

**SPEECH FOR THE CHAIRPERSON OF THE LEGAL AID BOARD, JUSTICE
DUNSTAN MLAMBO, AT THE LAUNCH OF PHALABORWA SATELLITE OFFICE:
13 MARCH 2009**

Ladies and gentleman

Distinguished guests

Abuxeni

It is once again a pleasure for me to be part of a momentous occasion. We are all gathered here today to officially launch the Phalaborwa Satellite Office. I have no doubt in my mind that people of Phalaborwa will utilise the services that will be rendered by this centre for the betterment of their lives. You don't have to travel to Giyani or Tzaneen anymore to access Legal Aid Board services; they are here on your door step. This launch brings our satellite offices operating under the auspices of the Gauteng Limpopo region to four.

The Legal Aid Board of South Africa as the largest public defender remains committed to the cause of providing quality legal services to deserving and vulnerable citizens as our Constitution dictates. This is done to ensure that access to justice is a reality and it is not something that is only limited to rich citizens.

It is also our main objective to ensure access to justice to all citizens, especially women and children, the indigent and vulnerable by ensuring that all accused persons, who face the possibility of gross injustice in a criminal trial or civil are able to access legal representation at a state expense. Sipiwe – this is the same issue we discussed for the Commonwealth mag. See those changes

Ladies and gentlemen, it is important that I make you aware that the South African courts are also there to serve all, also the poor and the vulnerable. We are working closely with other judicial institutions to ensure that fair trials and adequate sentences are meted out in the event of a guilty verdict.

Let me demystify the myth that exists about the services of the Legal Aid Board; that its lawyers provide low quality or questionable service. For want of a better word I will refer to them as Public Defenders because they are the kind of lawyers who do not practice law for gain, but who practice law for the greater benefit and good of society. This is very noble, I think, but the reality is that the work of the public interest lawyer is hardly ever acknowledged, particularly one in the employ of the Legal Aid Board. One battles to find stories anywhere in the media and elsewhere where the work and successes of Legal Aid Board Public Defenders are acknowledged. It is only the negatives that are always focussed on. I have to state that it is such negative reports and name calling that create serious impediments to the work of the Legal Aid Board in this country. This is what fuels the perception which clients unfortunately are alive to, to opt for us only as a matter of last resort once they have run out of options.

I make all these observations for the benefit of the Phalaborwa community to know the true facts. I want you to know that the fact that a lawyer is practising for his own account, in private practice or is employed by a Legal NGO, makes him or her no different to lawyers employed by the Legal Aid Board. Our lawyers qualify with the same degrees and from the same universities as do lawyers practising elsewhere.

Our lawyers, like all other lawyers, and advocates for that matter, write the same entrance examinations and are subject to the same rules governing their profession. Our lawyers do not become a different species immediately they accept employment with the Legal Aid Board. I actually want to suggest that our lawyers are much more dedicated to their work and one should have confidence in them when they take a matter. This is, however, a factor which people hardly want to talk about. Our lawyers carry case loads for which they have to account. Our lawyers are subject to stringent supervision and performance management programmes. When one looks in the private sector, the only accountability measure that those lawyers are judged by is the money they bring to the practice.

I am unaware if lawyers in the employ of Legal NGOs are subject to the same levels of supervision and performance management programmes than the ones Legal Aid Board has. This one factor of the accountability of Legal Aid Board lawyers in my view places them amongst the best in the profession. I can also mention that the candidate attorneys who are in our employ receive extensive and exhaustive training before they are allowed to appear in court.

I guess what I am saying is that it is equally beneficial to be represented by a Legal Aid Board lawyer than when you are represented by a lawyer who expects you to pay for services. I mention this simply to dispel the notion that lawyers who charge for services provide better quality services than our lawyers who do not charge. Strangely this notion does not include lawyers who work for Legal NGOs who also do not charge fees but they are seen as a different and a breed apart from Legal Aid Lawyers. This is a fallacy because both are public interest lawyers. I am therefore saying to you as a

community, you must know these facts about the satellite office we are opening here today. This is a resource that is dependable and at your disposal. Don't be misled by unfounded perceptions about Legal Aid Board lawyers. You should as a community be proud that you now have such a resource in your area. I therefore take this opportunity to congratulate your community for the opening of this Justice Centre in your area.

Let me also thank the Legal Aid Board team, both at the Regional and National offices, for the sterling job they have done to ensure that Legal Aid Board footprint continues to spread, and that today it has spread to you, the deserving communities of Phalaborwa.

Nikhensile