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LEGAL AID SA – A LEGACY OF MAKING THE CONSTITUTIONAL RIGHT OF ACCESS TO JUSTICE A REALITY

Legal Aid South Africa (Legal Aid SA) appeared before the Portfolio Committee on Justice and Correctional Services on Thursday, 10 October 2019 to present its Annual Performance Report 2018/19. This presentation, on the performance of the organisation during the 2018/19 financial year and future plans, was the final one attended by Chief Executive Officer Ms Vidhu Vedalankar, who is leaving the organisation at the end of the month after 17 years at its helm.

Performance Highlights

In 2018/19, Legal Aid SA delivered on its constitutional obligations and legislative mandate, offering legal services to close to 725,000 people. This comprises legal representation in 416,203 criminal and civil matters and the provision of legal advice to 308,050 people. Consistent service delivery across the national footprint was maintained, despite facing the toughest moment since the organisation began its turnaround and transformation in 2000, as Legal Aid SA managed a cumulative budget cut and shortfall of 8.9% for the 2018/19 financial year, which has an enormous negative impact upon an organisation that uses its limited resources prudently and optimally.

Legal Aid SA has consistently followed good governance practices and used its allocated funds judiciously to operate an accessible national footprint of offices with efficient and effective infrastructure, systems and processes that enables it to deliver its services and reach its clients. The budget expenditure target of 98% was realised, spending R1,86 billion to achieve over 90% of the Business Plan objectives. Legal Aid SA received its 18th consecutive unqualified audit opinion, which was also a clean audit opinion.

The organisation has invested in its most important asset, its people, who play a crucial role in the delivery and support of legal aid services. As a result of Legal Aid SA's human resource practices being best practice-aligned, the entity was accredited as a Top Employer South Africa for the 10th consecutive year and deemed Industry Leader in the Public Sector for the 4th successive year.

"This performance information clearly demonstrates that Legal Aid SA's constitutional and legislative mandate is being fulfilled. Our organisation especially makes sections 34, 35 and 28

of the Constitution a reality. We continue to focus on delivering on our mandates to improve access to justice and build the maturity of the organisation to ensure its sustainability. Legal Aid SA is the leader in the provision of legal services to the poor and vulnerable. We prioritise the rendering of quality legal services to our clients, as quality impacts on the outcomes of matters and therefore upon the lives of our clients. A Stats SA survey report released in August on Governance, Public Safety and Justice found that members of the public who were represented by Legal Aid SA lawyers had the highest level of satisfaction with the service received, at 89%," says Vedalankar.

She further elaborates: "Our success can also be attributed to operating within a strong governance framework which makes us responsive, accountable, efficient and effective. Through the dedication of the Board, management and staff we have positively impacted the lives of vulnerable and marginalised people. We have built high levels of performance and as we celebrate 25 years of democracy in South Africa, I am proud that Legal Aid SA is one of government's success stories".

Legal Services Provision

In the 2018/19 financial year, Legal Aid SA provided legal representation and advice to a total of 724,253 indigent and vulnerable persons. A total of 416,203 new legal aid matters were taken on – 362,213 (87%) of these are criminal matters, and 53,990 (13%) are civil matters. A total of 410,396 legal matters were finalised. Legal aid services continued to be primarily provided through the network of 128 Legal Aid SA Local Offices and Satellite Offices nationwide, which handled 96% of the year's caseload. The mixed model of service delivery implemented also saw Judicare practitioners and Agency Agreements handling 3% of the total matters, and Co-operation Partners handling 1% of the caseload.

Consistent service delivery across the national footprint was provided at reduced levels due to the budget cuts. Legal Aid SA continues to ensure the efficient provision of staff capacity at all courts, aligned to the demand per court room. The organisation has a presence at all criminal courts in South Africa.

The breakdown of legal assistance provided to vulnerable groups in civil matters is: children (18%); women (58%); mental health care users (0.2%); the elderly (15.7%) and in land/eviction matters (11.8%).

Legal Aid SA assisted children in 16,173 matters in 2018/19; 59% of these were criminal matters where children were in conflict with the law, and 41% were civil matters. Children awaiting trial in custody were also monitored, with the aim of concluding these matters as speedily as possible; this intervention saw a noticeable decline in the number of children awaiting trial in custody for a period greater than one month. At the end of March 2019; the end of the 2018/19 financial year, there were 15 such children awaiting trial.

General legal advice is provided at all offices nationwide; as well as through consultations with remand detainees and sentenced detainees and through the toll-free Legal Aid Advice Line. In total, 308,050 persons were assisted; an increase of 1% from the previous financial year. Both

Local Offices and Satellite Offices provided general advice consultations to 228,523 persons; paralegals provided general advice to 31,606 remand detainees and the toll-free Legal Aid Advice Line provided legal advice to 47,921 persons. The Legal Aid Advice Line can be accessed by calling 0800 110 110 or by sending a Please Call Me to 079 835 7179.

Legal Aid SA was involved in 19 impact matters which were finalised with an outcome, with an 89% success rate. Legal Aid SA is able to provide details of these matters for those wanting to report further.

A Legacy of Making the Constitutional Right of Access to Justice a Reality

Legal Aid SA continues striving to improve both the organisation and its work, with the ultimate aim of ensuring that the rights of marginalised and vulnerable people to access justice are championed. Throughout the past 17 years, the organisation's CEO has ensured outstanding strategic leadership, good corporate governance and a solid service delivery track record.

Over the course of Ms Vedalankar's tenure, Legal Aid SA has assisted over six million people to access legal aid in South Africa. The entity is a distinguished leader in the provision of accessible, sustainable, ethical, quality and independent legal services to the poor and vulnerable.

Vedalankar remembers the legacy built over nearly two decades: "Over the years, Legal Aid SA's contributions have been enormous and we have established our own high performance code of practice in pursuit of service excellence and good governance. We are recognised internationally as a best practice model for how legal aid should be delivered and have informed the development of many legal aid systems globally. Our collaboration with the United Nations has cemented access to justice as a universal human right. Legal Aid SA is not only deemed a global leader in the provision of access to justice, but also a leader in governance and sustainability in the public sector".

– Ends –

Issued by the Communications Department of Legal Aid South Africa. For more information, please contact Legal Aid South Africa Communications Executive and National Spokesperson Mr Mfanafuthi Shabangu on 011 877 2056/066 301 6935 or the Media and Marketing Manager Mr Godfrey Matsobe on 011 877 2382/066 481 6792

Visit our website at 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.