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**FOR IMMEDIATE RELEASE**

**Legal Aid South Africa (Legal Aid SA) continues to succeed, positively touching the lives of 736,679 South Africans despite budget challenges**

***Performance results for the 2012/13 financial year***

Delivering high legal quality and efficient services into the future is at the core of Legal Aid SA's corporate strategy, and its 5-year 2012/17 Strategic Plan has positioned the organisation well to meet this goal. Notable impact on society was realized when the organisation positively touched the lives of 736,679 South Africans through delivering new matters in legal assistance (criminal and civil) to 438,844 clients, with a further 297,835 assisted with general legal advice. Of these new matters a total of 383,567 or 87% were criminal matters, while 55,277 or 13% were civil legal aid matters. The year under review thus resulted in above 7.8% growth (compared to the previous year) in the number of people assisted with legal matters. It was also noteworthy that assistance in civil matters was increased by 19% from the previous financial year.

"Our 5-year strategic plan has undoubtedly positioned the organisation as one of the best law firms. We were also able to achieve a delivery of over 90% of our annual performance targets in the year 2012/2013 despite the budget cuts of R64 million, thereby maintaining our culture of a high performing organization which continues to strive to meet the needs of its clients. We believe that our robust performance ethos will continue to deliver performance beyond expectations, despite rapidly increasing demands on our limited budget", said Legal Aid SA CEO, Vidhu Vedalankar.

She further said that in the past period the organisation had come through some difficult times, and while cognisant of the fact that the new financial year, 2013/14, would present a new set of challenges, she is confident that the organisation is well positioned for the future. The 1,843 legal practitioners employed by Legal Aid SA handled 96% of the new matters in the past financial year, while Judicare practitioners handled 14,225 (3%) of new matters with the majority (90,7%) being criminal matters. The balance of the 3,206 matters were handled by co-operation partners with 84% being civil matters. Ms Vedalankar is proud of the commitment which is continuously displayed by the Legal

Aid SA staff and that there is a continuous and concerted effort by all to deliver consistently high quality legal services to clients.

This year also marks the Legal Aid SA's twelfth unqualified audit and the eighth consecutive year with no matters of emphasis. These sterling results are attributed to a strong financial management and governance practices by the organization.

A people development orientation by the organisation continued as confirmed by the successful accreditation for the 4<sup>th</sup> year as one of the Best Employers in South Africa. Legal Aid SA has an efficient and timeous electronic management information system which has served it well over the past decade. However in the new financial year it would be re-developing of its legal administration software to upgrade the software and applications.

Legal Aid SA Board Deputy-Chairperson, Judge Edwin Molahlehi said about the performance of the organization: "Over the past years, key to the success of running the organisation has been its inclusion of the strategic planning process as an integral and core part of its operation. It is this approach that has ensured that the organisation has successfully delivered on its mandate of ensuring access to justice for the poor and vulnerable. In the overall Legal Aid SA remains sustainable and is in a position to continue to deliver on its mandate in the next period."

### **Civil legal aid- A focus on children matters**

Legal Aid SA continues to expand on its civil legal aid capacity, which includes strengthening cooperation with advice offices and community traditional structures. There are also a notable number of children assisted with civil matters. Amongst others,

The Stellenbosch Justice Centre represented the mother of a three-year old child who was taken to the Democratic Republic of Congo (DRC), to stay with the family of the biological father, a Congolese refugee without the mother's consent. The case was mediated, leading to the successful return of the child.

Legal Aid South Africa was able to ensure that no child in need of care would be transferred from the JJ Serfontein Youth Centre in Queenstown to Bisho Youth Centre without the proposed transfer being reviewed by the Children's Court to ensure that the transfer complies with the constitutionally mandated best interest of the child.

Legal Aid SA's focus on children matter is also realised though the organisation's programme with the Master's office through which Legal Aid SA provides legal assistance in estate matters where children are beneficiaries.

The Legal Aid Advice Line, which handled 15% of advice matters in 2012/13 financial year, has also contributed towards efforts to expand civil legal aid delivery.

## **Impact litigation matters on behalf of vulnerable groups**

In continuing its strategic litigation on behalf of vulnerable groups, Legal Aid SA's Impact Litigation Unit dealt with 33 cases in the year under review, many of which emanated from justice centres as well as from cooperation with various NGOs. The unit achieved a success rate of 90% in regard to its finalized cases, which dealt with among others, the enforcement of the right of access to adequate housing, the challenge of the constitutional validity of legislation and constitutional obligation to protect the best interests of the child in terms of section 28 (2) of the Constitution.

“In acting for the poor and vulnerable groups, Legal Aid SA has through the Impact Litigation Unit demonstrated in a very profound and caring way, its commitment to a just South Africa. As such, all cases taken on in the last financial year touch on topical issues that impact upon the lives of poor and ordinary South Africans,” says Vedalankar.

- Ends -

### **Notes to Editors:**

In the year under review, Legal Aid SA has successfully intervened in a number of high profile cases, including the following:

#### **Andries Tatane case**

Bethlehem Justice Centre represented the 15 members of the community who were charged with public violence, following upon the demonstrations that led to the death of Andries Tatane. All 15 were acquitted. Currently, the Senior Litigator at Bloemfontein Justice Centre is representing the family in a civil case for damages against the Minister of Safety and Security for the loss of support suffered by the two minor children and the spouse of Mr Tatane.

#### **Manana Foster care grant- Children**

In the Manana judgment a precedent was set whereby the principles of *duty of support* in terms of *section 150(1)(a)* of the Children's Act 38 of 2005 was clarified and furthermore the principal that a caregiver that does owe a legal duty of support may be

appointed as a foster parent, and is entitled to receive a foster care grant was entrenched into law. In this matter, the Court furthermore provided guidelines for the enquiry. These included enquiring whether the children are firstly in need of care, and thereafter ascertaining whether the children have a visible means of support. It was stressed that when determining the 'visible means of support' the focus needed to be on whether the children had a visible means of support and not on whether the caregiver has a visible means of support.

### **Silicosis case: President Steyn miners' claims against Anglo American**

Legal Aid SA funded the long-running President Steyn gold miners' silicosis litigation against Anglo American South Africa Ltd ("AASA") which was eventually settled. The terms of settlement are confidential but include payment of a sum of money to 23 claimants, including 18 President Steyn Mine claimants, whose claims began in 2004. (The other 5 claims arise from employment on other Anglo American Free State mines). It is the first gold miners' silicosis settlement in South Africa.

The claimants were underground miners (or widows of deceased miners) employed on Free State mines (including President Steyn) within the AASA group until 1998. The 23 claims arose from contraction of silicosis and silico-tuberculosis allegedly caused by AASA's negligent failure to ensure that dust levels on its mines were adequately controlled. The claimants sought compensation for pain and suffering, lost earnings and medical expenses.

The claimants' lawyers comprised London human rights firm Leigh Day, the Legal Resources Centre (South Africa) and attorney, Zanele Mbuyisa (Mbuyisa Neale).

**Issued by the Communications Department of Legal Aid South Africa. For more information, please contact the National Spokesperson, Mpho Phasha on 011 877 2081/2143 or Nelisiwe Masina on 011 877 2153/0795416344**

Visit our website at [www.legal-aid.co.za](http://www.legal-aid.co.za) or call the Legal Aid Advice Line on 0800 110 110.

Please be reminded that the name of our organisation **Legal Aid South Africa** is **correctly abbreviated as Legal Aid SA** and not as LASA. We respectfully request that you use the correct abbreviation **Legal Aid SA** which is representative of our Mission to deliver quality **legal aid** services to the poor and vulnerable in South Africa.