

Efforts to transform state legal services boosted

Justice Minister Jeff Radebe is expected to release a framework document on the transformation of state legal services on Monday. The document is part of the department's efforts to advance transformation.



(Image: GCIS)

Through the policy framework the department aims to revolutionise the public legal sector so that it is able to provide legal services of the highest standard that protect and safeguard the interest of the state and advances access to justice for all people.

Radebe announced his intentions to release the document during a media briefing ahead of his department's Budget Vote in Parliament on Thursday.

"The envisaged reforms are aimed at addressing some of the shortcomings in the current system which result in government losing court cases it ought not to have lost, or embark on ill-fated litigation where it ought to have considered other alternative forms of redress to litigation thus resulting in huge costs to the fiscus," the minister explained.

The intended reforms are also aimed at broadening the pool of legal practitioners who are briefed by the state to ensure a fair representation of black and women practitioners, consistent with racial and gender demographics of society.

"The scarcity of black and women practitioners from the pool of practitioners who continue to dominate constitutional and other high profile litigation has a consequential effect on the slow pace of the transformation of the judiciary as the profession is the main feeder to the judiciary," Radebe noted.

Court decisions

Turning to the discussion document on the transformation of the judicial system he released earlier this year, the minister thanked Members of Parliament, academics, opinion makers, scholars, jurists and other commentators who took part in the

dialogue that followed.

"We however have taken note that some commentators have maliciously lamented the Terms of Reference we announced subsequent to the release of the document "for calling for the review of the court decisions". Let me state categorically that we neither sought to nor do we have competence to review court decisions," the minister said.

The assessment was aimed at maximising concerted efforts by branches of the state to rid the country of its ugly past and to "use our evolving jurisprudence as a navigational guide to a society envisaged by the Constitution".

The minister added that he had extended the deadline for submission of inputs on the document to 1 June 2012.

Sex offences targeted

Radebe further noted the "upswing" in incidents of rape and sexual offences recently. He said he would soon convene a multi-disciplinary task team of the cluster departments to conduct an urgent investigation into the re-establishment of Sexual Offences Courts.

"The task team will investigate the steps that ought to be taken to ensure that Sexual Offences Courts benefit all communities across the country and not only selected areas as was the position regarding the 62 Sexual Offences Courts which were piloted during 2007/8 financial year," he said.

The task team is expected to submit its report and recommendations by the end of August.

Detailing the department's budget, the minister said a total budget of R15.4 billion had been allocated for the 2012/13 financial year.

Of this, R5.2 billion has been earmarked for the Court Services Programme; R2.8 billion for the National Prosecuting Authority and R1.8 billion for public entities and Chapter 9 Institutions.

"Growth in 2012/13 is driven by increased provisions for appointments of judges and magistrates, the carry through cost of salary increases, planned IT upgrades and funding for the building of two high courts and other court infrastructure," he said.

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