



LAW SOCIETY OF SOUTH AFRICA

PRESS RELEASE

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ATTORNEYS HAVE CONTRIBUTED TO CCMA'S 'RESOUNDING SUCCESS'

The Law Society of South Africa (LSSA) takes issue with Labour Minister Membathisi Mdladlana's criticism of the role played by attorneys at the Commission for Conciliation Mediation and Arbitration (CCMA). 'The LSSA would like to highlight the substantial role played by attorneys, not only as advisers to parties in disputes, but also as commissioners at the CCMA. The attorneys' profession has given weight and support to the CCMA and has contributed to what the Minister refers to as its "resounding success",' says LSSA Chief Executive Officer, Raj Daya.

'Both employers and employees are entitled to legal representation in certain proceedings at the CCMA and to deny members of the public legal representation at this forum is to deny them their rights,' says Mr Daya.

Mr Daya points out that the LSSA went as far as drafting a Code of Conduct for attorneys appearing at the CCMA. In terms of the code, attorneys must uphold the integrity and maintain and enforce the high standards of conduct required by the CCMA and provide competent representation to clients, which includes legal knowledge, skill, thoroughness and preparation. 'This code was publicised not only to attorneys, but also to CCMA commissioners who are entitled to report an attorney who is not complying with the code to his or her law society,' says Mr Daya. He adds: 'Other practitioners, such as labour consultants who appear on behalf of parties in the CCMA, are not governed by the same strict rules of ethics as attorneys.'

The LSSA believes the Minister may have been provided with incorrect information that has led him to conclude that lawyers are unnecessarily complicating the system. 'The LSSA continues to call on the Department of Labour and the CCMA to ensure that its rules and procedures are streamlined to prevent delays. The attorneys' profession is happy to cooperate with the Labour Department to facilitate this and to ensure that members of the public receive speedy and professional resolution of their matters,' says Mr Daya.

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 16 600 attorneys and 4 500 candidate attorneys.

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

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