



LAW SOCIETY
OF SOUTH AFRICA

GENERAL COUNCIL OF THE BAR OF SOUTH AFRICA

**JOINT PRESS RELEASE BY THE LAW SOCIETY OF SOUTH AFRICA AND
THE GENERAL COUNCIL OF THE BAR OF SOUTH AFRICA
ON THE LEGAL PRACTICE BILL**

12 July 2012: For immediate release

The Law Society of South Africa (LSSA) and the General Council of the Bar of South Africa (GCB) both welcome the fact that the Legal Practice Bill has finally been published. They commit themselves to participating in the parliamentary process set by the Justice Portfolio Committee as well as the consultative process to be set up by the Justice Department preceding the Transitional Council envisaged in the Bill.

The leadership of the LSSA and GCB met in Kempton Park this past weekend to debate aspects of the Legal Practice Bill. The spirit of the meeting was positive and constructive, and both stressed their commitment to working together to find common ground on a number of issues in the Bill. Both the GCB and LSSA have agreed that fundamental and principled differences that are unique to each branch of the profession will be respected.

Both the LSSA and GCB are of the view that there are now better prospects that the two branches of the profession will be able to make a largely uniform submission to the portfolio committee. However, the advocates' and attorneys' professions are seeking a short extension of time from the Portfolio Committee beyond the 27 July deadline set by the Committee for public comment, in order to settle the drafts. The LSSA and GCB believe they will be able to provide comprehensive and uniform submissions to the portfolio committee by the end of August 2012.

The GCB and LSSA wish to stress that no individual person can purport to speak on behalf of the two organisations on the Bill besides the leadership of the GCB and LSSA. They urge the media to take note of this when canvassing comments on the Bill from the advocates' and attorneys' professions.

The LSSA and GCB both emphasise that their engagement with the Legal Practice Bill is premised on the fact that the legal profession is, first and foremost, a service profession, serving the public and the community. An independent legal profession is essential for the protection of the Rule of Law and the promotion of our constitutional democracy. The GCB and LSSA welcome the fact that positions that were untenable in the initial drafts of the Bill have been abandoned. The current Bill states as one of its objects the enhancement of the independence of the profession. This is welcomed. The attorneys' and advocates' professions note the repeated assurances by the Minister of Justice and Constitutional Development that he does not wish to govern the legal profession.

The LSSA and the GCB trust that their contributions to the parliamentary process will substantially enhance the Legal Practice Bill in these respects.

JAN STEMMETT AND KRISH GOVENDER
CO-CHAIRPERSONS
LAW SOCIETY OF SOUTH AFRICA

GERRIT PRETORIUS SC
CHAIRMAN
GENERAL COUNCIL OF THE BAR OF
SOUTH AFRICA

Contact:
Barbara Whittle
Law Society of South Africa
Tel: (012) 366 8800 or 083 380 1307
E-mail: barbara@lssa.org.za
Website: www.lssa.org.za

Elize van den Heever
General Council of the Bar
Tel: (011) 784 0175
E-mail: gcb@mweb.co.za
Website: www.sabar.co.za

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 21 000 attorneys and 5 000 candidate attorneys.

The General Council of the Bar of South Africa comprises the twelve Bars that are affiliated to it and represents the advocates who are members of the twelve affiliated Bars.