

EDITOR'S NOTE

Greetings!

It gives me great pleasure to present the first edition of *Umlungisi* for the 2016-2017 reporting year. In this edition we report back to you, our most important stakeholder, on Legal Aid South Africa's key activities and initiatives in our continued quest to deliver legal services to the marginalised, qualifying and vulnerable sectors of our society. Through collaborating and in partnership with you, our valued stakeholder, we pursue our efforts to advance the course of human rights and the betterment of the lives of the indigent as outlined in our Constitution. This is quite a significant year, as the Constitution which we seek to protect and ensure all rights enshrined therein are protected, celebrates a milestone of two decades!

This *Umlungisi* follows our April special edition where we provided information on the newly appointed Legal Aid SA Board. Let us take a moment to remember our former CFO and legal aid administration system Project Manager Mr Kumaran Naidoo, who passed away on 12 April 2016. During his tenure with us from 2001-2004, he played a critical role in transforming Legal Aid SA into the successful and stable organisation it is today. His interventions enabled us to receive our first unqualified audit in 2001/2 consecutively, and paved the way for our sustained financial stability. This edition also comes after Deputy Chief Justice Judge Dikgang Moseneke retired from the Constitutional Court bench after 14 years of service. Legal Aid SA's CEO Ms Vidhu Vedalankar and the Board Chairperson Judge President Dunstan Mlambo added their voices in paying tribute to the man many respect for his wisdom and knowledge and for the leadership role he played in the justice system. We wish him a happy retirement.

This year, June 16 marks 40 years since the tragic events of the 1976 Soweto Youth Uprising. In commemorating Youth Day 2016, Legal Aid SA reaffirmed its commitment to protecting the youth of this country, as entrenched in the Bill of Rights. At the beginning of Youth Month on 1 June 2016, which fell during Child Protection Week and on International Children's Day, the Centre for Child Law at the University of Pretoria and Legal Aid SA in conjunction with ProBono.org launched a booklet entitled 'Guidelines for Legal Representatives of Children in Civil Matters' (accessible here: http://www.pulp.up.ac.za/pdf/2016_04/2016_04.pdf).

We continue to work towards and count on your support to deliver on our mandate to enable access to justice to many more people and communities. Thank you for the pivotal role you play in ensuring that we succeed in ensuring that the indigent groups seamlessly access justice.

Malebogo Mahape-Marimo (Ms)
Communication Executive



VISION

A South Africa in which the rights enshrined in the Constitution are realized and upheld, and responsibilities are complied with to ensure equality, justice and quality of life for all.

MISSION

To be a leader in the provision of accessible, sustainable, ethical, independent and quality legal services to the poor and vulnerable

VALUES

Passion for justice
Ubuntu
Integrity
Accountability
Service Excellence
People-centred development

LEGAL AID SA CELEBRATES CHILD PROTECTION WEEK

Child Protection Week is commemorated in South Africa annually to raise awareness of the rights of children as articulated in the Children's Act of 2005. This year Child Protection Week took place from 29 May – 5 June. Legal Aid South Africa took the opportunity to honour its commitment to protect and empower this vulnerable group in society. Legal Aid SA celebrated this event through a series of outreach programmes and stakeholder initiatives. National Office staff visited early childhood development centres in and around Ekurhuleni to educate young learners about their rights and responsibilities, under the theme: 'It's my Right, It's my Responsibility'.

The celebrations began at the Duduza Multi-Purpose Centre on 27 May, as Legal Aid SA partnered with the Department of Social Development for a fun-filled, educational day with 320 crèche children in attendance. Nosithembiso Nxitywa from the Benoni Justice Centre was on hand to educate the children about their rights and responsibilities and also highlight the role of Legal Aid SA in defending and protecting the rights of vulnerable groups.



Children at Thabong Crèche

On 30-31 May, staff from the National Office and Tembisa Justice Centre visited the Little Achievers Day Care and Thabong Crèche and Preschool in Tembisa for more celebrations. Our Tembisa Justice Centre brand champion, Fikile Tshele, and Civil Principal Attorney Caroline Foord played an active role in creating fun-filled activities aimed at educating the children about their rights and responsibilities.

Finally, the National Office concluded the week at the Springs Rugby Stadium, again in partnership with the Department of Social Development, where hundreds of children gathered to celebrate 'It's my Right, It's my Responsibility.'

LEGAL AID SA WINS 2016 INNOVATION LEAGUE AWARD

Legal Aid South Africa was awarded first place in the Innocentrix 2016 SA Innovation League Awards on 23 June. The organisation was commended for its innovative business practices and was recognised as a leader in contributing towards national prosperity and creating a better future for South Africa.

Legal Aid SA competed with the likes of Vodacom and Afrox, which placed second and third respectively. The Innovation League only considers Top Performing companies as candidates for this Award. In May, Legal Aid SA was named a 2016 Public Sector Leading Performer by Top Performing Companies. The organisation was also accredited as a Top Employer South Africa in 2016, an endorsement Legal Aid SA has received for seven consecutive years.

The Innovation League Awards are based upon stringent criteria, focusing on four key areas: Leadership and Ambition; Organisation and Collaboration; Implementation and Measurement, and People and Culture. The survey tool used to assess qualifying companies is internationally comparable, enhancing the validity of the results. Legal Aid SA scored exceptionally high in Leadership and Ambition, Organisation and Collaboration and People and Culture. This indicates significant improvement in the organisation's performance from the 2015 Awards, where we placed second and were commended for our high rating in terms of People and Culture. As the 2016 winner, Legal Aid SA was found to demonstrate sustained excellent performance in innovation at management level, with external stakeholders and within the organisation via employees.

The organisation's Human Resources Executive, Amanda Clark, says "We are honoured to be recognised for our ongoing efforts in ensuring that innovation is embedded in our culture. Innovation continues to reinforce our resourcefulness in striving to provide the best possible service to our clients."

This Award affirms Legal Aid SA's commitment to providing access to justice to the poor and vulnerable, as set out in the Legal Aid South Africa Act (39 of 2014) and the Constitution of the Republic of South Africa. We are proud to be acknowledged as a high-performing, innovative public entity.



HR Executive Amanda Clark with Innocentrix CEO Henra Mayer

LEGAL AID SA WINS TOP PERFORMANCE AWARD

“If you have a dream and the know-how and the will to do something, nobody will keep you down,” said Jannie Mouton, founder of leading financial services group PSG. He was addressing representatives of various top performing companies during a breakfast launch of the National Business Awards in Sandton, Johannesburg.

The awards were aimed at recognising both private and public sector companies that are making an effective contribution to South Africa. Mouton emphasised the importance of setting limitless goals and objectives when formulating strategies.

Legal Aid South Africa was among few public sector companies to have been invited to an exclusive morning launch of the 15th edition of *Top Performing Companies and Public Sector* as well as the handing over of Top Performing certificates.

The organisation received an award for Outstanding Performance in the Public Sector, and was also the only law firm to receive this prestigious accolade in the National Business Awards 2016.



Media and Marketing Manager Godfrey Matsobe receiving the award on behalf of Legal Aid SA

NATIONAL OFFICE AND REGIONAL OFFICES PARTICIPATE IN CELL C'S TAKE A GIRL CHILD TO WORK DAY

The Cell C *Take a Girl Child to Work Day* is an initiative established by Cell C to introduce young girls from Grades 10 to 12 to the work environment and expose them to the career they are interested in. National Office and Regional Justice Centre employees once again supported *Take a Girl Child to Work Day* on 26 May this year to remind young girls to believe in their talents, to have self-confidence and to achieve greatness for themselves and their communities.

Participating Legal Aid South Africa offices also spoke to the girls about work opportunities available within the organisation, and empowered them with knowledge on the provision of legal aid to the most vulnerable groups, including women and children. They also discussed the different career paths to embark on in order to ensure a fit with the organisation's departments, especially the legal structure. Female Magistrates, Candidate Attorneys, Paralegals, Admin Managers, Supervisory Professional Assistants, Justice Centre Executives, Civil Legal Practitioners, Executive Personal Assistants and teachers were on hand to motivate and inspire the young girls.

The girls were taken to courts, where they observed a court case in action, and also visited holding cells of prisoners awaiting trial. Some were even taken into offices of different Departments to give them a first-hand experience of the workplace. They were also given a platform to ask questions of the successful women in the organisation. Legal Aid SA continues to solidify and actualise its corporate identity by delivering services and information to the vulnerable. The girls we hosted on 26 May are the future generation of Legal Aid SA citizens who will also work to make a difference. Congratulations to everyone who took part in the very successful *Take a Girl Child to Work Day* initiative!



Grade 11 girl children at Soshanguve Justice Centre



Middelburg Justice Centre hosted girls from Sozama High School at Mhluzi Location.

LEGAL AID SA WELCOMES NEW COMMUNICATION EXECUTIVE

Legal Aid SA would like to welcome the newly appointed Communication Executive, Ms Malebogo Mahape-Marimo, effective 20 June 2016. Malebogo is a seasoned public affairs strategist with over 18 years' experience in government, parastatals, development agencies and the private sector. Born and bred in Mabopane, Pretoria, Malebogo holds a BA Communication degree from the University of Fort Hare and a BA Honours degree from RAU (now the University of Johannesburg). She has also completed the University of Cambridge Sustainable Development Course, an Oxfam offered Sustainability Course and she is a Greenbelt Six Sigma.

Malebogo has worked in diverse business environments and communities, developing and executing communication, branding, marketing, stakeholder engagement, regulatory affairs and community development strategies to increase brand capital, brand visibility while also helping create socio-economically developed communities. Her vast experience also includes lecturing Communication Science and Journalism, she has worked as communication specialist for the Nelson Mandela Children's Fund, as Director Communication for the then Department of Minerals Energy, Manager Regulatory Affairs at British American Tobacco, as Group External Relations Manager for BHP Billiton and most recently as the Vice President Sustainability and Communication at AngloGold Ashanti South Africa Region.

Malebogo is a seasoned brand, stakeholder engagement, government relations, sustainable development, governance, reputation and media strategist. We believe that her extensive experience will add great value to the Legal Aid SA brand. We wish her all the best in her new role!

LEGAL AID SA PARTICIPATES IN WITS NGO FAIR

Legal Aid South Africa was amongst the 50 organisations that participated in the 6th annual Wits University NGO Fair organised by the Wits Citizenship Community Outreach (WCCO) office.

The event afforded Legal Aid SA a great opportunity to affirm its status as Africa's largest legal institution as well as to promote our 2-year Candidate Attorney Graduate Programme, which recruits up to 600 Law graduates per year.



Legal Aid SA's exhibition stand during the NGO Fair at Wits

Karuna Singh from WCCO was pleased with the turn out, particularly at the Legal Aid SA stall. "Today has been a pleasant outing and it is a pleasure to see all 50 NGOs come together at the Wits Library Lawns. It is also encouraging to see students coming in their masses to support the Legal Aid SA brand," she said.

The Fair proved to be a fruitful exercise as the Legal Aid SA stall attracted eager Law students who wanted to know more about potential career opportunities we offer.

REGIONAL NEWS

IMBIZO AGAINST CAR HIJACKING, STOCK THEFT AND MOB JUSTICE

The Nkomazi Municipality in Tonga, Mpumalanga faces daily challenges of violence including car hijacking, stock theft and mob justice. The community called a gathering at Schomasdal Trust to unite against crime in the area. This came soon after a lawyer was beaten up earlier in the year for representing three men arrested for alleged ritual killings.

Tonga Paralegal Sibusiso Ripinga was invited to give a presentation about Legal Aid South Africa's services and to educate the community about the rule of law. The Mpumalanga Safety and Security MEC Mr Vusi Shongwe also attended the event and was accompanied by the Nkomazi Mayor Ms Thandi Khoza, the SAPS Provincial Commissioner, and the Acting SAPS National Commissioner.

LEGAL AID SA PLEASSED WITH HISTORIC RULING ON SILICOSIS CLASS ACTION

On 13 May, the South Gauteng High Court approved that a class action suit go ahead against 32 gold mining companies in South Africa. This decision is historic, and allows for the largest ever class action lawsuit in the country, as well as on the continent, to proceed. **Bongani Nkala and 55 Others v Harmony Gold Mining Company Ltd and 31 Others** will begin to set a precedent for holding the gold mining industry accountable to the mineworkers they employed. These mineworkers have contracted silicosis and tuberculosis, and this class action will begin the process of determining the liability of mining companies for damages as a result of their exposure to silica dust.

Bongani Nkala and 55 Others are represented by Richard Spoor Attorneys, Abrahams Kiewitz Attorneys and the Legal Resources Centre (LRC). Legal Aid South Africa is pleased to be funding the LRC in this landmark matter. We have been funding silicosis litigation for the past ten years, also in conjunction with the LRC.

Previous litigation brought against Anglo American South Africa resulted in an out-of-court settlement for 19 individual former miners. This case was litigated by the LRC, Legal Aid SA and Leigh Day & Co. Solicitors of the UK.

Our Chief Legal Executive, Patrick Hundermark, says: "This judgment further builds on the work done in prior silicosis litigation to ensure that a greater number of miners with silicosis can enforce their constitutional rights to compensation for unsafe working environments that they had to endure."

Such matters exemplify the work of Legal Aid SA, and highlights our mandate as set out in the Legal Aid South Africa Act (39 of 2014) and Section 34 of the Constitution, to provide access to justice for the poor and vulnerable.

We are proud to be assisting the affected mineworkers, as well as their families, in upholding their constitutional right to seek redress for being exposed to an unsafe work environment that was harmful to their health and well-being.



This miner and many others with silicosis can enforce their constitutional right to compensation for unsafe working environments

LEGAL AID SA IN CONVERSATION WITH JUSTICE YACOOB

Legal Aid South Africa's efforts in making the Constitution a living document continue to be recognised. This was recently made evident with an invitation to an engagement session with former Constitutional Court Judge, Justice Zak Yacoob.

The session was organised by the University of KwaZulu-Natal, and saw over 40 delegates including academics, legal professionals, Law students and Justice Malcolm Wallis from the Supreme Court of Appeal in attendance.

The purpose of the session was to discuss legal issues pertaining to the Constitution. Legal Aid SA was represented by KwaZulu-Natal Regional Office Executive Vela Mdaka, who was accompanied by Board member Professor Yousuf Vawda. Justice Yacoob and Justice Wallis addressed the delegates, sharing their experiences and knowledge of the constitutional mandate.

"It was a value adding experience to be in conversation with senior legal eagles with enormous experience in the legal field. The conversation involved references to some decided cases as part of guiding, or illustration, of certain points as they came up in the discussion. Knowing that we have our own legal seminars, this experience brought about an idea to enhance our program by inviting senior legal experts to share their experience with us whilst also proving guidance. Further, we need to develop a culture of human rights protection among our practitioners so that we shape the approach and attitude to the justice system in order to benefit our clients in ensuring protection and realisation of their rights," said Mdaka.



Justice Zak Yacoob with KZN ROE Vela Mdaka

TZANEEN JUSTICE CENTRE ATTENDS ANNUAL MEN'S INDABA

The Greater Tzaneen Municipality invited local stakeholders to participate in a Men's Indaba event held at the Fairview Hotel. Among the stakeholders invited were Families South Africa (FAMSA), the ANOVA Health Institute, the Victim Empowerment Centre, the Congress of South African Students (COSAS), GTM Disaster Management, the Department of Health (Van Velden Hospital), and Health for Men.

The purpose of the event was to encourage men to relay their views about different issues affecting men in society. The issues discussed involved the abuse of vulnerable groups and men being the main perpetrators of violence against women and children. The Mayor, Councillor Dikeledi Mmetle, said men need to be reminded about their roles in their families and their position in society.

Men in attendance were also encouraged to have regular medical check-ups, as well as have their blood group and blood pressure checked. Statistics show that 19 million men worldwide are diagnosed with cancer each year and most are suffering from cardiovascular diseases. "Men are dying of cancer and they are encouraged to do a medical check-up at least twice a year as testicular cancer is the most common form of cancer affecting men between the ages of 15-39. Men must also start living a healthy lifestyle by eating healthy food and stopping smoking and binge drinking," the Mayor said in her final remarks.

Legal Practitioner Justice Ramafala from the Tzaneen Justice Centre addressed the attendees about the rights of abused men and the issues of paternity DNA tests and child support which are often the cause of a rift between parents. Ramafala further explained the role and mandate of Legal Aid South regarding legal issues that mostly affected men.

LEGAL AID SA - A CUSTODIAN OF CONSTITUTIONAL RIGHTS

The Committee on Constitutional and Human Rights Education held a workshop in Lusikisiki, Eastern Cape on 3 June 2016. The event was led by the Department of Justice and Constitutional Development and was aimed at increasing constitutional and human rights knowledge for vulnerable communities, in order to enable them to enhance their livelihood. Deputy Minister of Justice and Constitutional Development, Mr John Jeffery, was the keynote speaker at the event.

Legal Aid South Africa was represented by Mthatha Justice Centre Executive Nolitha Jali. She detailed the services rendered by the organisation, emphasising the significant role Legal Aid SA has played in the country since the promulgation of the Constitution. She further highlighted some of the social justice judgments that have showcased Legal Aid SA as a champion for the poor and vulnerable.



Deputy Minister of Justice and Constitutional Development, Mr John Jeffery



LEGAL AID SA INSPIRES UFS LAW STUDENTS AT CAREER FAIR

Legal Aid South Africa was among the companies that inspired Law students at the annual University of the Free State (UFS) Career Fair, held at the institution's main campus in Bloemfontein. The Faculty of Law, in collaboration with the University's Career Development Office successfully hosted the Annual Career Fair which afforded potential employers the opportunity to exhibit their career opportunities to Law students. At the opening of the event, the students were allowed to visit various exhibition stands and enquire about career opportunities.

A considerable number of students wanted to know more about Legal Aid SA, its mandate and services. Those that were interested in working for the organisation asked where we advertise our posts and which platforms they can use to apply for such positions. The Free State & North West Regional Office team, comprised of Botshabelo Justice Centre Executive Cuma Siyo, Acting Human Resources Manager Sinazo Mzayifani, Human Resources Officer Daniel Oageng and Regional Communications Practitioner Thabo Koole, adeptly provided all the answers. Most of the students who visited Legal Aid SA's stand also enquired about the extent to which the organisation covers civil and criminal matters.



Botshabelo Justice Centre Executive Cuma Siyo and Daniel Oageng of the Free State and North West Regional Office speaking to students during the UFS annual career fair

LEGAL AID SA TAKES THE LEAD IN ALIGNING PRACTITIONER POSITIONS TO THE LEGAL PRACTICE ACT

The days of the PA are over. But what exactly is a PA? In South Africa, the words 'Professional Assistant' were used for a number of years, to refer to an attorney who worked in a law firm, but had no equity stake in the firm, in other words, a salaried lawyer. While the name was well understood in legal circles, to the general public, it found itself in the unenviable position of sharing the same abbreviated name with 'Personal Assistant', an unrelated occupation.

PA has gradually fallen into disuse and was in recent years, replaced by 'Associate', in most law firms. Legal Aid SA, the largest employer of lawyers in South Africa with just over 1 600 legal professionals in its employ, has decided to change the position names of its practitioners, to align them with the position names introduced by the Legal Practice Act 28 of 2014. In terms of the LP Act, all legal practitioners will be known as 'Legal Practitioner' regardless of whether they are attorneys or advocates. The blurring of the lines of distinction between the professions is particularly important to Legal Aid SA as we employ both attorneys and advocates as practitioners. Adopting the name 'Legal Practitioner' will therefore help us finally lay to rest distinctions that existed only in theory, but not in practice in our organisation.

The only distinction that will be made between legal practitioners will only be with regard to the type of work performed by the practitioner e.g., criminal or civil, as well as the court serviced by the practitioner. The old position names as well as their replacements are shown here. Position titles that are not going to change are not shown.

Criminal Court Practitioners

Old Title	New Title
District Court PA	Legal Practitioner – DC
Regional Court PA	Legal Practitioner – RC
High Court Unit PA	Legal practitioner – HC

Criminal Court Managers

Old Title	New Title
Supervisory Professional Assistant	Supervisory Legal Practitioner
Principal Attorney	Principal Legal Practitioner

Civil Practitioners

Old Title	New Title
Civil PA	Legal Practitioner – Civil
Labour PA	Legal Practitioner – Civil labour
High Court Unit civil PA	Legal Practitioner – HC Civil

Civil Managers

Old Title	New Title
Civil Supervisory Professional Assistant	Supervisory Legal Practitioner – Civil
Civil Principal Attorney	Principal Legal Practitioner – Civil