CARRY THE BURDEN OF THE  
MARIKANA COMMISSION OF INQUIRY ALONE**

The Law Society of South Africa (LSSA) notes the announcement earlier this week by the Minister of Justice and Constitutional Development to amend the regulations governing the Marikana Commission of Inquiry to ensure that the State makes arrangements to assist representatives of the deceased victims to attend the inquiry for as long as they need to do so. The action of the Minister is a positive display of compassion on behalf of a State, which is sensitive to the plight of the families of the victims. However, the LSSA is of the view that the burden of these costs should not be borne by the South African taxpayer alone. This is also the responsibility of the main protagonists involved in the labour dispute which led to the tragic events at Marikana. These protagonists are the mining house, Lonmin, and the trade unions, NUM and AMCU.

'The President acted promptly in setting up the Judicial Commission of Inquiry. This was a necessary and laudable step. However, the public does not need reminding that the tragedy at Marikana was precipitated by the inability of the parties to resolve the labour dispute peacefully. It follows that the mining house and the trade unions should carry their share of the national, social and moral responsibility towards the families of the deceased and injured workers, to ensure that their relatives are present throughout the inquiry and that their interests are represented properly by legal representatives,' say LSSA Co-Chairpersons Krish Govender and Jan Stemmett.

They add: 'The LSSA also calls on Legal Aid South Africa to make a fair contribution to the legal expenses/disbursements of those lawyers who are giving of their services to the parties at the Commission on a *pro amico* basis. Many legal representatives are not receiving any remuneration from any of the parties or from any NGO or related agency. This is the minimum that Legal Aid South Africa should offer as its contribution to the fair processes necessary for a just outcome.'

In conclusion, the LSSA salutes all those lawyers and support staff who are working *pro bono* or *pro amico* in support of the work of the Commission in giving of their valuable time in the best traditions of the past history of the legal profession.

**ISSUED ON BEHALF OF THE CO-CHAIRPERSONS OF THE LAW SOCIETY OF SOUTH AFRICA, KRISH GOVENDER AND JAN STEMMETT**

by Barbara Whittle

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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 21 200 attorneys and 5 000 candidate attorneys.