

Public Interest Law Gathering

The panel is convened by the Women's Legal Centre and you can follow this discussion on #PILG2017 and #WLCCapeTown

Please visit www.publicinterestlawgathering.com/pilg-2017-registration to register for this event.

Date
Tuesday 25 July 2017

Time:
11:30 – 13:00

Venue:
School of Public Health, University of the Western Cape

PROMOTION OF ACCESS TO JUSTICE THROUGH PRO BONO AND/OR COMMUNITY SERVICE

Discussion on the implications of the community service provision of the Legal Practice Act 28 of 2014

Discussion

The concept of “community service” to be conducted by legal practitioners and candidate legal practitioners was introduced by the Legal Practice Act. The Act is set to transform the legal system in South Africa, potentially making access to justice easier for many South Africans who cannot afford legal services.

In terms of Section 29 of this Act, the Minister must prescribe the requirements for community legal service for the legal profession. Community service for the purposes of this section may include, but is not limited, to the following:

- Service in the State, approved by the Minister, in consultation with the Council;
- Service at the South African Human Rights Commission;
- Service, without any remuneration, as a judicial officer in the case of legal practitioners, including as a commissioner in the small claims courts;
- The provision of legal education and training on behalf of the Council, or on behalf of an academic institution or non-governmental organisation; or
- Any other service which the candidate legal practitioner or the legal practitioner may want to perform, with the approval of the Minister.

The panellists will give an overview of the community service provision and the current regulatory framework governing pro bono and community service by the various law societies. They will discuss the implications of the community service provisions for the legal profession and law faculties and whether they go far enough to ensure access to justice. Further, they will discuss the modalities for the provision of community services by the legal profession and the development of mechanism to give effect to the community service provision in the Legal Practice Act. The panel will further explore the role of students, law faculties and paralegal advice offices in the provision of community service.

Facilitator: Seehaam Samaai – Director of the Women's Legal Centre

Seehaam Samaai holds an LLM degree in constitutional litigation and joined the Women's Legal Centre from the Foundation for Human Rights where she provided programmatic support in the Strengthening of Civil Society Programme. Previously she was the Director of Legal Administration at the Western Cape Regional Office of the Department of Justice and Constitutional Development (DoJ&CD) and prior to that she was a practicing attorney and Director of the UWC Legal Aid Clinic. Seehaam serves on various national, provincial and community structures providing either strategic leadership, legal, programmatic or organisational support including for the National Association of Democratic Lawyers (NADEL), the South African Women Lawyers Association (SAWLA), the Association of University Legal Aid Institutions (AULAI), Lawyers for Human Rights and the Rural Legal Trust.

Panellists

- **Ilan Lax** - is from ProBono.Org and is an attorney of the High Court of South Africa, admitted to practice in 1985. He is involved on the boards of a wide range of NGOs and Community-based Organisations.
- **South African University Law Clinics (SAULCA)** representative.
- **Professor Penny Andrews** - Is a South African and American legal scholar. She is the incoming Dean of the faculty of law at the University of Cape Town.
- **Tshenolo Masha** – Is a paralegal at ProBono.Org
- **Nikhiel Deeplal** - Student Respondent

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