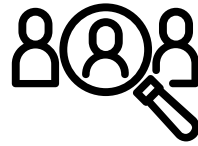




Independent and within reach.

INTEGRATED ANNUAL REPORT **2020-2021**

REALISING CONSTITUTIONAL
RIGHTS TO ENSURE A JUST
SOCIETY FOR ALL



VISION

A dynamic South Africa in which constitutional rights are realised to ensure a just society for all



MISSION

To remain a leader in the provision of equal access to justice to indigent and vulnerable persons by rendering quality legal services



VALUES

- Passion for Justice
- Ubuntu
- Integrity
- Accountability
- Service Excellence
- People and Planet Focused

SUSTAINABLE DEVELOPMENT GOAL 16

TARGET 16.3

Promote the rule of law at the national and international levels, and ensure equal access to justice for all

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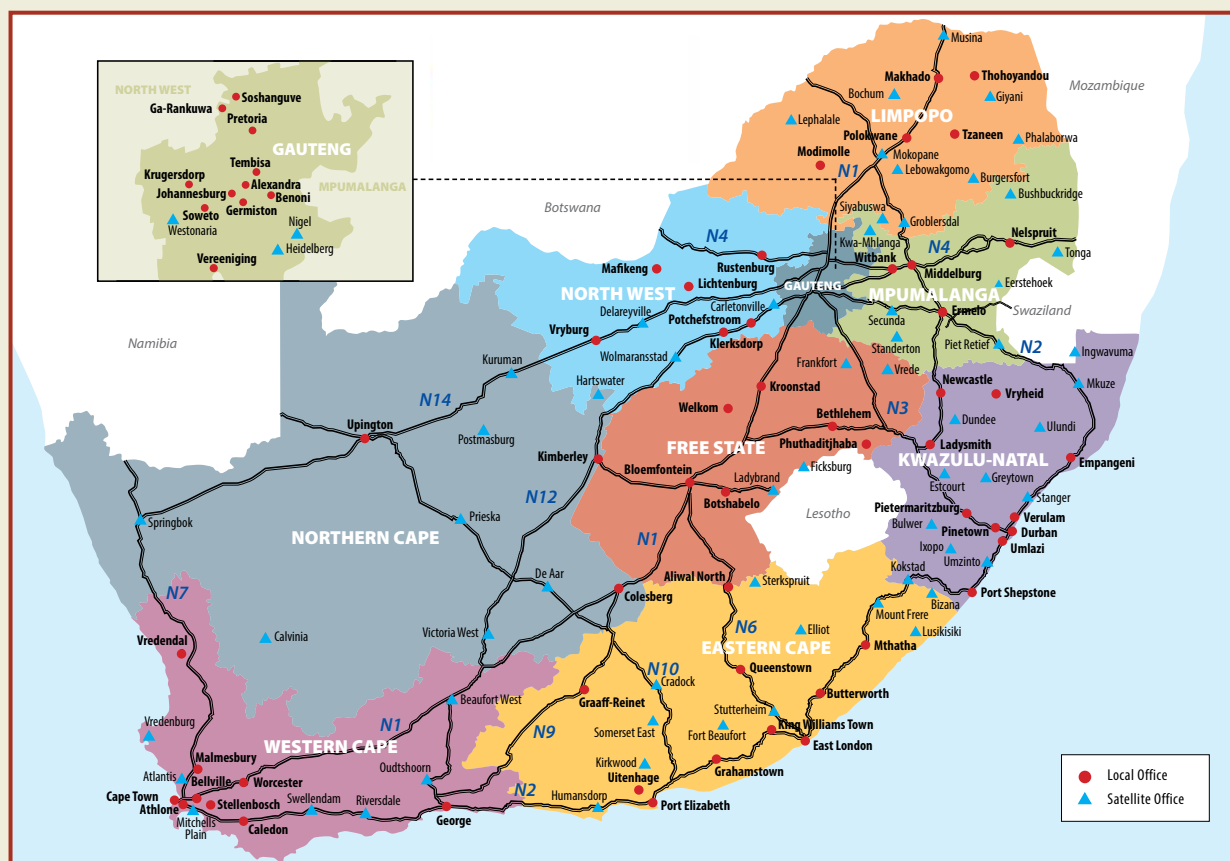
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THE YEAR AT A GLANCE

NATIONAL FOOTPRINT

LEGAL AID SA NATIONAL FOOTPRINT



LEGAL AID SA INFRASTRUCTURE



Local Offices

64

Satellite Offices

64

Provincial Offices

6

National Office

1

RECRUITED STAFF: 2,426



1,487

CRIMINAL LEGAL



555

SUPPORT



214

CIVIL LEGAL



170

PARALEGALS

LEGAL SERVICES DELIVERY



NEW LEGAL
AID MATTERS

297,206

Local Offices
287,294

Judicare
7,108

Co-operation Partners
2,105

Agency Agreements
689

Strategic Litigation
10



CRIMINAL/CIVIL
NEW MATTERS

297,206

Criminal
269,388

Civil
27,818



FINALISED LEGAL
AID MATTERS

331,893

Local Offices
321,714

Judicare
6,989

Co-operation Partners
2,585

Agency Agreements
592

Strategic Litigation
13



LEGAL ADVICE
MATTERS

75,624

Local Offices and
Satellite Offices
50,259

Legal Aid Advice Line
23,062

Remand Detainees
2,303

PEOPLE DEVELOPMENT AND FINANCE



2,799

Total Staff (Budgeted)

R2,077,873,157

Total Budget



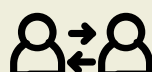
2,426

Total Staff Recruited



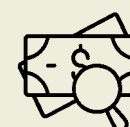
92.2%

Expenditure



5.34%

Turnover Rate
(excluding Contract Staff)



20th
Unqualified Audit Opinion

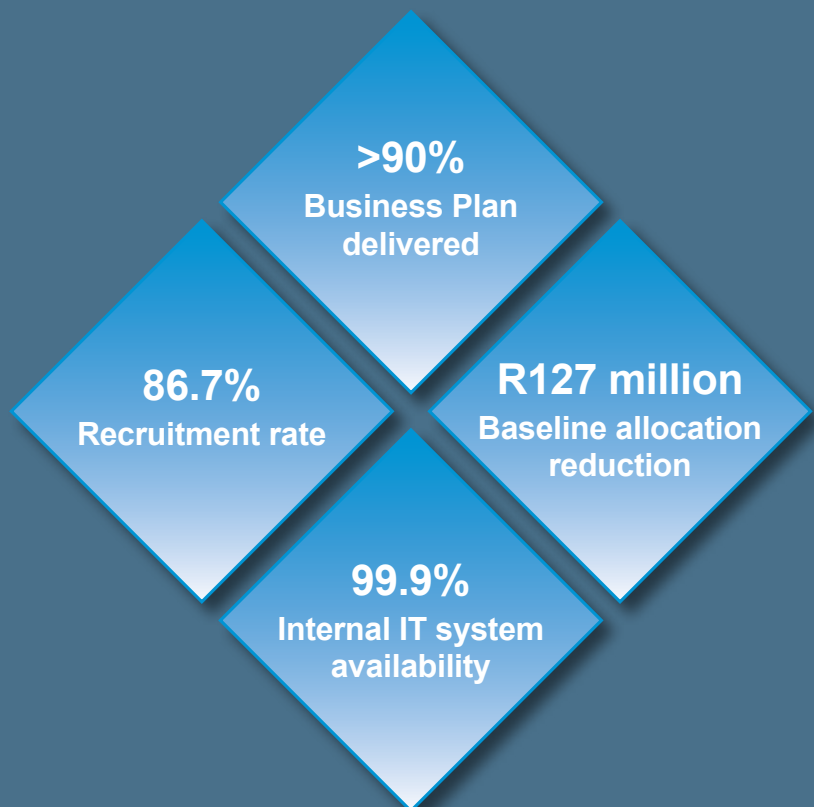
PART A

GENERAL INFORMATION



372,830

**INDIGENT AND
VULNERABLE PEOPLE
PROVIDED WITH LEGAL
REPRESENTATION
AND LEGAL ADVICE**



GENERAL INFORMATION

1. LEGAL AID SOUTH AFRICA GENERAL INFORMATION

REGISTERED NAME:	Legal Aid South Africa
PHYSICAL ADDRESS:	Legal Aid House 29 De Beer Street Braamfontein Johannesburg 2017 South Africa
POSTAL ADDRESS:	Private Bag X76 Braamfontein 2017
TELEPHONE NUMBER:	+27 11 877 2000
FAX NUMBER:	+27 11 877 2222
EMAIL ADDRESS:	communications2@legal-aid.co.za
WEBSITE ADDRESS:	www.legal-aid.co.za
EXTERNAL AUDITORS:	Auditor-General South Africa 300 Middel Street Nieuw Muckleneuk Pretoria 0011
BANKERS:	First National Bank 92-94 Jorissen Street Braamfontein 2017
BOARD SECRETARY:	Mr Langa Lethiba

A company called Abandoned Solutions, which was ostensibly in the business of buying and selling abandoned vehicles, had been illegally acquiring and selling motor vehicles, to the prejudice of the owners. Our Krugersdorp Local Office represented a client who had left his motor vehicle with a panel beater for repairs. When he went to retrieve the still unrepaired vehicle, he found that it had been sold to this company. Various proceedings were pursued to recover the vehicle as it was continuously moved from one jurisdiction to another. We also found out that in the process, Abandoned Solutions had gone into voluntary liquidation. We managed to obtain an interim order for the return of the motor vehicle. This order has been made final.

GENERAL INFORMATION

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GENERAL INFORMATION

Table 1: List of Abbreviations/Acronyms

This is an alphabetical list of abbreviations and acronyms used. Whilst many are generic in nature, some are used specifically at Legal Aid South Africa.

ACAOSA	Association of Community Advice Offices of South Africa
AFS	Annual Financial Statements
A-G/AGSA	Auditor-General South Africa
APN	Access Point Network
APP	Annual Performance Plan
ATP	Annual Training Plan
ATR	Annual Training Report
BEE/B-BBEE	Black Economic Empowerment/Broad-based Black Economic Empowerment
BLA	Black Lawyers' Association
BS	Board Secretary
CA(s)	Candidate Attorney(s)
CARP	Capital Asset Replacement Programme
CAT	Children Awaiting Trial
CBO	Community-based Organisation
CC	Constitutional Court
CCMA	Commission for Conciliation, Mediation and Arbitration
CCMC	Constitutional Case Management Committee
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CGE	Commission of Gender Equality
CJS	Criminal Justice System
CLE	Chief Legal Executive
COLI	Cost of Living Increase
COO	Chief Operations Officer
Co-op	Co-operation Partner
COVID-19	Coronavirus disease
CPD	Corporation for Public Deposits
CRL Rights Commission	Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
CRO	Chief Risk Officer
CSA	Control Self-assessment
CSD	Central Supplier Database
DC	District Court
DISD	Disability and Skills Development
DMA	Disaster Management Act
DoJ & CD	Department of Justice and Constitutional Development
DPME	Department of Planning, Monitoring and Evaluation
EA	Executive Authority
EE	Employment Equity
eLAA	electronic Legal Aid Administration System
EVP	Employment Value Proposition
FBO	Faith-based Organisation
FP&M SETA	Fibre Processing & Manufacturing Sector Education and Training Authority
FY	Financial Year

GENERAL INFORMATION

Table 1: List of Abbreviations/Acronyms (continued)

GCIS	Government Communication and Information System
GEPF	Government Employees Pension Fund
GRAP	Generally Recognised Accounting Practice
HC	High Court
HCU	High Court Unit
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HoO	Head of Office
HR	Human Resources
HRE	Human Resources Executive
IA	Internal Audit
ICT	Information and Communications Technology
IESBA	International Ethics Standards Board for Accountants
IJS	Integrated Justice System
IS	Information Systems
ISAs	International Standards on Auditing
ISCCJ	Intersectoral Committee for Child Justice
ISSC	Information Systems Steering Committee
IT	Information Technology
ITIL	Information Technology Infrastructure Library
JICS	Judicial Inspectorate of Correctional Services
JSE	Johannesburg Stock Exchange
KPI	Key Performance Indicator
LED	Light Emitting Diode
Legal Aid SA	Legal Aid South Africa
LGBTIQ+	Lesbian, Gay, Bisexual, Transgender, Intersex or Questioning
Local Office/LO	Legal Aid SA Local Office
LP/s	Legal Practitioner/s
LPC	Legal Practice Council
LQAU	Legal Quality Assurance Unit
LSM	Living Standards Measure
LSTC	Legal Services Technical Committee
LTA	Leave To Appeal
Mbps	Megabits per second
MIS	Management Information System
MJC	Muslim Judicial Council
MoJ	Minister of Justice and Correctional Services
MOU	Memorandum of Understanding
MTEF	Medium Term Expenditure Framework
NADCAO	National Alliance for the Development of Community Advice Offices
Nadel	National Association of Democratic Lawyers
NEEC	National Efficiency Enhancement Committee
NGO	Non-governmental Organisation
NO	National Office
NOE	National Operations Executive
NPC	Non-profit Company
NT	National Treasury

GENERAL INFORMATION

Table 1: List of Abbreviations/Acronyms (continued)

OSD	Occupational Specific Dispensation
PAA	Public Audit Act
PAIA	Promotion to Access to Information Act
PE	Provincial Executive
PEEC	Provincial Efficiency Enhancement Committee
PFMA	Public Finance Management Act
PPFA	Preferential Procurement Policy Framework Act
PPU	Payment Processing Unit
PWD	People with disabilities
RC	Regional Court
RCSA	Risk Control Self Assessments
RDs	Remand Detainees
SA	South Africa
SAHRC	South African Human Rights Commission
SALAWU	South African Lawyers and Allied Workers Union
SALRC	South African Law Reform Commission
SANAC	South African National AIDS Council
SAPS	South African Police Service
SAPTU	South African Parastatal and Tertiary Institutions Union
SARS	South African Revenue Service
SARS-CoV-2	Severe Acute Respiratory Syndrome Coronavirus 2
SASLAW	South African Society for Labour Law
SASSETA	Safety and Security Sector Education and Training Authority
Satellite Office/SO	Legal Aid SA Satellite Office
SAWLA	South African Women Lawyers Association
SCA	Supreme Court of Appeal
SCM	Supply Chain Management
SDG/s	Sustainable Development Goals
SLU	Strategic Litigation Unit
SMMEs	Small, Medium and Micro Enterprises
SOP	Standard Operating Procedure
SP	Strategic Plan
Tb	Terabyte
UN	United Nations
UPS	Uninterrupted Power Supply
VAT	Value-Added Tax
VPN	Virtual Private Network
WAN	Wide Area Network
WLC	Women's Legal Centre
WSP	Workplace Skills Plan
YTD	Year to Date
4IR	Fourth Industrial Revolution

GENERAL INFORMATION

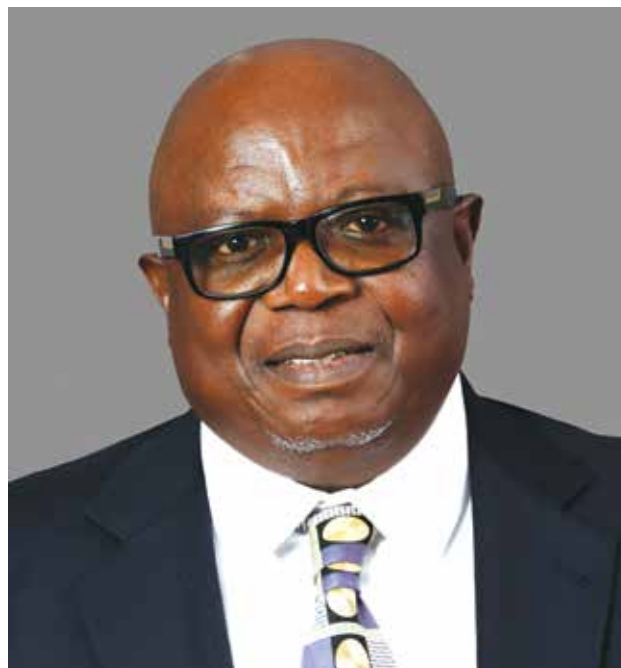
3. FOREWORD BY THE CHAIRPERSON

When I wrote the foreword in the 2019-2020 Legal Aid South Africa Integrated Annual Report, the world was just beginning to come to terms with the COVID-19 pandemic. A year later, we are still in a similar position, fighting a virus that continues to confound us. The COVID-19 pandemic has had a profound impact on each of us, and certainly on all aspects of life as we know it. Reflecting on the 2020-2021 financial year is somewhat difficult, as there is much to mourn.

Legal Aid SA has come through a challenging year. The National State of Disaster that South Africa has been in since March 2020 limited movement and significantly impacted on our ability to serve the public and provide access to justice. The 2020-2021 financial year was the first year of implementation of the Strategic Plan 2020-2025, which guides the organisation towards an overall strategic shift of ensuring equal access to justice for all to build a just society. While the National State of Disaster has placed significant hurdles in the way of this goal, Legal Aid SA has confidently embraced technology and innovation and remains firm in our commitment to service excellence and passion for justice.

The 2020-2021 financial year has certainly reminded us of the great societal need for independent, accessible and quality legal aid services. The National State of Disaster has caused a multitude of side effects, many of which trample on the rights enshrined in our Constitution. News of unfair labour practises and illegal evictions dominated the early days of the Alert Level 5 Lockdown in March 2020, and Legal Aid SA legal practitioners found themselves called to court daily to protect the rights of the vulnerable. COVID-19 has caused a human rights crisis. Our organisation is one of the key players that upholds Ubuntu and places the Constitution first, whatever the circumstances. Our focus on fulfilling our mandate to the best of our ability saw **372,830** indigent and vulnerable people assisted with legal representation and legal advice during the financial year, down from **668,293** in the 2019-2020 financial year.

I was invited to speak on the impact of COVID-19 on access to justice at the 4th International Conference on Access to Legal Aid in Criminal Justice Systems in September 2020. My paper, entitled 'Ensuring Adequate Provision of Access to Justice to Poor and Vulnerable Groups during Business Unusual caused by COVID-19', assessed the South African legal and economic landscape, and considered the responses of the Executive, Judiciary and Legal Aid SA in grappling with the so-called 'new normal' that the COVID-19 pandemic has brought about.



Our local, regional and international stakeholder engagement was essential in the 2020-2021 financial year. Legal Aid SA continued working with other legal aid entities, as well as the United Nations Office on Drugs and Crime and the United Nations Development Programme. The entity's commitment to realising the United Nations' Sustainable Development Goal (SDG) 16, Target 16.3 in promoting the rule of law at the national and international levels and ensuring access to justice for all saw sustained engagement with justice partners in order to assess how best to serve the public during this time of limited resources. Exciting technological developments have come about that enable the wheels of justice to keep turning – there is no better time than now for stakeholder co-operation and information sharing, in order to best serve marginalised and indigent communities.

In early March 2021, the Ministers of Justice and Correctional Services, and Agriculture, Land Reform and Rural Development announced that Legal Aid SA will manage the Land Rights Management Facility, and provide legal representation, advice and mediation services in land disputes for those who cannot afford legal representation. The transfer of the Facility, along with the required finance and capacity, is currently underway. The Board awaits the passing of the Land Court Bill into law, at which point Legal Aid SA will begin to offer land justice services.

This extension of our organisational mandate has been in discussion for some years now. The Board is pleased with the confidence the Ministries of Justice and Correctional Services, and Agriculture, Land Reform and Rural Development have in Legal Aid SA.

GENERAL INFORMATION

Our consistent high performance has been central to this decision. This development will place our organisation at the centre of land justice efforts in South Africa.

The 2020-2021 financial year saw Legal Aid SA's baseline allocation reduced by **R127 million**. Mitigating measures were put in place to ensure effective cost management, including recruiting only those positions deemed critical. While the entity achieved its targets within these budget constraints, this is not sustainable in the long-term. Further baseline reductions that are planned for the Medium Term Expenditure Framework period will have a significant impact on our ability to meet our constitutional mandate. The Board has made a representation to the Minister of Finance to review the budget reduction.

Legal Aid SA is appreciative of the sustained support received from the Minister of Justice and Correctional Services, Mr Ronald Lamola, as well as the Deputy Minister of Justice and Constitutional Development, Mr John Jeffery, during this particularly challenging year.

The Board extends its appreciation to Legal Aid SA's Chief Executive Officer, Ms Mantiti Kola, and the Executive Management team – your efforts to protect the organisation's staff while still delivering on our mandate during a global

pandemic are gratefully acknowledged. This has been a most difficult year, and we have lost some of our colleagues to COVID-19. They will not be forgotten.

The staff of Legal Aid SA have demonstrated remarkable faith in our calling to make access to justice a reality by rendering quality legal services. The Board thanks you for continuing to live the organisational values in a time of great uncertainty. Indigent and vulnerable persons know that they can turn to us for independent, accessible and quality legal aid services.

Finally, I thank the Board of Legal Aid SA. Your insight and commitment to the work of the organisation has been a great comfort during this challenging year. We stand firm in serving the public and making the rights enshrined in the Constitution a reality for all.



Judge Motsamai Makume
Chairperson of the Board
Legal Aid SA
31 July 2021

The advertising line “chencia daai ding” (change that thing) comes to mind when one thinks of the case of a client of the Legal Aid SA Rustenburg Local Office. He was charged with the killing of one of his gambling mates at a tavern. He had unsuccessfully tried to apply for bail through a private practitioner. The factors that militated against him getting bail were that he was out on parole at the time of the incident and had breached his parole conditions on several fronts. He had been consuming alcohol and gambling. This was outside the time allowed by his parole conditions, and also past the COVID-19 curfew. He also lied under oath by not disclosing his previous convictions. The client then instructed our Rustenburg Local Office to apply for bail on new facts. The new facts presented by the practitioner were that the client did not contravene his parole conditions as the Parole Board held an enquiry after his bail was denied and did not revoke his parole. The community was not protesting his release on bail. Our client could provide an alternative address away from the affected community. He was also not a flight risk as he had had random inspections from parole officers. The presiding officer ruled in favour of our client and bail was granted in the amount of R500.

GENERAL INFORMATION

4. CHIEF EXECUTIVE OFFICER'S OVERVIEW

The financial year under review has been a challenging year, a time of upheaval and uncertainty which resulted in challenges for the world, the country and for Legal Aid South Africa. Every individual has been affected in a variety of ways by the COVID-19 pandemic. Despite these trying circumstances, the organisation remained focused on the execution of its mandate, and the vision and mission emanating from our constitutional and legislative mandate. The commitment of Legal Aid SA Citizens to ensuring that access to justice was provided to indigent and vulnerable persons despite the challenges posed by the various lockdown restrictions is commendable. On behalf of the Legal Aid SA family, I pay special tribute to our colleagues who we have lost to COVID-19. We applaud them for the contributions they made to the work of our organisation and the lives they impacted.

The entity was capably led by the COVID-19 Steering Committee, consisting of representatives from Management and the two recognised trade unions. The Committee ensured that we maintained business continuity and that the safety and wellbeing of our staff and clients remained paramount. A total of **333** Legal Aid SA employees were infected with COVID-19, **66%** of whom are legal staff, and **62** offices were closed temporarily for decontamination. Unfortunately, **eight** of our employees succumbed to complications resulting from contracting COVID-19. In response to the COVID-19 pandemic, Legal Aid SA had to adapt its business model and work within the various Regulations, Directions and Directives issued by government as the country moved through the various Risk Adjusted Alert Levels. The challenges of the COVID-19 pandemic presented us with an opportunity to review our operating model with the aim to continue providing quality legal services to indigent and vulnerable persons.

Performance against the Legal Aid SA Annual Performance Plan 2020-2021 must therefore be reviewed in perspective, bearing in mind that the entity had to adapt its operating model and work within the various COVID-19 Risk Adjusted Alert Levels. In this first year of the Legal Aid SA Strategic Plan 2020-2025, we have delivered on over **90%** of the approved Business Plan for 2020-2021, as reported in Part B: Performance Information of this Integrated Annual Report. Variations have been reported on, and, as can be seen, COVID-19 has had an adverse effect on service delivery. As we report on the numbers of people to whom legal services have been provided, the impact of COVID-19 and the resultant lockdown measures implemented become apparent. The impact on legal service delivery is evident, with court coverage, intake of new matters and finalisation of matters lower than initially planned.



Using our mixed model service delivery system, which sees legal aid services delivered by Legal Aid SA Local Offices and Satellite Offices, Judicare and Co-operation Partnerships and Agency Agreement Partners, legal representation and legal advice were provided to a total of **372,830** people during the 2020-2021 financial year, a **44%** decrease when compared to the previous financial year. This figure is comprised of a total of **269,388 (91%)** new criminal matters, and **27,818 (9%)** new civil matters. This is **23%** less criminal matters and **46%** less civil matters when compared with the previous financial year. General legal advice was provided to **75,624** people, **72%** less than in the 2019-2020 financial year. We finalised **331,893** matters, **11%** less than was finalised in the previous reporting period. Of these, **296,391 (89%)** were criminal matters and **35,502 (11%)** were civil matters.

All criminal courts as well as specialised criminal courts including specialised Child Justice Courts, Sexual Offences Courts and Commercial Crimes Courts were covered. The coverage of District Courts and Regional Courts, using the 'practitioner per court' model was at **85%** and **94%** respectively at year end and met the targets. High Court coverage used a central court roll model and representation was provided in all matters where legal aid was required. Whilst we continued to track and monitor Remand Detainees, legal practitioners were unable to consult with clients in custody at correctional centres or secure their attendance at court to deal with bail issues. Our legal services were provided by **1,871** legal staff, including paralegals. Legal staff constituted **77%** of staff recruited.

GENERAL INFORMATION

As can be seen by the decrease in civil matters when compared to the previous financial year, the pandemic had an adverse impact on our ability to assist the indigent and vulnerable in civil matters, particularly when our offices were closed and we were unable to accommodate walk-in clients. When compared with the proportion of criminal matters, civil matters have decreased by **4%**, from **13%** during the 2019-2020 financial year to **9%** in 2020-2021. In the year under review, **89%** of new civil matters were handled by internal legal practitioners employed by Legal Aid SA; **4%** by Judicare practitioners, who are external practitioners briefed by the organisation, and **7%** through Co-operation Partners.

There was a substantial decrease in the number of legal advice matters; **71.6%** when compared to the previous financial year. This is attributed to the pandemic, as under Alert Level 5, no general advice services were available and for Levels 4 and 3 general advice was available for permitted matters. Further, the Legal Aid Advice line operated on a **50%** staff capacity as we implemented a rotational work roster. A total of **75,624** people were provided with legal advice; **50,259** people were assisted at local and satellite offices, **23,062** through the toll-free Legal Aid Advice Line and **2,303** at correctional facilities.

Strategic litigation services address social justice matters, with a far-reaching impact and often setting legal precedents, as they focus on human rights and access to justice. Of the **32** matters assessed, **10** matters were approved within the revised annual budget. **Thirteen** matters were finalised during the financial year. **Eleven** of these matters were finalised with a positive outcome, one was finalised without an outcome and one matter was finalised with a negative outcome, resulting in the achievement of a **91%** success rate.

Throughout this Integrated Annual Report, we have highlighted some of the criminal, civil and strategic litigation cases dealt with during the financial year. These illustrate the dedication of our legal practitioners to advance access to justice and champion human rights.

The commitment to providing quality legal services is one which the organisation takes seriously, given that the outcome of cases impacts on the lives of the clients that we serve. To this end, an extensive quality monitoring and intervention programme is in place. This includes training programmes; legal research and support programmes; mentorship and supervision; access to electronic libraries, and assessments conducted by the Legal Quality Assurance Unit (LQAU). File audits conducted by the LQAU indicate that all categories of legal practitioners achieved the quality targets for their file audit scores, in both criminal and civil matters. The limited functionality of the courts during the COVID-19 pandemic meant that court observation assessments could not be conducted.

Client feedback remains a fundamental measure of our success as an organisation and we therefore take this issue in the serious light that it warrants. We have a Client Relationship Management Strategy and Client Services Charter in place. The monitoring of client satisfaction is done through surveys and compliments and complaints received through the Legal Aid Advice Line. Additionally, the Legal Aid SA website and social media platforms are other channels through which complaints are dealt with. During the 2020-2021 financial year, client satisfaction surveys were not conducted as the Advice Line did not operate at full capacity.

Client complaints and any poor service are a reputational risk and negative publicity overshadows the work done to uphold human rights and provide access to justice. An eNCA *Checkpoint* episode aired in January 2021 highlighted **four** client complaints in civil matters at **five** of our offices, where clients' complaints about delays and the management of their legal aid matters was reported. Management investigated these complaints and accounted to the Board and the Portfolio Committee on Justice and Correctional Services in this regard, resulting in targeted interventions and mitigating measures put in place to address gaps in service delivery, to ensure that quality legal services are delivered.

Legal Aid SA remains accountable in our management of public funds/resources in the achievement of our mandate or to benefit indigent and vulnerable persons. Our Annual Financial Statements are compliant with relevant standards and regulations. The detailed Report of the Auditor-General can be found in Part F of this Integrated Annual Report.

In the 2020-2021 financial year, the target budget expenditure was **98%**. We spent and committed **92.2%** of our budget, a total of **R1,91 billion**. This can be attributed to factors such as less travel expenses as there were restrictions due to the COVID-19 Lockdown, as well as management of the staff establishment. With the prevailing poor economic outlook, the organisation is very careful to not overspend our budget. We also experienced **two** budget cuts in the year under review, totalling **R127 million**. Further reductions to the baseline allocation are planned for the Medium Term Expenditure Framework (MTEF) period – this will have a debilitating impact on Legal Aid SA's ability to execute its mandate. The economic uncertainties facing the country will increase the demand for legal aid services, and limited funding will prevent us from meeting this need, as our compensation to employees will be reduced over the 2021-2022/2023-2024 period.

GENERAL INFORMATION

The rollover of funds from the 2020-2021 to the 2021-2022 financial year was approved by the Board. This included funds for strategic litigation matters that were not concluded and where judgments are awaited, computer software and the further development of the electronic Legal Aid Administration System (eLAA), building improvements and leasehold improvements and motor vehicles. Payments to creditors and Judicare payments within 30 days were recorded at **97.7%** and **81.4%** respectively. While the target here is **100%**, there were some eLAA and accessibility challenges during the financial year that delayed payments, due to the shift in working arrangements caused by the National Lockdown and the accompanying infrastructure challenges. Management is monitoring these challenges closely, and troubleshooting as necessary.

Supply Chain Management policies and procedures were reviewed and compliance with these was audited through the Internal Audit Coverage Plan. Irregular expenditure amounting to **R1,7 million** was incurred for conducting business with non-tax compliant service providers for office accommodation, failure to renew contracts before they expired and other non-compliance with applicable National Treasury instruction notes. Measures have been taken to resolve the issues that relate to irregular expenditure, and has led to the **33%** reduction in irregular expenditure when compared to previous years.

Legal Aid SA does not accept any unsolicited bids, and there were none received for 2020-2021. For detailed information on our financial performance please refer to Part F of this Integrated Annual Report.

The Board approved the Enterprise Risk Management Strategy and Risk Management Implementation Plan and reviewed the Quarterly Risk Watch Reports and Combined Risk Registers. A Combined Assurance Framework is in place to allow for the four lines of assurance to report, thereby providing a coordinated approach in reviewing assurance on whether key risks are being managed appropriately. The Internal Audit Function assessed risk management processes as effective, and the Internal Audit Department provided assurance to the Board and Management on the adequacy and effectiveness of controls, including financial controls. The Internal Audit Department achieved the target of **≥95%** completion of the annual Audit Coverage Plan, with **124** of the **130** planned audit projects completed, as well as an additional **six** projects. The achievements of the Internal Audit Function can be found in Part C: Governance of this Integrated Annual Report.

Legal Aid SA generally complies with legislation and regulations that govern the organisation. An Internal Control Officer was appointed during the financial year, to strengthen the internal control processes.

In so far as Legal Aid SA's regulatory framework is concerned, the Legal Aid SA Act was reviewed and some amendments have yet to be considered. Proposed amendments to the Legal Aid Regulations were submitted by the Board to the Executive Authority. These have been tabled before Parliament and the Select Committee has been briefed on the proposed amendments. The Legal Aid Manual, version 5, came into operation in the third quarter of the financial year. We have ensured that the regulatory framework incorporates best practises and is responsive to changes in the environment.

The dedication of Legal Aid SA's Citizens contributed immensely to the organisation's resilience during the pandemic. We remain an employer of choice for legal graduates and legal professionals with a passion for justice to serve communities, and were named a Top Employer South Africa for the **12th** consecutive year. The entity's recruitment rate at financial year end was **86.7%**, which is **8.3%** below the target. Due to budget constraints, Legal Aid SA focused on recruiting positions identified as critical to ensure that there is no overspending on the budget. The total number of staff recruited is **2,426**. The total legal staff complement was **1,871**, including paralegals, which accounts for **77%** of the total staff recruited. We maintained a low staff turnover rate of **5.3%** within the target of less than **10%**. In order to maintain a competitive Employment Value Proposition (EVP) within budget constraints, the EVP was reconsidered and some aspects were improved in terms of financial rewards, professional fulfilment and work-life balance in a bid to attract and retain our knowledge-based workforce. Training programmes, which were done face-to-face in the past, were adapted to virtual training platforms, allowing us to reach the target for staff training for legal staff and non-legal staff. We continue to implement our Employment Equity Plan 2020-2025 and focus on recruitment where there are gaps in representation.

Engagement with our staff is important and to obtain feedback and strengthen the organisational culture an independent Omnibus Survey was conducted. It is pleasing to report that the results confirmed a positive organisational climate. More information on Human Resources Management is provided in Part E of this Integrated Annual Report.

The COVID-19 pandemic and the resultant changes in the way we work has placed emphasis on the importance of a responsive and adaptive IT environment. In line with our strategic goal of embracing emerging technologies, numerous interventions were deployed across our national footprint to enable seamless IT systems availability and business continuity during the pandemic, and beyond. The number of users with remote access increased from **910** in March 2020 to **1,742** in March 2021, which constitutes **71.8%** of the workforce as at the end of the year under review.

GENERAL INFORMATION

Users are now allowed to access the Legal Aid SA network with their personal computers and security measures were enhanced to mitigate the vulnerabilities. Internet lines and data bundles were increased to ensure sufficient capacity for remote users. The IT platform remained stable and was maintained during the financial year, with a system availability of **99.9%**. The Board fulfilled its oversight duties with regard to IT governance and approved the IT Strategic Plan, Cybersecurity Strategy, IT investments, performance and maturity during Board meetings.

The use of social media platforms and the Legal Aid SA website became a vital tool in informing and empowering clients during the pandemic, particularly when access to our offices and the Advice Line were restricted. We were able to communicate with clients regarding our operations and provided much needed information to clients and members of the public during this time of uncertainty.

Legal Aid SA is committed to a stakeholder-based approach, which is also a part of our sustainability approach and links to the Social and Ethics Programme which is monitored by the Board. Collaboration with stakeholders was also curbed during the pandemic, affecting the meetings of the National and Provincial Efficiency Enhancement Committees and other stakeholder interactions. Part D of this Integrated Annual Report details the engagement with stakeholders in the financial year under review. In line with the United Nations' Principles and Guidelines and SDG 16, Legal Aid SA provides information to Statistics SA on SDG 16, in particular Target 16.3, and is part of the team that compiled the last country report.

The organisation has retained its status as a high performing public entity, with the Portfolio Committee on Justice and Correctional Services recognising the tremendous human rights contribution of our work and acknowledging our sustained calibre of performance, in spite of budget constraints and the challenges of COVID-19. **Four** briefing sessions with the Portfolio Committee took place in the year under review.

The Board of Legal Aid SA continued to provide effective and strategic leadership and oversight of delivery on performance during the year under review. It was not fully constituted as at the end of the financial year, due to the resignation of a member in November 2020. More information is detailed in Part C of this Integrated Annual Report.

The review of our Strategic Plan 2020-2025 for 2021-2022 was approved by the Board during the 2020-2021 financial year. In preparing this review, we had to factor in the budget cut over the 2021-2022/2023-2024 MTEF period as well as the Legal Aid SA response strategy to the COVID-19 pandemic.

Given the financial challenges and the fact that economic recovery will take some time, the organisation will execute our mandate under severe financial pressure and must continue to manage the allocated budget prudently. Going forward, Legal Aid SA will continue the implementation of its Strategic Plan 2020-2025. This will be negatively impacted by the budget baseline reductions (over the 2021-2022/2023-2024 MTEF period). The implementation of this baseline reduction will negatively impact on Legal Aid SA's ability to meet its constitutional mandate as the organisation has budgeted for a lower recruitment rate whilst implementing a Staff Rationalisation Programme, which will result in a reduction in the coverage of courts and delivery of legal aid services to indigent and vulnerable persons.

To assist the indigent to receive land justice, the transfer of the Land Rights Management Facility to the entity is underway, alongside planning for the provision of land justice services. This will enable the provision of legal representation, advice and mediation services in land disputes for those who cannot afford legal representation.

I extend my deepest gratitude to each Legal Aid SA Citizen for the commitment shown to the Legal Aid SA mission during this challenging year. You are commended for your passion for justice and commitment to human rights which is evident in the many achievements of the organisation.

Thank you to the Chairperson of the Board, Judge Motsamai Makume, the Board of Directors, the Minister of Justice and Correctional Services, Deputy Minister of Justice and Constitutional Development and our stakeholders. Let us continue working collectively to achieve the ideal of access to justice which enables us to make a difference so that marginalised people and communities can enforce their rights.



Ms Mantiti Kola
Chief Executive Officer
Legal Aid SA
31 July 2021

GENERAL INFORMATION

5. STATEMENT OF RESPONSIBILITY AND CONFIRMATION OF THE ACCURACY OF THE ANNUAL REPORT

To the best of my knowledge and belief, I confirm the following:

All information and amounts disclosed in the Integrated Annual Report is consistent with the Annual Financial Statements audited by the Auditor-General.

The Integrated Annual Report is complete, accurate and is free from any omissions.

The Integrated Annual Report has been prepared in accordance with the Guidelines on the annual report as issued by National Treasury.

The Annual Financial Statements (Part F) have been prepared in accordance with the Generally Recognised Accounting Practice (SA Standards of GRAP) standards applicable to the public entity.

The Accounting Authority is responsible for the preparation of the Annual Financial Statements and for the judgments made in this information.

The Accounting Authority is responsible for establishing and implementing a system of internal control designed to provide reasonable assurance as to the integrity and reliability of the performance information, the human resources information and the Annual Financial Statements.

The external auditors are engaged to express an independent opinion on the Annual Financial Statements.

In our opinion, the Integrated Annual Report fairly reflects the operations, the performance information, the human resources information and the financial affairs of the public entity for the financial year ended 31 March 2021.

Yours faithfully



Ms Mantiti Kola
Chief Executive Officer
31 July 2021



Judge Motsamai Makume
Chairperson of the Board
31 July 2021

Our Bethlehem Local Office represented a child who was 13 years old when he stabbed his friend with a knife, and was charged with murder. Because of his age, the State had to prove criminal capacity. The legal practitioner made representations to the prosecution and disclosed the fact that the child had suffered brain injuries in a motor vehicle accident some years back, and this would have affected his criminal capacity. The State's psychiatrist, despite having found that the child was unaware that stabbing the deceased would lead to his death, nonetheless concluded that the child had the requisite criminal capacity. The practitioner engaged the services of a neurosurgeon and an educational psychologist. The trial proceeded. In his testimony, the clinical psychologist conceded that although the child knew the difference between right and wrong at the time of the incident, he did not act in accordance with this knowledge. The child was accordingly found not guilty and discharged.

GENERAL INFORMATION

6. STRATEGIC OVERVIEW

The 2020-2021 financial year was the first year of implementation of the Legal Aid South Africa Strategic Plan 2020-2025.

6.1. VISION

"A dynamic South Africa in which constitutional rights are realised to ensure a just society for all."

6.2. MISSION

"To remain a leader in the provision of equal access to justice to indigent and vulnerable persons by rendering quality legal services."

6.3. VALUES

The values that the organisation subscribes to are:

- Passion for Justice
- Ubuntu
- Integrity
- Accountability
- Service Excellence
- People and Planet Focused

7. LEGISLATIVE AND OTHER MANDATES

The Constitution of the Republic of South Africa (Act 108 of 1996) is the cornerstone on which Legal Aid SA is mandated in terms of the Legal Aid South Africa Act (Act 39 of 2014) as read with the Legal Aid Regulations (Policy Provisions) and Legal Aid Manual (Procedural Provisions) as well as other national legislation which gives content to the rights and obligations enshrined in the Constitution.

7.1. CONSTITUTIONAL MANDATE

Legal Aid SA's mandate to provide legal representation in criminal trials and appeals, children civil matters and civil matters are derived from the specific constitutional sections that are quoted below. The particularity relating to these rights and how they are sought to be achieved are set out in our enabling legislation, as amplified by the Legal Aid Regulations and other national legislation that is enumerated in the ensuing paragraphs.

The Constitution of RSA (Act 108 of 1996)

Section 35(2) "Everyone who is detained, including every sentenced prisoner, has the right –

- ...
- to have a legal practitioner assigned to the detained person by the state and at state expense, if substantial injustice would otherwise result, and to be informed of this right promptly; ..."

Section 35(3) "Every accused person has a right to a fair trial, which includes the right –

- ...
- to have a legal practitioner assigned to the accused person by the state and at state expense, if substantial injustice would otherwise result, and to be informed of this right promptly; ...
- of appeal to, or review by, a higher court."

Section 28(1) "Every child has the right,

- ...
- to have a legal practitioner assigned to the child by the state, and at state expense, in civil proceedings affecting the child, if substantial injustice would otherwise result; ..."

Section 34 "Everyone has the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court or, where appropriate, another independent and impartial tribunal or forum."

7.2. LEGISLATIVE MANDATE

7.2.1. Legal Aid South Africa Act 39 of 2014

(Date of Commencement 1 March 2015)

The Legal Aid South Africa Act (39 of 2014) came into operation on 1 March 2015.

Section 5 of the Act makes it an imperative that Legal Aid SA, its Directors, employees and agents serve impartially and independently, and exercise their powers and perform their duties and functions in good faith and without fear, favour, bias or prejudice.

Section 6 of the Act details the composition and appointment of the Board. The Board is composed of **14** voting members appointed by the Minister of Justice and Correctional Services. For the 2020-2021 financial year, all **14** members of the Board continued to hold office save for the replacement of **three** previous Board members who retired or resigned, being the Director-General's Nominee, the Chief Operations Officer of Legal Aid SA and the Audit Committee Chairperson. New appointments to fill these vacancies were made by the Executive Authority in consultation with the Board during the financial year. Various Board Committees have been constituted as per section 13 of the Act and these committees were fully operational and assisted the Board in the performance of its functions.

The mandate and objects of Legal Aid SA are succinctly described and detailed in the preamble to the Legal Aid South Africa Act (39 of 2014), in the following terms:

GENERAL INFORMATION

“To ensure access to justice and the realisation of the right of a person to have legal representation as envisaged in the Constitution and to render or make legal aid and legal advice available; for that purpose to establish an entity called Legal Aid South Africa with a Board of Directors and to define its objects, powers, functions, duties and composition; to provide for the independence and impartiality of Legal Aid South Africa; ...”

The objects are described as follows in the Legal Aid SA Act:

“3. The objects of Legal Aid South Africa are to –

- (a) render or make available legal aid and legal advice;*
- (b) provide legal representation to persons at state expense; and*
- (c) provide education and information concerning legal rights and obligations, as envisaged in the Constitution and this Act.”*

7.2.2. Other legislation impacting on delivery of legal aid

In addition to the Legal Aid SA Act, there are various pieces of legislation that make provision for the State to provide legal assistance to indigent persons. In most instances Legal Aid SA is mandated and funded to provide such representation but there are some noticeable exceptions (mostly in civil related matters) where the State has not provided the necessary funding to enable Legal Aid SA to render such services:

- i. Criminal Procedure Act (section 73, 309, 309B, 309C, 309D & 316) – legal representation in trials and appeals;
- ii. Child Justice Act (section 82(1) & 83(2)) – legal representation for children in Child Justice Court (no child may refuse legal representation);
- iii. Children's Act 38 of 2005 (section 55(1)) – legal representation of children in matters dealt with in the Act on order of the court;
- iv. Refugees Act 140 of 1998 (section 27(b));
- v. Labour Relations Act 66 of 1995 (section 149) – currently unfunded;
- vi. Mental Health Care Act 17 of 2000 (section 15);
- vii. Restitution of Land Rights Act 22 of 1994 (section 22) – currently unfunded;
- viii. Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998 (section 4(5)) – currently unfunded;
- ix. Land Reform (Labour Tenants) Act, 1996 (Act No. 3 of 1996) – currently unfunded;
- x. The Extension of Security of Tenure Act, 1997 (Act No. 62 of 1997) – currently unfunded;
- xi. Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (section 10(5)).

Legal Aid SA currently provides legal representation relating to the above legislation, within its available budget/funding and resources, in accordance with the policy provisions of

the Legal Aid Regulations which came into operation in terms of section 23(1) of the Legal Aid SA Act on 22 August 2017. Due to these budget/funding and resource constraints, there are criteria in the Regulations that determine qualification for and limitation or exclusion of assistance. The Board has reviewed the Regulations during the 2020-2021 financial year and requested amendments to be effected to the current mandate as set out in the Regulations. These proposed amendments have been tabled by the Executive Authority for approval by Parliament before gazetting. The limitations and exclusions unfortunately do result in unmet legal needs for South Africans who are not able to afford the cost of their own legal representation, particularly in civil related matters. These unmet needs will be increased owing to the further limitations that are being sought due to the budget cuts that have been implemented for the 2021-2024 MTEF period.

The Legal Research Unit within the National Operations Department monitors the Parliamentary Legislative Agenda for any proposed legislation or envisaged amendments to current legislation, in so far as they impact on Legal Aid SA's mandate and/or clients' rights. This is to ensure that clients' rights are properly articulated and protected, and furthermore, to ensure that the mandate of Legal Aid SA is not extended without concomitant funding which must be determined after a proper costing of the required resources to implement any such mandate extension.

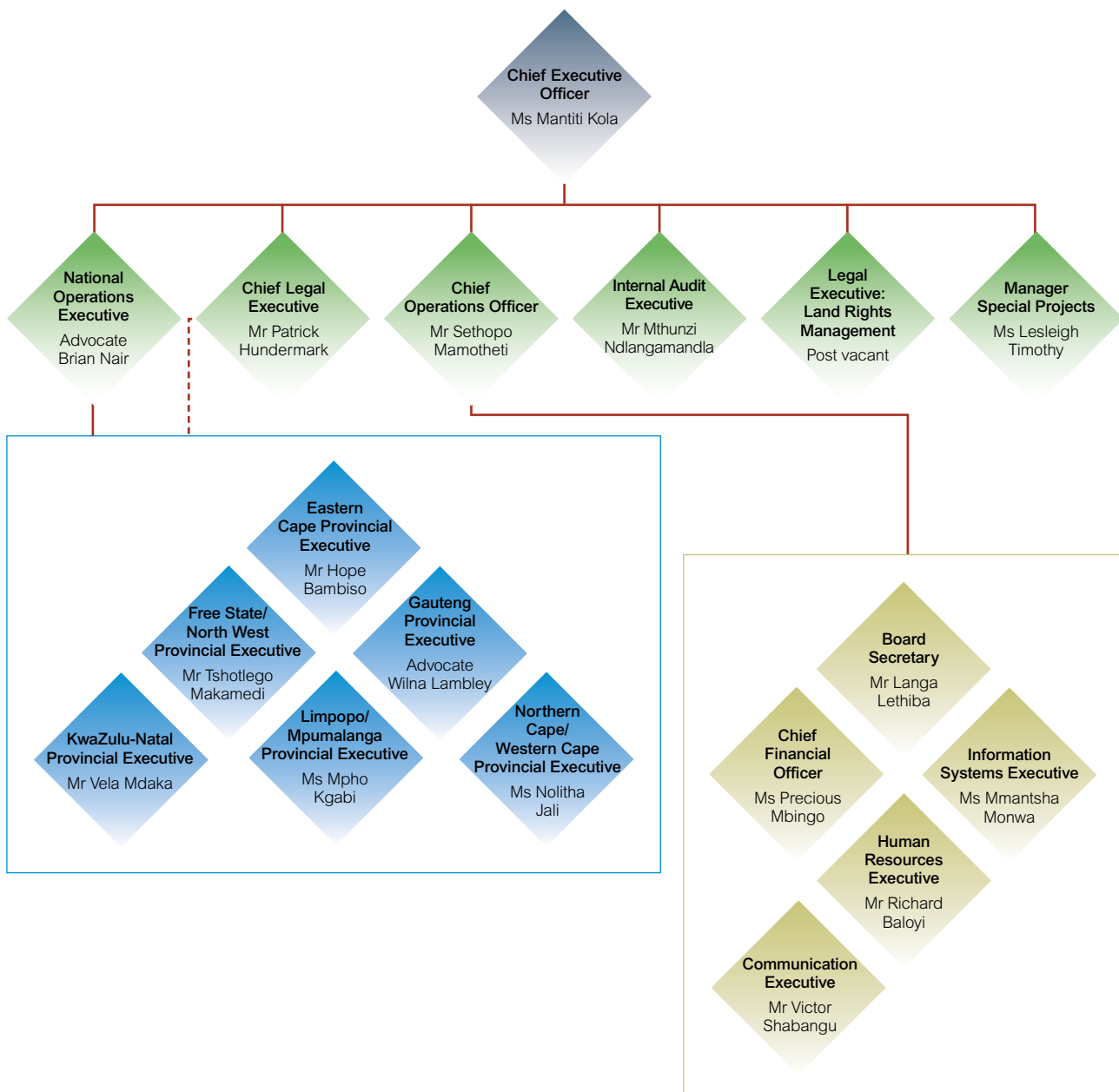
x-ref Section 4 in Part B: Performance Information on page 32 of this Integrated Annual Report, focusing on Legal Aid SA including the provision of legal representation in land related disputes.

7.3. PUBLIC FINANCE MANAGEMENT ACT

The Public Finance Management Act 1 of 1999 (PFMA) prescribes responsibility for the effective, efficient, economical and transparent use of resources of the institution. Legal Aid SA, as a Schedule 3A Public Entity, complied with the requirements of the PFMA. The Board reviewed the PFMA compliance reports quarterly and no material non-compliance with both the PFMA and the National Treasury Regulations was detected.

GENERAL INFORMATION

8. ORGANISATIONAL STRUCTURE AS AT 31 MARCH 2021



Our client entered into a month-to-month lease agreement. She moved into the premises at the beginning of March 2020 and paid only half of her rent, with the other half paid towards the end of March 2020. She did not pay the rent for April. The applicant and respondent had a dispute regarding payment of rent and the respondent disconnected the electricity. This took place during lockdown. The client approached our Newcastle Local Office and advised that she had a minor child who was in need of a nebuliser on a daily basis. The legal practitioner prepared and made arrangements for an urgent application to be brought to restore the electricity. They further made all the logistical arrangements with the Sheriff to ensure that they were available to execute the order immediately. Our practitioner successfully argued for the immediate restoration of the electricity and obtained an interim order. The Sheriff executed the order and the electricity was restored the same day. On the return date the landlord agreed to the interim order being made a final order.

GENERAL INFORMATION

8.1. MANAGEMENT EXECUTIVE COMMITTEE AS AT 31 MARCH 2021



MS MANTITI KOLA

Chief Executive Officer (CEO)

BA Honours, BA Education (University of the North), Postgraduate Diplomas in Management from University of Pretoria, Monash University Australia and the Singapore e-Government Leadership Centre

The Chief Executive Officer is responsible for overall strategic direction of Legal Aid SA so as to realise the vision and fulfil the mission.



MR SETHOPO MAMOTHETI

Chief Operations Officer (COO)

BCompt, Postgraduate Diploma: Accounting Science (University of South Africa), HDipTax (University of North-West), MBA (GIBS, University of Pretoria), CIA, CCSA (Institute of Internal Auditors), AGA(SA) (South African Institute of Chartered Accountants)

The Chief Operations Officer is responsible for support operations within Legal Aid SA.



ADVOCATE BRIAN NAIR

National Operations Executive (NOE)

BPaed (University of Durban-Westville), BEd (University of South Africa), FDE Computer Studies (University of Natal), MBL, LLB (University of South Africa)

The National Operations Executive is responsible for ensuring the delivery of cost-effective, high quality legal services.



MS PRECIOUS MBINGO

**Chief Financial Officer (CFO),
appointed 1 November 2020**

National Diploma in Cost and Management Accounting (Tshwane University of Technology), BCom Accounting Honours/CTA (University of KwaZulu-Natal), Business Acumen Programme (University of Stellenbosch), Advanced Diploma, Advanced International Financial Reporting Standards Course (University of South Africa), CA(SA) (South African Institute of Chartered Accountants)

The Chief Financial Officer is responsible for strategically guiding financial matters of Legal Aid SA in a manner that will ensure its long-term viability as an upholder of the rights of the people of South Africa to effective, high quality legal services.



MR PATRICK HUNDERMARK

Chief Legal Executive (CLE)

BCom, LLB (Nelson Mandela University, formerly University of Port Elizabeth), Certificate Programme in Leadership Development (WBS, University of the Witwatersrand), Practising Attorney, North Gauteng High Court

The Chief Legal Executive is responsible for civil legal services delivery including legal advice, the improvement of the quality and range of civil legal services offered to Legal Aid SA's legal aid applicants, strategic litigation services and Corporate Legal matters.



MR MTHUNZI NDLANGAMANDLA

**Internal Audit Executive (IAE),
appointed 1 October 2020**

BCom, BCom: Honours, MDP, CIA, CCSA (Institute of Internal Auditors)

The Internal Audit Executive is responsible for the assessment of controls and risk management within Legal Aid SA, including compliance with the Legal Aid SA Act, Public Finance Management Act and National Treasury Regulations, and the applicable governance and common law stipulations.

GENERAL INFORMATION



MR RICHARD BALOYI

**Human Resources Executive (HRE),
acted between 16 March 2020
and 31 August 2020, appointed
1 September 2020**

BCom Honours: Human Resources Management (University of Johannesburg), BTech Human Resources Management (Central University of Technology), Diploma: Human Resources Management and Practices (University of Johannesburg), National Teachers Diploma (Shingwedzi College of Education)

The Human Resources Executive is responsible for the Human Resources Department and ensuring that the human resources processes and systems support the delivery of the Legal Aid SA strategy.



MR VICTOR SHABANGU

Communication Executive (CE)

BA Communication, Postgraduate Diploma: Marketing Management (University of South Africa)

The Communication Executive is responsible for creating awareness about Legal Aid SA's services and educating the public regarding accessing such services, as well as building strategic relations with relevant stakeholders.



MS MMANTSHA MONWA

Information Systems Executive (ISE)

BSc (University of Limpopo), BSc Honours: Information Systems, MBL (University of South Africa)

The Information Systems Executive is responsible for the Information Technology infrastructure and the provision of support to all users within Legal Aid SA.

The Provincial Executives (right) are responsible for ensuring the efficient, effective and economic delivery of legal services as contemplated by the Constitution within their area of jurisdiction:



MR HOPE BAMBISO

Provincial Executive – Eastern Cape Province

BProc, LLB (University of Fort Hare), LLM (University of South Africa), Practising Attorney



MR TSHOTLEGO MAKAMEDI

Provincial Executive – Free State/North West Province

BProc (University of Limpopo), Certificate Programme in Leadership Development (WBS, University of the Witwatersrand), LLM (North-West University), Practising Attorney



ADVOCATE WILNA LAMBLEY

Provincial Executive – Gauteng Province

LLB, B.Iuris (University of South Africa), Practising Advocate



MR VELA MDAKA

Provincial Executive – KwaZulu-Natal Province

BProc, LLB (University of Zululand), Practising Attorney



MS MPHO KGABI

Provincial Executive – Limpopo/ Mpumalanga Province

BProc (University of the North West), Higher Diploma: Drafting and Interpretation of Contracts (University of Johannesburg), Certificate Programme in Leadership Development (WBS, University of the Witwatersrand), Practising Attorney



MS NOLITHA JALI

Provincial Executive – Northern Cape/ Western Cape Province

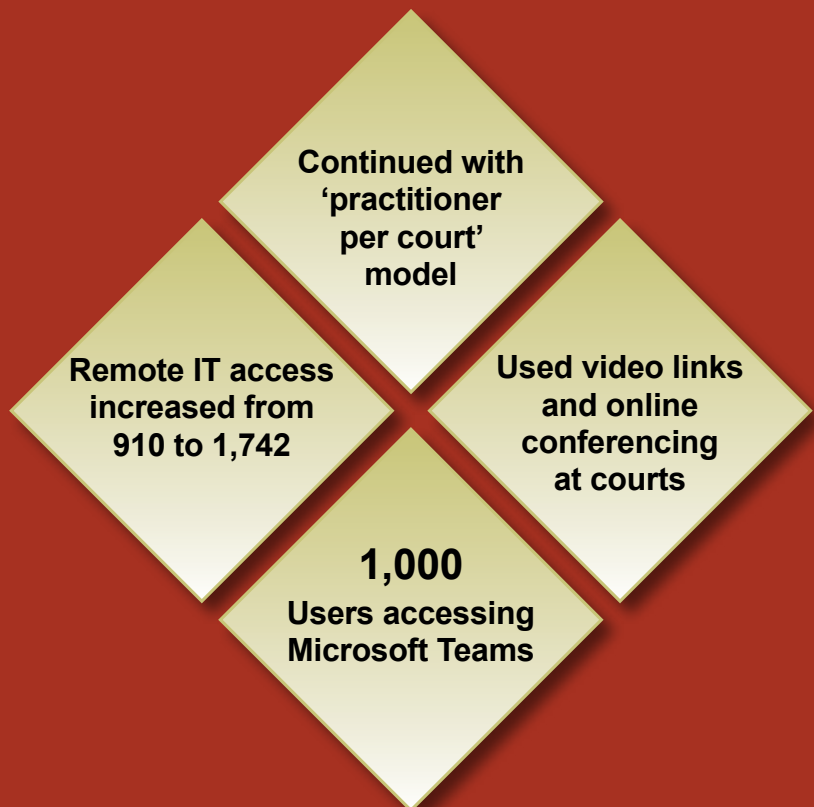
BProc (University of Fort Hare), Practising Attorney

PART B

PERFORMANCE INFORMATION



**THE COVID-19
OUTBREAK
REQUIRED
US TO MAKE
EFFECTIVE USE
OF TECHNOLOGY
TO ENSURE
CONTINUITY IN
SERVICE DELIVERY**



PERFORMANCE INFORMATION

1. AUDITOR'S REPORT: PREDETERMINED OBJECTIVES

The role of the Auditor-General South Africa/Auditor is acknowledged as critical to the sustainability of Legal Aid South Africa, as it provides independent assurance that activities being carried out within Legal Aid SA are in accordance with the approved predetermined objectives and mandate.

The audit conclusion on the performance against predetermined objectives is included in the report to Management, with any material findings being reported under the Predetermined Objectives in the Report on other legal and regulatory requirements.

Please refer to page 126 of the Report of the External Auditor, published in Part F: Financial Information.

2. SITUATIONAL ANALYSIS

2.1. SERVICE DELIVERY ENVIRONMENT



The commencement of the 2020-2021 financial year coincided with the start of the National Lockdown necessitated by the global COVID-19 pandemic, with the first positive cases in South Africa confirmed shortly before the end of the 2019-2020 financial year. This necessitated a completely new way of running our operations to ensure continued delivery of services to clients. The first priority was to ensure the safety of our staff and clients, and to protect them from the risk of infection. Plans were put in place to ensure that a minimum number of staff were in any one office at a given time. All staff that could work from home were allowed to do so. Even our legal practitioners were allowed to go to their courts directly from home, only reporting to the office on specific days every second week. Staff were divided into **two** teams, which reported to our offices in alternate weeks to ensure that any infections could be isolated to a limited number of staff. A system was put in place to track the number of infections throughout the organisation on a daily basis. Sadly, we lost **eight** staff to COVID-19 during the financial year under review.

The changes in our operations were largely informed by changes made to the way in which courts operated. For the different levels of lockdown, directives were issued which introduced varying restrictions on access to court buildings, as well as the types of cases that could be heard. Legal Aid SA, through its COVID-19 Steering Committee, also formulated guidelines from time to time that conformed with the national and court directives, to guide our organisational response to the pandemic.

The changes to our operations which were brought about by the COVID-19 outbreak required that Legal Aid SA made effective use of technology to ensure continuity

in the services we deliver. The transition to working from home and servicing the courts directly was made easier by the internal programme already in place to equip all our practitioners with laptops. Further resources in the form of an allowance to purchase data were made available to practitioners to alleviate the burden on them of having to connect to our systems from home.

In spite of the challenges that came with the new normal brought about by the COVID-19 pandemic, the organisation's service delivery systems were adapted so as to ensure that we continue to deliver much needed services to the indigent and vulnerable. Legal Aid SA practitioners continued to deliver legal services of a high quality to the South African public. This was in spite of the fact that the government announced that due to the additional budget requirements to fund various programmes owing to the pandemic, no salary increases would be implemented for the financial year. This further compounded the erosion of the total value proposition we offer our employees, which had started when austerity measures were introduced across the government sector, in previous financial years. The good work and dedication of our practitioners ensured that the Constitution remains a living document for all South Africans.

We continued to use our mixed model delivery system, which enables us to extend the range of our services, as well as to supplement our expertise by utilising legal practitioners from within the broader legal fraternity. This is done by using the tried and tested Judicare model, as well as the fixed-fee Agency Agreement model for criminal matters. For civil matters, we partnered with legal sector NGOs and University Law Clinics through Co-operation Agreements, and also made use of the Judicare model. The use of the mixed model system ensures that the pool of practitioners available to represent the indigent is increased, and a greater number of people can access justice.

The restrictions on the number of cases that could be heard by the courts because of the COVID-19 Lockdown has resulted in a much lower throughput of cases from the courts, compared to previous financial years. This has led to a corresponding reduction in the demand for legal aid services. While this has negatively impacted the number of new cases we could take on, it brought some relief to the pressures that were brought about by the staff reductions of previous years, as well as the fact that we do not have a dedicated relief component. Our Local Office Managers have continued to assess the demand coming from their courts so that our staff provisioning in the courts is responsive to local demand. However, we still need to reduce the backlogs, both in criminal and civil matters, that have been exacerbated by the National Lockdown and while available legal services were limited by the Regulations as well as the closure of the courts due to instances of COVID-19 infections.

PERFORMANCE INFORMATION

We continued to deliver services to our clients through our **64** Local Offices and **64** Satellite Offices, which are supported by **six** Provincial Offices, as well as our National Office. The constrained economy, as well as the reprioritisation of budgets as a result of the COVID-19 pandemic meant that there was no scope for the expansion of our national footprint. We have however continued with scheduled improvements to our office infrastructure. A system is in place to monitor all lease agreements to ensure timely renewal of the agreements, as well as the timely acquisition of alternative office space, in cases where the leases are terminated. The ease of access to our offices by clients guides our decisions on the location of our offices.

We have continued to use a 'practitioner per court' model, where we have a dedicated legal practitioner assigned to every criminal court. This model ensures that there is continuity in the operation of the courts as the possibility of a practitioner being held up in another matter in another court is eliminated. This aids the improvement of case flow and ensures that cases are finalised without undue delay, thereby restoring the public's faith in the justice system. In areas where specialised courts have been established, we have deployed specialist legal practitioners who have specialist training in the handling of commercial crime and sexual offence matters.

Specialist Commercial Crimes Courts were previously only available in **five** provinces, namely Gauteng, KwaZulu-Natal, Free State, Eastern Cape and Western Cape. Each of the provinces has **one** specialised Commercial Crimes Court, whilst Gauteng has **six** courts. During the latter part of the 2020-2021 financial year, the Department of Justice and Constitutional Development made plans to open specialised Commercial Crimes Courts in the remaining **four** provinces as follows: **one** court each for Mpumalanga, North West and Western Cape, and **three** courts for Limpopo province. Legal Aid SA will also have specialist legal practitioners to cover these courts from the beginning of the new financial year.

In areas where there are dedicated Juvenile Courts, we have provided capacity to these courts in the form of practitioners with specialised knowledge in dealing with children in conflict with the law. We have also made capacity available in areas where there are full-time Preliminary Inquiry Courts.

Because of the challenge of COVID-19, Remand Detainees (RDs) were not transported to courts for their court appearances in order to prevent the spread of the virus in correctional centres. This led to greater use of the video link system to postpone cases. However, our ability to consult with clients in custody was negatively impacted by the prohibition of external visitors to correctional centres.

We have continued with our programme to accredit qualifying legal practitioners in private practice on our Judicare programme to supplement our representation of legal aid clients, primarily in cases where there is a conflict of interest with our internal practitioners. This is done in strict compliance with procurement regulations which require that Judicare practitioners must be registered on the Central Supplier Database (CSD) and be tax compliant. The revision of our travel reimbursement policy, which limits the reimbursement Judicare practitioners can claim for travel, has ensured that more money is paid to Judicare practitioners for their professional services rather than for disbursements. Our local offices have continued to hold formal Judicare briefing sessions with Judicare practitioners, to apprise them of the latest developments and policies that affect them, as well as to answer any questions that Judicare practitioners may have. In addition, **two** newsletters were distributed to Judicare practitioners during the financial year. This newsletter covers all developments within Legal Aid SA that are of relevance to Judicare practitioners.

We continued to provide legal services to the indigent and vulnerable in civil matters. This included the provision of legal aid services to specialised focus groups such as women, children and estate matters where children are beneficiaries. Due to the re-engineering of our work arrangements to prevent the spread of COVID-19, we have had to employ creative ways of rearranging our civil delivery teams, so that our service to civil clients was not disrupted. We have also continued to monitor the ratio of administration staff to civil practitioners so that the time of our civil legal practitioners is freed to enable them to spend more of their time on legal service delivery.

To ensure that the quality of the services we deliver is not compromised, we continuously monitor the ratio of civil supervisors to civil practitioners. The quality of the supervision at all local offices is also closely monitored.

We make extensive use of technology to assist our civil practitioners in rendering client-focused legal services, while at the same time meeting the exacting time demands of a civil practice. We have implemented Standard Operating Procedures to regulate the functioning of our Civil Units. Our civil practitioners make use of advanced document generation software to assist in the generation of the many documents that such a practitioner generates on any given day. We have also introduced web-based systems to assist civil practitioners to monitor compliance with prescribed time periods, as well as monitoring all cases that have defined prescription periods. Periodic reports are sent to managers to ensure that all time periods are complied with. Separate reports are generated to assist local offices in the management of trust funds held in our account.

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To assist practitioners with their research, we subscribe to both Jutastat and LexisNexis. The latest developments in the law are communicated to practitioners via monthly newsletters and regular case updates. Additionally, we have a SharePoint platform where practitioners can exchange knowledge. We have finally resolved the impasse that existed with regard to the instruction of Sheriffs, following the introduction of procurement regulations by the National Treasury requiring all suppliers to be registered on the CSD. These regulations led to a period of challenges with regard to the service of court processes, as some Sheriffs were not registered on the CSD, or were not tax compliant, but we could only make use of the Sheriffs as appointed by the Minister of Justice and Correctional Services for a specific court jurisdiction.

The number of clients assisted with advice decreased significantly owing to periods where the Advice Line was not operational during the Alert Level 5 Lockdown, as well as reduced capacity as a result of the implementation of a two teams approach from Lockdown Alert Level 4 to ensure proper social distancing within the Advice Line environment.

The general advice programme is the foundation of our civil legal services delivery programme. During the 2020-2021 financial year, general advice clients were re-routed to our Advice Line for advice. The Advice Line was also utilised to arrange consultations with clients who needed to consult with a legal practitioner.

The use of the Legal Aid Advice Line is particularly useful for assisting clients in rural areas, who can access instant legal advice through a toll-free telephone service. For clients using cellular phones, we have introduced a system whereby the client can send a 'Please Call Me' message, and an Advice Line agent or local office paralegal will call the client, so that the advice is provided at no cost to the client. Clients with access to the internet can access the Legal Aid Advice Line through our website by leaving a web enquiry for an Advice Line agent to contact them. We have also implemented indicators on the web enquiry form for people with hearing and speech impairments so that the Legal Aid Advice Line is able to customise their response to such clients.

Self-help modules are also available on our website for use by clients who have matters that are less complex, and lend themselves to self-resolution by the client. These modules cover a number of common legal issues and are meant to empower clients to deal with those legal issues that the client can resolve without external assistance. The usage statistics of our self-help services indicate that an increasing number of people are making use of these services, particularly during the COVID-19 Lockdown.

Our Strategic Litigation Unit has continued to ensure that the Constitution becomes a living document for the indigent and vulnerable by taking on cases that affirm their basic human rights.

Matters dealing with land issues, environmental matters, chieftainship disputes, the right to education and housing, the rights of children, workers' rights as vindicated in the Silicosis Class Action settlement and other socio-economic issues that impact on the daily lives of ordinary South Africans had a positive impact on the lives of the indigent. The unit again contributed to the realisation of the rights of children and women, particularly those whose marriages are governed by discriminatory religious or traditional laws.

Our High Court Units have ensured that legal aid is available to litigants in the highest courts in the land, including the Supreme Court of Appeal and the Constitutional Court. The High Court Units are staffed by highly experienced practitioners.

COVID-19 enabled us to explore alternative models of conducting litigation, including virtually by video link and online conferencing technologies. For a long period during the lockdown, our dedicated High Court Unit paralegals were not able to consult with clients in custody, due to the prohibition of external visits in correctional centres.

We have a system in place that gives early notification to our High Court Units as soon as a case is transferred from the lower court for trial in the High Court. We have also developed a system to notify our High Court Units of all matters in which we have successfully applied for leave to appeal in the lower courts, so that the High Court Units are aware and ready for the ensuing appeal. A web-based system is used to track the progress of appeal matters until finalisation. This enables managers to identify the causes of delays in finalising matters. We are in continuous discussions with court stakeholders to eliminate delays in the preparation of appeal records, as these have been identified as the single biggest factor that causes delays in finalising appeals.

To avoid the incidence of Judicare practitioners taking instructions concurrently, which inevitably leads to further delays in finalising cases, the offer of instruction that is sent to the practitioner contains information on the case duration so that the practitioner is in a better position to make a decision if they should accept the instruction or not.

While meetings of intersectoral structures in which Legal Aid SA participates were impacted by the need for social distancing, we continued to actively participate in all intersectoral structures aimed at improving the throughput of cases, and resolving the challenge of case backlogs in our courts. Where possible, meetings were held virtually. We also continued with our programme to monitor RDs and Children Awaiting Trial in custody (CAT), although visits to these clients were hampered for some time by the prohibition of external visits to correctional centres. This prohibition, as well as the fact that there were difficulties in holding Provincial Efficiency Enhancement Committee meetings, contributed to an increase in the number of RDs awaiting trial for periods exceeding **two** years.

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RDs in custody for periods exceeding **two** years are a special focus group for Legal Aid SA, and we share information on the tracking of these RDs by our local offices with the whole cluster, with a view to jointly formulate strategies for the speedy finalisation of cases. We track these RDs individually, until their cases are finalised, or until they are released from custody. We then share reports with all National and Provincial Efficiency Enhancement Committees for discussion and interventions by all stakeholders.

Children are a special vulnerable group and as such, enjoy special priority from Legal Aid SA. We have capacitated all our practitioners by offering them training in dealing with matters involving children in conflict with the law. We have practitioners available to help with the representation of children in all Child Justice Courts, as well as in all Preliminary Inquiry Courts, whenever our assistance is required. The Child Justice Act has established the Intersectoral Committee for Child Justice (ISCCJ), responsible for monitoring the implementation of the Act. While Legal Aid SA is not an official member of this committee, we participate in all the activities of the committee, since we are an integral part of the delivery of legal services to children. Our Civil Units also provide legal representation for children, most of whom are children in need of care, in the Children's Courts as well as estate matters in which children are beneficiaries.

We continued with our quality monitoring and intervention programme. Our Quality Management Programme is renowned and often referenced and copied by legal aid providers in other countries. The programme is reviewed and refined on a continuous basis to ensure that it is constantly improved, and remains relevant to our operations. The Legal Quality Assurance Unit (LQAU), located within the Internal Audit Department, conducts independent quality audits of our practitioners, through file verifications and court observations, thereby providing a measure of independent assurance of the quality of our services. Due to the COVID-19 pandemic restrictions and Court Directions, we could not conduct the scheduled practitioners' court observations. We were pleased by the fact that the vast majority of our practitioners met their file review quality targets.

The quality assurance programme has been extended to include a review of the work of all practitioners handling cases on behalf of Legal Aid SA clients, including Judicare practitioners, Co-operation Agreements and fixed-fee Agency Agreements.

To inculcate a culture of delivering quality legal services to clients among Judicare practitioners, a new requirement was introduced for Judicare practitioners to conduct a self-review of their work each time they submit an account.

Client Satisfaction Surveys were suspended for the period of this review as our Advice Line is operating at **50%** capacity during the COVID-19 Lockdown. We usually undertake these surveys for both civil and criminal matters and the results from our past surveys indicate that the majority of our clients are satisfied with the level of services delivered by Legal Aid SA practitioners. Whenever negative feedback is received from these surveys, it is referred to the local office managers so that they can interrogate any source of complaint with the client and, if necessary, engage the practitioner who dealt with the matter. We also have a web-based complaints management system to track all complaints received until their successful resolution.

Legal Aid SA is also represented in all specialist committees such as the ISCCJ, the Sexual Offences Committee, as well as a number of other *ad hoc* committees that deal with issues affecting specific vulnerable groups. The organisation is also represented on the Rules Board and continues to participate in task teams of the Rules Board where changes to the Rules of Courts are considered, such as the task team set up for the development of the e-rules that have been circulated for comment to all relevant stakeholders. We also monitor and provide input for all proposed legislative changes.

While we expected that the crisis brought about by the COVID-19 pandemic would pass during the course of the year, it was not to be, and we have had to carry the burden of the disease for the full financial year. The pandemic has worsened what was an already gloomy world economic outlook. On the positive side, we learnt many lessons on how we can run our operations using non-traditional methods. Some of these new methods will undoubtedly become a permanent feature of how we run our operations in the future.

2.2. ORGANISATIONAL ENVIRONMENT



With the devastating impact of the COVID-19 pandemic as its backdrop, the 2020-2021 period saw Legal Aid SA's organisational environment stabilising, with no vacancies in key positions, a revamped Employee Value Proposition with improved financial and professional benefits, a positive organisational climate confirmed by the upward trend reported on the independent Internal Omnibus Survey and a productive and purposeful relationship with both Legal Aid SA recognised trade unions.

The COVID-19 Steering Committee comprising representatives from Management and the **two** recognised trade unions ably coordinated the entity's integrated response. The COVID-19 strategy reduced the spread within the workplace whilst enabling the organisation to continue delivering legal services to indigent persons within the confines of the varying South African Risk Adjusted Alert Levels.

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2.2.1. Changes in Management

Legal Aid SA was able to fill all critical positions, namely that of the Chief Operations Officer, Human Resources Executive, Chief Financial Officer and Internal Audit Executive. To stabilise the risk environment, the organisation was able to fill the position of the Chief Risk Officer. These are key strategic positions that helped steady the organisational environment in the year under review.

2.2.2. Communication Report

In light of the pandemic and subsequent National Lockdown, it was vital for all service-oriented entities and businesses to rethink how they reached out to their clientele. Legal Aid SA's brand strategy was no exception, with considerable changes in its marketing and communication direction. The organisation moved swiftly to develop a guiding document for all employees on measures to deal with the COVID-19 pandemic. The notable and necessary change which impacted remote Legal Aid SA clients and the general public was the contactless public education and outreach programmes. Luckily, the long-standing relations forged with various media across the country as well as new advertising avenues put the organisation in good stead to effectively communicate with external publics. Also notable was the cautious and serious tone of communication that reflected the seriousness of the pandemic, and understandably so. As many organisations did when the pandemic started, Legal Aid SA cautiously communicated necessary messages focusing on addressing uncertainties such as media enquiries on identified COVID-19 cases, processes of accessing legal aid services as well as messages of safety precautions and enhanced hygiene practises.

Following the successful implementation of the initiative dubbed 'Under the Tree Dialogues' in partnership with the Department of Justice and Constitutional Development just before the Lockdown, Legal Aid SA adjusted to the new norm of contactless events resulting in a total of **12** outreach events and stakeholder roundtable forums focusing on business survival, continuity and recovery models. These included the Ministerial Webinar on COVID-19 and the effects on legal practice, a GCIS Webinar to discuss South Africa's communications endeavours during the pandemic and a webinar presentation on the future of public institutions and NGOs in the new normal organised by Topline Research Solutions. In terms of earned media, the organisation continued to use its network of community radio stations and national TV to virtually provide expert commentaries.

The organisation's advertising campaigns were not negatively impacted with only **one** booked radio campaign (**five** top radio stations in SA) being put on hold but later astutely converted to a COVID-19 campaign which reached a duplicated audience of **129,142 ('000)** (source: Telmar

Tracker). With multitudes of soccer fans prohibited from attending live sport games and knowledge that many will be glued to their TV screens to watch their favourite sport channels, Legal Aid SA continued to utilise the light emitting diode (LED) perimeter advertising for brand exposure across both Supersport and South African Broadcasting Corporation channels. Value-add marketing proved successful once again during the 2020-2021 reporting year and this striking trend of highlighting the brand's desire to deliver value instead of simply making money saw **two** brand new digital billboards launched on the N1 national highway between Allandale and New Road, where Legal Aid SA was amongst the featured brands on the new screens for a period of **two** weeks. Another value-add the organisation continues to enjoy in the absence of new advertisers is the ongoing flighting of organisational messages on corridor billboards in various shopping centres countrywide.

While brands at times need negative exposure in order to reinvent themselves, the saying that there is no such thing as bad publicity rings hollow when you have an important constitutional obligation of providing quality legal services to indigent persons. The *Checkpoint* episode broadcast on eNCA in early 2021 has badly affected Legal Aid SA's brand equity and the negative reviews have surely impacted the brand's perception. The media and marketing section is working on an integrated marketing plan focusing on turning this temporary bad situation into an opportunity for future positive publicity.

2.2.3. Stabilising the Organisational Environment During the COVID-19 Pandemic

Management adopted a continuous risk-based approach to ensuring smooth service delivery with focus on innovation and change management practices. The item below provides a narrative of the interventions put in place to mitigate the risk and threat of the COVID-19 pandemic.

2.2.4. Legal Aid SA Response to the COVID-19 Pandemic

The World Health Organization reported, on 31 December 2019, a cluster of pneumonia cases in Wuhan City, China, known as Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2) and confirmed it as the causative agent of what we now know as the Coronavirus Disease 2019 (COVID-19). This ushered in the unprecedented pandemic at a global scale.

The South African government immediately commenced with the COVID-19 National Lockdown Level 5 on 27 March 2020 in an attempt to curb the spread of the virus. Legal Aid SA was closed during this period and reopened on 6 May 2020. There have been many government measures announced in order to flatten the curve of the spread.

PERFORMANCE INFORMATION

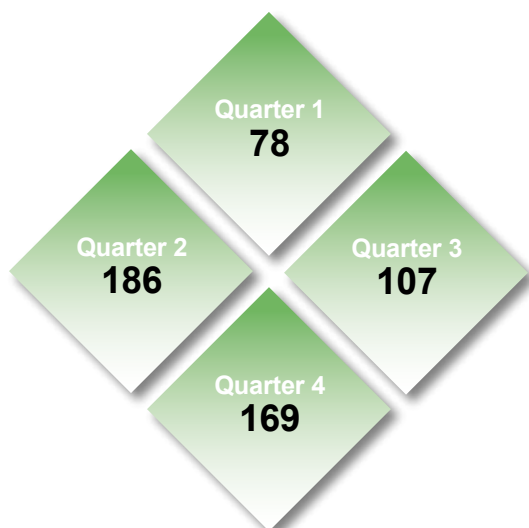
The organisation responded to those measures and produced Guidelines and Revisions to help navigate these uncharted waters while it continues to serve vulnerable individuals and communities to ensure access to justice.

The following are some of the measures taken:

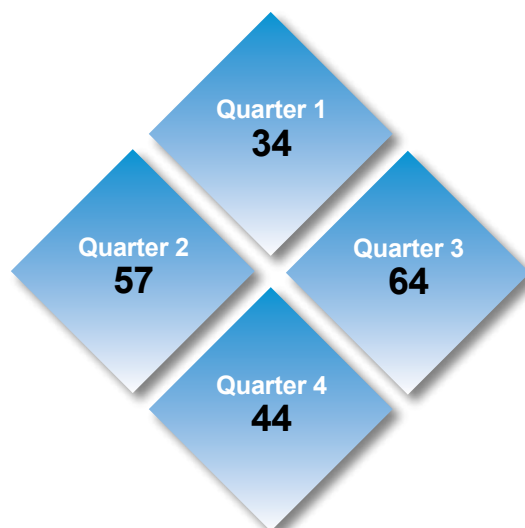
- i. A minimum of **two** Compliance Officers were appointed per office, for each of the **135** offices comprising our national footprint.
- ii. A COVID-19 webpage was established where staff could report any concerns or worries about COVID-19 and the workplace. It was emphasised that no concern is small enough to not warrant acknowledgement and response.
- iii. A COVID-19 Steering Committee was established to respond to concerns by staff and come with plans to mitigate risks posed by the pandemic. The Committee meets weekly.
- iv. In compliance with the various Alert Level Regulations, Legal Aid SA employed the two teams approach to attending its offices, whenever feasible, enforcing all precautionary COVID-19 Health and Safety Protocols.
- v. Keeping offices closed to walk-in clients while reopening the Legal Aid Advice Line, and continuing court coverage as allowed by the Regulations.

The graphics below detail the communication with internal stakeholders during the financial year under review.

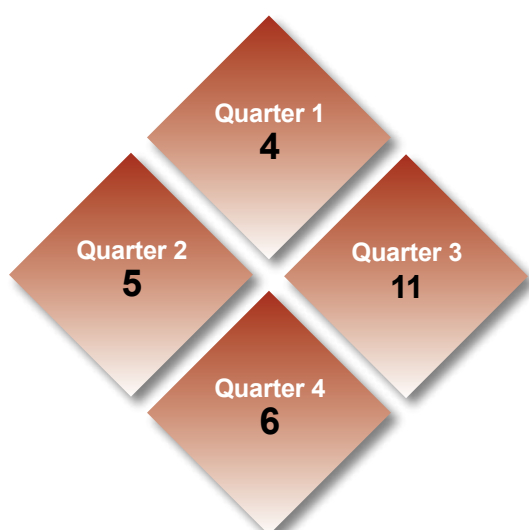
Staff notices, including daily COVID-19 updates, office closures, Guidelines and Regulations:



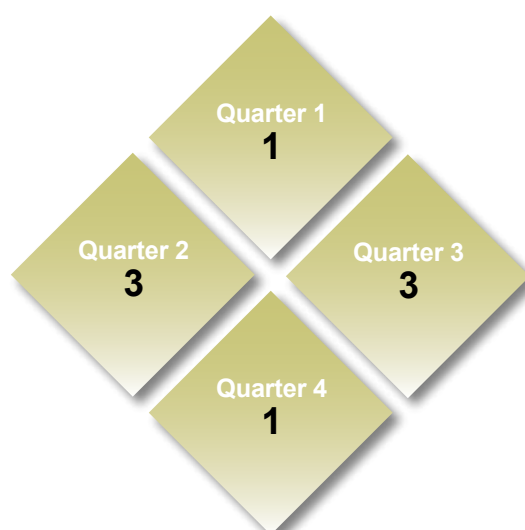
Legal Newsflash Alerts related to COVID-19 Regulations and Amendments as well as legal case discussions:



Legal Aid SA Management notices SMSes, including COVID-19 positive infections at National Office:



HR notices on COVID-19 related bereavements:

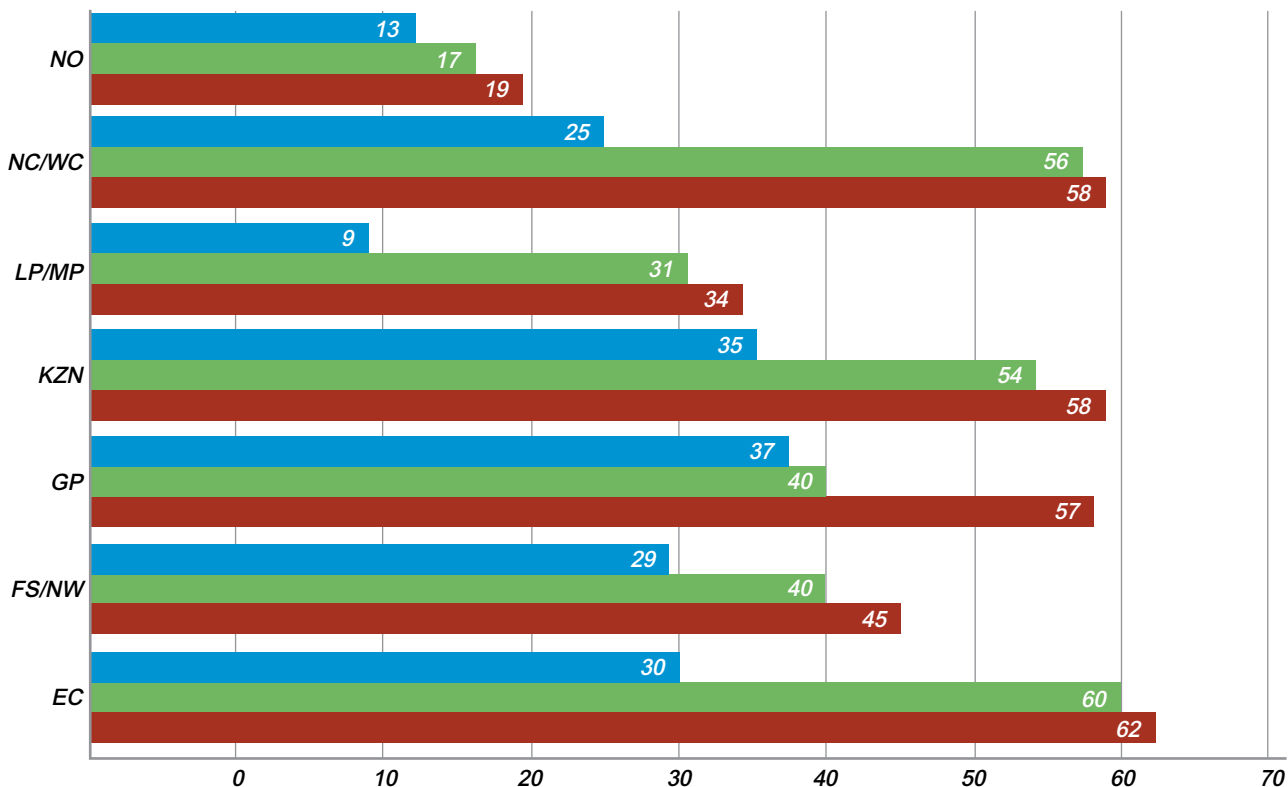


PERFORMANCE INFORMATION

3. COVID-19 IMPACT ON THE ORGANISATION

3.1. IMPACT OF THE PANDEMIC ON STAFF

The graph below depicts how Legal Aid SA staff members by province have been impacted by positive COVID-19 cases:



	EC	FS/NW	GP	KZN	LP/MP	NC/WC	NO
Q2	30	29	37	35	9	25	13
Q3	60	40	40	54	31	56	17
Q4	62	45	57	58	34	58	19

The province with the highest number of infections at the end of Quarter 4 is the Eastern Cape, followed by Northern Cape/Western Cape and KwaZulu-Natal together in the second spot, Gauteng being third, then Free State/North West and Limpopo/Mpumalanga last. Gauteng had the greatest increase of positive cases in Quarter 4 (42%).

Legal staff members account for 66% of those affected by the pandemic (220 of a total of 333 positive cases), making them the most affected category in the workforce. Unfortunately, Legal Aid SA suffered eight fatalities due to the pandemic. This is reflected in Table 2 on the next page as at 31 March 2021:

PERFORMANCE INFORMATION

Table 2: Legal Aid SA COVID-19 Statistics at 31 March 2021

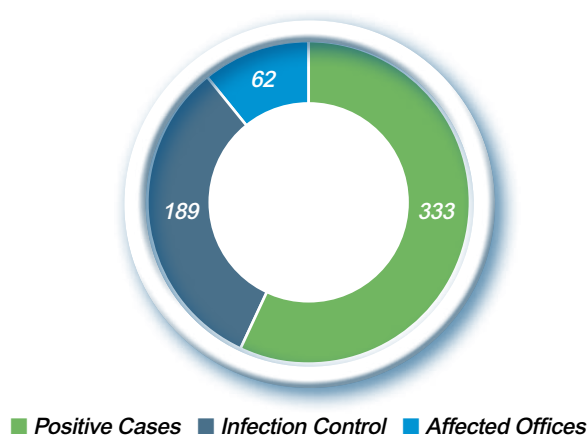
Province	Number of offices/ departments with COVID-19 cases	Number of submissions to COVID-19 webpage	Positive Cases					Severity of Illness			Current Status		
			Production	Administration	Management	Total	% Per province	Asymptomatic	Mild – at home	Severe – hospitalised	Recovered	Active	Deceased
Eastern Cape	10	115	40	10	12	62	19%	3	54	5	61		1
Free State/ North West	11	77	32	3	10	45	14%	6	38	1	43	2	
Gauteng	11	79	37	9	11	57	17%		51	6	52	1	4
KwaZulu-Natal	11	122	42	4	12	58	17%	5	53		58		
Limpopo/ Mpumalanga	8	43	26	1	7	34	10%	10	21	3	33		1
Northern Cape/ Western Cape	13	115	42	7	9	58	17%	5	48	5	55	1	2
National Office	8	43	1	13	5	19	6%	2	14	3	19		
Total	72	595	220	47	66	333		31	279	23	321	4	8
%			66%	14%	20%			9%	84%	7%	96%	1%	2%

3.2. IMPACT OF THE PANDEMIC ON LEGAL SERVICE DELIVERY



Service delivery at courts was negatively impacted throughout the year as court coverage, intake of new matters and finalisation of matters was lower than initially planned.

Since the lockdown commenced, local offices were affected in various ways, with some closed temporarily for decontamination, or closed by the landlord as a precautionary measure. The chart below compares the number of affected offices with positive cases and infection control measures to assess the correlation between these factors:



In Quarter 4, **62** offices were affected temporarily as they closed for decontamination.

3.3. IMPACT OF THE PANDEMIC ON IT

The following interventions were implemented to enable the seamless IT systems availability and business continuity:

- Microsoft Teams** – Microsoft granted Legal Aid SA a **six** months' pilot licence with **300** users to use their cloud collaboration tool named Microsoft Teams. This tool has enabled the organisation to conduct online meetings, sharing documents and collaborating in real time. The tool was extended to **1,000** users by the end of the financial year.
- Distribution of Access Point Networks (APNs)** – The **250** APNs procured in March 2020 were configured for various local offices. The number of users with remote access increased from **910** in March 2020 to **1,742** by the end of the financial year, using both APNs and Virtual Private Network (VPN). This constitutes **71.8%** of the total staff establishment as at the end of the 2020-2021 financial year. The remote requirement needs, however, came at a cost of about **R440,000** per month more on the APN data usage. Data bundles were increased from less than **one Terabyte (Tb)** to **five Tb** in Quarter 4 to ensure sufficient capacity for remote users. The internet line that is used to access Microsoft Teams was upgraded from **30Mbps** to **100Mbps**.

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- iii. **Provision of Disposed Laptops** – Staff who normally use desktop computers were provisioned with laptops from the disposal pool and APNs to connect from home to ensure that the process of paying suppliers continues during the lockdown.
- iv. Users are now allowed to access the Legal Aid SA network with their personal computers and security measures were enhanced to mitigate the vulnerabilities.

Table 3: Financial Implications – Legal Aid SA's Response to the COVID-19 Pandemic Budget Programme

Budget Programme	Intervention	Geographic Location (where possible)	Number of Beneficiaries (where possible)	Disaggregation of Beneficiaries (where possible)	Total Budget Allocation per Intervention	Budget Spent per Intervention YTD	Contributions to the Outputs in the APP (where possible)	Immediate Outcomes
Personal Protective Equipment	Provision of sanitiser, dispensers, protective screens, masks	National	2,577 staff members	Sanitiser and dispensers at all 135 offices Protective screens at frontline stations, consultation rooms and open plan areas Three masks per staff member	R2,598,750.00		Able to attend to court coverage Able to attend to clients and communities Attend to office	Able to deliver on our mandate
APNs #250 APNs	Enable remote work access	National	250 staff members	250 staff members gaining remote access		R300,000.00	Remote access increased from 910 in March 2020 to 1,742 in Q4, using both APN and VPN	Business continuity realised
APN Sim cards #250 sim cards	Enable remote work access	National	250 staff members	250 staff members gaining remote access		R25,000.00	Remote access increased from 910 in March 2020 to 1,742 in Q4, using both APN and VPN	Business continuity realised

PERFORMANCE INFORMATION

Table 3: Financial Implications – Legal Aid SA's Response to the COVID-19 Pandemic Budget Programme (continued)

Budget Programme	Intervention	Geographic Location (where possible)	Number of Beneficiaries (where possible)	Disaggregation of Beneficiaries (where possible)	Total Budget Allocation per Intervention	Budget Spent per Intervention YTD	Contributions to the Outputs in the APP (where possible)	Immediate Outcomes
APN (line rental)	Increased the line rentals bandwidth to accommodate the growing demand for mobile users	National	800 APN users	Improved response time for ANP users		R720,000.00		Business continuity realised
Increase in data usage	Increased data from less than 1Tb to 5Tb	National	800 APN users	Data costs increased by R440,000 p/month More data bundles allocated for mobile users		Increased data from less than 1Tb to 5Tb	R5,300,000.00	Business continuity and connectivity maintained
Cellphone allowances	Acquire more cellphones	National	New cellphone users	As per the transversal contract		R2,031,037.00		Business continuity and connectivity maintained

4. KEY POLICY DEVELOPMENTS AND LEGISLATIVE CHANGES



The Legal Aid South Africa Act 39 of 2014 has been operational since 1 March 2015 and the Board has been constituted for the **second** time since the implementation of the Legal Aid SA Act. The **second** Board has been operational for **25** months after their appointment in accordance with the requirements of the Legal Aid SA Act. There were **two** retirements and **one** resignation from the Board during the reporting period but the Executive Authority has filled the consequential vacancies. All the relevant governance requirements were fully operational and all governance structures functioned efficiently and effectively. The annual review and refinement of all the Board Governance Charters and instruments was undertaken.

Both the Regulations and Manual have been operational since 22 August 2017 and both the Regulations and Manual have been amended to ensure that they remain relevant to

the changing needs of society. Further amendments to the Regulations, particularly relating to the limitation of legal aid assistance in civil matters, were tabled in Parliament for approval and should be finalised in the 2021-2022 financial year. The fifth version of the Legal Aid Manual was gazetted by the Executive Authority and the revisions came into operation on 15 December 2020.

During the financial period under review, the Ministers of Justice and Correctional Services, and Agriculture, Land Reform and Rural Development tabled the Land Court Bill in Parliament. The current Bill makes provision for the mandate of Legal Aid SA to include the provision of legal representation to litigants in land related disputes who are not able to afford the cost of their own legal representation. The Ministers have specifically stated that Legal Aid SA should be funded and resourced to take over this mandate which is currently managed by the Department of Agriculture, Land Reform and Rural Development's Land Rights Facility Management.

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The concern is, however, that the Bill has not been costed for this change to the Legal Aid SA mandate. The Department of Justice and Constitutional Development is coordinating the interim transfer of the legal representation function and requisite funding from the Land Rights Management Facility to Legal Aid SA during the 2021-2022 financial year.

The South African Law Reform Commission (SALRC) investigation in terms of section 35 of the Legal Practice Act that is considering the issue of legal fees and the impact on access to justice is still continuing. A Discussion Paper, which is the **second** research document published by the Commission, forms the basis of proposals for law reform. The Discussion Paper sets out the tentative recommendations made by the SALRC and Legal Aid SA submitted a response to the discussion paper during November 2020. The regulation of legal fees requires careful consideration to ensure that the sustainability of the legal profession and ensuring affordable access to justice are carefully balanced.

The community-based paralegal sector, which plays an important role in ensuring access to justice and legal empowerment for vulnerable and indigent communities, still remains in limbo, although the Legal Practice Council (LPC) has submitted recommendations to the Minister of Justice and Correctional Services in terms of section 34(9) of the Legal Practice Act relating to the statutory recognition of paralegals. It must still be emphasised that the sustainability of this sector remains tenuous.

The adoption of the United Nations (UN) Principles and Guidelines on access to legal aid in criminal matters continues to play a critical role internationally to guide sustainable development.

This is paving the way for the development of legal aid systems and increased access to justice by indigent persons in all member countries. The inclusion of access to justice in the UN Sustainable Development Goals (SDGs) which includes a set of **17** Sustainable Development Goals (or Global Goals) to end extreme poverty and fight injustice and inequality for the next **15** years is focusing efforts, both nationally and internationally, on measuring the achievement of these goals.

Global Goal 16.3 calls upon countries to: "Promote the rule of law at the national and international levels and ensure equal access to justice for all". A common set of measures to track progress towards the goals and monitor the actions taken to achieve the SDGs were agreed on, but they are very narrowly focused on criminal justice to the exclusion of civil justice. Despite attempts to ensure that these measures are enhanced, especially at national level, progress has been slow in delineating broader goals to achieve the ending of extreme poverty, to fight injustice and inequality which pervades South Africa and the rest of the world. This is ever more apparent with the inequalities that have become glaring during the COVID-19 National Disaster.

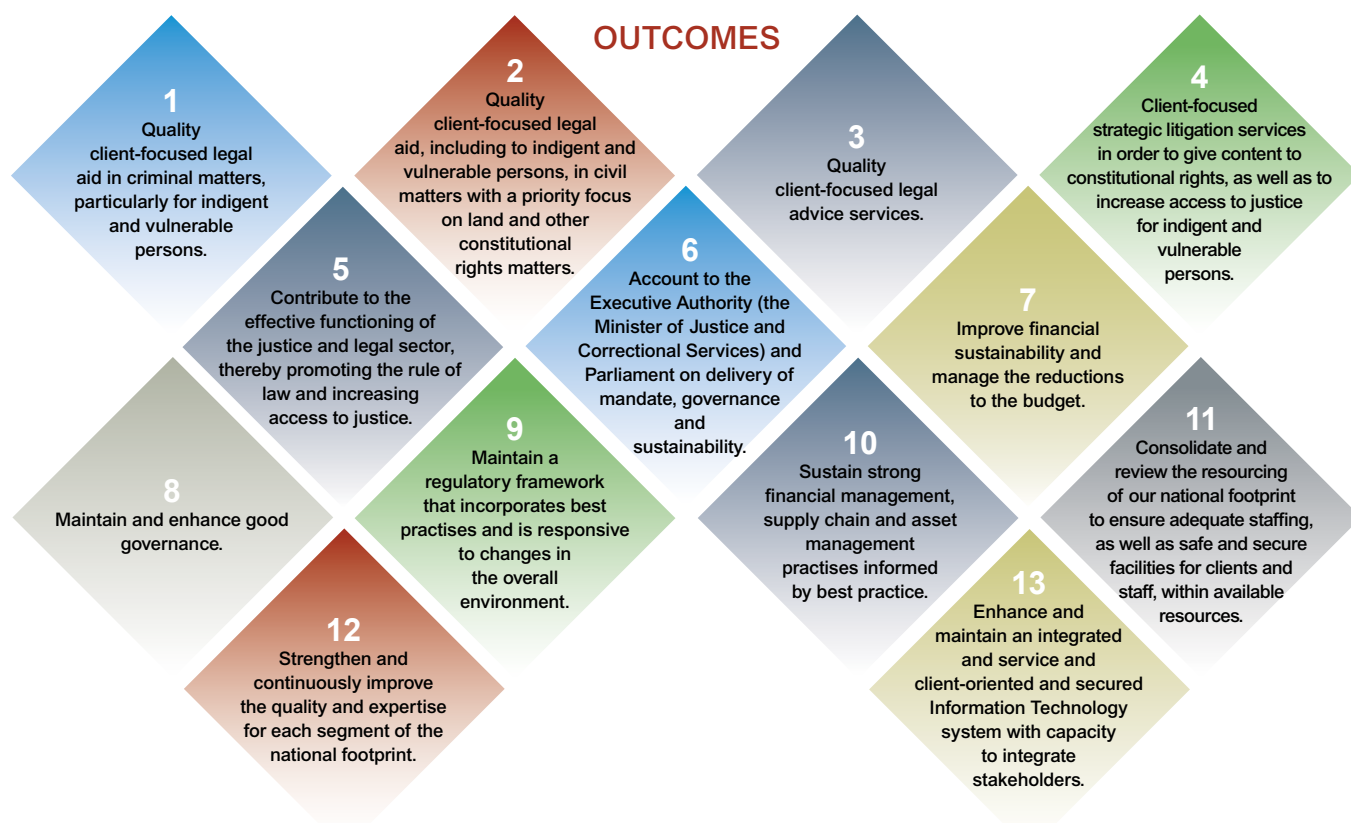
Statistics South Africa has expanded the Victims of Crime Survey to obtain baseline information on the legal needs of South Africans and to whom they turn for assistance when they encounter a legal problem. This survey must be used to assist in guiding policy development relating to the provision of legal services by Legal Aid SA and the provision of the necessary funding to meet these legal needs of South Africans.

Our Cape Town Local Office represented a client who was dismissed as a Clinical Programme Coordinator for community-based services in the Department of Health. The Labour Court ordered her reinstatement. The department failed to reinstate our client into her former position. As a result, our practitioner brought an application for contempt of court against the Western Cape Department of Health and the Member of the Executive Council. While the court re-emphasised that our client must be reinstated in the position she was in before, it did not find the department and the Member of the Executive Council guilty of contempt. However, the effort of our practitioner resulted in the court handing down a reasoned judgment on what constitutes reinstatement.

PERFORMANCE INFORMATION

4.1. STRATEGIC OUTCOME ORIENTED GOALS

The **Impact Statement**: Equal access to justice to build a just society. The objectives and outcomes for 2020-2025 are:



Progress made towards the achievement of the Objectives and Outcomes is reported on in Part B: Performance Information of this Integrated Annual Report.

PERFORMANCE INFORMATION

5. LEGAL AID SA REPORT ON THE SIX CAPITALS

Legal Aid SA adopted the **six** capitals identified by the International Integrated Reporting Council as financial capital, manufactured capital, intellectual capital, human capital, social capital and natural capital. Together they represent stores of value that are the basis of an organisation's value creation. The source of Legal Aid SA's value creation is the constitutional and legislative mandate which enables the formulation of policies and strategies of the organisation. Social and economic imbalances between South Africa's affluent and poor citizens necessitates the State to intervene in providing legal aid to the indigent and vulnerable. Legal Aid SA provides professional legal representation services and legal advice services to the indigent and vulnerable, thereby protecting and defending their rights. The provision of legal aid services further promotes the rule of law and increases confidence in the fairness and accessibility of the criminal justice system and the justice system in general. This contributes to building a just society.

Legal Aid SA operates a mixed model of legal services delivery provided mainly by in-house legal practitioners who are augmented by Judicare and Co-operation Partners. Our legal aid services ensure access to justice for the populace especially in view of the high level of legal costs. Our Means Test, which sets the threshold limits for persons to qualify for legal aid, is periodically reviewed to broaden the level of eligibility of legal aid services for the indigent. Our greatest differentiator lies in our national footprint, and our toll-free Legal Aid Advice Line, which ensure the presence of our services for both urban and rural-based citizens, thus facilitating access to justice.

Our lawyers are committed to deliver quality legal services to ensure a high standard towards the progressive realisation of the rights of individuals. Our low turnover rate and recruitment and retention strategies have ensured that the legal experience and competency levels of our legal professionals is high and able to provide quality legal services and advice to our clients. Moreover, our strategic litigation matters, including class action lawsuits, positively impact the lives of groups of persons and a large section of society by establishing legal precedent, jurisprudence and constitutional damages, resolving group disputes and influencing changes to laws and administrative systems that impact society.

Legal Aid SA's financial management practises not only ensure compliance with legislation and regulatory prescripts, but ensure that resources are economically acquired and efficiently applied to derive maximum output with limited funding from Government. This is evident from obtaining unqualified and clean audit outcomes over the years.

We strive to become a world-class player in the environmental protection space by creating an environmentally friendly working environment, which will bring positive outcomes for all employees and other stakeholders who may be directly affected by our activities. The organisation actively adopts a holistic Environmental Policy and Programme, which aims to educate the Legal Aid SA community to appreciate and deal with environmental issues. The entity further aims to administer and manage itself in an environmentally sensitive way and ensure that Legal Aid SA, through its operations throughout the country (National Office, provincial offices and local offices), complies with applicable legislation and international best practises and standards with regard to the protection of the environment.

We actively manage our brand and reputation, driving service excellence and accountability through integrity and people-centred values. Therefore, we use our combined skills, expertise and years of experience to lead and manage the business operations of our organisation, being mindful of governance principles. The use of the 'practitioner per court' model ensures the efficient and effective use of resources in covering the criminal courts nationwide. Whilst Legal Aid SA has fulfilled its constitutional mandate and the objects of the Legal Aid SA Act, the COVID-19 pandemic has adversely impacted the operations of the organisation and we have had to adapt. The numbers of indigent and vulnerable persons that Legal Aid SA has been able to reach has decreased when compared to the previous financial year (a **23.3%** decrease in new criminal matters; a **45.6%** decrease in new civil matters; a **71.8%** decrease in general advice provision). This is as a result of Regulations and Court Directions issued by Government which changed court operations, not being able to accommodate walk-in clients at our offices and the Legal Aid Advice Line operating at **50%** capacity. Outreach events which enable us to provide education and information concerning legal rights and obligations were not always possible as a result of limitations around gatherings (**67%** of target reached; **35.4%** less than in 2019-2020).

Our active participation in the development of SDG 16, Target 16.3 is a demonstration of our commitment to the rule of law and equal access to justice for all, both locally and internationally. It is therefore our conviction that our strategy to drive a sustainable business growth for access to justice for all must be pursued by State funding for legal aid services.

6. PERFORMANCE INFORMATION BY PROGRAMME/ACTIVITY/OBJECTIVE

The following are the delivery statistics for the organisation nationally and per province for the 2020-2021 financial year, and the detailed performance information against the approved 2020-2021 Annual Performance Plan.

PERFORMANCE INFORMATION

Table 4: Legal Aid SA Corporate Dashboard

No.	Indicator	PERFORMANCE 2020–2021					PERFORMANCE PRIOR YEARS	
		Annual Target		Actual Performance			2019–2020	2018–2019
		Number	%	Number	%	Variance against Target	Number/%	Number/%
OVERALL PERFORMANCE								
1	Client Community			Not achieved		Not achieved	Achieved	Achieved
2	Financial Sustainability			Achieved		On target	Achieved	Achieved
3	Business Processes			Achieved		On target	Achieved	Achieved
4	Employee & Organisational Capacity			Achieved		On target	Achieved	Achieved
EXECUTIVE AUTHORITY ACCOUNTABILITY								
5	Quarterly/Annual Report/s	5		5		On target	5	5
6	Parliamentary Briefings	2		4		On target	2	2
CLIENT COMMUNITY								
7	New Legal Delivery Matters/ Instructions (i.e. number of instructions to legal practitioners) (excluding Pro Bono)			297,206			402,238	416,203
7.1	Local Offices – New Matters	336,160		287,294	85%	15% negative variance to target	385,909	398,203
	(i) District Court			227,154			294,631	301,035
	(ii) Regional Court			33,595			43,644	46,460
	(iii) High Court (including SCA and CC)			1,861			2,600	2,916
	(iv) Civil	45,173		24,684	55%	45% negative variance to target	45,034	47,792
7.2	Judicare – New Matters			7,108			10,330	11,204
7.3	Co–operation Partners – New Matters			2,105			4,857	5,829
7.4	Agency Agreements – New Matters			689			1,117	937
7.5	Strategic Litigation – New Matters			10			25	30
								–
7.6	Pro Bono			91			255	303
8	Finalised Delivery Matters/ Instructions (excluding Pro Bono)			331,893			374,367	410,396
8.1	Local Offices – Finalised Matters	336,160		321,714	96%	4% negative variance to target	360,921	393,442
	(i) District Court			254,094			276,373	300,668
	(ii) Regional Court			33,315			41,253	45,185
	(iii) High Court (including SCA and CC)			2,187			2,500	2,678
	(iv) Civil	45,173		32,118	71%	29% negative variance to target	40,795	44,911
8.2	Judicare – Finalised Matters			6,989			8,301	9,972
8.3	Co–operation Partners – Finalised Matters			2,585			4,489	5,985
8.4	Agency Agreements – Finalised Matters			592			637	971
8.5	Strategic Litigation – Finalised Matters			13			19	26
8.6	Pro Bono			47			119	90
9.1	Criminal Total New Matters			269,388	91%		351,061	362,213
9.2	Civil Total New Matters			27,818	9%		51,177	53,999

PERFORMANCE INFORMATION

Table 4: Legal Aid SA Corporate Dashboard (continued)

No.	Indicator	PERFORMANCE 2020–2021					PERFORMANCE PRIOR YEARS	
		Annual Target		Actual Performance			2019–2020	2018–2019
		Number	%	Number	%	Variance against Target	Number/%	Number/%
10	General Advice	308,050		75,624	25%	75% negative variance to target	266,055	308,050
10.1	Local Offices & Satellite Offices	228,523		50,259	22%	78% negative variance to target	199,668	228,523
10.2	Call Centre	47,921		23,062	48%	52% negative variance to target	39,008	47,921
10.3	RD – Paralegals	31,606		2,303	7%	93% negative variance to target	27,379	31,606
11	Children Awaiting Trial (Legal Aid SA clients only)							
11.1	Pending (>1 month in custody)			53			9	15
12	Children – Total Matters			8,463			13,514	16,173
12.1	Children – New Criminal Matters			4,988	59%		7,781	9,486
12.2	Children – New Civil Matters			3,475	41%		5,733	6,687
13	Pending Matters							
13.1.1	Pending Matters – LO			167,155			201,181	175,628
13.1.2	Total Backlog Matters (LO)			54,898	33%		30,256	33,541
13.2.1	Pending DC – Total (LO)			80,696			107,451	88,975
13.2.2	DC Matters >6 months		15%	16,609	20.6%	5.6% negative variance to target	11,222	9,371
13.3.1	Pending RC – Total (LO)			32,139			31,836	29,378
13.3.2	RC Matters >9 months		25%	14,165	44.1%	19.1% negative variance to target	8,283	9,817
13.4.1	Pending HC – Total (LO)			4,215			4,502	4,399
13.4.2	Pending HC – excluding Appeal Matters			817			786	675
13.4.3	HC Matters >12 months (excluding Appeal/Petition Matters)		30%	365	44.7%	14.7% negative variance to target	219	215
13.5.1	Pending Civil – Total (LO)			50,105			57,392	52,876
13.5.2	Civil Matters >18 months		30%	23,759	47.4%	17.4% negative variance to target	10,532	14,138
14	Legal Services Delivery – Quality Monitoring							
14.1.1	CAs – IA (LQAU) File Audit Score		80%		86%	6% positive variance to target	85%	86%
14.1.2	CAs – IA (LQAU) Court Observation Score		80%				88%	88%
14.2.1	LPs – IA (LQAU) File Audit Score		85%		90%	5% positive variance to target	89%	90%
14.2.2	LPs – IA (LQAU) Court Observation Score		85%				92%	92%
14.3.1	HCU LPs – IA (LQAU) File Audit Score		90%		92%	2% positive variance to target	93%	92%
14.3.2	HCU LPs – IA (LQAU) Court Observation Score		90%				96%	94%
14.4.1	LP – Civil – IA (LQAU) File Audit Score		85%		90%	5% positive variance to target	89%	90%
14.4.2	LP – Civil – IA (LQAU) Court Observation Score		85%				–	93%

PERFORMANCE INFORMATION

Table 4: Legal Aid SA Corporate Dashboard (continued)

No.	Indicator	PERFORMANCE 2020–2021					PERFORMANCE PRIOR YEARS	
		Annual Target		Actual Performance			2019–2020	2018–2019
		Number	%	Number	%	Variance against Target	Number/%	Number/%
15	Community Outreach Programmes							
15.1	Prison Cells Branding	331	100%	577	174%	Higher than target	568	547
15.2	Police Cells Branding	913	100%	1,460	160%	Higher than target	1,407	1,347
15.3	Court Branding	1,028	100%	1,367	133%	Higher than target	1,357	1,257
15.4	Community Events at Government Key Points	1,032	100%	696	67%	Negative variance to target	1,077	1,101
FINANCIAL SUSTAINABILITY								
16	Budget			2,077,873,157			2,062,468,682	1,900,043,664
16.1	MTEF Allocation			1,958,883,000			1,970,973,000	1,800,892,000
16.2	Expenditure (% of budget)		98%	1,916,350,927	92.2%	5.8% lower than target	2,014,039,462	1,861,260,058
16.3	Payments (%) within 30 days							
16.3.1	Judicare		100%		81.4%	18.6% lower than target	81%	98%
16.3.2	Creditors		100%		97.7%	2.3% lower than target	99%	99%
17	AFS Reporting Issues							
17.1	Fraud Detected/Reported			0			3	–
17.2	Unauthorised, Irregular, Fruitless, Wasteful Expenditure			28			25	39
17.3	Irregular Expenditure – Sheriffs			0			1,794	490
17.4	Financial Misconduct			18			18	35
18	Supply Chain Management							
18.1	Bid Adjudication Committee Meetings	12 or as required		12		On target	19	16
18.2	Business Continuity/Crisis Contingency Plan – Meetings	2		45	23	Higher than target	1	1
19	Board							
19.1	Meetings	4		5		On target	6	5
19.2	Training	2		2		On target	2	2
19.3	Board Positions Filled	14		13	1	Below target	14	14
20	Auditor-General Report							
20.1	A-G Overall Report (2020–2021)	Unqualified		Unqualified			Unqualified	Unqualified
20.2	A-G Matters of Emphasis/Mention (2020–2021)	0		0			0	
21	Internal Audit Reports							
21.1	IA Coverage – completed reports	130	95%	124	95%	Lower than target	144	166

PERFORMANCE INFORMATION

Table 4: Legal Aid SA Corporate Dashboard (continued)

No.	Indicator	PERFORMANCE 2020–2021					PERFORMANCE PRIOR YEARS	
		Annual Target		Actual Performance			2019–2020	2018–2019
		Number	%	Number	%	Variance against Target	Number/%	Number/%
BUSINESS PROCESSES								
22	System Availability (%)		99%		99.97%	0.97% positive variance to target	100%	100%
23	User Support (% calls within agreed time)		90%		90.18%	0.18% positive variance to target	82%	92%
23.1	IT Security – viruses blocked at firewall		95%		100%	5% positive variance to target	100%	100%
23.2	Business Intelligence – available		99%		100%	1% positive variance to target	100%	100%
23.3	Disaster Recovery – tested successfully			Disaster Recovery tested successfully			Successfully tested	
23.4	WAN Availability		95%		97.95%	2.95% positive variance to target	96%	95%
EMPLOYEE & ORGANISATIONAL CAPACITY								
24	Infrastructure							
24.1	Local Offices (LOs)	64		64		Maintained	64	64
24.2	Satellite Offices (SOs)	64		64		Maintained	64	64
25	Legal Staffing Recruitment (only LOs)							
25.1	LPs (100% = 1,076 LPs)	1,076	95%	945	87.8%	7.2% lower than target	990	956
25.2	CAs (100% = 548 CAs)	548	95%	413	75.4%	19.6% lower than target	522	531
25.3	Legal Managers (100% = 339 posts)	339	95%	307	90.6%	4.4% lower than target	309	321
25.4	Paralegals (100% = 172 posts)	172	95%	157	91.3%	3.7% lower than target	158	167
26	Staffing							
26.1	Establishment (budgeted posts)			2,799			2,799	2,756
26.2	Number of staff (recruited)		95%	2,426	86.7%	8.3% lower than target	2,571	2,557
26.3	Number of Legal staff (including paralegals) (budgeted)			2,190			2,190	2,182
26.4	Number of Legal staff (including paralegals) as % of total staff (recruited)			1,871	77%		2,025	2,022
26.5	Turnover excluding CAs & temporary/contract staff		Less than 10%	120	5.3%	Better than target	6%	6%
27	Employee Relations							
27.1	Grievances	51	2% of total staff	12	0.5%	Positive variance to target	22	24
27.2	Group Grievances			–	0.0%		2	
27.3	Disciplinary Hearings	64	2.5% of total staff	9	0.4%	Positive variance to target	11	8
27.4	Disciplinary Matters	64	2.5% of total staff	10	0.4%	Positive variance to target	25	32
27.5	New Labour Disputes	25	1% of total staff	3	0.1%	Positive variance to target	5	15

PERFORMANCE INFORMATION

Table 4: Legal Aid SA Corporate Dashboard (continued)

No.	Indicator	PERFORMANCE 2020–2021					PERFORMANCE PRIOR YEARS	
		Annual Target		Actual Performance			2019–2020	2018–2019
		Number	%	Number	%	Variance against Target	Number/%	Number/%
28	Staff Training							
28.1	National Operations Training Unit	4 courses		7	175%	Higher than target		
29.1	Legal staff (LO training hours)							
29.1.1	– CA (24 hours per CA)	12,528		13,269	106%	Higher than target	10,282	17,598
29.1.2	– LP (Subject to needs profile)	9,438		18,085	192%	Higher than target	12,157	13,988
29.2	Support staff training							
29.2.1	– Non–Legal staff (3 strategic courses per functional area)	84		105	125%	Higher than target	78	14,976
29.2.2	– Non–Legal Managers (3 strategic courses per functional area)	84		55	65%	Below target	28	2,208
30	Health & Safety							
30.1	Injury on Duty	27	1% of total staff	5	18.8%	Better than target	21	17
30.2	HIV/AIDS – Voluntary Counselling and Testing (% staff tested)		30%	Cancelled due to budget constraints			Cancelled due to budget constraints	Cancelled due to budget constraints
31	Employment Equity							
31.1	Overall total staff (includes contract and temporary staff)			2,535			2,641	2,684
31.1.1	Blacks		91%	2,282	90.0%	1% lower than target	2,385	2,411
31.1.2	Africans		79%	1,904	75.1%	3.9% lower than target	1,970	1,960
31.1.3	Women		45%	1,384	54.6%	9.6% higher than target	1,444	1,446
31.1.4	People with disabilities		2%	40	1.6%	0.4% lower than target	44	47
31.2	Senior Management			114			111	115
31.2.1	Blacks		91%	91	79.8%	11.2% lower than target	88	93
31.2.2	Africans		79%	74	64.9%	14.1% lower than target	70	71
31.2.3	Women		45%	47	41.2%	3.8% lower than target	43	47

PERFORMANCE INFORMATION

Table 5: Legal Aid SA Corporate Dashboard Provincial Split

		PERFORMANCE – 2020–2021											
No.	Indicator	Annual Target Number	%	Eastern Cape Number	Free State Number	Gauteng/ National Office Number	KwaZulu– Natal Number	Limpopo Number	Mpumalanga Number	North West Number	Northern Cape Number	Western Cape Number	Full Year Number
LO PERFORMANCE MONITOR													
1	LO Performance Monitor National Average		90%	91%	96%	93%	92%	91%	91%	92%	94%	94%	92%
CLIENT COMMUNITY													
2	New Legal Delivery Matters/ Instructions (i.e. number of instructions to legal practitioners)			40,732	27,118	55,120	49,876	15,981	21,099	14,745	14,373	58,162	297,206
2.1	Local Offices – Total New Matters	382,726		39,531	25,866	53,145	48,262	15,764	20,726	14,280	13,642	56,078	287,294
2.2	Judicare – Total New Matters			691	926	1,419	1,447	217	268	426	436	1,278	7,108
2.3	Co-operation Partners – Total New Matters			510	–	546	167	–	105	39	–	738	2,105
2.4	Agency Agreements – Total New Matters			–	326	–	–	–	–	–	295	68	689
2.5	Strategic Litigation			–	–	10	–	–	–	–	–	–	10
2.6	Pro Bono			21	7	15	5	23	12	3	–	5	91
2.7	Local Offices – New Criminal Matters			35,793	23,277	47,760	44,822	13,984	19,036	12,732	12,769	52,437	262,610
2.8	Judicare – New Criminal Matters			513	577	997	1,349	176	243	409	371	1,232	5,867
2.9	Co-operation Partners – New Criminal Matters											220	220
2.10	Agency Agreements – New Criminal Matters				326						295	68	689
2.11	Strategic Litigation – New Criminal Matters					2							2
2.12	Pro Bono – New Criminal Matters			4		11	5	21	9	3		5	58
2.13	Local Offices – New Civil Matters			3,738	2,589	5,385	3,440	1,780	1,690	1,548	873	3,641	24,684
2.14	Judicare – New Civil Matters			178	349	422	98	41	25	17	65	46	1,241
2.15	Co-operation Partners – New Civil Matters			510		546	167		105	39		518	1,885
2.16	Agency Agreements – New Civil Matters												–
2.17	Strategic Litigation – New Civil Matters					8							8
2.18	Pro Bono			17	7	4		2	3				33

PERFORMANCE INFORMATION

Table 5: Legal Aid SA Corporate Dashboard Provincial Split (continued)

		PERFORMANCE – 2020–2021																					
No.	Indicator	Annual Target		Eastern Cape	Free State	Gauteng/ National Office	KwaZulu– Natal	Limpopo	Mpumalanga	North West	Northern Cape	Western Cape	Full Year										
		Number	%	Number	Number	Number	Number	Number	Number	Number	Number	Number	Number										
3	Finalised Legal Delivery Matters/Instructions			45,507	30,028	58,853	56,818	18,111	23,211	19,402	15,535	64,428	331,893										
3.1	Local Offices – Finalised Matters		100% of new matters	44,126	28,981	56,556	55,377	17,942	22,834	18,965	14,834	62,099	321,714										
3.2	Judicare – Finalised Matters			744	783	1,554	1,282	169	300	399	430	1,328	6,989										
3.3	Co–operation Partners – Finalised Matters			637		730	159		77	38		944	2,585										
3.4	Agency Agreements				264																		
3.5	Strategic Litigation					13					271	57	592										
3.6	Pro Bono			1	10	10	5	10	2			9	47										
4.1	Criminal New Matters			36,306	24,180	48,759	46,171	14,160	19,279	13,141	13,435	53,957	269,388										
4.2	Civil New Matters			4,426	2,938	6,361	3,705	1,821	1,820	1,604	938	4,205	27,818										
5	Children – Total Matters			1,463	744	1,606	1,254	261	418	421	345	1,951	8,463										
5.1	Children – New Criminal Matters			549	333	763	815	199	230	230	303	1,566	4,988										
5.2	Children – New Civil Matters			914	411	843	439	62	188	191	42	385	3,475										
EMPLOYEE & ORGANISATIONAL CAPACITY																							
6	Infrastructure																						
6.1	Local Offices (LOs)	64		10	6	10	10	5	4	7	3	9	64										
6.2	Satellite Offices (SOs)	64		11	3	4	11	7	10	3	6	9	64										
7	Legal Staffing (only LOs, excludes National Office)																						
7.1	LPs (100% = 1,076 LPs)		98%	172	62	193	150	66	67	57	40	138	945										
7.2	CAs (100% = 548 CAs)		98%	64	27	96	75	29	31	22	11	58	413										
7.3	Legal Managers (100% = 339 posts)		98%	51	27	56	51	23	20	24	13	44	309										
8	Staffing (only LOs, excludes National Office)																						
8.1	Establishment (budgeted posts)	2,591		421	210	504	442	180	181	155	111	387	2,591										
8.2	Number of staff (recruited)	2,237	98%	379	172	457	362		156	139	88	317	2,237										
9	Budget per province (total excludes National Office)			279,292,062	140,270,633	352,135,608	284,786,217	123,837,268	99,070,199	100,838,856	81,760,250	237,616,820	1,699,607,913										

PERFORMANCE INFORMATION

Table 6: Annual Performance Report

CLIENT, COMMUNITY, STAKEHOLDER AND SHAREHOLDER PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Variance and Reason for Variance	Reason for Revisions to the Outputs/Output Indicators/ Annual Targets	
Objective 1	Empowered clients and communities making informed choices about their legal matters, rights and responsibilities.										
Outcome 1	Quality client-focused legal aid in criminal matters, particularly for indigent and vulnerable persons.										
P1	To deliver quality legal aid services in criminal matters that are client-focused, within available resources.										
P1-1	Access to criminal legal aid services	To cover all criminal courts as per our court coverage targets (DC =83%; RC =93%; HC = 100% legal aid matters), thereby protecting clients' rights to a fair trial.	Delivering quality client-focused legal aid in criminal matters, particularly for indigent and vulnerable persons.	Legal aid provided to qualifying accused persons.	Planned court coverage (DC and RC). Planned percentage coverage (HC: actual matters).	Total new criminal matters: 362,213. Average DC coverage: ≥84%. Average RC coverage: ≥94%. HC coverage: All legal aid matters covered.	We had 86% planned coverage of DCs as at the end of FY 2019-2020. Our RC planned coverage at the end of FY 2019-2020 was 94%. Representation was provided in all matters that required legal aid in HCs.	Average DC coverage: ≥ 83%. Average RC coverage: ≥93%. HC coverage: All legal aid matters covered.	We had 85% planned coverage of DCs at the end of the 2020-2021 FY. Our RC planned coverage at the end of FY 2020-2021 was 94%. Representation was provided in all matters that required legal aid in HCs.	N/A	
Objective 2	All indigent and vulnerable members of society have equal access to public-funded legal services to protect and defend their rights.										
Outcome 2	Quality client-focused legal aid, including to indigent and vulnerable persons, in civil matters with a priority focus on land and other constitutional rights matters.										
P2	Deliver quality civil legal aid services that are client-focused, with a priority for constitutional rights, within available resources.										
P2-1	Access to civil legal aid services	Provide legal representation to clients in civil matters in terms of our targets (offices = 90% of recruited practitioner productivity targets; Judiciary = ≥ 10% of office new civil matters; Co-op within available budget), thereby protecting clients' constitutional rights.	Delivering quality client-focused legal aid, including to indigent and vulnerable persons, in civil matters with a priority focus on constitutional rights.	Civil clients assisted within available capacity.	Civil legal aid delivery – number of clients assisted in civil matters.	Total new civil matters: 53,990.	In the 2019-2020 FY we took in 51,177 new civil matters through our various delivery models. This exceeds the target of 47,580 by 7.6% (3,597). Internal practitioners took in 45,034 new matters, which is 88% of the total new civil matters taken in. Co-operation/ Agency Partners took in 4,310 new civil matters which is 8.4% of the total new civil matters. 1,810 instructions were issued to Judiciary which is 3.5% of the total new civil matters.	i. Office: ≥90% of civil practitioner target (@ recruitment rate of 95%). ii. Judiciary: ≥10% are civil matters. iii. Co-op: based on budget allocation (based on cost/case being lower than Judiciary cost/case for civil matters - unless otherwise agreed).	As at the end of the 2020-2021 FY, Legal Aid SA took in 27,818 new civil matters through its delivery mechanisms. This is 54% of the annual target of 51,118. Internal practitioners took in 24,684 new matters, which is 89% of the total new civil matters for the FY. Co-operation Partners took in 1,885 new matters, which is 7% of the total new civil matters taken in for the FY. We issued 1,241 civil instructions to Judiciary legal practitioners, which is 4% of the total new civil matters for the FY. Eight new civil matters have been recognised as strategic litigation matters in the FY.	The delivery of civil legal services was impacted by Regulations, Directions and Directives issued by Government in order to curb the spread of COVID-19. From April 2020 to March 2021, various Alert Levels were implemented by Government which impacted on which services Legal Aid SA was able to deliver.	N/A

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

CLIENT, COMMUNITY, STAKEHOLDER AND SHAREHOLDER PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/Output Indicators/ Annual Targets
Objective 2	All indigent and vulnerable members of society have equal access to public-funded legal services to protect and defend their rights.										
Outcome 2	Quality client-focused legal aid, including to indigent and vulnerable persons, in civil matters with a priority focus on land and other constitutional rights matters.										
PP2	Deliver quality civil legal aid services that are client-focused, with a priority for constitutional rights, within available resources.										
PP2-1									As at the end of the 2020-21 FY, Legal Aid SA finalised a total of 35,502 civil matters through its various delivery mechanisms. This is 69.5% of the annual target of 51,118. Internal practitioners finalised 32,118 civil matters, which is 90.5% of the total civil matters finalised in the FY. Co-operation Partners finalised 2,320 civil matters, which is 6.5% of the total civil matters finalised for the FY. Judicare practitioners finalised 1,052 civil matters, which is 3% of the total civil matters finalised for the FY. Our Strategic Litigation Unit finalised 12 civil matters as at the end of the FY.	Civil services delivery was impacted by the various Regulations, Directives and Guidelines issued by the Government since April 2020 to curb the spread of COVID-19. Under the various Alert Levels, certain services and access to courts were limited, but gradually lifted. As limitations were reduced, we were able to deliver more services and finalise more matters although we have a significant backlog which arose in this FY.	N/A

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

CLIENT, COMMUNITY, STAKEHOLDER AND SHAREHOLDER PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/Output Indicators/ Annual Targets
Outcome 3	Quality client-focused legal advice services.										
P3	To deliver quality legal advice services that are client-focused, within available resources.										
P3-1	Legal advice services	To provide legal advice to clients, thereby ensuring that clients are enabled to resolve their disputes.	Delivering quality client-focused legal advice services.	General advice service provided at all offices.	General legal advice services.	Advice matters: 308,050.	In the 2019-2020 FY, we assisted 266,055 clients with general advice. This is 42,105 (14%) less when compared to the previous FY. Local and satellite offices assisted 199,668 clients, which is 75% of the total clients assisted. RD paralegals assisted 27,379 awaiting trial or sentenced prisoners at correctional centres, which is 10.3% of the total clients assisted. The Legal Aid Advice Line assisted 39,008 clients with telephonic advice, which is 14.7% of the total clients assisted.	General advice service available at all Legal Aid SA offices. Growth in legal advice matters: 0% over previous financial year (target set at 0% subject to demand and available capacity).	In FY 2020-2021, Legal Aid SA assisted 75,624 clients with general advice. The number of clients assisted at the local and satellite offices is 50,259. The number of clients assisted at correctional facilities is 2,303. The Legal Aid Advice Line assisted 23,062 clients.	Legal advice is demand-based. The start of the 2020-2021 FY was impacted by the Regulations and Court Directions issued by Government which determined how and which types of clients we could assist. Under Level 5 no general advice service was available. Under Levels 4 and 3 general advice services became available if matters fell under permitted matters. Legal Aid SA started accepting walk-in clients at the local and satellite offices as from October 2020. The Legal Aid Advice Line is still operating with 50% staff capacity which impacts on the number of clients that can be assisted.	N/A

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

CLIENT, COMMUNITY, STAKEHOLDER AND SHAREHOLDER PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/Output Indicators/ Annual Targets
Outcome 4	Client-focused strategic litigation services in order to give content to constitutional rights, as well as to increase access to justice for indigent and vulnerable persons.										
P4	To undertake strategic litigation, particularly in social justice related matters in order to give content to the rights enshrined in the Constitution.										
P4-1	Strategic litigation addressing social justice	Provide legal representation to clients in strategic litigation matters relating to constitutional and socio-economic rights as well as the development of relevant jurisprudence within available budget at a ≥90% success rate.	Delivering client-focused strategic litigation services in order to give content to constitutional rights, as well as to increase access to justice for indigent and vulnerable persons.	Legal representation provided in strategic litigation matters.	Clients' access to strategic litigation services.	New impact matters: 30.	In 2019-2020, the Impact Litigation Unit assessed 49 matters for recognition as impact matters. The CCMC approved 25 new impact matters. A total budget of R5,428,179.70 was approved for the FY out of a budget of R6,855,352 for impact matters. This translates to 79.1% expenditure of the total annual budget. For the FY 2019-2020, 19 matters were finalised; 17 with outcomes, of which 15 matters were finalised with a positive outcome and two matters were finalised with a negative outcome. One matter was finalised without an outcome because the funding agreement was not signed as accepting the terms thereof, and in one matter a client could not be found to challenge medical council legislation. This translates to an 88% success rate for the matters finalised with an outcome. Seven of the finalised matters were Legal Aid SA matters and 12 finalised matters were external service provider matters.	Strategic litigation matters as approved by the CCMC within budget. ≥90% success rate.	The SLU assessed 32 matters and the CCMC approved 10 matters within the revised annual budget. The budget utilised is R2,943,635 from the revised annual budget of R3,795,420. This translates to utilisation of 77.5% of the revised annual budget. Thirteen matters were finalised in the FY. Eleven of these matters were finalised with a positive outcome, one was finalised without an outcome and one matter was finalised with a negative outcome. This translates to a 91% success rate for the FY.		N/A

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

CLIENT, COMMUNITY, STAKEHOLDER AND SHAREHOLDER PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/Output Indicators/ Annual Targets
Objective 3	A fair, efficient and effective justice system that ensures equal access to justice for all.										
Outcome 5	Contribute to the effective functioning of the justice and legal sector thereby promoting the rule of law and increasing access to justice.										
PP5	To participate in justice cluster forums to contribute to improving the efficient functioning of the justice system to improve access to justice.										
PP5-1	Participate in National and Provincial Efficiency Enhancement Structures	To participate in efficiency enhancement structures, including the NEEC, PEECs and Dev Comm, thereby contributing to the effective functioning of the justice system, including monitoring the implementation of the CJS Review 7-point Plan.	Contributing to the effective functioning of the justice and legal sector thereby promoting the rule of law and increasing access to justice.	Participation in National and Provincial Efficiency Enhancement Structures.	Participation in efficiency enhancement structures aimed at improving the functioning of courts and justice system.	NEEC meetings: 1. PEEC meetings: 36.	Legal Aid SA is invited to NEEC and PEEC meetings that are arranged in order to advance the interests of the organisation, as well as contribute to the efficient operation of the justice system as a whole. Legal Aid SA attended the following meetings as at the end of the FY: NEEC meetings - 1; PEEC meetings - 33.	Attendance at NEEC and PEEC meetings as per meeting schedules.	Legal Aid SA was invited to NEEC and PEEC meetings in order to advance the interests of the organisation, as well as contribute to the efficient functioning of the justice system. Only five PEEC meetings were held during the FY. No NEEC meetings were held during the FY.	Due to the National Lock-down as a result of COVID-19, meetings of the NEEC and the PEEC were not arranged by the heads of courts as per the normal schedule.	N/A
Objective 4	Delivering on our constitutional and statutory mandate thereby ensuring equal access to justice for all, in an independent, accountable and sustainable manner.										
Outcome 6	Account to the Executive Authority (the Minister of Justice and Correctional Services) and Parliament on delivery of mandate, governance and sustainability.										
PP6	To account and provide assurance to the Executive Authority (the Minister of Justice and Correctional Services) and Parliament on performance, governance and sustainability.										
PP6-1	Reporting and accountability to the Executive Authority	Report to Executive Authority and Parliament on Legal Aid SA's performance for the four quarters in a financial year as well as for annual reports over the MTEF period.	Accounting to the Executive Authority (the Minister of Justice and Correctional Services) and Parliament on delivery of mandate, governance and sustainability.	Four quarterly performance reports. One Annual Report.	Accurate quarterly and annual reports submitted timeously to the Executive Authority.	Four quarterly reports. One Annual Report.	In the 2019-2020 FY: Four Reports on Performance against Annual Performance Plan for 2019-2020 was submitted to the EA. One Annual Report 2018-2019 was submitted to the Executive Authority, National Treasury, Auditor-General and tabled in Parliament timeously. Two briefing sessions of the Portfolio Committee were held in the 2019-2020 FY. Legal Aid SA responded timeously to all Parliamentary questions received.	Four quarterly performance reports submitted within one month of the end of the quarter. One Annual Report.	During 2020-2021: Four Reports on Performance against Annual Performance Plan (Q1 2020-2021, Q2 2020-2021, Q3 2020-2021, Q4 2020-2021) submitted to the EA. One Annual Report 2019-2020 submitted to the EA. Four briefings of the Portfolio Committee held. Legal Aid SA responded timeously to all Parliamentary questions received.	N/A	

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

FINANCE AND SUSTAINABILITY PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/ Output Indicators/ Annual Targets
Objective 5	An organisation re-inventing and embedding sustainable and agile practises in every segment to positively impact on society, the economy and the environment.										
Outcome 7	Improve financial sustainability and manage the reductions to the budget.										
P7	To continuously improve financial planning (budgeting) including managing the budget cuts to ensure a balanced budget.										
P7-1	Financial planning	To ensure balanced financial plans for each year of the MTEF period that balances planned expenditure against revenue.	Improving financial sustainability and managing the reductions to the budget.	Approved balanced MTEF and budget.	Budget which is balanced.	Prepared MTEF 2019/20- 2021/22 aligned to Strategic Plan.	Approved balanced budget for 2019-2020 was loaded and operational effective 1 April 2019. Draft MTEF 2020/21-2022/23 prepared, approved by the Board at the July 2019 meeting. Final Allocation Letter confirmed that there are no budget cuts for the FY 2020-2021. The year-end expenditure against budget is 98%.	Balanced budget (in consideration of Government grant allocation and available cash reserves for Legal Aid SA).	The Board approved the MTEF for the period 2020/21- 2022/23 in June 2019. The balanced budget for 2020-2021 was approved by the Board on 30 November 2019. The Board approved the Adjusted Legal Aid SA Budget 2020-2021 in November 2020 due to the NT request for entities to reduce their baseline with R104 million from the Compensation of Employees, as part of the Compensation of Employees reductions announced in the 2020 Budget Speech, which was tabled in Parliament during its October 2020 meeting.	N/A	

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

FINANCE AND SUSTAINABILITY PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/ Output Indicators/ Annual Targets
P8	Maintain strong and best practice financial management and reporting to ensure unqualified audit outcome and high financial maturity.										
P8-1	Financial reporting	Financial reporting for a financial year timeously presented to National Treasury and the Office of the Auditor-General, which is compliant with relevant standards and regulations. To ensure no over expenditure and under expenditure ≤2% on the budget in the planned period.	Improving financial sustainability and managing the reductions to the budget.	Annual and mid-year Financial Statements.	Financial reporting compliant with relevant standards and regulations.	Prepared Annual Financial Statements that are compliant with the financial reporting framework and regulations.	Draft Annual Financial Statements prepared and approved by the Audit Committee and Board in May 2019 and July 2019. External audit (2019) finalised and unqualified audit opinion was issued by the A-G. Mid-year Financial Statements considered by the Board at the November 2019 meeting. Draft Annual Financial Statements approved by the Board at its May 2020 meeting.	Annual and mid-year Financial Statements compliant with relevant standards and regulations.	The Legal Aid SA mid-year Financial Statements 2020-2021 were prepared and approved by the Board at its November 2020 meeting. The Annual Financial Statements for 2020-2021 were finalised and submitted to the A-G at the end of May 2021.		N/A

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

FINANCE AND SUSTAINABILITY PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/ Output Indicators/ Annual Targets
Objective 6	Sustaining good governance, best practises and maintaining high ethical standards and integrity, high performance and accountability.										
Outcome 8	Maintain and enhance good governance.										
PP9	To maintain best governance practices (PFMA compliance, King IV guidelines and other relevant statutory requirements).										
PP9-1	Compliance with statutory requirements	Governance practices within Legal Aid SA fully compliant to statutory requirements throughout each year.	Maintaining and enhancing good governance.	Monthly statutory compliance and deadlines exception listings. Quarterly updated compliance provisions. Quarterly Compliance Reports. Six monthly updated Legislative Universe Reports.	Compliance with statutory requirements including Legal Aid South Africa Act and PFMA.	To maintain best governance practices (PFMA compliance, King IV guidelines and other relevant statutory requirements). Materially compliant with relevant legislation.	Revised quarterly compliance checklists in place. Statutory compliance signed off by Executives. Quarterly Compliance Report presented to the Board.	100% compliance with statutory requirements.	The Compliance Universe was updated during the 2020-2021 financial year. Monthly Compliance Checklists were signed off by Executives and the Quarterly Compliance Reports were reviewed and noted by the Board.		N/A

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

FINANCE AND SUSTAINABILITY PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/ Output Indicators/ Annual Targets
P10	Maintain and enhance independent monitoring and oversight providing combined assurance.										
P10-1	Risk-based Audit Coverage Plan	Audit Coverage Plan of the organisation independently implemented from line functionaries/ Management periodically throughout each year over the MTEF to provide independent assurance on governance, compliance in line with the internal control framework and risk management.	Maintaining and enhancing good governance.	One annual Audit Coverage Plan; one Revised Mid-Year Audit Coverage Plan; Audit Reports issued as per the Audit Coverage Plan.	Delivery of annual Audit Coverage Plan.	166 (99%) of audit projects completed. Six additional projects completed, so a total achievement of 102%.	One hundred and forty-four out of 148 audit projects were completed, resulting in a 97% achievement of the annual target as at the end of FY 2019-2020. An additional six projects were completed outside the approved coverage plan, translating to a total overall target achieved of 101%. One hundred and two projects were completed by General Audit; 23 projects completed by Computer Audit and 19 projects completed by Forensic Audit.	≥95% of Audit Coverage Plan delivered.	One hundred and twenty-four out of 130 Compliance Audit Reports were completed by the end of 2020-2021, resulting in 95% total achievement of the annual target. Six additional audit projects were completed outside the approved annual coverage plan which translates to the overall achievement of 100% (130 out 130) total audit projects for the year. The 124 total reports comprise 86 reports and one additional report completed by the General Audit Unit. The Computer Audit Unit completed a total of 21 reports and four additional reports. The Forensic Unit completed a total of 17 reports and one additional report.	General Audit Unit: Two planned tender verifications were not submitted to Internal Audit to make up a total number of required verifications. Computer Audit Unit: The sixth data review project was cancelled and replaced with an <i>ad hoc</i> audit that was completed in Quarter 4 2020- 2021. Forensic Audit Unit: Three approved and planned forensic investigations could not be conducted due to the impact of COVID-19.	N/A

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

FINANCE AND SUSTAINABILITY PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/ Output Indicators/ Annual Targets
P11	An effective and strategic Board providing leadership and oversight of sustainable performance.										
P11-1	An effective, functional Board	An efficient Board (Accounting Authority) which is properly constituted in terms of the Legal Aid SA Act (39 of 2014) and which is quorate in its meetings as per its meeting schedule; an effective Board which provides strategic direction and which maintains oversight of performance against the Strategic Plan and APP.	Maintaining and enhancing good governance.	Board meetings as per schedule. Governance instruments approved by the Board.	Skilled and effective Board and Board Committees.	Five Board meetings. Board fully constituted, functioning Board Committees in place.	As at the end of 2019-2020, the Board of Legal Aid SA was not fully constituted. The term of the representative of the Director-General of Justice on the Board ended on 29 February 2020. The new Board was appointed by the MoJ in January 2019, effective 1 March 2019. The Board provided effective and strategic leadership and oversight of delivery on the performance of Legal Aid SA. Board Committees were in existence and functioned effectively. Two additional Board meetings held on 29 June 2019 and 13 September 2019 bring the total number of Board meetings in 2019-2020 to six.	Property constituted Board (in terms of Legal Aid SA Act, 2014).	As at the end of the 2020-2021 FY, the Board of Legal Aid SA was not fully constituted. Thirteen out of 14 Board positions were filled. An effective and strategic Board provided leadership and oversight of delivery on the performance of Legal Aid SA. Board Committees were in existence and functioned effectively.	The Audit Committee Chairperson resigned as at the end of November 2020. This created a vacancy on the Board of Legal Aid SA. An additional Board meeting was held on 29 May 2020 to bring the total number of meetings of the Board to five.	N/A

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

INTERNAL BUSINESS PROCESSES PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/ Output Indicators/ Annual Targets
Objective 7	Legal Aid South Africa's regulatory framework is responsive to the changing legal, social and economic environment.										
Outcome 9	Maintain a regulatory framework that incorporates best practices and is responsive to changes in the overall environment.										
P12	Ensure that the Legal Aid SA Act, Legal Aid Regulations (policy) and Legal Aid Manual (procedures) are reviewed to ensure relevance to changes in the environment.										
P12-1	Legal Aid SA Act	To ensure a sound regulatory environment under which Legal Aid SA operates, thereby ensuring that the legal aid scheme is sustainable, transparent and fair. To ensure that the Regulations setting out legal aid policy are drafted and that the Legal Aid Manual setting out legal aid procedures is drafted for the consideration by the new Board.	Maintaining a regulatory framework that incorporates best practices and is responsive to changes in the overall environment.	Legislative framework responsive to business needs.	Legal Aid SA founding legislation reviewed.	Proposed amendments to the Legal Aid SA Act will be incorporated in the 2019/2020 Judicial Matters Amendment Bill by the DoJ&CD.	The amendments to the Legal Aid SA Act have been approved by the Board. These amendments were excluded by the DoJ&CD on the Judicial Matters Amendment Bill 2018. The amendments have been resubmitted to be considered for inclusion in the 2020 Judicial Matters Amendment Bill.	Legal Aid SA Act reviewed once every two years or as and when required.	The Legal Aid SA Act was reviewed as required. There were still outstanding amendments that were to be included in the 2020 Judicial Matters Amendment Bill, but same remains outstanding.		N/A
P12-2	Legal Aid SA Act (2014) Legal Aid Regulations (Policy)			Policy framework responsive to business needs.	Legal Aid SA Regulations remain relevant and up to date.	The Regulations came into operation on 29 March 2019, amending the Means Test as provided for in Regulation 27.	The Regulations to the Act with regard to the Means Test were updated in the previous financial year. The revised Means Test came into operation on 29 March 2019. No further amendments to the Regulations were deemed necessary in the 2019-2020 financial year.	Legal Aid Regulations reviewed at least once every two years, or as and when required.	The Board submitted proposed amendments to the Regulations to the Executive Authority. The proposed amendments have been tabled before Parliament in Quarter 4. The Select Committee has been briefed on the proposed amendments which must still be considered by the Portfolio Committee.		N/A

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

INTERNAL BUSINESS PROCESSES PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/ Output Indicators/ Annual Targets
P12	Ensure that the Legal Aid SA Act, Legal Aid Regulations (policy) and Legal Aid Manual (procedures) are reviewed to ensure relevance to changes in the environment.										
P12-3	Legal Aid Manual (Procedures)			Organi- sational procedures remain relevant to business needs.	Legal Aid Manual updated.	Revised Legal Aid Manual came into operation on 29 November 2018. In Quarter 4, the Board approved the amendment to the Manual relating to payment for travel for Judicare practitioners.	Legal Aid Manual version 3 came into operation on 1 June 2019 and version 4 came into operation on 28 October 2019.	Annual review or as and when required.	Version 5 of the Legal Aid Manual came into operation on 15 December 2020 after tabling in Parliament and Gazetting by the Executive Authority.		N/A

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

INTERNAL BUSINESS PROCESSES PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/ Output Indicators/ Annual Targets
Objective 8	An effective, efficient, economic and environmentally responsive supply chain management system supporting client services delivery and internal business processes.										
Outcome 10	Sustain strong financial management, supply chain and asset management practices informed by best practice.										
P13	To maintain an efficient supply chain management framework and practises.										
P13-1	Supply chain management	Maintaining 100% compliance with PPPFA, PFMA and relevant NT regulations on administering procurement of goods and services and managing supply chain management processes.	Sustain strong financial management, supply chain and asset management practices informed by best practice.	Quarterly reports on acquisition of goods/ services in excess of R0.5 million, indicating compliance with PPPFA, PFMA and relevant NT regulations.	Compliance with PPPFA, PFMA and relevant NT regulations.	Implemented Supply Chain Management Policy. Reported deviations above R1 million to National Treasury and the Auditor-General and these were submitted to the Board for noting.	Supply Chain Management Policy implemented to ensure 100% compliance with relevant SCM prescripts. There was irregular expenditure incurred for non-CSD registered Sheriffs and non-CSD/non-tax compliant landlords for office leases.	100% compliance with PPPFA, PFMA and relevant NT regulations when acquiring goods and services.	The relevant legislation (PPPFA, PFMA and Treasury Regulations) have been complied with, with exception for cases where irregular expenditure incurred was identified.		N/A

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

EMPLOYEE AND ORGANISATIONAL CAPACITY AND INNOVATION AND LEARNING PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/ Output Indicators/ Annual Targets
Objective 9	An appropriately resourced national footprint that is adaptable to changing technological and environmental factors to ensure improved access to our clients, communities, stakeholders and employees.										
Outcome 11	Consolidate and review the resourcing of our national footprint to ensure adequate staffing, as well as safe and secure facilities for clients and staff, within available resources.										
P14	Appropriately staff all Legal Aid SA offices, within available resources.										
P14-1	Review and develop staffing plans to meet operational requirements for Legal and Support positions	To ensure that the staffing levels at all Legal Aid SA offices are maintained at the required recruitment level (≥95%), thereby ensuring the requisite capacity to render legal services to clients.	Consolidate and review the resourcing of our national footprint to ensure adequate staffing, as well as safe and secure facilities for clients and staff, within available resources.	Staffing plans ensure effective management of recruitment statistics at ≥95%.	Staffing plans implemented timeously.	Staff recruitment: 92.8%.	Staff recruitment at year end is at 91.9%. The staff turnover rate is at 5.78%.	Recruitment at ≥95%.	The recruitment and staff turnover rates were recorded at 86.7% and 5.34%, respectively.	Recruitment is recorded at 86.7%, which is below the 95% target due to a moratorium placed on staff recruitment as a result of budget cuts uncertainty.	N/A
Objective 10	Knowledgeable, informed, self-directed and committed employees competently delivering the organisation's constitutional mandate and strategies in a sustainable manner.										
Outcome 12	Strengthen and continuously improve the quality and expertise for each segment of the national footprint.										
P15	To strengthen and continuously improve the quality and expertise for each segment of the national footprint.										
P15-1	Skills development	To develop a competent workforce capable of delivering strategic objectives and outcomes set in each year and accumulatively for the strategic planning period of 2020-2025. To develop the legal expertise of the legal practitioners to ensure the delivery of quality legal services/ advice to clients.	To strengthen and continuously improve the quality and expertise for each segment of the national footprint.	Annual Training Plan (ATP) and Annual Training Report (ATR) submitted to SASSETA in compliance with the Skills Development Act.	Submissions to comply with the Skills Development Act.	Workplace Skills Plan (WSP) and ATR submitted on 30 April 2018.	The WSP and ATR were submitted to SASSETA in Quarter 1 as per the statutory deadline, in compliance with the Skills Development Act.	Submission of the WSP and ATR in compliance with the Skills Development Act.	Legal Aid SA submitted the following to SASSETA in April 2020: i. Workplace Skills Plan. ii. Annual Training Plan.		N/A

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

EMPLOYEE AND ORGANISATIONAL CAPACITY AND INNOVATION AND LEARNING PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/ Output Indicators/ Annual Targets
P15-2	Employment Equity			Diverse workforce in line with annual targets to achieve employment equity goals. Employment Equity (EE) Plan and Reports.	Targets defined nationally per performance, per office and per Department as per approved Employment Equity Plan.	Overall, African men, Coloured men and people with disabili- ties are under- represented groups. There is also a challenge with African females in the Senior, Top Management and Profes- sional levels. Disability recruitment grew from 0.9% to 1.75% of a target of 2%.	Legal Aid SA has a diverse work- force in line with annual targets to achieve employ- ment equity goals, as per the EE Plan and Reports. Overall, African men, Coloured men and people with disabilities are the most underrepresented groups. We still have a challenge with African Males in Senior, Profes- sional, Skilled technical and Semi-skilled levels, as well as African Females in Senior and Profes- sional levels. Disability recruit- ment grew from 0.9% to 1.67% of a target of 2%. Coloured Females in Top and Senior Management and Indian Males in the Skilled and Semi-skilled levels are also a challenge as these groups are underrepresented.	Implementation of the approved EE Plan 2020- 2025. There was an improvement in the attraction of African Females to the Senior Management level, with a movement from 19 to 22 of the target of 34 in the EE Plan. Top Management is around the target. The attraction of employees with disability remains a challenge. The organisation is currently sitting at 1.58% of the 2% Department of Labour and Employment and Employee Assistance Programme target. The attraction of African Females and employees with disability will be hastened. Strategies to retain and attract them will be developed.	Systemic chal- lenges (OSD disparity) was unfavourable to previously disadvantaged groups, hence they are under- represented at the Senior Management level). Recruitment of Black Females at Senior Man- agement level still remains a challenge. Programmes such as Middle Management Leadership Development are implement- ed to address the gap.	N/A	

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

EMPLOYEE AND ORGANISATIONAL CAPACITY AND INNOVATION AND LEARNING PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/ Output Indicators/ Annual Targets
Objective 11	Embracing emerging technologies including the Fourth Industrial Revolution to optimise its impact on business and the provision of client services through a responsive and adaptive IT environment.										
Outcome 13	Enhance and maintain an integrated and service and client-oriented and secured Information Technology system with capacity to integrate stakeholders.										
P16	Annual review and approval of IT strategy, IT architecture framework, IT maturity and IT policies with continuous maturity assessments for competitive advantage.										
P16-1	IT network	Build and maintain an effective, service-oriented Information Systems architecture and technology responsive to the daily work requirements of staff and customer needs.	Enhance and maintain an integrated and service-oriented and secured Information Technology system with capacity to integrate stakeholders.	Provide effective throughput of reliable data across accessible IT systems.	Stable and reliable Wide Area Network (WAN) and Virtual Private Network (VPN).	Average WAN availability for the FY 2018-2019 was 94.38%.	Average network availability was 95.54% in the FY 2019-2020. This is in line with the performance target of 95%.	VPN connected to all sites and available at 95% of the time.	Average WAN availability was 97.95% in the 2020-2021 FY, which is 2.95% above the target of 95%.	Positive variance of 2.95% due to a stable network environment following the upgrading of network infrastructure to newer technologies.	N/A
P16-2	IT hardware			Hardware available to support, maintain and sustain business needs.	Stable hardware platform able to meet performance and availability delivery.	The average server availability was 99.58% in FY 2018-2019.	Average server availability for 2019-2020 was 99%, which is in line with the performance target.	IT hardware capacity aligned to business needs and available 99% of the time.	Average server availability was 99.97% in the FY, which was 0.97% above the appetite level. Six new servers were procured and installed on production environment. Eighty asset verification scanners were procured and configured for operation. Ten floor switches were procured and distributed to local offices.	High server availability due to a stable virtual environment that is refreshed timeously as per the Capital Asset Replacement Programme (CARP), resulting in a positive variance of 0.97%.	N/A

PERFORMANCE INFORMATION

Table 6: Annual Performance Report (continued)

EMPLOYEE AND ORGANISATIONAL CAPACITY AND INNOVATION AND LEARNING PROGRAMMES PER STRATEGY											
Objective/ Outcome/ Strategy/ Programme No.	Programme	Programme Purpose	Outcome	Output	Output Indicator	Audited Actual Performance 2018-2019	Audited Actual Performance 2019-2020	Planned Annual Target 2020-2021	Delivery	Variance and Reason for Variance	Reason for Revisions to the Outputs/ Output Indicators/ Annual Targets
P16-3	IT software and applications			Updated, reliable and dependable IT software and applications responsive to business needs.	Maintain and upgrade IT software and applications.	Overall software and application availability was at 99.58%.	i. The eLAA system was supported and maintained, with 12 bug fixes implemented. ii. 76.12% of all offices migrated to the newer technologies. iii. Thirty local offices upgraded to 10Mbps. iv. Disaster recovery conducted in Quarters 1 and 3 of the FY. v. Average systems availability at 98%. vi. Cybersecurity assessment conducted and risks identified with the proposed roadmap.	IT software and applications fully integrated and available 99% of the time. IT software upgrade roadmap in place.	Thirty-seven eLAA system bugs developed, tested and deployed. eLAA and SYSPRO integration re- designed for better performance. Seven eLAA Release 2 modules developed, tested and deployed. Nineteen user manuals developed and distributed to all users. Average systems availability at 98% which is within the tolerance levels. User satisfaction survey improved from satisfactory levels to good levels. Disaster recovery rehearsal conducted twice in the 2020- 2021 FY.		N/A
P16-4	Cybersecurity			Resilient cybersecu- rity environ- ment.	Develop and maintain or- ganisational cybersecurity metrics.	Cybersecurity Strategic Plan in place.	Develop cybersecurity governance framework.	Cybersecurity roadmap and risk register in place.	Cybersecurity Strategy reviewed and approved by the Board. Cybersecurity Risk Register compiled, with mitigation measures effective. Business case was developed and approved by the ISSC for laptop encryption tool to be installed on all laptops.		N/A

PERFORMANCE INFORMATION

7. LEGAL AID SA'S RESPONSE TO PRIORITISING WOMEN, YOUTH AND PEOPLE WITH DISABILITIES



The Constitution guarantees the right not to be unfairly discriminated against on the basis of gender, age or disability, amongst others. Legal Aid SA is at the forefront of empowering women, youth and people with disabilities (PWD) in its work environment. As an employer of choice, the organisation is constantly looking at prioritising the employment of women, youth and PWD. Legal Aid SA is very mindful of the obligations of creating a diverse and inclusive workforce. Therefore, it has embarked on giving focused attention to women, youth and PWD in its service delivery environment for the long-term sustainability of the organisation and to eradicate gaps in the employment of women, youth and PWD.

Legal Aid SA has also experienced challenges, in particular in attracting PWD. In this regard, the organisation is unable to fully achieve its **2%** target. The entity is also mindful of the multiple environments our legal practitioners have to work in and recruitment decisions are made with this in mind. Legal Aid SA engages with universities to establish the supply-demand of PWD in the legal fraternity. This also assists us in reviewing and revising our targets. Other challenges experienced is that the legal fraternity is looking at the same talent pool to attract and recruit suitably qualified women for management and leadership positions. This results in high mobility among women which makes it difficult for the organisation to achieve its targets.

The entity has put in place cutting-edge policies and best practises to advance the interests of these categories of

employees. Legal Aid SA has embarked on a programme of creating a culture of inclusivity with equal access to opportunities for all to participate in. With regard to women empowerment, the organisation has a number of affirmative action measures in place to attract, develop and retain women, particularly in middle and senior management positions. Apart from coaching and mentoring, women are identified for accelerator programmes, attending Management Development Programmes at local universities to prepare them for management and leadership positions.

With regard to PWD, Legal Aid SA endeavours to ensure that the work environment and spaces are conducive for PWD to operate in. This entails the procurement of office accommodation that is disability friendly or modifying existing office spaces to accommodate PWD. The organisation also has a Disability and Skills Development (DISD) Committee in place, with representatives from all categories of staff participating in policy and decision-making. Furthermore, the entity undertakes a regular audit of its policies and practises to ensure that it is achieving its annual goals and objectives with regard to women, youth and PWD. Any barriers identified are immediately addressed.

Youth are encouraged to apply for management and leadership positions in the organisation. In addition, Legal Aid SA has a Candidate Attorney Recruitment Programme in place that focuses on the youth, which currently employs **415** Candidate Attorneys. In the light of COVID-19 and the massive budget cuts experienced by State entities, the organisation is constantly reviewing and revising its Employment Value Proposition in an effort to retain women, youth and PWD in its employ.

8. REVENUE COLLECTION

Table 7: Linking Performance with Budget

Programme/ activity/ objective	2019-2020				2020-2021		
	Description	Budget	Actual Expenditure	(Over)/Under Expenditure	Budget	Actual Expenditure	(Over)/Under Expenditure
Programme 1	To deliver quality legal aid services in criminal matters that are client-focused, within available resources.	1,219,450,130	1,147,589,283	71,860,847	1,231,968,730	1,137,911,638	94,057,092
Programme 2	Deliver quality civil legal aid services that are client-focused, with a priority for constitutional rights, within available resources.	150,461,838	133,405,840	17,055,998	160,089,052	135,624,862	24,464,190
Programme 3	To deliver quality legal advice services that are client-focused, within available resources.	57,799,592	52,974,130	4,825,462	60,689,572	55,834,406	4,855,166
Programme 4	To undertake strategic litigation, particularly in social justice related matters in order to give content to the rights enshrined in the Constitution.	6,855,352	1,599,327	5,256,025	7,198,120	4,479,051	2,719,069

PERFORMANCE INFORMATION

Table 7: Linking Performance with Budget (continued)

Programme/ activity/ objective	2019-2020				2020-2021		
	Description	Budget	Actual Expenditure	(Over)/Under Expenditure	Budget	Actual Expenditure	(Over)/Under Expenditure
Programme 5	To participate in justice cluster forums to contribute to improving the efficient functioning of the justice system to improve access to justice.	4,547,490	4,547,490	–	6,427,153	6,427,153	–
Programme 6	To account and provide assurance to the Executive Authority (the Minister of Justice and Correctional Services) and Parliament on performance, governance and sustainability.	31,958	31,958	–	31,958	31,958	–
Programme 7	To continuously improve financial planning (budgeting) including managing the budget cuts to ensure a balanced budget.	2,456,395	2,456,395	–	3,189,540	3,189,540	–
Programme 8	Maintain strong and best practice financial management and reporting to ensure unqualified audit outcome and high financial maturity.	5,698,112	4,363,931	1,334,181	6,606,677	5,059,761	1,546,916
Programme 9	To maintain best governance practices (PFMA compliance, King IV guidelines and other relevant statutory requirements).	2,997,496	2,997,496	–	3,108,850	3,108,850	–
Programme 10	Maintain and enhance independent monitoring and oversight providing combined assurance.	19,943,986	19,943,986	–	20,125,722	18,381,180	1,744,542
Programme 11	An effective and strategic Board providing leadership and oversight of sustainable performance.	1,028,832	1,028,832	–	776,160	776,160	–
Programme 12	Ensure that the Legal Aid SA Act, Legal Aid Regulations (policy) and Legal Aid Manual (procedures) are reviewed to ensure relevance to changes in the environment.	1,105,329	1,105,329	–	1,917,919	1,917,919	–
Programme 13	To maintain an efficient supply chain management framework and practises.	19,127,256	19,127,256	–	21,199,707	17,154,262	4,045,445
Programme 14	Appropriately staff all service delivery points	433,164,372	424,899,154	8,265,218	452,446,849	409,813,701	42,633,148
Programme 15	To strengthen and continuously improve the quality and expertise for each segment of the national footprint.	50,535,857	43,376,938	7,158,919	57,707,395	32,501,979	25,205,416
Programme 16	Annual review and approval of IT strategy, IT architecture framework, IT maturity and IT policies with continuous maturity assessments for competitive advantage.	33,939,795	28,959,603	4,980,192	44,389,754	43,301,531	1,088,223
Total		2,009,143,790	1,888,406,948	120,736,842	2,077,873,157	1,875,513,951	202,359,207

PERFORMANCE INFORMATION

Table 8: Summary of Financial Information

	2020-2021			2019-2020		
Sources of revenue	Original Estimate	Actual Amount Collected	Over/(Under) Collection	Original Estimate	Restated Actual Amount Collected	Over/(Under) Collection
Grant	2,086,096,000	1,958,883,000	(127,213,000)	1,958,373,000	1,970,973,000	12,600,000
Services in-kind – office rental		1,117,740	1,117,740		890,774	890,774
Interest	20,000,000	24,005,694	4,005,694	20,000,000	29,266,521	9,266,521
Commission and legal fees received/recovered		57,227	57,227		118,858	118,858
Profit on disposal of assets		441,013	441,013		1,929,106	1,929,106
Sundry income		8,936,202	8,936,202		1,496,451	1,496,451
	2,106,096,000	1,993,440,876	(112,655,124)	1,978,373,000	2,004,674,710	26,301,710

Note:

1. The under collection of R127,2 million on the grant is due to National Treasury reducing the baseline allocations in order to mitigate against the effects of COVID-19.
2. The amount of R1,1 million of services in-kind equals the value of office rental for the Legal Aid SA Polokwane and Nelspruit Local Offices and the Legal Aid SA Mitchells Plain Satellite Office that is received from the Department of Justice and Constitutional Development.
3. The R4 million interest is additional interest received from the Reserve Bank - Corporation for Public Deposits (CPD) on funds invested with them. This is due to invested funds which are higher than anticipated.
4. The amount of R441 thousand is profit realised from the sale of old and fully depreciated assets disposed of during the 2020-2021 financial year.
5. The R8,9 million surplus which is included in the sundry income is mostly recoveries from other operations.

PROGRAMME EXPENDITURE

The Budget is in terms of the cash basis while the expenditure is on the accrual basis.

	2020-2021			2019-2020		
Programme name	Budget	Actual Expenditure	(Over)/Under Expenditure	Budget	Actual Expenditure	(Over)/Under Expenditure
Client, Community, Stakeholders and Shareholders	1,466,404,584	1,340,296,582	126,108,002	1,462,733,005	1,376,687,280	86,045,725
Finance and Sustainability	33,806,949	30,515,491	3,291,458	32,720,372	30,815,522	1,904,850
Business Processes (Internal)	23,117,627	19,072,192	4,045,435	20,450,233	19,259,701	1,190,532
Employee and Organisational Capacity and Innovation and Learning	554,543,998	485,617,191	68,926,807	527,616,007	496,900,298	30,715,709
	2,077,873,157	1,875,501,455	202,371,702	2,043,519,617	1,923,662,801	119,856,816
Judicare commitments	–	47,863,040	(47,863,040)	54,783,371	54,783,371	–
	2,077,873,157	1,923,364,495	154,508,662	2,098,302,988	1,978,446,172	119,856,816

Note:

1. The R155 million under expenditure is due to commitments of R39,7 million for which rollover has been requested, as well as savings from operations of R53 million as most programmes could not proceed due to the impact of the COVID-19 pandemic. Part of the under expenditure is funds for the cost of living increase of R62 million which was budgeted for but could not be paid out.

PERFORMANCE INFORMATION

Table 8: Summary of Financial Information (continued)

	2020–2021			2019–2020		
Infrastructure projects/ capital assets	Budget	Actual Expenditure	(Over)/Under Expenditure	Budget	Actual Expenditure	(Over)/Under Expenditure
Building improvements	2,686,210	1,695,351	990,859	8,399,554	6,409,648	1,989,906
Computer hardware	27,295,736	13,455,396	13,840,340	23,652,901	13,655,165	9,997,736
Computer software	12,103,548	6,157,937	5,945,611	15,841,332	4,780,958	11,060,374
Furniture and equipment	1,037,069	683,491	353,578	4,107,510	2,738,895	1,368,615
Leasehold improvements	7,423,443	4,124,581	3,298,862	12,323,919	4,501,347	7,822,572
Motor vehicles	33,302,699	19,593,638	13,709,061	20,106,102	5,048,901	15,057,201
Land and buildings	–	11,255,833	(11,255,833)	–	–	–
	83,848,705	56,966,227	26,882,478	84,431,318	37,134,914	47,296,404

Note:

1. The under expenditure in computer hardware and computer software is due to commitments relating to the procurement of computers and the eLAA 2016 system development project, but not finalised and/or not delivered at year end. The amount of R39,7 million has been requested for rollover.
2. The under expenditure on leasehold and buildings improvements is due to refurbishments on newly acquired buildings and on leased buildings which could not be finalised by the end of the financial year.
3. The under expenditure on motor vehicles is as a result of vehicles ordered but not yet delivered by the end of the financial year. The amount has been requested as rollover.

8.1 CAPITAL INVESTMENTS

Table 9: Infrastructure projects planned for the current year and the progress thereof

The infrastructure planned for the current year and their progress as at the end of the year is tabulated below.

2020-2021				
Infrastructure projects	Budget R	Actual Expenditure R	Over/Under Expenditure R	Comments
Land and buildings	–	11,255,833	(11,255,833)	The procurement process started in the 2019-2020 financial year and only transferred to Legal Aid SA in the year under review. The amount was prepaid in the 2019-2020 financial year and held by the transferring attorneys.
Building improvements	2,686,210	1,695,351	990,859	Projects were implemented as per the Infrastructure Plan, however there were projects which could not be finalised due to challenges encountered by the service providers. The remaining funds have been requested for rollover to the new financial year in order to finalise these projects.
Computer hardware	27,297,908	13,455,396	13,842,512	Computer hardware is implemented according to the Capital Asset Replacement Programme. There was, however, computer equipment procured which could not be delivered by the end of the financial year due to delays in shipping of the assets. The funds to finalise the procurement have been requested for rollover.
Computer software	12,103,548	6,157,937	5,945,611	The computer software budget included the eLAA software development budget. The eLAA software development phase 2 has also commenced and is envisaged to be completed by the end of the 2021-2022 financial year. The remaining funds have been requested as rollover in order to be used to finalise the project.

PERFORMANCE INFORMATION

Table 9: Infrastructure projects planned for the current year and the progress thereof (continued)

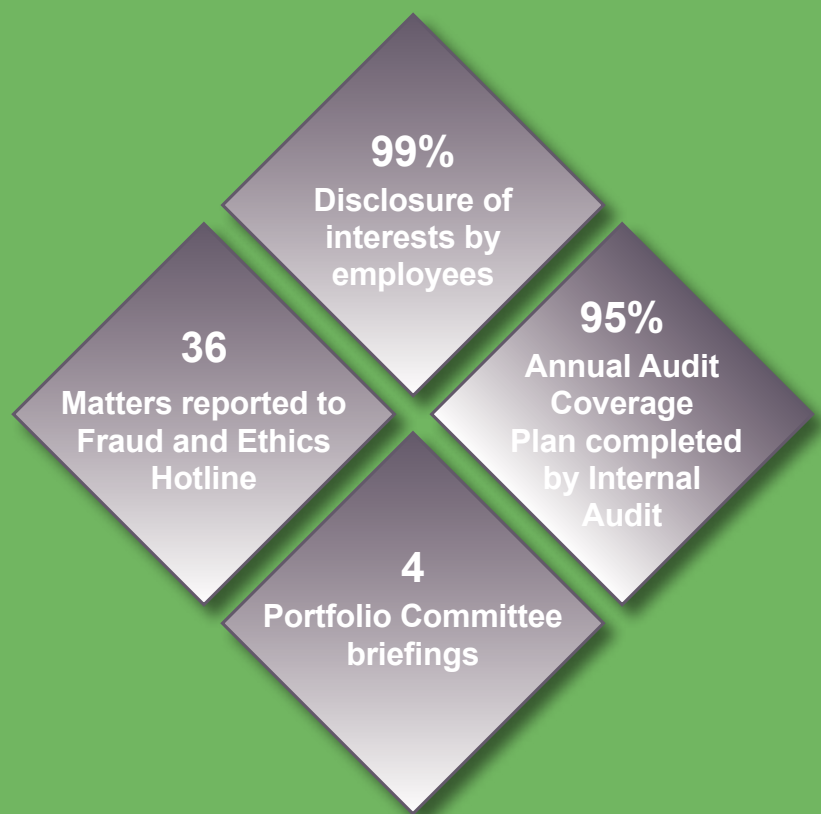
2020-2021				
Infrastructure projects	Budget R	Actual Expenditure R	Over/Under Expenditure R	Comments
Furniture and equipment	1,037,069	683,491	353,578	Furniture and equipment was procured as per the budgeted amount, however there were items procured which could not be delivered by the end of the financial year and the funds have been requested as rollover.
Leasehold improvements	7,421,271	4,124,581	3,296,690	The leasehold improvements were implemented as per the Procurement Plan, however there were refurbishments which commenced but could not be finalised by the end of the financial year and funds to finalise these refurbishments have been requested as rollover. There were also delays in finalising some of the office leases which delayed the commencement of the refurbishments.
Motor vehicles	33,302,699	19,593,638	13,709,061	Motor vehicles were budgeted for and procured according to the Capital Asset Replacement Programme. There were vehicles ordered before the end of the financial year, however delivery could not be finalised due to limitation of stock for some of the areas. The remaining funds have been requested for rollover to the 2021-2022 financial year in order to finalise the procurement.
	83,848,705	56,966,227	26,882,478	
Infrastructure projects that are currently in progress and their expected completion date:				
Projects	Estimated completion date			
eLAA system development	End of 2021-2022			
There are currently no plans to close down or downgrade any of the current facilities Legal Aid SA is using, however there is a continuous review of these facilities.				
Maintenance of infrastructure				
Legal Aid SA incurred R7,429,769 towards the maintenance of infrastructure. A total amount of R1,2 million was incurred for building maintenance; R3,4 million for maintenance of motor vehicles and R2,8 million for maintenance of office equipment. All the maintenance projects planned for the 2020-2021 financial year were finalised by the end of the financial year.				
Assets disposed, scrapped and lost due to theft				
Disposal of assets at Legal Aid SA is processed as per the Fixed Assets Policy on the lifespan of each asset category or when damaged beyond repair. The total disposals for the 2020-2021 financial year was R661 thousand, of which R578 thousand was for motor vehicles, R66,5 thousand for computer hardware and R16 thousand for furniture and equipment. There were no assets scrapped or lost due to theft.				
Maintenance of Asset Register				
The Legal Aid SA Fixed Assets Register which is on the SYSPRO financial system is monitored through quarterly fixed assets verification of assets and all redundant assets are reported and thereafter disposed, and assets which are due for disposal but are still in use are moved to the Tools and Equipment Register. The Tools and Equipment Register is also part of the Fixed Assets Register verification process.				
Major maintenance projects that have been undertaken during the period under review				
All the maintenance of assets undertaken in the 2020-2021 financial year are part of the day-to-day maintenance of the infrastructure.				
There was no maintenance backlog in the year under review.				

PART C

GOVERNANCE



**LEGAL AID SA'S
GOVERNANCE
FRAMEWORK
CONTINUED
TO MATURE
DURING THIS
FINANCIAL YEAR**



1. INTRODUCTION

The governance framework of Legal Aid SA continued to mature based on the Legal Aid South Africa Act (2014), the PFMA, King IV Code on Corporate Governance as well as the Legal Aid SA Legislative Compliance Universe. The Board exercises due care and oversight in line with the PFMA and along the guidelines of the King IV principles, functioned in accordance with the approved Board Charter and complied with its responsibilities as set out in the Board Charter.

The Board approved the Board evaluation process. The evaluation of the Board and its committees took place in March 2020.

2. PORTFOLIO COMMITTEE

Legal Aid SA appeared **four** times before the Portfolio Committee on Justice and Correctional Services in the year under review, as follows:

- i. 8 May 2020 (Legal Aid SA Strategic Plan 2020-2025, Annual Performance Plan 2020-2021 and the 2020-2021 Budget);
- ii. 9 October 2020 (Quarter 4 of 2019-2020 and Quarter 1 of 2020-2021 as part of the Budgetary Review and Recommendations process);
- iii. 12 February 2021 focusing on clients' complaints and legal quality emanating from the eNCA programme that was aired on 26 January 2021; and
- iv. 10 March 2021 focusing on Legal Aid SA's draft Amended Regulations.

Legal Aid SA also responded timeously to all Parliamentary questions received during the 2020-2021 financial year.

3. EXECUTIVE AUTHORITY

Legal Aid SA continued to be accountable to the Minister of Justice and Correctional Services as required in the year under review. The Legal Aid SA Annual Performance Plan 2020-2021, prepared in compliance with the Department of Planning, Monitoring and Evaluation's (DPME) *Revised Framework on Strategic Plans and Annual Performance Plans* that became effective from November 2019 (noting the updated version in August 2020) and given effect by the National Treasury Instruction No. 05 of 2019/2020, was submitted to the Minister on 16 April 2020 and tabled in Parliament on 8 May 2020. Legal Aid SA submitted **four** quarterly performance reports for 2020-2021 to the Executive Authority to provide updates on the implementation of the Annual Performance Plan 2020-2021.

The Legal Aid SA Integrated Annual Report 2019-2020, prepared in accordance with best practice and in compliance with the revised DPME *Annual Report Guide for Schedule 3A and 3C Public Entities (March 2019)*, was approved by the Board at its August 2020 Board meeting.

The finalised Integrated Annual Report was submitted to the Minister, Parliament, National Treasury and the Auditor-General in compliance with section 55(1)(d) of the PFMA by 30 October 2020 and tabled in Parliament on 5 November 2020.

4. THE ACCOUNTING AUTHORITY/BOARD

The Legal Aid SA Board and its Committees focused on strategic oversight of performance of Legal Aid SA to ensure it delivered on its mandate.

The entity accounted to the Executive Authority (the Minister of Justice and Correctional Services) and Parliament on delivery of mandate, governance and sustainability.

As at the end of the financial year 2020-2021, **13** out of **14** Board positions were filled. There was **one** resignation from the Board with effect from 30 November 2020, which implied that as at 31 December 2020 or the end of Quarter 3 of the 2020-2021 financial year, the Board of Legal Aid SA was not fully constituted. The status remained so until the end of the financial year, i.e., 31 March 2021.

The Board honoured its Board calendar – all scheduled meetings were convened, during which meetings the Board not only approved all governance instruments (strategies, policies, charters, et cetera), but also monitored the implementation of the various governance instruments as well as the performance of the entity. The Board continued to encourage effective communication with its stakeholders by monitoring the reports of the various stakeholder meetings. A complete narrative on the stakeholder matrix and engagements is on page 97 of this report. The decisions of the Board were effectively communicated to staff through a Board Brief that was circulated from time to time by the Board Secretariat.

Two Board workshops were organised in the year under review, which focused on corporate governance, risk management and Legal Aid SA finances. These were all timely and necessary trainings to equip Board members and empower them to make informed decisions. The training was also in response to the feedback provided during the Board evaluation sessions for 2019-2020, as well as a response to the various challenges the Board itself and organisation faced during the year under review. This responded to the imminent budget cuts in the MTEF 2020-2024. The Board found it necessary to deliberate intensely on the Legal Aid SA finances and come up with plans to mitigate the threat of the budget cuts.

4.1. CHALLENGES

During May and June of 2020, the Board Chairperson of Legal Aid SA received numerous emails from anonymous sources and **one** from the union representing the employees at Legal Aid SA, SALAWU, which raised various allegations about the Board members.

GOVERNANCE

The Board took the allegations seriously and resolved to commission a forensic investigation by an external service provider into the sources and origins of the anonymous emails and the information leakages at the Board in October 2020. The conclusion of the report of the investigation was insufficient. At its meeting of February 2021, the Board ended the investigation and parted amicably with the service provider.

Notwithstanding this hiccup, the Board remained focused on the importance of good decision-making, and managed to conduct and conclude its business of the day at each of its meetings. All relevant stakeholders, including the Executive Authority, were advised of the outcome of the forensic investigation process.

Composition of the Board



**Judge Motsamai
Makume**
Board Chairperson



**Mr Nkosana
Mvundlela**
Deputy Chairperson



**Ms Mamodike
Makgoba**



Mr Matome Leseilane



Mr Langelihle Mtshali



**Mr Fhedzisani
R. Pandelani**



Dr Cleopas Sanangura



**Advocate Michelle
Odayan**



**Professor William
Gumede**



Dr Maureen Tong*



Ms Mantiti Kola
CEO



Mr Sethopo Mamotheti
COO



Advocate Brian Nair
NOE



Mr Patrick Hundermark
CLE

* Joined the Legal Aid SA Board on 26 April 2021

The composition of the Board is detailed in the table on the next page:

Table 10: Composition of the Board

Name	Designation (in terms of the Public Entity Board structure)	Date Appointed	Date Resigned	Qualifications	Area of Expertise	Board Directorships (List the entities)	Other Committees or Task Teams (e.g.: Audit Committee/Ministerial Task Team)	No. of Meetings Attended
Judge Motsamai Makume	Director, Board Chairperson	1 March 2019 appointed onto new Board	N/A	B.Luris (University of the North)	Law	Did not serve on other Boards/ Committees	Board Executive Committee, Board	Board Executive Committee (6), Board (4)
Mr Fhedzisani Pandelani	Director	Ex-officio (22 May 2020 to 16 March 2022)	N/A	BProc, LLB, Higher Diploma: Company Law (University of the Witwatersrand), Sectional Title Scheme Management (University of Cape Town)	Law	Current: Acting Solicitor-General (RSA) Former Chairperson (Gauteng Liquor Board) Former Chairperson of the Appeals Committee (Gauteng province) as envisaged in section 43(5) of the National Environmental Management Act (107 of 1998) Director: FR Pandelani Incorporated (Attorneys)	Legal Services Committee, Remuneration Social and Ethics Committee, Board	Legal Services Committee (2), Remuneration Social and Ethics Committee (2), Board (4)
Advocate Michelle Odayan	Director	1 March 2019 appointed onto new Board	N/A	BA, LLB (University of Natal)	Law	2010-present: FP&M SETA Audit/Projects & Finance/Skills Development and Planning 2015-present: People Opposing Women Abuse/Finance/Violence against Women 2013-2017: PLAYAFRICA/General/Children's Rights	Legal Services Committee, Board	Legal Services Committee (4), Board (5)
Dr Cleopas Sanangura	Director	1 March 2019 appointed onto new Board	N/A	Associate Chartered Certificate Accountant, Fellow Chartered Institute of Business Management, Fellow Chartered Institute of Secretaries & Administrators, Masters, Doctorate: Business Administration (Nottingham Business School), Chartered Director of South Africa (Institute of Directors South Africa)	Corporate Governance	National Gambling Board Audit & Risk Committee Chairman Gambling Regulations for 2 years Northern Cape Economic Development Agency Board Audit & Risk & Dawn Chartered Accountants & Auditors Board Chairman Former Boards: Road Traffic Management Audit & Risk Committee Chairman for 3 years South African National Blood Service Board Member and Chairman Audit, Risk and IT Governance for 6 years Prime Fund Insurance Swaziland for 8 years Gauteng Provincial Government for 8 years Social Housing Regulatory Authority for 5 years City of Johannesburg Audit & Risk Committee for 10 years Johannesburg Fresh Produce for 5 years Johannesburg Social Housing Company for 5 years	Remuneration Social and Ethics Committee, Board	Remuneration Social and Ethics Committee (4), Board (5)

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Table 10: Composition of the Board (continued)

Name	Designation (in terms of the Public Entity Board structure)	Date Appointed	Date Resigned	Qualifications	Area of Expertise	Board Directorships (List the entities)	Other Committees or Task Teams (e.g.: Audit Committee/Ministerial Task Team)	No. of Meetings Attended
Professor William Gumede	Director	1 March 2019 appointed onto new Board	N/A	Diploma: Economics & Public Finance (University of South Africa), Joint Degree (Utrecht, Aarhus and Cardiff Universities), Masters: Political Studies (University of the Witwatersrand)	Governance	2012-2018: Lead Independent Director, Chair of the Human Resources and Remuneration Committee, South African National Blood Service 2015: Chairperson, Freedom of Expression Institute & Legal Clinic, Johannesburg 2015-2018: Chairman, Audit Committee, Commission for Conciliation, Mediation and Arbitration (CCMA) 2014-2018: Non-executive Director & Chairman, Nominations Committee, Profmed Medical Aid 2012: Non-executive Director, Barone, Budge & Dominick (Pty) Ltd	Audit Committee, Board	Audit Committee (3), Board (5), Board Executive Committee (1)
Ms Adila Chowan	Director	1 March 2019 appointed onto new Board	30 November 2020	BCom, PGDip Accounting (University of Durban-Westville), CA(SA)	Accounting, Auditing	Council of Geoscience (Board and Audit Committee) South African Nuclear Energy Corporation (Board and Audit Committee) South African Maritime Safety Authority/Audit Committee/Risk Committee	Audit Committee, Board Executive Committee, Board	Audit Committee (3), Board Executive Committee (5), Board (4)
Mr Nkosana Mvundlela	Director	1 March 2019 appointed onto new Board	N/A	BA Law, LLB (University of Venda), Diploma in Corporate Law (University of Johannesburg)	Law	Law Society of South Africa Council and Management Committee from 2017-2020 Black Lawyers' Association Chairperson Limpopo Branch from 2016-2020 Thohoyandou Attorneys Association Treasurer from 2010-2017 Council member for South African Judicial Education Council from 2018 – present Director of Mvundlela Property Developers (Pty) Ltd from 2018 – present	Legal Services Committee, Board Executive Committee, Board	Legal Services Committee (4), Board Executive Committee (6), Board (5)

Table 10: Composition of the Board (continued)

Name	Designation (in terms of the Public Entity Board structure)	Date Appointed	Date Resigned	Qualifications	Area of Expertise	Board Directorships (List the entities)	Other Committees or Task Teams (e.g.: Audit Committee/Ministerial Task Team)	No. of Meetings Attended
Mr Matome Lesellane	Director	1 March 2019 appointed onto new Board	N/A	BAdmin (University of the North), PGDip Labour Law, BA Honours: Human Resources Development (University of Johannesburg), Executive Leadership Programme (GSB, University of Cape Town), Advanced Management Programme (GIBS, University of Pretoria & London School of Economics), Executive Human Resources Programme (USB, University of Stellenbosch)	Human Resources	2003-2005: Vice President HR, Foskor Group Limited, Invited Member of the Board HR Committee Employer Trustee Foskor Retirements Funds Managing Member Pafos Aviation Employer Representative Owners Team, Projects Steering Committee from 2014-2016 Senior HR Director, Divisional Board of Directors Group Five Civil Engineering Director of Seaparankwe Consolidated Investments, a family-owned business since 2014 to date – property development and rental Director of K2013154762, a property development joint venture with a partner since 2014 to date	Remuneration Social and Ethics Committee (4), Board Executive Committee (6), Board (5)	
Mr Langelihle Mtshali	Director	1 March 2019 appointed onto new Board	N/A	BProc, Postgraduate Diploma in Practical Legal Studies (University of KwaZulu-Natal)	Law	Member of the Minister of Justice and Constitutional Development Court Annex Mediation Advisory Committee Chairperson of the African Centre of Excellence for Access to Justice Member of the School Governing Body of Cwakeme High School	Legal Services Committee, Board	Legal Services Committee (4), Board (5)
Ms Mamodike Makgoba	Director	1 March 2019 appointed onto new Board	N/A	National Diploma, BTech: Cost and Management Accounting (Cape Peninsula University of Technology), BCom, Honours: Accounting (University of KwaZulu-Natal), CA(SA)	Accounting, Auditing	Legal Aid SA – Board & Audit Committee Chairperson The Small Enterprise Foundation NPC – Audit Committee & Board Prescient Holdings & Management Company – Audit & Risk Committee iRetire Pension & Provident Fund – Trustee (March 2020-May 2021)	Audit Committee, Board Executive Committee, Board	Audit Committee (4), Board (5), Board Executive Committee (1) – appointed to committee on 2 February 2021

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Table 10: Composition of the Board (continued)

Name	Designation (in terms of the Public Entity Board structure)	Date Appointed	Date Resigned	Qualifications	Area of Expertise	Board Directorships (List the entities)	Other Committees or Task Teams (e.g.: Audit Committee/Ministerial Task Team)	No. of Meetings Attended
Dr Maureen Tong	Director	26 April 2021	N/A	B.Luris, LLB, LLM (University of KwaZulu-Natal), PhD in International Law (University of Strasbourg), Associate Certified Coach of the International Coaching Federation	Law – Land Matters, International Law, Restitution, Reparations, Political Self-Determination, Indigenous Peoples, Gender and Land Rights; Lecturing in areas of Constitutional Law, Leadership, Human Resources; Governance; Professional coach training services	Human Resources Committee, Council of University of KwaZulu-Natal Board Member, PingLadny Systems Trust (also Board Member) Chairperson of Board, Young Women in Business Network Co-operative Finance Institution Deputy National Secretary (Deputy Company Secretary), Coaches and Mentors of South Africa Part-time Company Secretary, Women's Development Banking Trust	Served as Technical Advisor to the Presidential Advisory Panel on Land Reform and Agriculture in South Africa	Newly Appointed
Ms Mantili Kola	Director	1 November 2019 appointed onto new Board	N/A	BA Honours, BA Education (University of the North), Postgraduate Diplomas in Management from University of Pretoria, Monash University Australia and the Singapore e-Government Leadership Centre	Executive Management	N/A	Legal Services Committee, Remuneration Social and Ethics Committee, Board Executive Committee, Board	Legal Services Committee (4), Remuneration Social and Ethics Committee (4), Board Executive Committee (6), Audit Committee (Invitee – 4), Board (4)
Advocate Brian Nair	Director	1 March 2019 appointed onto new Board	N/A	BPaed (University of Durban-Westville), BEd (University of South Africa), FDE Computer Studies (University of Natal), MBL, LLB (University of South Africa)	Executive Management	Legal Practice Council	Legal Services Committee, Board Executive Committee, Board	Legal Services Committee (4), Board Executive Committee (6), Audit Committee (Invitee – 4), Board (5)

Table 10: Composition of the Board (continued)

Name	Designation (in terms of the Public Entity Board structure)	Date Appointed	Date Resigned	Qualifications	Area of Expertise	Board Directorships (List the entities)	Other Committees or Task Teams (e.g.: Audit Committee/Ministerial Task Team)	No. of Meetings Attended
Mr Patrick Hundermark	Director	1 March 2019 appointed onto new Board	N/A	BCom, LLB (Nelson Mandela University, formerly University of Port Elizabeth), Certificate Programme in Leadership Development (WBS, University of the Witwatersrand), Practising Attorney, North Gauteng High Court	Executive Management	Rules Board for Courts of Law (2012-2017, 2017-present) Cost Committee Chairperson Alternative Dispute Resolution Committee Small Claims Court Committee and Exco	Legal Services Committee, Board Executive Committee, Board	Legal Services Committee (4), Board Executive Committee (6), Board (5)
Mr Sethopo Mamotheti	Director	22 May 2020 appointed onto new Board	N/A	BCompt, Postgraduate Diploma: Accounting Science (University of South Africa), HDipTax (University of North-West), MBA (GIBS, University of Pretoria), CIA, CCSA (IIA), AGA(SA) (SAICA)	Executive Management	N/A	Remuneration Social and Ethics Executive Committee, Board	Remuneration Social and Ethics Committee (4), Board Executive Committee (6), Audit Committee (Invitee – 4), Board (5)
ALTERNATE BOARD MEMBERS								
Ms Thulisile Mhlungu	Alternate Director	1 March 2019 appointed onto new Board	N/A	BProc, LLB (University of Natal)	Law	Independent Director of Menzies Aviation South Africa Advisory Board member of the Land Rights Management Facility, a project of the Department of Rural Development and Land Trustee on the Association of University Legal Aid Institutions Board of Trustees	Legal Services Committee, Audit Committee	Legal Services Committee (4), Audit Committee (4), Board (1)
Ms Marcella Naidoo	Alternate Director	1 March 2019 appointed onto new Board	N/A	BSocSci (University of Cape Town)	Social Work, Human Rights	National Alliance for the Development of Community Advice Offices (NADCAO) from 2005–2014 Open Democracy Advice Centre from 2002–2012 Ditkeni Investment Trust from 2002–2012 Parliamentary Monitoring Group from 2002–2012 Sakhikamva Investments (Pty) Ltd from 2002–2012	Remuneration Social and Ethics Committee	Remuneration Social and Ethics Committee (4)

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Table 10: Composition of the Board (continued)

Name	Designation (in terms of the Public Entity Board structure)	Date Appointed	Date Resigned	Qualifications	Area of Expertise	Board Directorships (List the entities)	Other Committees or Task Teams (e.g.: Audit Committee/Ministerial Task Team)	No. of Meetings Attended
CO-OPTED BOARD MEMBERS								
Mr Satish Roopa	Co-opted Director	1 May 2019	N/A	B.Luris, LLB (University of South Africa), MPhil (University of Stellenbosch)	Law, Governance, Stakeholder Management, Risk and Compliance, Human Capital Management, Change Management, Strategy Development, Conflict Resolution, Policy Development and Interpretation, Facilitation of wage/salary negotiations on behalf of JSE listed companies	Gautrain Management Agency from 2015-2017 iSimangaliso Weiland Park Authority from 2015-2020 Trans-Caledon Tunnel Authority from 2015-present, second term Afriforte (Pty) Ltd from 2002-present Council Member: Da Vinci Institute for Technology Management (Pty) Ltd from 2016-present	Legal Services Committee	Legal Services Committee (4)
Professor Maishlane Mokotlong	Co-opted Director	1 May 2019	N/A	BProc, LLB (University of Limpopo), LLM with specialisation in Private Law, LLD (University of South Africa)	Law	N/A	Legal Services Committee	Legal Services Committee (4)
Ms Lorraine Francois	Co-opted Director	1 August 2019	N/A	BCom (University of Natal), Graduate Certificate: Accounting (Herriot Watt University), MBA (Business School Netherlands), Certification in Risk Management Assurance), General Internal Auditor (SA)	Accounting, Auditing	Compensation Fund Department of Labour Road Accident Fund Board	Audit Committee	Audit Committee (4)

Table 10: Composition of the Board (continued)

Name	Designation (in terms of the Public Entity Board structure)	Date Appointed	Date Resigned	Qualifications	Area of Expertise	Board Directorships (List the entities)	Other Committees or Task Teams (e.g.: Audit Committee/Ministerial Task Team)	No. of Meetings Attended
Mr Samson Nkosi	Co-opted Director	1 May 2019	N/A	Higher Diploma: Business Studies (Institute of Business), Postgraduate Diploma: Information Systems, Master of Science: Information Systems (Leeds Beckett University)	IT	N/A	Audit Committee	Audit Committee (4), Board Exco (6)
Ms Lindie Fourie	Co-opted Director	1 May 2019	N/A	BCom (Law), LLB, Diploma: Insolvency Law and Practice (University of Pretoria)	Human Resources	N/A	Remuneration Social and Ethics Committee	Remuneration Social and Ethics Committee (4)
Ms Rahab Serepong	Co-opted Director	1 June 2019	N/A	Bachelor of Administration, Honours (University of the Western Cape), Masters in Business Leadership (University of South Africa)	Human Resources	N/A	Remuneration Social and Ethics Committee	Remuneration Social and Ethics Committee (3)

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Table 11: Committees/Members/Attendance in Brackets

Committee	No. of Meetings Held	No. of Members	Names of Members
Board Executive Committee	6	9	Judge Motsamai Makume (6)
			Mr Nkosana Mvundlela (6)
			Mr Matome Leseilane (6)
			Ms Adila Chowan (5)
			Mr Samson Nkosi (6)
			Ms Mantiti Kola (6)
			Mr Sethopo Mamotheti (6)
			Mr Patrick Hundermark (6)
			Adv. Brian Nair (6)
			Ms Mamodike Makgoba (1)
Legal Services Committee	4	10	Mr Nkosana Mvundlela (4)
			Adv. Michelle Odayan (4)
			Prof. Matshilane Mokotong (4)
			Mr Satish Roopa (4)
			Ms Thulisile Mhlungu (4)
			Mr Langelihle Mtshali (4)
			Ms Mantiti Kola (4)
			Mr Patrick Hundermark (4)
			Adv. Brian Nair (4)
			Mr Fhedzisani Pandelani (2)
Remuneration Social and Ethics Committee	4	8	Mr Matome Leseilane (4)
			Ms Marcella Naidoo (4)
			Dr Cleopas Sanangura (4)
			Ms Lindie Fourie (4)
			Ms Rahab Serepong (3)
			Mr Sethopo Mamotheti (4)
			Ms Mantiti Kola (4)
			Mr Fhedzisani Pandelani (1)
Audit Committee	4	6	x-ref Table 15: Composition of the Audit Committee on page 84 of this Integrated Annual Report

4.2. REMUNERATION OF BOARD MEMBERS

The remuneration of Board members is dealt with in section 4(1)(h) in the Legal Aid SA Act, which reads as follows:

“4. (1) The Board may do all that is necessary or expedient to achieve the objects referred to in section 3, including the following: ...

(h) Pay out of the funds of Legal Aid South Africa such remuneration and allowances to members of the Board, their alternates and any committee members appointed in accordance with section 13 who are not in the full-time service of the State, as may be determined by the Minister of Finance from time to time.”

Table 12: Remuneration of Board members

Name	Remuneration	Total
Mr Matome Leseilane	R84,078.00	R84,078.00
Mr Nkosana Mvundlela	R143,916.75	R143,916.75
Ms Adila Chowan	R59,778.00	R59,778.00
Advocate Michelle Odayan	R86,751.00	R86,751.00
Dr Cleopas Sanangura	R71,199.00	R71,199.00
Professor William Gumede	R78,003.00	R78,003.00
Mr Langelihle Mtshali	R70,227.00	R70,227.00
Ms Mamodike Makgoba	R75,330.00	R75,330.00
Ms Lorraine Francois	R34,253.00	R34,253.00
Ms Rahab Serepong	R26,487.00	R26,487.00
Mr Satish Roopa	R39,123.00	R39,123.00
Professor Matshilane Mokotong	R34,020.00	R34,020.00
Ms Lindie Fourie	R32,076.00	R32,076.00
Ms Thulisile Mhlungu	R48,114.00	R48,114.00
Ms Marcella Naidoo	R34,992.00	R34,992.00
Mr Samson Nkosi	R43,497.00	R43,497.00
Judge Motsamai Makume		–
Mr Fhedzisani Pandelani		–
Advocate Pieter du Rand		–

5. RISK MANAGEMENT

Legal Aid SA recognises that risk is inherent to its business, and as such employed Enterprise Risk Management to ensure the achievement of strategic and operational objectives and mandate.

A risk management maturity assessment which was conducted revealed that Legal Aid SA is aligned with the Risk Management Standards (COSO Framework and ISO 31000) and National Treasury Risk Management Framework. In accordance with the Risk Maturity Model used, areas of improvement were identified and as such, a plan of action was developed to address those gaps.

Legal Aid SA has demonstrated commitment in building a risk intelligent culture across the organisation by ensuring that risk management is integrated in the strategic planning process, decision-making and business performance. The Board approved strategic risks appetite and tolerance whilst Management approved operational risk appetite and tolerance.

The Enterprise Risk Management Strategy and Plan as well as the Fraud Management Plan were reviewed and approved by the Board.

During the year under review, Executives and Management demonstrated commitment in applying the risk management

principles. Risk Champions were appointed to assist in cascading risk management application to lower levels of the organisation.

Quarterly Risk Watch Reports were submitted to the Board, detailing the residual value of each risk for each quarter under review in relation to the risk appetite and risk tolerance settings, together with explanations where tolerance levels have been exceeded.

The Board Risk Registers are reviewed bi-annually by Management and thereafter submitted to the Board for noting. Risk Control Self Assessments (RCSA) surveys are conducted bi-annually by all Executives and Managers.

A five scale rating model, ranging from controls both adequate and effective (Level 5) to no controls in place (Level 1), is used by Executives and HoOs to assess mitigating measures or controls for each of the risks listed on the Risk Register. As at Quarter 4 2020-2021, Executives and Managers indicated that **98%** of controls implemented to mitigate **189** risks were at Level 5, while **2%** of the controls were assessed at below Level 5.

The Combined Assurance Framework which was approved by the Board during the year provides for **four** lines of assurance, i.e., Management, the Chief Risk Officer/Board Secretary, Management Committees, Internal Audit and External Audit.

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The Combined Assurance Report is completed semi-annually by all **four** lines of assurance using the same five scale rating model used by Executives and Managers for the completion of RCSA surveys.

The risks identified were managed within the tolerance levels and did not materialise, except for the following risks:

i. **Budget Cuts**

For the year under review, a budget cut of **R127 million** was effected. A further budget cut of **8.26%** has been imposed for 2021-2022. A plan is required to mitigate the impact of these budget cuts on the achievement of objectives and organisational mandate.

ii. **Employees Infected with COVID-19**

Three hundred and thirty-three employees tested positive for COVID-19 across Legal Aid SA as at the end of the financial year. There were **eight** internal fatalities due to the pandemic.

iii. **Increased Operational Costs owing to High Demand of Data Usage**

The average monthly data cost increased by **R440,000** due to employees working from home.

iv. **Non-compliance with Legislation**

There were isolated incidents of non-compliance with section 51(b)(ii) of the Public Finance Management Act 1999 (PFMA) and the Preferential Procurement Policy Framework Act (No. 5 of 2000) during the year. Non-compliance with the Value-Added Tax Act 89 of 1991 and Income Tax Act 1962 on imported services procured between the years 2017 and 2019 was brought to the attention of Legal Aid SA in December 2020.

v. **Social Media Risk**

Legal Aid SA received negative feedback on social media regarding the eNCA *Checkpoint* episode aired in January 2021. Although the impact on the reputation of Legal Aid SA was minimal, the issues raised in the feedback were investigated.

vi. **Leave Provision**

Leave provision was **R49,114,154** as at the end of the financial year, which was an increase of **18.9%** from **R41,279,912** in the 2019-2020 financial year. This was mainly due to the Alert Level 5 Lockdown in place at the beginning of the financial year and staff members working from home during the year as we adopted weekly shifts of coming in to the office.

5.1. EMERGING RISKS

Identified emerging risks are indicated in the table below.

Table 13: Emerging Risks

Service Delivery	Property Portfolio	HR	Finance	IT
Inability to cover courts due to budget cuts	Non-compliance with property prescripts (i.e., National Building Regulations and Building Standards Act)	Possible decrease in productivity	Possible late payment of VAT leading to wasteful expenditure (as a result of import services)	Non-compliance with Protection of Personal Information Act
	Possible acquisition of buildings with structural defects	Poor ergonomics (working from home)	Possible non-compliance with Income Tax Act (Commissioner's exemption approval not obtained)	Access to Legal Aid SA information by unauthorised people
	Possible occupation of buildings that are not insured or inadequately insured			Possible damage to laptops as a result of working from home
				Insecure home Wi-Fi

Table 14: Legal Aid SA Strategic Risks – Mitigating Controls and Opportunities

Risk No.	Risk Event	Mitigating Measures or Controls	Opportunities Derived
1	Clients deprived of their constitutional right to access to justice and/or to their liberty	Linkages with Community Advice Offices/ traditional structures/Government departments, including the Master's Office for estate matters.	i. Awareness about Legal Aid SA services. ii. Increase in number of clients.
2(a)	Lack of capacity to deliver on the demand for legal services (Criminal)	i. Bi-annual review of court coverage plans. ii. Co-operation Partner agreement. iii. Judicare programmes. iv. Legal advice capacity. v. Monitoring of recruitment levels per LO. vi. Monthly staffing plans compiled per office. vii. Agency Agreements.	i. All courts are covered by practitioners or through Agency Agreements with Judicare practitioners. ii. Practitioners are allocated in terms of demand emanating from individual courts.
2(b)	Lack of capacity to deliver on the demand for legal services (Civil)	i. Matters exceeding turnaround times webpage. ii. Pending matters exceeding turnaround times report. iii. Pending matters verification webpage. iv. Legal aid only granted where there is a reasonable prospect of success. v. Linkages with Community Advice Offices/ traditional structures/Government departments, including the Master's Office for estate matters. vi. Legal aid clinics assisting clients with civil problems. vii. Co-operation Partner agreements. viii. Judicare programmes. ix. Legal advice capacity. x. Community Outreach/Civil Courts Outreach Programme. xi. Self-help programmes. xii. Business model for delivery of civil legal aid. xiii. Review Legal Aid Manual to assess exclusions in line with budget.	i. All LOs and SOs provide civil legal aid services. ii. Growth of civil legal aid services at LOs, SOs and via the Legal Aid Advice Line. iii. Self-help modules provided on the website. iv. Prioritisation of vulnerable group matters, i.e., women and children. v. Legal support to Community Advice Offices.
3(a)(i)	Poor quality of the legal services provided by local offices (Criminal)	i. Quality intervention programmes. ii. Quality monitoring and assessment programmes. iii. Competency development/training of legal staff. iv. Professional indemnity insurance. v. Recruiting competent practitioners. vi. CA readiness/support programmes. vii. Judicare file reviews. viii. Quality reviews of Judicare and Agency Agreement practitioners.	Improved competencies and skills of all practitioners thereby ensuring improved legal services provided to clients.
3(a)(ii)	Poor quality of the legal services provided by local offices (Civil)	i. Practitioner support needs assessment. ii. Quality Management Programme. iii. Independent legal quality assessment by the LQAU. iv. Professional Negligence Insurance Cover.	Improved competencies and skills of all practitioners.

Table 14: Legal Aid SA Strategic Risks – Mitigating Controls and Opportunities (continued)

Risk No.	Risk Event	Mitigating Measures or Controls	Opportunities Derived
3(b)	Poor quality of the legal services provided by Judicare practitioners, Agency Agreements (Criminal) and Co-operation Partners (Civil)	i. Agency Agreement quality reviews. ii. Quality file reviews of Judicare practitioners. iii. Judicare court observations. iv. Co-operation Agreement audits.	Increased awareness of the required quality standards by Judicare practitioners.
4	Legal Aid SA reputation risk, arising particularly from managing social media risks	i. Combined Communications Protocol including social media. ii. Revised Media SOP that includes media query response times. iii. User awareness regarding posting on social media.	Fewer negative reports about Legal Aid SA on social media.
5	Lack of confidence in the justice system due to its perceived and experienced ineffectiveness in realising justice outcomes	i. Court Coverage Programme. ii. Stakeholder relationship programmes.	i. All courts are covered by practitioners. ii. Proactive role being played by Legal Aid SA in ensuring justice system inefficiencies are minimised. iii. Proactively funding strategic litigation matters to clients and communities. iv. Provision of legal advice through the Legal Aid Advice Line and through self-help modules on the website. v. Regional Court turnaround times being monitored on a monthly basis. vi. Civil turnaround times are monitored continually. vii. Civil Practice Rules are enhanced by constant review and inputs to the Rules Board.
6	Budgetary reductions impacting on Legal Aid SA's ability to deliver on its mandate	i. Prudent balanced budget and lobby National Treasury for additional budget and for lower budget cuts. ii. Use own reserves while maintaining minimum current ratio of 1.2:1. iii. Monitor cash flow closely ensuring that MTEF and annual budget are focused on essential and priority spending. iv. Monitor expenditure ensuring that it is within budget. v. Filling of critical positions.	i. Legal Aid SA ensuring budget is aligned to Strategic Plan and Business Plan. ii. Business Plan projects aligned to budget and organisational resources. iii. The current ratio is being monitored proactively on a monthly basis. iv. Implementing further operational efficiency measures.

Table 14: Legal Aid SA Strategic Risks – Mitigating Controls and Opportunities (continued)

Risk No.	Risk Event	Mitigating Measures or Controls	Opportunities Derived
7	Weakening culture of good corporate governance practises resulting in failure to detect system deficiencies and non-compliance (ineffective governance structures and processes)	i. Reviewed Board Charter. ii. Board and committees minutes accurate and timeously distributed. iii. Board self-evaluation reports discussed. iv. Reviewed Sustainability Strategy & Plan. v. Strategic Plan 2020-2025. vi. Business Plan timeously finalised and available. vii. Quarterly Performance Reports submitted timeously to Executive Authority. viii. Assessment of performance on organisational maturity scale. ix. Quarterly Internal Audit reports submitted to the Audit Committee and Board.	i. Compliance with the intended outcomes of King IV. ii. Improved Enterprise Risk Management across Legal Aid SA. iii. Improved compliance across Legal Aid SA. iv. Greater consultation with stakeholders to refine the organisational maturity and sustainability models.
8	Unethical, corrupt or fraudulent practises or acts	i. Monitoring and follow up of issues reported to Ethics Hotline. ii. Signing of Confidentiality Agreement by all employees upon commencement of employment. iii. Implementation of Online Register of Interests for Executives and Managers. iv. Implementation of Organisational Culture Programme including fraud awareness. v. Selection and recruitment done in terms of the recruitment policies. vi. Segregation of duties between administrators and interview panel. vii. Segregation of duties between Human Resources and Payroll. viii. Validation of staff records. ix. Implementation of financial controls and segregation of duties between initiation and approval of procurement transactions. x. Management oversight over procurement. xi. Conducting lifestyle audits on Legal Administration Managers, Legal Practitioners and Paralegals. xii. Client Complaints Monitoring Programme.	i. Regular fraud awareness and training workshops held across the country. ii. Organisational Culture Programme addresses ethics. iii. Legal Aid SA Fraud Management Policy revised to include the building of an ethical culture. iv. Regular lifestyle audits conducted by the Internal Audit Department.
9	Sustainability risk: sustainable high performance and increasing maturity impacted by external factors (budget cuts, focus of State on crime and convictions) and internal factors (leadership, employee engagement, culture) (general audit – sustainability audits)	i. Lobby National Treasury for additional budget and for lower budget cuts. ii. Cost saving measures. iii. Employee Assistance Programme in place. iv. Staff Rationalisation Programme to diffuse/mitigate the impact. v. Employee retention strategy and career development through enabling study leave policies and bursary schemes. vi. Sustained high organisational performance and sustained shareholder value-add.	Lower budget cuts.

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Table 14: Legal Aid SA Strategic Risks – Mitigating Controls and Opportunities (continued)

Risk No.	Risk Event	Mitigating Measures or Controls	Opportunities Derived
10	Increasing trust deficit by employees due to varied perspectives of reality, resulting in a growing conceptual gap against Management and negatively impacting on employee engagement (general audit – Organisational Cultural Programme)	i. Leadership Development Programme implemented to improve leadership and management capability. ii. Organisational Culture Programme implemented to improve the levels of engagement with the values. iii. Annual Internal Omnibus Survey to monitor and measure levels of engagement. iv. Employment Value Proposition reviewed in order to attract, retain and engage talent. v. People development programmes re-aligned to business requirements.	Legal Aid SA is being marketed as an employer of choice to potential employees, positively impacting on the strategic positioning of the Legal Aid SA brand.
11	Unable to keep pace with new/ emerging technology resulting in poor adoption of the 4IR opportunities that enhance effective business operations (IT audits – IT governance)	i. IT Strategic Plan 2020-2025 crafted in response to organisational strategy and best practice. ii. IT system continuously monitored and user queries timeously responded to. iii. Up-to-date IT CARP. iv. IT architecture implemented in line with reviewed architecture framework of best practices and in support of business requirements. v. Consistent review of IS Policies and SOPs. vi. Uninterrupted power supply installed at all LOs.	i. Relevant and applicable IT best practice applied across the IT environment. ii. Lifespan of IT equipment reviewed in line with capex budget. iii. Development of new systems for the administration of the granting of legal aid, case management and business intelligence.
12	Poor data security and protection of information resulting in non-compliance with established regulations and standards of good practice (IT audits – network security review and cybersecurity review)	i. Latest antivirus software version installed and virus signature up-to-date. ii. Continuous security patches update. iii. Up-to-date firewall detection and prevention system. iv. Latest product versions for firewall, Mail and Web Marshall. v. Asset disposal procedure in place. vi. Security awareness conducted quarterly. vii. Exploration of security awareness platform in progress. viii. Daily data replication of the critical servers to disaster recovery site. ix. Monthly backup tapes stored off-site.	i. Protection against hackers. ii. Prevention of breaches.

Table 14: Legal Aid SA Strategic Risks – Mitigating Controls and Opportunities (continued)

Risk No.	Risk Event	Mitigating Measures or Controls	Opportunities Derived
13	Poor risk-based approach to cybersecurity leading to exposure and loss of business assets and personal information of employees, clients and key stakeholders (IT audits – network security review and cybersecurity review)	i. Holistic Legal Aid SA approach to cybersecurity (not only ICT). ii. Approved Cybersecurity Strategic Plan and training of personnel. iii. Proper and adequate data classification framework and effective control over access to and use of organisational data (e.g. HR, SYSPRO and Active Directory as well as client personal information and privileged lawyer/client communications, et cetera). iv. Effective management and control of access to data and systems by service providers and other off-site access to information. v. Implementation and monitoring of the Document Management Policy. vi. Reinforced data security and end-user data use policies and practices implemented and reviewed at regular intervals. vii. Cybersecurity Committee.	i. Prioritisation of risks. ii. Prioritisation of resources.

6. IT GOVERNANCE 2020-2021



The new IT Strategic Plan was crafted in line with the organisational Strategic Plan 2020-2025 and approved by the Board as per the King IV guidelines, and complies with the King IV Report on Corporate Governance. IT performance reports continue to form part of the Board agenda to ensure effective oversight on IT investments.

The post-implementation review of the new system that was deployed in Quarter 3 of the 2019-2020 financial year was conducted, resulting in a stabilised system with **37** enhancements completed. IT strategic projects are monitored by the Information Systems Steering Committee and **three** business cases were approved for infrastructure improvements including Wide Area Network and advanced security tools.

Network infrastructure is improved on an ongoing basis with **99%** of all local and satellite offices running on the latest technology. All provincial offices were upgraded to **10Mbps** and **85%** of the local offices were upgraded to **10Mbps**, while **43%** of remote offices were upgraded to **4Mbps**.

A cybersecurity training platform has been deployed to ensure that all users are trained on cyber hygiene issues. The server infrastructure is kept up to date by timeously replacing the outdated equipment as guided by the CARP. For the period under review, **six** servers were procured and deployed to replace outdated servers. **Ten** network switches were procured to replace the outdated switches at the local offices.

7. INTERNAL CONTROL UNIT



Internal control operates as an integral part of the financial management activities of Legal Aid SA and is a function within the CFO's office. Management is responsible for establishing and maintaining an effective system of internal control. The system of matrix management is in place, which provides Management with sufficient oversight over all the activities of the organisation.

During the year under review, Management appointed an Internal Control Officer responsible for supporting Legal Aid SA in achieving its strategic objectives through effective internal control processes.

The Internal Control Officer's responsibilities include monitoring and enforcing compliance, coordinating investigations relating to compliance as per the applicable frameworks and providing technical advice on financial, governance and compliance matters.

Any internal control deficiencies and risks which may hamper the achievement of the organisation's objectives identified by Management and the Internal Audit Department during the year were mitigated by putting measures in place to ensure the achievement of Legal Aid SA's strategic and operational objectives. As part of enhancing internal controls and ensuring compliance with laws and regulations, a system to process and track deviations was developed and implemented during 2020-2021. This system assisted Legal Aid SA to reduce irregular expenditure resulting from late approvals.

GOVERNANCE

The Audit Committee oversees these controls and reviews the effectiveness of the system as a whole. An effective internal control system provides reasonable assurance that policies, processes, tasks, behaviours and other aspects of Legal Aid SA, taken together, facilitate its effective and efficient operation, help to ensure the quality of internal and external reporting, and help to ensure compliance with applicable laws and regulations.

The Board has the ultimate responsibility for establishing a framework for internal controls, including an appropriate procurement and provisioning system. During the period under review, the Board approved the reviewed Internal Control Framework which assists the organisation to assess and enhance internal control systems. The Internal Control Framework considered the following:

- i. Effectiveness of internal control systems and governance processes.
- ii. Legal matters that could have a material impact on the organisation.
- iii. Effectiveness of the system and process of risk management including the following specific risks:
 - management reporting;
 - external financial reporting;
 - internal financial controls;
 - fraud risks relating to financial reporting;
 - information technology risks relating to financial reporting and internal control; and
 - the effectiveness of the organisation's compliance with legal and regulatory requirements.

Legal Aid SA implemented internal controls to ensure that the following objectives are achieved:

- i. Managed public income, expenses, assets and liabilities in an effective, economic and efficient manner;
- ii. Operated finance and administration in accordance with the applicable laws and regulations;
- iii. Prevented and detected irregularity and fraud in all types of financial decisions and transactions;
- iv. Provided regular, timely and reliable reporting and acquisition of information for decision-making; and
- v. Prevented misuse and waste of assets to provide protection against losses.

Legal Aid SA's policies, procedures, structures and approval frameworks provide direction, accountability and division of responsibilities and contain self-monitoring mechanisms.

A Combined Assurance Forum is in place and reports to the Audit Committee on a bi-annual basis. A Combined Assurance Report which is aligned to King IV is prepared from input provided by Management, including the Chief Risk Officer, Internal Audit and External Audit.

The Internal Audit Function evaluates the existing controls in terms of their adequacy and effectiveness, assessing the change in the likelihood of any risk materialising and develops recommendations for their improvement. Recommendations add value, and are measured against the reduction of the likelihood that a risk can materialise.

The Chief Risk Officer (CRO) is responsible for the risk management function which includes, amongst others, ensuring that an integrated and effective Enterprise-wide Risk Management Framework is maintained in the organisation. The Enterprise Risk, Internal Audit, Legal and Compliance functions together are responsible for risk integration in a well-defined control environment across all business units within the organisation. The CRO's key responsibilities are to:

- i. coordinate the implementation of enterprise-wide risk management in the organisation;
- ii. review and refine risk management, risk policies, methodologies, systems, processes and other tools;
- iii. facilitate the identification and assessment of significant organisation-wide risk exposure;
- iv. monitor Legal Aid SA's enterprise-wide risk exposures and report on these risk exposures through the Audit Committee to the Board of Directors; and
- v. provide enterprise-wide risk assurance.

8. INTERNAL AUDIT AND AUDIT COMMITTEE

The Internal Audit Function at Legal Aid SA provides an independent, objective assurance and consulting service designed to add value and improve the organisation's operations. It helps the organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, compliance and governance processes.

The Internal Audit Function is responsible for the following:

- i. Evaluating controls, including assessing the tone and risk management culture of the organisation and reporting on the effectiveness and efficiency of the implementation of management controls;
- ii. Evaluating risks by identifying key activities and relevant risk factors and assessing their significance. The Internal Audit Function has adopted a more proactive and risk-based approach. This enables the function to anticipate possible future concerns and opportunities as well as identify current issues;
- iii. Analysing operations and confirming information by closely working with line managers to review operations then report their findings; and
- iv. Reviewing compliance to ensure that the organisation is adhering to rules, regulations, laws, codes of practice, guidelines and principles as they apply individually and collectively to all parts of the organisation.

GOVERNANCE

The Internal Audit Function assesses and makes appropriate recommendations for improving risk and governance processes to accomplish the following objectives:

- Promote appropriate ethics and values within the organisation;
- Achieve effective organisational performance management and accountability;
- Communicate risk and control information to appropriate areas of the organisation;
- Assist Management in achieving the organisation's strategic objectives;
- Secure reliability and integrity of financial and operational information;
- Operate effectively and efficiently;
- Safeguard assets; and
- Comply with laws, regulations, policies, procedures and contracts.

The Internal Audit Function generally conforms to the International Standards for the Professional Practice of Internal Auditing and performs its activities in compliance with the PFMA, National Treasury regulations and the King IV Report on Corporate Governance. Accordingly, Internal Audit adopted a risk-based approach and the Audit Plan is approved by the Audit Committee. The Audit Plan is flexible and responsive to Legal Aid SA's risk profile.

The purpose, authority and responsibility of the Internal Audit activity is formally defined in the Internal Audit Charter. Internal Audit reports functionally to the Audit Committee and has full and unrestricted access to all organisational activities, records, property and personnel.

The Internal Audit Function completed **95%** of the approved Audit Coverage Plan. The following Internal Audit work was completed during the year under review:

- Assessment of internal controls, including financial controls;
- Review of the mid-year and the year-end financial statements;
- Review of the mid-year and the year-end non-financial performance information;
- Review of Legal Aid SA's risk management;
- Quarterly review of compliance with PFMA prescripts; and
- Review of compliance with other legislation and regulations affecting Legal Aid SA.

8.1. LEGAL QUALITY ASSURANCE

In addition to the provision of internal control, Internal Audit is responsible through the Legal Quality Assurance Unit (LQAU) for assessing the quality of legal services provided by internal legal practitioners and external service providers appointed by Legal Aid SA to represent its clients. The LQAU achieved **81%** of its Annual Coverage Plan. The shortfall was largely due to the COVID-19 pandemic and its attendant restrictions.

8.2. AUDIT COMMITTEE

The Audit Committee is responsible for playing an oversight role and monitoring the effectiveness of internal control; financial controls in particular and risk management; compliance with legislation and regulations, and the review of the Annual Financial Statements. Internal Audit reports to the Committee on a quarterly basis and submits written annual assessments of controls and risk management at the end of each year.

The table below provides information on the attendance of Audit Committee meetings by Audit Committee members.

Table 15: Composition of the Audit Committee

Name	Designation (in terms of the Public Entity Board structure)	Qualifications	Area of Expertise	No. of Meetings Attended
Professor William Gumede	Director	Diploma: Economics & Public Finance (University of South Africa), Joint Degree (Utrecht, Aarhus and Cardiff Universities), Masters: Political Studies (University of the Witwatersrand)	Governance	Audit Committee (3)

GOVERNANCE

Table 15: Composition of the Audit Committee (continued)

Name	Designation (in terms of the Public Entity Board structure)	Qualifications	Area of Expertise	No. of Meetings Attended
Ms Adila Chowan	Director	BCom, PGDip Accounting (University of Durban-Westville), CA(SA)	Accounting, Auditing	Audit Committee (3) Resigned – 30 November 2020
Ms Mamodike Makgoba	Director	National Diploma, BTech: Cost and Management Accounting (Cape Peninsula University of Technology), BCom, Honours: Accounting (University of KwaZulu-Natal), CA(SA)	Accounting, Auditing	Audit Committee (4)
Ms Thulisile Mhlungu	Alternate Director	BProc, LLB (University of Natal)	Law	Audit Committee (4)
Ms Lorraine Francois	Co-opted Director	BCom (University of Natal), Graduate Certificate: Accounting (Herriot Watt University), MBA (Business School Netherlands), Certification in Risk Management Assurance), General Internal Auditor (SA)	Accounting, Auditing	Audit Committee (4)
Mr Samson Nkosi	Co-opted Director	Higher Diploma: Business Studies (Institute of Business), Postgraduate Diploma: Information Systems, Master of Science: Information Systems (Leeds Beckett University)	IT	Audit Committee (4)

9. COMPLIANCE WITH LAWS AND REGULATIONS

Legal Aid SA's Compliance Universe consists of all applicable laws. Executives identified **16** applicable laws that require the attention of Management on an ongoing basis.

A Legislative Compliance Checklist which includes deadline dates for complying with certain statutory requirements, is confirmed annually by all Executives and Heads of Offices through a webpage, and thereafter monthly confirmations are done by all Executives. As a quality control, the Executives and Provincial Executives on a quarterly basis scan the legislative environment within their functional

responsibilities for changes and the Compliance Universe is updated accordingly.

A Legislative Compliance Checklist was completed monthly by all Executives and Managers. Quarterly Compliance Reports were thereafter submitted to the Board. The Legislative Compliance Checklist was updated whenever new legislation or provisions came into effect. Management strives to ensure **100%** compliance with all relevant legislation, regulations and directives/practice notes.

Legal Aid SA complied with all legislation that comprises the Legislative Universe, except for:

- i. **Non-compliance with the PFMA** – There were isolated incidents of non-compliance with SCM prescripts mainly due to non-responsive bids and challenges in securing lease offices from landlords that are not tax compliant on the CSD. There were also incidents where contract extensions and deviations were not approved in accordance to the applicable Instruction Note.
- ii. **Non-compliance with the Preferential Procurement Policy Framework Act 2000** – There was an isolated incident where the bid specifications did not contain the minimum threshold for local production and content.
- iii. **Non-compliance with the Value-Added Tax Act 89 of 1991** – As a result of imported services which relate to computer licences procured between the 2015-2016 and 2018-2019 financial years without accounting for VAT input as required in terms of section 7(1)(c) of the VAT Act which require that deemed VAT input should be declared and paid where there was no VAT charged by the foreign supplier.
- iv. **Non-compliance with section 10(1)(cA)(i) of the Income Tax Act** – Which requires institutions established by or under law with the sole purpose of providing services to the public to obtain a written exemption from the SARS Commissioner and submit an annual return form declaring information as prescribed on the form.

Legal Aid SA complies with all applicable principles of the King IV Code on Corporate Governance (the King Code).

9.1. PAIA REQUESTS FOR THE YEAR UNDER REVIEW

During the 2020-2021 reporting period, Legal Aid SA received **three** requests. The first request related to a practitioner's application to be accredited as a Judicare service provider. The second request was for documents from a divorce matter that emanated from 1985, which was allegedly funded by the then Legal Aid Board, as Legal Aid SA was then known. The third request arose from an employee seeking information relating to practitioners' legal quality assurance audits, court rotation schedules and the Annual Employment Equity Report.

The first request was fully granted. The records for the second request could not be located and thus a section 23 affidavit was deposed and provided to the requestor. The documents in the third request were also provided in full.

We are currently involved in litigation with a particular requestor in **five** Magistrate's Court matters that we are seeking to transfer to the High Court and **three** High Court matters. The High Court matters are under case management and only **one** case was heard. The requestor's application was dismissed with costs but an appeal is pending against the judgment to the full bench of the High Court. Currently, the issue of security for costs in the appeal must be resolved before the appeal can proceed.

In compliance with section 32 of the PAIA, a report was submitted to the South African Human Rights Commission stating the number of requests received and how each request was dealt with.

10. FRAUD AND CORRUPTION

Legal Aid SA has zero tolerance towards any fraudulent and unethical behaviour. The Legal Aid SA Fraud Management Plan and Fraud Management Policy were approved by the Board in February 2021. These documents outline specific measures on the management of fraud.

The Fraud Management Policy includes the implementation of a Fraud and Ethics Hotline. To promote a culture of whistle blowing, the Fraud and Ethics Hotline is managed by an external independent party that reports directly to the Internal Audit Executive to guarantee the anonymity of whistle blowers. All reasonable suspicions of fraud, corruption, maladministration and unethical behaviour are verified and investigated, and appropriate action taken, including but not limited to:

- i. consequence management procedures.
- ii. referrals to relevant agencies.
- iii. institution of criminal complaints.

Legal Aid SA's Fraud Policy, Fraud Prevention Plan and Code of Ethics Policy are effectively implemented.

Incidents reported to the Fraud and Ethics Hotline are reported to the Board in the Internal Audit Quarterly Report.

There were **12** matters brought forward from the 2019-2020 financial year and **36** new matters reported through the Fraud and Ethics Hotline and by Management during 2020-2021. **Forty-one** matters were finalised and **seven** were carried forward to the 2021-2022 financial year.

GOVERNANCE

Table 16: Summary of Investigated Matters and Outcomes in 2020-2021

No.	Allegation	Period Completed	Outcome
1	An anonymous caller reported Legal Aid SA clients for fraud. Clients have a paid off house with a value in excess of R1 million. They have three cars. One of the clients documented in writing that he receives an Eskom pension of approximately R14,000.00 per month. – Legal Aid SA records confirmed that Mr X and Mrs Y were indeed Legal Aid SA clients. – The couple provided false information to Legal Aid SA officials by claiming not to have any assets when they applied for legal aid. – The Internal Audit Department determined that Mr X and Mrs Y own a property valued above R2,000,000.00, but it was not declared by the clients. – It was recommend that the responsible Head of Office at the local office should communicate with the clients to confirm their withdrawal from Legal Aid SA, as clients.	Q2 2020-2021	Legal Aid SA withdrew legal assistance.
2	An anonymous email received reported that a Legal Aid SA practitioner operates her own law firm and conducts private work over and above her work at Legal Aid SA. – The practitioner was employed by Legal Aid SA from 1 April 2020. – The firm was accredited on the Legal Aid SA Judicare system. – The practitioner declared her two outstanding matters through her forum with her supervisor. The firm was in the process of closing down.	Q2 2020-2021	The investigation did not find any evidence of wrongdoing by the practitioner and the report was for noting.
3	The Lifestyle Audit conducted found that there was a potential conflict of interest due to the legal practitioner holding directorship in a company that appeared to be offering legal services.	Q3 2020-2021	The investigation did not find any evidence of wrongdoing against the practitioner and the report was for noting.
4	Second phase – Copper theft case – Investigation found that one Judicare practitioner overstated a claim.	Q4 2020-2021	Pending.
5	An anonymous caller reported that Legal Aid SA resources are used for personal gain at the East London Local Office. – The employee utilised courier services that were paid for by Legal Aid SA for her own benefit.	Q4 2020-2021	Pending.

Zero tolerance on fraud and corruption remains entrenched.

11. ETHICS MANAGEMENT AND MINIMISING CONFLICT OF INTEREST

Legal Aid SA is committed to a policy of fair dealing and integrity in the conduct of its business. In terms of the Legal Aid SA Code of Ethics and Conduct, it is expected that all employees share in the organisation's commitment to high moral, ethical and legal standards. All employees of Legal Aid SA are obligated to declare gifts they received, as well as instances of conflict of interest on the Register of Interest. In the year under review, **99%** percent of employees of Legal Aid SA disclosed registerable interest. All gifts received by employees were registered on the online gifts register and reported at the Management Executive Committee meetings. Similarly, all Directors of the

Board declared interest in all meetings they attended in the year under review to ensure adherence to the Legal Aid SA Code of Conduct.

A three-year average view of compliance by employees in terms of the disclosure of interest is shown in the table below:

Table 17: Average Percentage Completion of the Register of Interest by Employees – three-year comparison

Financial Year	2018-2019	2019-2020	2020-2021
Compliance Rate	99%	93%	99%

The Internal Audit Department performed an audit of the status of controls relating to ethics management, to assess the adequacy and effectiveness of controls in mitigating the risks that could impede Legal Aid SA from achieving its objectives.

GOVERNANCE

The Department's assessment was that the controls relating to the ethics management and the Organisational Culture Programme were being managed effectively, based on the fact that mitigating controls in **nine** out of **10** areas of risks assessed were found to be both adequate and effective.

12. CODE OF CONDUCT

The Legal Aid SA Code of Ethics and Conduct Policy was reviewed by the Board and implemented in the year under review. This Code articulates the values of the organisation and represents the highest ethical standards applicable to all employees and the Board.

Contraventions of the Code are dealt with in the provisions of the Human Resources Policies as well as the Terms and Conditions of the organisation. Matters are investigated and sanctions issued based on the merits of the cases.

The Board of Legal Aid SA has a Code of Conduct that supports the organisation's mission, values and principles. The Board Code of Conduct regulates Board members' behaviour and the standards of professional conduct. In so doing, the Board embraces its role to set the tone of good ethical conduct for the entire organisation.

13. HEALTH, SAFETY AND ENVIRONMENTAL ISSUES

Legal Aid SA has a written Health and Safety Policy in place. This policy complies with the Occupational Health and Safety Act 85 of 1993. The purpose of this policy is to protect and promote the health and safety of all employees and other persons in connection with Legal Aid SA at work. This policy provides guiding principles for the achievement of the organisation's health and safety programmes. Health and Safety representatives and Committees are in place and inspections are carried out. Legal Aid SA discharges its legal duty to inform its employees about health and safety and takes all the necessary prescribed steps in relation to the COVID-19 Regulations and measures.

Any serious injuries, reportable diseases or dangerous occurrences taking place at work are reported to the Human Resources Department and the Department of Labour in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993, as amended. A total of **five** incidents of injury on duty were reported in the 2020-2021 financial year.

The Employee Wellness and HIV Education Programmes were fully implemented to encourage awareness and support.

The Vicarious Trauma Counselling Programme planned interventions that were delivered on a national scale virtually by the in-house clinical psychologist.

This programme has remained effective in mitigating the vicarious trauma suffered by legal professionals, particularly in serious violent criminal matters including sexual offences matters. The programme creates awareness and shares coping strategies for affected employees

14. BOARD SECRETARY

The Board of Legal Aid SA had the services of a Board Secretary who played a pivotal role in organising its work in its entirety and complemented and supported it in exercising its oversight function. The following key functions of the Board Secretariat proved invaluable to the stability of the Board and enabled it to undertake its fiduciary duties of setting the strategic direction of Legal Aid SA and providing the ethical leadership to enable the organisation to deliver on its mandate:

- i. Worked closely with the Chairperson and the Board to ensure that effective shareholder relations were maintained.
- ii. Prepared agendas of meetings in agreement with the Board and Board Committee Chairpersons.
- iii. Organised and ensured that all meetings convened as planned and that the minutes of Board and committee meetings were recorded, circulated, agreed to by members of the Board, filed securely and that the decisions of the Board were implemented.
- iv. Attended the meetings of the Board and its committees and built effective working relationships with all Board members, offering impartial advice as well as advising on compliance with applicable rules and legislation.
- v. Monitored and ensured that all governance instruments were reviewed.
- vi. In promoting Board development, assisted the Chairperson with all development processes, including Board evaluation, induction and training, amongst other duties.

15. SOCIAL RESPONSIBILITY

x-ref Sustainability Report on page 92 of this Integrated Annual Report.

Legal Aid SA engaged in a number of activities to support vulnerable groups to ultimately ensure that communities had increased access to justice. These activities included the administration of a Pro Bono Scheme through which legal practitioners rendered pro bono services to indigent and vulnerable communities, allowing access to justice in **91** new legal matters.

Legal Aid SA has **230** employees registered as Smalls Claims Court Commissioners and the organisation's contribution to the pool of Small Claims Court Commissioners ensures the speedy resolution of minor disputes.

GOVERNANCE

The Asset Disposal Policy of the organisation allows for the donation of usable assets including furniture and computers to organisations that deliver access to justice such as Community Advice Offices and University Law Clinics to address their infrastructure challenges. This helps organisations that provide access to justice to indigent and vulnerable people meet the challenges of the prevailing negative economic outlook.

16. AUDIT COMMITTEE REPORT

The Legal Aid SA Audit Committee is a committee of the Board duly constituted in terms of the PFMA. Its main purpose is to assist the Board in fulfilling its oversight responsibility on the system of internal financial control, the governance of risk, Internal and External Audit Functions, integrated reporting and Legal Aid SA's processes for monitoring statutory and regulatory compliance. To this end, the Board delegates the above listed responsibilities to the Audit Committee. This is over and above its statutory responsibility to the governing authority.

The Audit Committee accordingly adopted its Terms of Reference, which are updated year-on-year and approved by the Board of Directors. Throughout the financial year, the committee carried out its duties in accordance with its Terms of Reference, the Public Finance Management Act and the National Treasury Regulations 3.1.13 and King IV Report on Corporate Governance for South Africa 2016.

COMPOSITION

The committee consists of **four** independent Non-executive Directors and **one** independent specialist member. Collectively they have sufficient skills and knowledge to deliver on the set responsibilities of this committee. The meetings of the Audit Committee members as well as the qualifications for the year are detailed in table 15 on page 84 of this Integrated Annual Report.

The Legal Aid SA CEO, COO, NOE, CFO and other senior members of Management, together with the internal and external auditors, attend these meetings by invitation. During the year, the committee held separate meetings with Senior Management, external auditors and internal auditors individually, before every meeting. The internal and external auditors have unrestricted access to the Audit Committee. The Audit Committee and its members are assessed for effectiveness on an annual basis.

The Audit Committee is happy to report that it has regulated its affairs in compliance with its set Terms of Reference and has delivered on all its responsibilities as contained therein.

THE EFFECTIVENESS OF INTERNAL CONTROL

The committee reviewed:

- the significant issues raised by both internal and external auditors, discussed and was satisfied with regard to the resolution of all these issues as and when they were reported;
- the policies and procedures relating to the prevention and detection of fraud and corruption; and
- the effectiveness of Legal Aid SA's systems of internal control including the assurance received from Management, Internal Audit and External Audit, during the course of the financial year.

The combined assurance model was updated and the tracking map reported to us during the financial year under review. The final Combined Assurance Report concluded that the internal controls are satisfactory.

REGULATORY COMPLIANCE:

The committee has complied with all applicable legal and regulatory responsibilities. These are tracked, reported and discussed at the quarterly meetings.

EXTERNAL AUDIT:

We reviewed, discussed and deliberated on the External Audit scope and coverage including the fees as set out in note 15.1 of the financial statements. We concur with the conclusions on the status of the internal financial controls and we therefore recommended these to the Board for approval.

INTERNAL AUDIT:

The committee:

- reviewed the updated the Internal Audit Charter and recommended it for approval by the Board;
- evaluated the independence, effectiveness and performance of the function as well as compliance with its charter;
- considered and satisfied itself that Internal Audit has the necessary resources, budget and appropriate standing within Legal Aid SA;
- approved the Internal Audit Plan and the adjustments thereafter; and
- continuously encouraged co-operation and reliance between Internal and External Audit.

MANAGEMENT MONTHLY/QUARTERLY REPORTS

Legal Aid SA submitted monthly and quarterly reports to the Executive Authority.

EVALUATION OF FINANCIAL STATEMENTS

We have reviewed the Annual Financial Statements prepared by Legal Aid SA.

AUDITOR'S REPORT

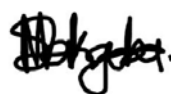
We have reviewed Legal Aid SA's implementation plan for audit issues raised in the prior year as stated above and we are satisfied that the matters raised by External Audit have been adequately resolved.

The Audit Committee concurs and accepts the conclusions by the external auditor as articulated in the Annual Financial Statements. We are of the opinion that the audited Annual Financial Statements should be accepted and read together with the report of the Auditor-General.

INTEGRATED REPORTING

We recommended the Integrated Annual Report for approval by the Board on the basis of the processes in place, underpinned by the assurance provided by the Internal Audit Function.

In conclusion, nothing came to our attention to indicate any material breakdown of the Legal Aid SA internal control processes, risk management, corporate governance and compliance.



Ms Mamodike Makgoba
Chairperson of the Audit Committee
Legal Aid SA
31 July 2021

17. B-BBEE COMPLIANCE PERFORMANCE INFORMATION



Table 18: Application of Code of Good Practice

Has the Public Entity applied any relevant Code of Good Practice (B-BBEE Certificate Levels 1 – 8) with regards to the following:		
Criteria	Response Yes/No	Discussion
(include a discussion on your response and indicate what measures have been taken to comply)		
Determining qualification criteria for the issuing of licences, concessions or other authorisations in respect of economic activity in terms of any law?	N/A	
Developing and implementing a preferential procurement policy?	Yes	Legal Aid SA's Supply Chain Management Policy is guided by the PPPFA Regulations.
Determining qualification criteria for the sale of state-owned enterprises?	N/A	
Developing criteria for entering into partnerships with the private sector?	No	Legal Aid SA does not have such initiatives/programmes.
Determining criteria for the awarding of incentives, grants and investment schemes in support of Broad-based Black Economic Empowerment?	No	Legal Aid SA does not have such initiatives/programmes.

With regard to the status of Legal Aid SA's compliance with the Broad-Based Black Economic Empowerment Act 46 of 2013, Legal Aid SA appointed a service provider for the

assessment of its B-BBEE status. The appointed service provider is still busy with the assessment and the status will be provided as soon as it is finalised.

PART D

SUSTAINABILITY REPORT

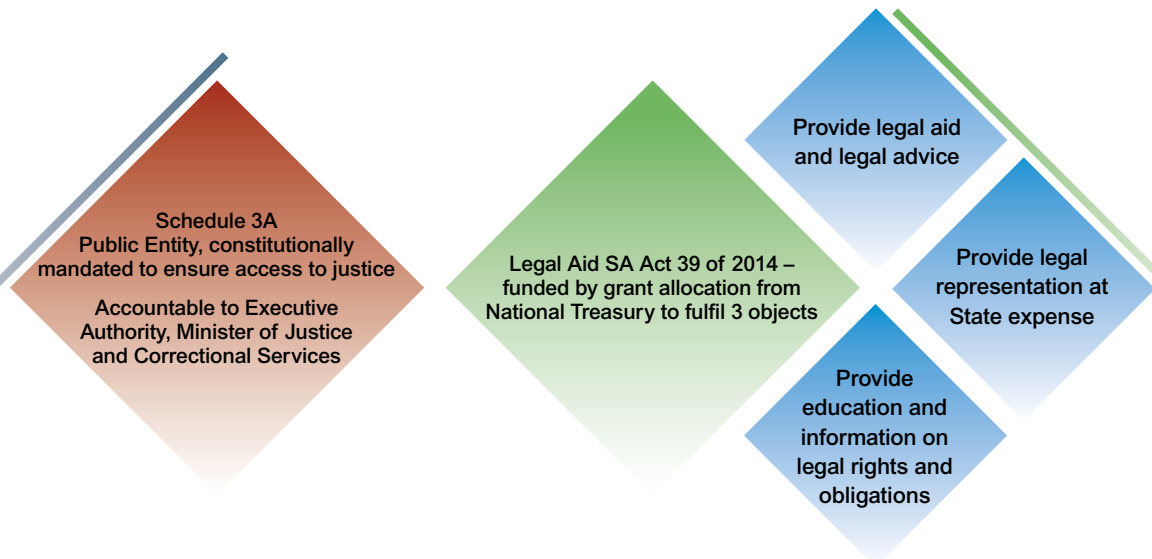


**SUSTAINABILITY
IS AN ESSENTIAL
ELEMENT OF
OUR BUSINESS
STRATEGY**



1. SUSTAINABILITY REPORT

LEGAL AID SA BUSINESS MODEL: WHO ARE WE?



WHO DO WE SERVE/FOR WHAT?



HOW/WHERE DO WE SERVE?



SUSTAINABILITY REPORT

Legal Aid South Africa incorporated a sustainability focus in its strategic planning framework for 2020-2025, to develop an integrated Strategic Plan that also incorporates sustainability. Incorporating sustainability into our business strategy means that sustainability is viewed as a long-term goal and the organisation can address sustainability issues incrementally, working towards the outcome of creating long-term value.

As a service delivery organisation, the COVID-19 pandemic and lockdown regulations meant that the organisation had to modify its operations to ensure the safety and protection of staff and clients, whilst simultaneously meeting the needs of indigent and vulnerable persons for legal aid services, to fulfil our mandate as well as our mission to remain a leader in the provision of equal access to justice to such persons by rendering quality legal services. The various Regulations, Court Directions and Directives issued by Government in order to curb the spread of COVID-19 were complied with and these determined how we operated in providing access to justice.

SOCIAL



We added value to clients' lives by placing emphasis on adjusting our operations so that we maintained legal services delivery to clients. Access to legal services and legal advice was provided to indigent and vulnerable persons, although at decreased levels. The range of services provided is in accordance with the **three** objects as per the Legal Aid SA Act: "render or make available legal aid and legal advice; provide legal representation to persons at state expense; and provide education and information concerning legal rights and obligations, as envisaged in the Constitution and this Act". Through the use of social media platforms and the Legal Aid SA website, we kept members of the public informed of operational changes through the various Lockdown Alert Levels. Providing information through these platforms was critical when the Legal Aid SA offices and Advice Line were closed at the beginning of the pandemic. This linked to the accessibility of legal aid services, despite the restrictions placed on certain services and access to courts and correctional centres.

The organisation has tried and tested models, which have been used over an extended period and which have proved effective and efficient. The mixed model of service delivery supplements the internal capacity and legal representation, allowing us to tap into the expertise of the broader legal fraternity and ultimately results in improved access to justice. Legal Aid SA's 'practitioner per court' model allows us to plan services and respond to the demands from District and Regional Courts. This prevents clients from being unrepresented and ensures legal representation in criminal courts is provided to all clients that require such services.

Vulnerable groups including women, children, land/eviction matters, mental health care users and refugees received

legal aid services, and emphasis is placed on equipping legal practitioners with specialised knowledge to deal with such matters. We provided services to specialist and vulnerable groups through our coverage of Sexual Offences Courts and Commercial Crimes Courts, each of which were assigned dedicated practitioners. All labour specialist positions were filled and we took in **653** new labour matters in total; **one** new refugee matter was undertaken through our Co-operation Partner and we assisted **21** mental health care users. All children are provided with legal representation. Legal services to children are a priority and legal aid was provided to all children requiring assistance; **4,988** in criminal matters in 2020-2021, which is a decrease of **47%** over the previous financial year. Children kept in custody for periods greater than **one** month were individually tracked. At the end of the financial year, there were **53** children in custody awaiting trial that are represented by Legal Aid SA. All legal practitioners receive training in the provisions of the Child Justice Act to equip them to deal with cases involving children. The organisation took in **3,475** new civil matters for children. This is **39%** less than the number of new matters taken in when compared to the same period in the previous financial year. We dealt with **1,642** new deceased estate matters for children. This is **35%** less when compared to 2019-2020. The civil children's programme was also affected by the restrictions implemented by Government to curb the spread of COVID-19.

In addition to targeted training programmes, legal practitioners also have access to electronic libraries, legal research and support in the form of monthly newsletters and regular case updates and mentorship and supervision. These interventions are part of the quality monitoring and intervention programme and contribute to ensuring quality legal aid services so that clients have confidence in the services received. To assess the quality of legal services, the Legal Quality Assurance Unit (LQAU) conducts independent audits of all categories of practitioners through file audits and court observations. The outcome of file audits found that all categories of legal practitioners achieved the quality targets, confirming the success of the quality monitoring and intervention programme. The LQAU was not able to conduct court observations owing to the limited functionality of the courts during the period under review.

The organisation makes effective use of technology and has systems in place to ensure efficiency in the management of cases. Technology such as document generation software assists civil practitioners to provide legal services which are client-focused. Further, web-based systems facilitate the monitoring of compliance with prescribed time periods. To assist clients and members of the public who may not qualify for legal aid services, self-help modules for common, less complex legal issues are available on the Legal Aid SA website. **Four** self-help modules were developed in 2020-2021, namely:

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i) Debt Relief Finance Scheme for SMMEs; ii) Guidelines for Witnesses in Trials; iii) Social Grants COVID-19 and iv) Step-by-step guide in dealing with evictions. Usage statistics indicate that our self-help modules received **52,050** views.

Legal Aid SA is committed to a stakeholder-based approach as part of our sustainability methodology. This also aligns to the Legal Aid SA Social and Ethics Programme, within which there is a programme that focuses on client and stakeholder relationships. We follow the best practises aligned to the King IV Report on Corporate Governance which underscores the critical role of stakeholders in the governance process, emphasising stakeholder inclusivity and responsiveness. Stakeholder engagements within the justice cluster enabled Legal Aid SA to advance the interests of the organisation and our clients, as well as contribute to the efficient functioning of the justice system. As can be expected, face-to-face meetings were not possible and a number of meetings were held virtually. Due to the COVID-19 pandemic, formal meetings were not held with legal professional bodies. Through our stakeholder partnerships we also linked with Community Advice Offices, allowing LOs to extend access to civil legal aid services. Local offices maintained links with **107** Community Advice Offices; conducted **101** visits and consulted with **370** clients, resulting in **105** files being opened. In order to increase awareness of our services and referrals to Legal Aid SA, LOs maintained links with **938** NGOs, CBOs, FBOs and traditional structures and had **639** interactions with these stakeholders. Linkages were also maintained with **938** stakeholders that work with vulnerable groups, through **914** interactions. COVID-19 restrictions and measures limited our ability to link with stakeholders. Detailed information on Stakeholder Engagement follows in Part D, Section 2 of this Integrated Annual Report.

Legal Aid SA provides support to developing legal aid systems, and shares knowledge with legal organisations all over the world. Due to global restrictions on international travel, we have not had any international exchanges. Legal Aid SA has taken the lead in implementing the United Nations' Principles and Guidelines and have linked to **five** countries namely Sierra Leone, Fiji, Kenya, Afghanistan and Liberia for purposes of support and information sharing. We provide information to Statistics SA on the SDGs, in particular Target 16.3, and form part of the team that compiled the last country report. However, there were no meetings held during the past financial year.

To meet the objective of providing education and information concerning legal rights and obligations, as envisaged in the Constitution and the Legal Aid SA Act, as well as manage the organisational brand, a communication programme was implemented throughout the year. This included branding of prison cells, police stations and courts, outreach programmes, advertising and media interventions and

using social media platforms which were particularly useful in providing information to clients given the restrictions in accessing our offices arising from COVID-19.

In addition to general advice services provided by local and satellite offices, the Legal Aid Advice Line and at correctional centres, general advice was also provided at outreach sites and local offices made **428** visits to community outreach sites and consulted with **963** clients during these visits. During 2020-2021, the Civil Clinics Programme was initially suspended as gatherings of people for this purpose was not permitted in terms of the Disaster Management Act Regulations. Once the restrictions were lifted, **60** Civil Clinics were held physically where it could be done in accordance with COVID-19 Guidelines, as well as online using Microsoft Teams or Zoom. A total of **3,515** clients/participants attended the clinics. During the first half of the financial year, the organisation could not implement its Community Outreach Programme due to restrictions implemented by Government and the organisation in order to curb the spread of COVID-19 and protect staff and clients.

The Client Relationship Management Strategy and Plan, aimed at managing the interactions and engagement between employees, clients and the general public, was reviewed and approved by the Board. Client satisfaction is monitored through client satisfaction surveys, compliments and complaints received through the Legal Aid Advice Line, through social media and on our website. Complaints received at local offices are recorded and monitored. Feedback from clients assists in assessing and improving services and upholding human rights. Client satisfaction surveys were not conducted as the Advice Line did not operate at full capacity owing to COVID-19 Lockdown restrictions. Our clients are consulted in the language they understand and interpretation is arranged where there are language barriers. The Legal Aid Advice Line had the capacity to assist clients with legal advice in all official languages.

Legal Aid SA has a new mandate to provide legal representation in land-related matters. Stakeholders have been engaged on this matter. The Land Court Bill has been tabled in Parliament but there is no costing for the legal services to be undertaken by Legal Aid SA. The transfer of the legal representation function of the Land Rights Management Facility is set for the 2021-2022 financial year.

With regard to the Criminal Justice Review recommendations, all protocols entered into with Criminal Justice System (CJS) cluster partners are implemented, as are all the recommendations of the CJS Review Committee. We contribute to and implement Civil Justice Review recommendations. The research unit submitted comments to stakeholders on proposed amendments to Chapter 2 Mediation Rules of the Magistrates' Courts Rules.

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Comments were also provided on draft Directive 1 of 2021 issued by the Judge President dealing with case management and the enrolment of civil trials in the Gauteng Division of the High Courts. A total of **19** comments were submitted on proposed legislation and amendments of Rules of Court. Legal Aid SA provided comments on the Victim Support Services Bill and the Amendments to the Magistrates' Court Rule dealing with exceptions and strike outs in pleadings.

For further information on the impact of COVID-19 on service delivery please refer to Part B: Performance Information, Section 2: Situational Analysis in this Integrated Annual Report.

During this period of the COVID-19 pandemic, a Steering Committee including representatives from the **two** recognised trade unions was in place. Guidelines were developed to safeguard the health and safety of staff and review working arrangements. Regular communication regarding operations and daily COVID-19 updates were shared to keep staff abreast of developments in the country. There was an increased focus on employee wellbeing, in addition to a webpage for reporting issues or concerns.

Staff were assisted with the tools necessary to facilitate remote working, including laptops for those staff who did not have laptops and an allowance to purchase data. Microsoft Teams access was rolled out, providing for online meetings and facilitating communication in real time. Access Point Networks were procured for remote access.

Legal Aid SA strives to be an employer of choice and the Top Employer certification provides evidence of the work that is done to maintain those aspects of the Human Resources Function and people management practises that are successful, and assess areas that need improvement.

The EVP was reconsidered and enhanced during this period. The Employee Wellness Programme, for which material was distributed electronically, focused on various topical issues including the COVID-19 pandemic, mental health awareness, the importance of physical activity and work-life balance. The Organisational Culture Programme provided an opportunity to discuss issues such as gender-based violence and the 16 Days of Activism campaign. An Internal Omnibus Survey conducted by an independent service provider provided feedback on employee satisfaction and confirmed a positive organisational climate.

Training interventions were done through online platforms to respond to the challenges of the pandemic. E-Learning modules are regularly updated and a database of legal training, legal research and legal support material and automated templates are available to staff. Training interventions ensure that staff have an opportunity to improve competence and expertise as this enables them to provide quality services to clients.

Health and safety is monitored on a quarterly basis for compliance with the Occupational Health and Safety Act. The requisite committees are in place, inspections reports are compiled, COVID-19 measures are in place and complied with, including guidelines on the return to work plan and the Health and Safety Representatives, and COVID-19 compliance appointments are in place.

Legal Aid SA has **230** employees registered as Small Claims Court Commissioners contributing to the speedy resolution of minor disputes. Through our Asset Disposal Policy, which permits the donation of assets to community organisations that provide access to justice to the indigent, **44** computers were donated during the financial year. Further, we administered a Pro Bono Scheme which encourages practitioners to render pro bono services to indigent and vulnerable communities and **91** cases were dealt with during 2020-2021.

Budget cuts have impacted on staffing and recruitment as a moratorium was placed on staff recruitment. As a result, the recruitment target was not met (**86.7%** vs **95%** – **8.3%** lower than target); however, the low level of staff turnover (**5.3%**) is indicative of a stable work environment. Sound labour relations was achieved through a favourable relationship with organised labour and there was a low number of grievances, disciplinary hearings and matters and new labour disputes; **48%** less than the previous financial year.

FINANCE AND GOVERNANCE

Having an effective governance framework in place in all critical areas of the business contributed to strong governance performance. This includes compliance with the PFMA, King IV guidelines and other relevant statutory requirements. The Internal Audit Department confirmed that principles of governance are upheld, risk management is effective and Legal Aid SA materially complies with legislations and regulations which govern the organisation. During the 2020-2021 financial year, the compliance universe was updated to include the VAT Act and Income Tax Act requirements, a Risk Maturity Assessment was conducted which included the review of risk governance and the Enterprise Risk Management Strategy and Plan 2021/22 were approved by the Board.

The Board has been effective in its role in IT governance, having approved the IT Strategic Plan, Cybersecurity Strategic Plan, IT performance reports and IT investments. Regular progress reports on the implementation of the electronic Legal Aid Administration system (eLAA) which became operational in Quarter 3 of the 2019-2020 FY have been provided to the Board as eLAA Release 2 development activities have occurred.

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Legal Aid SA has a zero tolerance approach towards fraud and unethical behaviour. The Fraud, Corruption and Ethics Management Policy was reviewed and approved by the Board during the financial year. Incidents reported to the Fraud and Ethics Hotline are reported to the Board.

The Internal Audit Function provided an independent assessment of the effectiveness of controls implemented by Management in the mitigation of organisational risks, as well as compliance and governance processes, thereby adding value to the business. The Internal Audit Department completed **95%** of the approved Audit Coverage Plan for 2020-2021, completing a total of **124** projects (**86** general audits, **21** computer audits and **17** forensic audits) of the planned **130**. An additional **six** projects which were not part of the approved plan were completed. They have assessed the overall controls and control environment, financial controls and risk management to be effective for the financial year under review and have reported such to the Board.

All policies to support risk management were approved by the Board and implemented. This included the Enterprise Risk Management Strategy and Risk Management Implementation Plan; Fraud, Corruption and Ethics Management Policy and Risk Appetite and Tolerance Setting. The Board reviewed the Combined Risk Registers and Quarterly Risk Watch Reports. A Risk Management Maturity Assessment assisted in confirming alignment with relevant Risk Management Standards and the National Treasury Risk Management Framework and in identifying gaps to be addressed.

Management completed RCSA surveys, the results of which indicate that almost all controls were considered to be adequate and effective. The Internal Audit Department assessed risk management as effective. Combined assurance is used to report on assessment of control across all levels of assurance providers.

Emerging risks were identified, some particularly relevant to the COVID-19 pandemic, which resulted in adapting the way we work.

The Board (Accounting Authority) of Legal Aid SA was fully constituted for most of the financial year, with a vacancy created as of the end of November 2020. The Board provided strategic oversight of business planning and performance to ensure the fulfilment of the organisation's mandate. A self-evaluation of the Board and Board Committees was conducted during the financial year under review.

The Business Continuity Plan was reviewed and approved by the Board during 2020-2021. The organisation has responded effectively to disruptions in services resulting from the COVID-19 pandemic. The COVID-19 Steering Committee held weekly meetings to mitigate risks posed by the pandemic and respond to concerns raised by staff.

Legal Aid SA remains accountable for the efficient manner in which public funds are utilised and to this end maintained high standards in financial management processes and reporting, internal controls and financial risk management controls.

During the financial year, a revised balanced budget 2020-2021 was approved by the Board. The organisation had to reduce the budget following a reduction to the baseline totalling **R127 million**. Expenses were reduced accordingly through the implementation of cost containment measures.

Financial planning resulted in a balanced MTEF 2021-2024 and Budget 2021-2022 which were approved by the Board. All financial reporting requirements were met. Financial maturity improved and the internal control function was strengthened through additional capacity. The Board approved a revised Internal Control Framework.

The budget expenditure is below target by **6%**; **92%** was spent whereas the target was **98%**. This can be attributed to the impact of COVID-19 on working arrangements as there was less travel, careful management of the staff establishment which resulted in managing employee costs and no COLI was implemented.

There will be further baseline reductions over the MTEF 2021-2022/2023-2024; an average decrease of **7.93%** over the period.

ENVIRONMENT



The Legal Aid SA Environmental Policy is in place, guiding the organisation in its approach to environmental issues and was reviewed by the Board. The manner in which we impact the environment is related to the use of natural resources. Our travels to and from courts as well as stakeholder engagements can increase our carbon footprint but this has been impacted by the COVID-19 pandemic and lockdown measures. Virtual meeting platforms have been used and therefore carbon emissions linked to our work has decreased. Electricity and water consumption at Legal Aid SA offices decreased as a result of COVID-19 Lockdown measures in place for most of the financial year. The recycling programme continued, in partnership with a company that collects recyclable materials. There was a substantial decrease in materials collected when compared to 2019-2020. This is as a result of employees working from home during the COVID-19 Lockdown.

Through the COVID-19 pandemic and its associated challenges Legal Aid SA has demonstrated the capability to make changes in its operational practices – we have been successful in adapting to a changing world. We have increased access to justice to positively impact the lives of indigent and vulnerable persons; maintained financial viability and retained and developed a competent and ethical workforce that enabled us to effectively execute our mandate.

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2. STAKEHOLDER ENGAGEMENT 2020-2021

Legal Aid SA recognises its stakeholders as one of our most valuable assets. Their role in building relational capital which enables the organisation to stay strategically relevant and deliver on its mandate on a daily basis is held in high regard. Pursuant to sustainable best practice in this regard, we continue to structure and nurture our stakeholder engagements to be inclusive, collaborative and interactive, while ensuring that they are meaningful, relevant and robust in approach. We utilise various communication methods, especially

virtual technologies during the past financial year which was dominated by the COVID-19 pandemic. Our engagements are geared towards supporting organisational strategy and business operations, enhancing good reputation, improving risk management and building organisational values.

Legal Aid SA operates within a complex stakeholder landscape involving multiple stakeholders with varying needs and expectations. The entity reviewed its Stakeholder Universe which comprises **nine** stakeholder clusters and several stakeholder types under each cluster. The Legal Aid SA Stakeholder Universe can be classified as follows:

ORGANISATIONS IN THE LEGAL/JUSTICE CLUSTER

- Courts (including Judiciary and Prosecution)
- Law Clinics and Advice Offices
- Professional Legal Bodies
- Justice System Stakeholders (criminal and civil)
- Master's Office

GOVERNMENT

- Ministry of Justice and Correctional Services (Executive Authority and Department of Justice and Constitutional Development)
- National Treasury
- Government Departments (National, Provincial, Local)
- Judicial Inspectorate of Correctional Services
- SAPS and Department of Social Development
- Parliamentary Portfolio Committee on Justice and Correctional Services

SERVICE PROVIDERS

- Co-operation Partners
- Judicare Practitioners and Agency Agreements
- Other Suppliers

INTERNAL PUBLIC

- Board Members
- Employees

EXTERNAL PUBLIC

- Clients and Potential Clients/Public (LSM 1-5)
- Representatives from the Justice Cluster, Government Departments, Chapter 9 Institutions, CBOs, FBOs, NGOs, SAPTU, SALAWU

ADVOCACY GROUPS

- Commissions and Chapter 9 Institutions
- Non-governmental Organisations and Lobby Groups

INTERNATIONAL LEGAL BODIES

- African/International Legal Aid Bodies

EDUCATIONAL INSTITUTIONS

- Tertiary Institutions and Schools

MEDIA

- National Print, Broadcast, Online, Community and Regional Media

Table 19: Engagement with Stakeholders

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
A. Legal/ Justice	1. Courts (including Judiciary and Prosecution)	Strategic Objectives A) Shared vision and commitment to ensure an effective justice system that upholds constitutional rights. B) Review of criminal legal aid demand and ensure adequate coverage. C) Acquire meaningful insight and input to the organisation's strategic direction. D) Improved relationship with courts in order to facilitate the provision of quality legal services as well as contribute to the efficient operation of the justice system as a whole. Report on Performance A) Legal Aid SA continues to participate in the Criminal Justice System review process. B) Legal Aid SA participates in the Rules Board for Courts of Law that updates and improves the functioning of the civil justice system. Legal Aid SA participated in 2 Task Teams of the Rules Board, namely the Legal Cost Task Team and the Electronic Development of Rules. C) Legal Aid SAs National Office, as well as Legal Aid SA provincial and local offices engaged court-based stakeholders through the following engagements: i. Participated in meetings/interactions (3,380) with presiding officers. ii. Interactions (579) held with DoJ&CD senior officials including court managers. iii. NEEC (0), PEEC (5) and Dev Comm meetings. iv. Participated in meetings (418) of local Case Flow Committees (343). v. Participated in the Intersectoral Committee on Child Justice that deals with matters of children in conflict with the law. D) Legal Aid SA participated in a workshop convened on the Land Court Bill and legal representation in land matters. E) Legal Aid SA participates in the South Africa Law Reform Commission which deals with new pieces of legislation that improves the functioning of the courts and access to justice, currently dealing with legal fees that impact on access to justice.	A) Stakeholder concerns about the extent of our criminal legal aid coverage and capacity in courts, e.g. our inability to provide 100% coverage in both DC and RC; coverage of courts on Fridays; the lack of relief capacity, as well as our response to reduced budgets. B) Stakeholder representation on increased civil legal aid services, e.g. civil legal aid services/consultations at all courts; increased legal services in maintenance matters and domestic violence, and representation for unrepresented civil litigants in the High Courts. C) Stakeholders required input from Legal Aid SA on court directives issued to regulate the operation of courts during lockdown periods, as well as information on how Legal Aid SA would cover courts during these periods. D) Legal representation in land matters. E) Access to civil legal aid in rural areas.	The details of our criminal service delivery were shared with stakeholders, explaining: i. the need to align supply and demand per court room to maintain optimal court coverage levels in light of reduced staffing levels. ii. that the Staff Deployment Programme at courts is aligned to our current capacity. However, due to budget constraints, this may not always be in line with what other court stakeholders require from Legal Aid SA. iii. that our contingency measures to cover courts in the absence of the regular practitioner using relief practitioners is no longer available due to the termination of this programme which still causes frustration amongst some court stakeholders. iv. the importance of allowing time for practitioners to consult in order to improve the quality of their work. v. statistics were shared on all children represented by Legal Aid SA. vi. staff deployment plans ensure that practitioners' preparation days are spread throughout the week. vii. court directives during periods of lockdown. Information was shared on the deployment of our staff to cover courts during lockdown periods. B) Our civil delivery programme was explained: i. We expanded outreach programmes to ensure that general advice services are available at civil courts and seats of High Courts, so that clients can access civil legal aid services at those courts. ii. Our policy has been revised to give priority to maintenance and domestic violence matters, even if it is only to give advice where resource constraints limit our ability to represent the clients in court. iii. Civil legal aid clinics are conducted at community meeting points including Government service points like pension pay points to unpack civil legal aid services and provide advice on site where necessary. C) We are working with the relevant Government departments to understand the legal representation need in land matters to determine how we can respond. D) SO paralegals attend to outreach sites in SOs' coverage areas which are mainly rural, and back-up legal services by civil legal practitioners are made available to the advice offices to extend civil legal services to such areas that are far from our offices, particularly rural areas.

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Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
A. Legal/Justice	2. Law Clinics and Advice Offices	Strategic Objectives A) To be responsive and have co-operative relationships with other service providers. B) To increase access to legal services through partnering with like-minded organisations. Report on Performance A) LOs linked to 107 Community Advice Offices through 101 visits to provide assistance and back-up legal services. A total of 370 clients were seen and 105 new files were opened. B) Legal Aid SA participated in workshops, one-on-one engagements with ACAOSA and provided input on the regulatory framework of Community Advice Offices and paralegal work.	A) Community Advice Offices require support to ensure their sustainability. B) Legal representation support required for clients whose matters require litigation. C) Support required when expertise available at Community Advice Offices cannot address legal needs of their clients. D) Community Advice Offices require material help.	A) Legal Aid SA is not in a position to provide financial support to Community Advice Offices and focus our support on addressing legal services needs of clients. B) Litigation support and specialist legal advice support is made available through our programme, which was amended to allow Community Advice Offices to call on us when they need assistance. C) Access to our self-help modules support paralegals at Community Advice Offices to assist clients with their legal needs. D) Policy on donation of usable assets to Community Advice Offices explained. E) Legal Aid SA sits on the Legislative Task Team appointed by the Minister to prepare legislation to recognise the paralegal sector. F) Legal Aid SA has made office space available to ACAOSA for meetings and workshops, where requested.
	3. Professional Legal Bodies	Strategic Objectives A) Effective interaction with professional bodies regarding professional regulatory matters concerning legal professionals. B) Acquire meaningful insight and input to the organisation's strategic direction. C) Increase access to justice through pro bono agreements with private practitioners. Report on Performance A) Legal Aid SA kept up to date with developments in the legal profession through continued interaction with legal professional bodies. B) The organisation has 1 seat on the Legal Practice Council. C) Legal Aid SA did not participate in any meetings with the provincial offices of the Legal Practice Council, due to the COVID-19 pandemic. D) Input into development of relevant regulations for the Legal Practice Council, especially regulations dealing with practical vocational training. E) Legal Aid SA officials have executive positions in voluntary professional organisations such as Nadel, BLA and SAWLA. F) Concluded an agreement with the Johannesburg Bar to do pro bono work for Legal Aid SA.	A) Increasing the exposure of CAs to a variety of work. B) Processing of payments of membership fees for our practitioners. C) Efficient processing of contracts of community service for our CAs. D) The maximum number of CAs to a Principal. E) Implementation of our Quality Monitoring Programme for Judicare practitioners. F) Changes brought by the Legal Aid SA Act and Regulations as well as the new Legal Aid Manual. G) The allocation of pro bono work to legal practitioners. H) BEE and women empowerment in the allocation of Judicare.	A) Our Pre-admission Training Programme was revised to ensure that CAs are exposed to as wide a variety of work as possible. B) Our CA Programme makes provision for CAs to carry criminal as well as civil files to ensure practical exposure to a variety of matters. C) Improved processing of documentation for registration of community service. D) Information was disseminated through our newsletter to all Judicare practitioners on the performance of such practitioners in file quality and court observation reviews. E) SOP developed to guide Legal Aid SA LOs where a conflict exists between two people, both seeking legal aid assistance. F) Statistics on the number of pro bono instructions issued have been shared with practitioners. G) Comment and input provided to the Legal Practice Council where rules and regulations changes are proposed. H) The Board has approved a change in formula for allocating Judicare work, so as to ensure that a proportionally higher number of instructions are allocated to women.

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
A. Legal/ Justice	4. Justice System Stakeholders (criminal and civil)	Strategic Objectives A) An improved criminal justice system. B) To increase civil legal aid. C) Joint efforts aimed at improving case flows at courts. D) Improved access to detainees. E) Improvement of the process of serving of civil process and executing court orders. F) Improved relationship with justice cluster stakeholders in order to facilitate the provision of quality legal services as well as contribute to the efficient operation of the justice system as a whole. Report on Performance A) Legal Aid SA is represented at all justice system stakeholder meetings, including participation in all local Case Flow Management Committees. B) Legal Aid SA LOs hosted annual Justice Cluster Forums. C) Participated in the Criminal Justice System Review Committee and contributed to the implementation of all relevant protocols to improve efficiencies in the criminal justice system. D) Legal Aid SA participated in 13 joint projects to increase access to justice including 40 media interviews during Wills Week. E) Legal Aid SA is represented on the Court Optimisation Task Team chaired by the Deputy Minister of Justice and introduced during COVID-19. F) Engagement with Sheriff's Board and Deputy Minister of Justice to resolve procurement-related challenges in light of the establishment of a Central Supplier Database by the National Treasury. G) Legal Aid SA participated in the forum established to monitor the cross-border abduction of children in terms of The Hague Convention. H) Legal Aid SA participated in 202 joint projects to increase access to justice such as Wills Week, Access to Justice week, Women's Month, 16 Days of Activism for No Violence Against Women and Children, Youth Month, Human Rights Month. I) Legal Aid SA represented on the South African National AIDS Council's (SANAC) Human Rights Technical Task Team.	A) Practises that cause delays in the finalisation of cases. B) Reducing the number of RDs in custody, especially those in custody for greater than 2 years. C) Implementation of protocols to improve the functioning of the criminal justice system. D) Improving our relationship with justice cluster stakeholders to ensure improved communication to address local challenges. E) Making qualifying practitioners available to act as Commissioners of the Small Claims Courts. F) Non-payment of Sheriff accounts. G) Non-contact joint projects due to COVID-19 regulations. H) Reporting on case backlogs due to COVID-19 Lockdown and functioning of courts.	A) All complaints/concerns raised at local Case Flow Management Committees investigated and addressed. B) Legal Aid SA complies top 20 RDs list per province for the attention of respective PEECs. C) Legal Aid SA has implemented all protocols in as far as it affects the organisation. D) Legal Aid SA ensures participation of Senior Managers at all local case flow meetings. E) Enhanced tracking and monitoring of children awaiting trial. F) A divorce self-help package is available on our website. G) The protocol with the Sheriff's Board provides guidelines on the processing and payment of Sheriff's accounts as well as the lodging of complaints. H) Legal Aid SA implemented internal procedures with regard to Sheriffs that are non-compliant to ensure that legal process can be served and clients' rights are protected. I) Virtual media interviews instead of the usual in-studio interviews. J) Capacity constraints explained, recommendation that local case flow task teams prioritise backlog. K) A MOU signed with SANAC and SANAC partners to provide advice to LGBTIQ+ communities and to link them to legal services via the Legal Aid Advice Line.

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Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
A. Legal/ Justice	5. Master's Office	Strategic Objective Linkage with Master's Office to attend to estate matters on behalf of children. Report on Performance A) Engagements with Chief Master to respond to operational challenges. Provincial engagements in place to resolve local challenges. B) MOU revised and amended. C) 2,517 new children estate matters were taken on. D) Payments to beneficiaries were effected in the amount of approximately R50 million. E) Engagements with Guardian's Fund to facilitate efficient payment processes. F) Engagement with Banking Association of South Africa on working relationship to better administer estates of minors resulted in reduction of unallocated deposits. G) Participation in Administration of Deceased Estates videos as part of the National Wills Week campaign. H) Legal Aid SA engaged with the Financial Services Conduct Authority to establish links to obtain information on benefits held by deceased persons.	A) SOP updated to provide for submitting Liquidation and Distribution Accounts in estates exceeding section 18(3) limits. B) Continued engagement with Guardian's Fund on required documents improved the quality of submissions in order to reduce the incidence of monies being returned. C) Internal tracking report of payment requests from Trust Account circulated daily to ensure that any delays in processing payments are identified and addressed. D) Legal Aid SA engaged a company that can provide information on financial benefits held by deceased persons at the time of death, to address the delays caused when families are not able to provide such information. E) Will template shared. F) The Master's Office are members of the PEECs where a further engagement on operational issues takes place with Legal Aid SA Managers.	A) SOP updated to provide for submitting Liquidation and Distribution Accounts in estates exceeding section 18(3) limits. B) Continued engagement with Guardian's Fund on required documents improved the quality of submissions in order to reduce the incidence of monies being returned. C) Internal tracking report of payment requests from Trust Account circulated daily to ensure that any delays in processing payments are identified and addressed. D) Legal Aid SA engaged a company that can provide information on financial benefits held by deceased persons at the time of death, to address the delays caused when families are not able to provide such information. E) Will template shared. F) The Master's Office are members of the PEECs where a further engagement on operational issues takes place with Legal Aid SA Managers.
B. Government	6. Ministry of Justice and Correctional Services (Executive Authority) and Department of Justice and Constitutional Development	Strategic Objective Ensure best governance practice, King IV guidelines and compliance with PFMA and other statutory requirements. Report on Performance Accounting to the Department of Justice and Constitutional Development, and Parliament on delivery of mandate done timeously as required.	A) The Ministry of Justice acknowledged the performance of Legal Aid SA and remarked that it was on track. Legal Aid SA was commended. B) Meetings with the Executive Authority and other stakeholders occurred as and when required.	A) No issues raised by the Executive Authority. Legal Aid SA was accountable and compliant with relevant legislation. B) The organisation participated in all relevant stakeholder meetings as required.

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
B. Government	7. National Treasury	Strategic Objective Ensure best governance practice and compliance with PFMA and other statutory requirements. Report on Performance A) SCM and Procurement officials met with officials from Office of the Chief Procurement Officer to discuss challenges with property lease procurement and other various SCM matters. B) Legal Aid SA attended the Ministers' Committee on the Budget Technical Committee and MTEF bilateral meetings arranged by National Treasury.	A) Legal Aid SA is seen as a professional entity. Meetings and presentations on finance matters are handled in a very proficient manner at all times. No additional funds allocated for the financial year under review due to financial constraints facing the country as a whole. There were budget cuts implemented for Legal Aid SA during the period under review. C) Legal Aid SA seen as one of the few entities with an excellent track record on the Auditor-General's independent audit opinions.	A) Material compliance on PFMA and full compliance on other statutory requirements. Legal Aid SA did have a budget cut in 2020-2021 and budget cuts for subsequent years were announced for the entity. B) New circulars and NT guidelines introduced were implemented by Legal Aid SA to ensure good governance and financial maturity. C) New Accounting Standards were applied when preparing the quarterly and Annual Financial Statements.
	8. Government Departments (other) (National, Provincial, Local)	Strategic Objectives A) To be responsive and have co-operative relationships with government departments. B) Acquire meaningful insight and input to the organisation's strategic direction. C) Linkage with Department of Health for assistance of mental health care patients. Report on Performance A) 1,711 poster displays and 511 outreach events were achieved at key Government service points, in partnership with Government departments during the 2020-2021 F.Y. B) MOU with the Department of Basic Education for public education using 5 community radio stations extended but could not be implemented due to COVID-19 regulations.	A) Department of Correctional Services: improving consultation facilities and security for Legal Aid SA practitioners. B) Department of Public Works: Planning requirements for building of High Courts at Limpopo and Mpumalanga. C) Department of Health: Legal representation for mental health care patients. D) Issue of assistance in parole matters. E) Criminal Justice Cluster: Integration with the Criminal Justice Cluster on Case Management.	A) Webpage implemented to put into effect the consultation protocol with the Department of Correctional Services. B) Increased court-based consultations due to COVID-19 lockdown of correctional facilities. C) Legal Aid SA representatives participated in joint meetings as arranged by the DoJ&CD and Department of Public Works relating to the building of the new High Courts in Limpopo and Mpumalanga. D) Participated in discussions between the DoJ&CD and Department of Health on challenges common to both departments. E) Investigating how Legal Aid SA can assist parolees using paralegals. F) The development of the electronic Legal Aid Administration system (eLAA) in an attempt to enhance the already established integration point so as to enable the consumption of the additional IUS information within the Criminal Justice Cluster Hub.

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Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
B. Government	9. Judicial Inspectorate of Correctional Services (JICS)	Strategic Objectives A) Continuous linkages with Department of Correctional Services for better access to detainees. B) Partnership with JICS to increase access to legal aid for detainees and inmates. C) Joint initiatives with all Justice Crime Prevention and Security Cluster stakeholders to reduce the number of Remand Detainees in custody for periods exceeding 2 years. Report on Performance A) Continuous linkages with Department of Correctional Services for better access to detainees. B) Partnership with JICS to increase access to legal aid for detainees and inmates. C) Ongoing meetings with JICS and interactions with Independent Correctional Centre Visitors at Legal Aid SA LO level. D) Attendance at Visitation Committee meetings. E) Joint initiatives with all Justice Crime Prevention and Security Cluster stakeholders to reduce the number of Remand Detainees in custody for periods exceeding 2 years.	A) Legal Aid SA ensures that senior Legal Aid SA LO Managers attend the local JICS meetings as arranged so that all inmate concerns regarding the provision of legal aid can be addressed. B) All inmate concerns regarding legal aid investigated and addressed. C) Visits undertaken by Legal Aid SA LO paralegals to offer assistance to unrepresented accused was not possible due to COVID-19 Lockdown regulations, however legal assistance was offered at all courts that operated. There is currently limited access to correctional facilities and LOs are working with Department of Correctional Services facilities to ensure that all applications for legal aid are received. D) We introduced a system to report to clients in appeal/LTA/petition matters every 3 months. E) Proactive linkage by LOs with Independent Correctional Centre Visitors within coverage area to ensure that prisoner complainants and legal representation issues are attended to timeously.	A) Legal Aid SA ensures that senior Legal Aid SA LO Managers attend the local JICS meetings as arranged so that all inmate concerns regarding the provision of legal aid can be addressed. B) All inmate concerns regarding legal aid investigated and addressed. C) Visits undertaken by Legal Aid SA LO paralegals to offer assistance to unrepresented accused was not possible due to COVID-19 Lockdown regulations, however legal assistance was offered at all courts that operated. There is currently limited access to correctional facilities and LOs are working with Department of Correctional Services facilities to ensure that all applications for legal aid are received. D) We introduced a system to report to clients in appeal/LTA/petition matters every 3 months. E) Proactive linkage by LOs with Independent Correctional Centre Visitors within coverage area to ensure that prisoner complainants and legal representation issues are attended to timeously.
	10. SAPS and Department of Social Development	Strategic Objectives A) Effective engagement with the SAPS and Department of Social Development to ensure legal representation for children in criminal matters. B) Improved linkages with the SAPS system for referral of matters relating to legal aid. Report on Performance A) Legal Aid SA was part of 343 Case Flow Management Committees to improve linkages which includes representatives from the SAPS and Department of Social Development. B) Legal Aid SA LO personnel attended nearly 418 Case Flow Committee meetings. C) Legal Aid SA participated in all activities of the Intersectoral Committee on Child Justice. D) A section on legal aid was included in the Integrated Annual Report of the ISCCJ. E) Provinces participated in all provincial child justice fora. F) Integration of our legal administration system and the Criminal Administration System pursued as part of the US deliverables. G) Legal Aid SA partnership extends to other areas including outreach programmes, social mobilisation and rights-based awareness through branding at numerous SAPS police cells nationally. H) There is a common understanding among stakeholders to share information regarding children in custody. I) Solid relationships are built to jointly coordinate efforts in dealing with child justice matters.	A) Legal Aid SA visits all holding cells where children are held to ensure legal representation is provided. Legal Aid SA also tracks all children held in custody at correctional facilities. B) Department of Social Development and Department of Correctional Services stakeholders are continuously engaged on the quality of reports prepared in children's matters, both criminal and civil. C) Information is shared within Legal Aid SA on research studies on trends regarding children used by adults to commit crime. D) Information shared within Legal Aid SA on research conducted by the Department of Social Development on the link between drug abuse and offending. E) Legal Aid SA is leading the development of a Strategic Plan for the ISCCJ. F) Data provided on children represented in Preliminary Inquiries and in Child Justice Courts.	A) Legal Aid SA visits all holding cells where children are held to ensure legal representation is provided. Legal Aid SA also tracks all children held in custody at correctional facilities. B) Department of Social Development and Department of Correctional Services stakeholders are continuously engaged on the quality of reports prepared in children's matters, both criminal and civil. C) Information is shared within Legal Aid SA on research studies on trends regarding children used by adults to commit crime. D) Information shared within Legal Aid SA on research conducted by the Department of Social Development on the link between drug abuse and offending. E) Legal Aid SA is leading the development of a Strategic Plan for the ISCCJ. F) Data provided on children represented in Preliminary Inquiries and in Child Justice Courts.

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
B. Government	11. Parliamentary Portfolio Committee on Justice and Correctional Services	Strategic Objective Reporting and accountability to the Executive Authority and statutory compliance maintained and improved. Report on Performance Legal Aid SA appeared four times before the Portfolio Committee on Justice and Correctional Services as follows: i. 8 May 2020 (Legal Aid SA Strategic Plan 2020-2025, Annual Performance Plan 2020-2021 and the 2020-2021 Budget). ii. 9 October 2020 (Quarter 4 of 2019-2020 and Quarter 1 of 2020-2021 as part of the Budgetary Review and Recommendations process). iii. 12 February 2021 focusing on client complaints and legal quality emanating from the eNCA <i>Checkpoint</i> programme that was aired on 26 January 2021. iv. 10 March 2021 focusing on Legal Aid SA draft Amended Regulations.	The Portfolio Committee was appreciative of the work done by Legal Aid SA and the good systems in place to monitor legal quality despite the complaints from clients emanating from the eNCA programme aired on 26 January 2021.	Legal Aid SA responded to all Parliamentary questions raised.
C. Service Providers	12. Co-operation Partners	Strategic Objective Boost capacity and resources to deliver quality legal services/ensure increased access to justice. Report on Performance A) Increased access to justice in civil matters, with specific legal focus or specific geographical areas. B) 10 Co-operation Agreements in place. C) Provincial offices conducted their annual audits with Co-operation Partners. D) Effective referral system in place with Co-operation Agreement Partners in respect of specialist matters or in instances where a conflict of interest prevents Legal Aid SA from providing legal representation. E) New proposals for Co-operation Agreements as well as for the termination or restructuring of existing agreements considered by the LSTC.	A) Funding to Co-operation Partners available and limited to the allocated budget for Co-operation Agreements. B) Vehicles available for donation to Co-operation Partners in terms of our disposal policy. C) Referral systems in place between Legal Aid SA LOs and relevant Co-operation Partners to ensure that clients which Legal Aid SA cannot assist are assisted by a Co-operation Partner without delay. D) Discussion held with the University of Limpopo regarding the establishment of a Co-operation Agreement with the University Law Clinic. E) Co-operation Partners' productivity monitored by provincial offices and tabled at the LSTC for deliberation.	A) Funding to Co-operation Partners available and limited to the allocated budget for Co-operation Agreements. B) Vehicles available for donation to Co-operation Partners in terms of our disposal policy. C) Referral systems in place between Legal Aid SA LOs and relevant Co-operation Partners to ensure that clients which Legal Aid SA cannot assist are assisted by a Co-operation Partner without delay. D) Discussion held with the University of Limpopo regarding the establishment of a Co-operation Agreement with the University Law Clinic. E) Co-operation Partners' productivity monitored by provincial offices and tabled at the LSTC for deliberation.

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Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
C. Service Providers	13. Judicare Practitioners and Agency Agreements	Strategic Objectives A) Boost capacity and resources to deliver quality legal services/ensure increased access to justice. B) Increase access to justice in rural-based courts that are uneconomical to service from a Legal Aid SA LO. Report on Performance A) Bi-annual newsletter published for Judicare practitioners. B) All Legal Aid SA LOs held Judicare practitioner briefing sessions to discuss all issues affecting Judicare practitioners. C) Individual communications sent to Judicare practitioners to highlight changes in policy. D) All Agency Agreements renewed and new proposed sites advertised. E) Individual engagements held with Judicare practitioners on quality.	A) Accreditation criteria reviewed and refinements effected. B) Court observation of Judicare practitioners by senior Legal Aid SA LO Managers rolled out. C) Details of our Quality Monitoring Programme shared with practitioners in their compulsory briefing session with Legal Aid SA LO Management. D) Legal Aid SA LOs conducted individual sessions with Judicare practitioners to ensure that they understand our quality requirements. E) Audit of the quality of Judicare work conducted after their quality intervention to assess their level of understanding of our quality requirements after the implementation of the Judicare Quality Monitoring Programme. F) Ethics and the concerning issue of fraudulent claims addressed in the Judicare newsletter.	A) Accreditation criteria reviewed and refinements effected. B) Court observation of Judicare practitioners by senior Legal Aid SA LO Managers rolled out. C) Details of our Quality Monitoring Programme shared with practitioners in their compulsory briefing session with Legal Aid SA LO Management. D) Legal Aid SA LOs conducted individual sessions with Judicare practitioners to ensure that they understand our quality requirements. E) Audit of the quality of Judicare work conducted after their quality intervention to assess their level of understanding of our quality requirements after the implementation of the Judicare Quality Monitoring Programme. F) Ethics and the concerning issue of fraudulent claims addressed in the Judicare newsletter.
	14. Other Suppliers	Strategic Objectives A) Improved relations and supplier co-operation. B) Promote better understanding of Legal Aid SAs procurement policies and procedures. Report on Performance A) Regular updates with regard to SCM matters and guidelines sent out to suppliers through newsletters, SMSes and emails. B) Tender briefings and publishing of tender results on our website. C) Prospective suppliers advised to register on the NT Central Supplier Database (CSD).	A) Suppliers requested Legal Aid SA to clarify SCM requirements for tenders and requested assistance with CSD registration. B) Suppliers requested to be informed timeously about Legal Aid SAs December closure and cut-off dates for submission of accounts for payment purposes.	A) Held tender briefing meetings, where applicable, to clarify SCM requirements. B) Suppliers informed of the cut-off dates for submission of accounts to be processed before December closure. C) Suppliers were assisted with registration on the NT CSD.
D. Internal Public	15. Board Members	Strategic Objectives A) Skilled and properly constituted Board and Board Committees that function effectively to lead the organisation. B) Ensure on-going dialogue between Legal Aid SA Management and Board. Report on Performance A) Board meetings convened as scheduled. B) Board self-evaluation took place. C) The Board of Legal Aid SA was not fully constituted as at the end of the financial year. Thirteen out of 14 positions were filled; the 1 vacancy is due to the resignation of the Audit Committee Chairperson as a Board member. D) Board strategic and effective in providing leadership and oversight of delivery on performance. E) Board Workshops held in August and November 2020, predominantly focusing on risk management (including cybersecurity risks) and governance, including the role of the Board versus the role of Management as well as Legal Aid SA finances. F) Board governance instruments approved.	Board members engaging on the issues in the organisational environment.	Board member training and being effective in their oversight role.

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
D. Internal Public	16. Employees	Strategic Objectives Ongoing dialogue between Legal Aid SA employees and Management at all levels. Report on Performance A) Ongoing Management and staff discussions on the importance of strategic planning and pertinent management and operational matters. B) Employee Wellness and People Development Programmes implemented during the year. C) Values-based Legal Aid SA Organisational Culture Programme implemented, including diversity. D) Social and Ethics Programme implemented. E) Monthly staff meetings including quarterly forums. F) Issued weekly online newsletters and Good News Alerts. G) Internal events on human rights and other special days implemented for employees, including annual Achiever Awards ceremonies.	Feedback received from virtual workshops raised comments concerning practical implementation issues such as models of providing legal aid in criminal and civil matters, improving legal services delivery and access for clients, processes within the criminal justice system, stakeholder relations and raising awareness of the Legal Aid SA brand.	A) Comments and suggestions with regard to operational issues were considered in the Legal Aid SA Business Plan 2021-2022. B) Suggestions and recommendations were received through internal communication platforms, mainly emails, virtual meeting discussion sessions and the Intranet. C) Strengthened focus on both social media and internal communication, including an increase in the frequency of information sharing on our social media platforms. D) Maintenance and monitoring of brand uniformity in terms of embedding revised corporate identity colours at our offices, on our vehicle fleet, signage and other corporate identity templates including the use of the updated email signature. E) Issued daily staff email updates (538), internal staff communications on human rights/special days (28) and CEO messages that included Good News Alerts (26). F) Due to COVID-19, no internal communication, brand survey and OCP events on human rights and other special days were conducted in the reporting period.

A client of the Legal Aid SA Malmesbury Local Office had been serving a prison sentence, and was out on parole. The parole officer paid a visit to her home and found that she was not there. She was therefore charged with absconding. She was eventually found residing at a women's shelter. According to her, she had to leave her stated address, her grandmother's house, because her grandmother was selling drugs and this posed a temptation to her. She could not report this for fear that it would get her grandmother in trouble. She found refuge at the shelter, which became her permanent home. Our legal practitioner helped ensure that a social worker from the shelter accompanied the client to court. The social worker confirmed that she will provide a statement indicating how long our client has been residing at the shelter. She also indicated that the client has enrolled in a hairdressing course through the shelter. We made representations on behalf of the client for the matter to be withdrawn. The representations were successful.

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Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
E. External Public	17. Clients and Potential Clients/Public (LSM 1-5)	Strategic Objective Increased awareness and usage of Legal Aid SA services. Report on Performance A) An impressive total of 31,477 digital advertising spots including outdoor (28), radio (189), print (2) in the FY. These include LED boards during the Afcon qualifier match (Batana Batana v Ghana), in-transit screens and building wraps. B) 511 community events held at Government key service delivery points. C) MOU with Alex FM community radio station revived. D) Central email platform for external publics actively monitored and access now shared with the Legal Development Department for civil legal aid queries. E) 16 service exhibitions and events held with public and civil stakeholders. F) Legal Aid SA has seen sustained social media growth in the FY. These channels have proven invaluable during the lockdown period, with legal advice being provided on social media during Lockdown Alert Level 5 in April 2020, when the Legal Aid Advice Line was unavailable. Facebook grew to 29,907 followers; Twitter to 8,099 followers; Instagram to 2,206 followers, LinkedIn to 10,747 followers and YouTube to 103 subscribers. We began producing audio clips of pertinent legal topics during lockdown, which were circulated on social media, the website, as well as via WhatsApp. In this way, communities could still receive legal information and share it further. A total of 17 audio clips were produced in the FY. G) Website usage continues to grow organically with a total of 247,086 users accessing the website in the FY. The website's Self-help Portal proved very popular during the lockdown, particularly information on divorce, as did information on working for the organisation and particular vacancies.	A) Complaints on different legal matters; many received on social media and the general Legal Aid SA email address. B) The Social Media and Website Strategy is being implemented and identified platforms are used as tools to build brand awareness and client engagement. C) Better awareness needed of the revised brand.	A) Complaints referred to National Operations Department, Legal Development Department and Legal Aid Advice Line for consultation, resolution and register. B) The Social Media and Website Strategy is being implemented. C) Brand rollout to rebrand LOs and SOs was completed and maintenance is ongoing. D) Visual advertising mediums including mall walkway billboards, broadcast news clocks, LED boards, squeeze backs and social media used to boost awareness of the revised brand.
	18. Representatives from the Justice Cluster, Government Departments, Chapter 9 Institutions, CBOs, FBOs, NGOs, SAPTU, SALAWU	Strategic Objective A) Improved linkages to increase awareness of legal aid services as well as referral of clients to Legal Aid SA. B) Engagement and consultation with external stakeholders to obtain input on Legal Aid SA's contribution to the justice system. Report on Performance A) Stakeholders invited to be part of the local and provincial Stakeholder Forums. B) Consultation with representatives of SAPTU and SALAWU, the recognised unions within the organisation. C) Legal Aid SA participated in the CCMA Virtual Stakeholder Roundtable on 26 March 2021.	A) Funding/support of partnership programmes at community level. B) Comments from stakeholders focused largely on practical issues within the justice system such as methods of increasing access to legal aid services and the delivery models; stakeholder relationships and improving efficiencies within the justice system; civil legal aid services, and the sustainability of Legal Aid SA in view of budgetary constraints.	A) No funding available so programmes are supported through the provision of legal advice and promotional items. B) Comments and suggestions with regard to operational issues were considered in the Legal Aid SA Business Plan 2021-2022.

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
F. Advocacy Groups	19. Commissions and Chapter 9 Institutions	Strategic Objectives A) To network with Commissions in safeguarding the rights of vulnerable persons. B) Ensure effective referral systems of clients with legal representation needs to Legal Aid SA. C) Co-branding initiatives/human rights awareness campaigns. Report on Performance A) Legal Aid SA maintained partnerships with Commissions and other Chapter 9 Institutions. B) Legal Aid SA participated in the process to develop mediation rules steered by the South African Law Reform Commission (SALRC). C) Legal Aid SA participated in a consultative forum of the Commission of Gender Equality (CGE) on improving access to services to the public. D) Legal Aid SA invited to the Corruption and Human Rights Conference: 29-31 March 2021. E) Public information sharing with relevant institutions through co-partnerships on access to justice and awareness on constitutional rights. F) Legal Aid SA engaged with the South African Human Rights Commission (SAHRC) and the Public Protector on how they can process complaints received at their various offices. G) Participated in a discussion at the SAHRC on xenophobic violence directed at long distance drivers. H) Legal Aid SA participated in the SALRC Issue and Discussion Papers on Legal Cost and Alternative Dispute Resolution in Family Law and Mediation.	A) Shared reports and experiences on the mediation pilot project and use of interns pilot with the SALRC. B) Participated in workshop with the SALRC on developing rules for mediation. C) Referral system and procedure in place with the CRL Rights Commission and CGE. D) Discussed referral process with Public Protector and allocated a Public Relations Liaison to facilitate the receipt of complaints, distribution to relevant internal person and follow up on finalisation of complaint to ensure response to complainant.	A) Shared reports and experiences on the mediation pilot project and use of interns pilot with the SALRC. B) Participated in workshop with the SALRC on developing rules for mediation. C) Referral system and procedure in place with the CRL Rights Commission and CGE. D) Discussed referral process with Public Protector and allocated a Public Relations Liaison to facilitate the receipt of complaints, distribution to relevant internal person and follow up on finalisation of complaint to ensure response to complainant.
	20. Non-governmental Organisations and Lobby Groups	Strategic Objectives A) To strengthen partnerships. B) To ensure effective referral systems of clients with legal representation needs to Legal Aid SA. Report on Performance Co-branding initiatives/human rights campaigns.	Partnership and attendance of the Pan South African Language Board workshops to promote and create conditions for the development and use of all languages commonly used by communities in South Africa.	As part of the Use of Official Languages Act, 2012 (Act No.12 of 2012), the Legal Aid Advice Line provides advice in all the official languages and our marketing initiatives continue to use different languages to promote Legal Aid SA's brand offerings.
G. International Legal Bodies	21. African/ International Legal Aid Bodies	Strategic Objective Foster relationships that will result in partnerships to strengthen legal aid internationally. Report on Performance Due to the COVID-19 pandemic, no national or international travel could take place. Virtual engagement on governance, finance and operations took place with Afghanistan and Liberia.	A) Engagement with the International Legal Foundation dealing with the establishment and expansion of legal aid in Afghanistan, with specific focus on governance and finance. B) Engagement with Liberian legal aid providers on governance and operations, focusing on interaction with women.	A) Documentation shared with the International Legal Foundation regarding Legal Aid SA – Annual Report, Legal Aid Manual and Regulations. B) Legal Aid SA Executive assisted in drafting of protocol regarding legal aid official interactions with women clients that will be used in Liberia, Sierra Leone and Senegal.

SUSTAINABILITY REPORT

Table 19: Engagement with Stakeholders (continued)

Group	Stakeholder	Engagement	Report on Input Received	How Issues were Responded To
H. Educational Institutions	22. Tertiary Institutions and Schools	Strategic Objectives A) Position Legal Aid SA as an employer of choice to potential Candidate Attorneys. B) Educate learners about their rights and responsibilities at schools/brand awareness. C) Ensure that students understand the organisation's Employment Value Proposition. Report on Performance A) Due to COVID-19 restrictions, 1 University outreach programme was conducted virtually and the total number of students that participated was 300. B) 4,056 CA applications were received, while 274 were placed.	A) Legal Aid SA is mostly the preferred organisation that students want to do their Articles of Clerkship with. B) Students enquired about the recruitment process to become a CA.	Complaints with regard to CA recruitment were referred to provincial offices for further clarification and resolution.
I. Media	23. National Print, Broadcast, Online, Community and Regional Media	Strategic Objectives A) Improved share of voice for Legal Aid SA in the media. B) Position thought leadership within Legal Aid SA. Report on Performance A) 61 media networking sessions including telephonic interactions with key court reporters. B) 375 broadcast interviews by designated Legal Aid SA Executives including legal practitioners. C) 19 media queries received and responded to timeously. D) Social media reach and content generation continued to grow. We have been focusing especially on converging the content on social media with content produced for other media.	A) Media releases issued do not receive enough coverage. B) An aligned content strategy across all media is very useful for brand positioning and visibility.	A) Media monitoring services expanded to include media database. Partnered with GCIS and DoJ&CD for distribution of information to the media. B) An aligned content plan was followed, in order to further leverage content produced by the organisation.

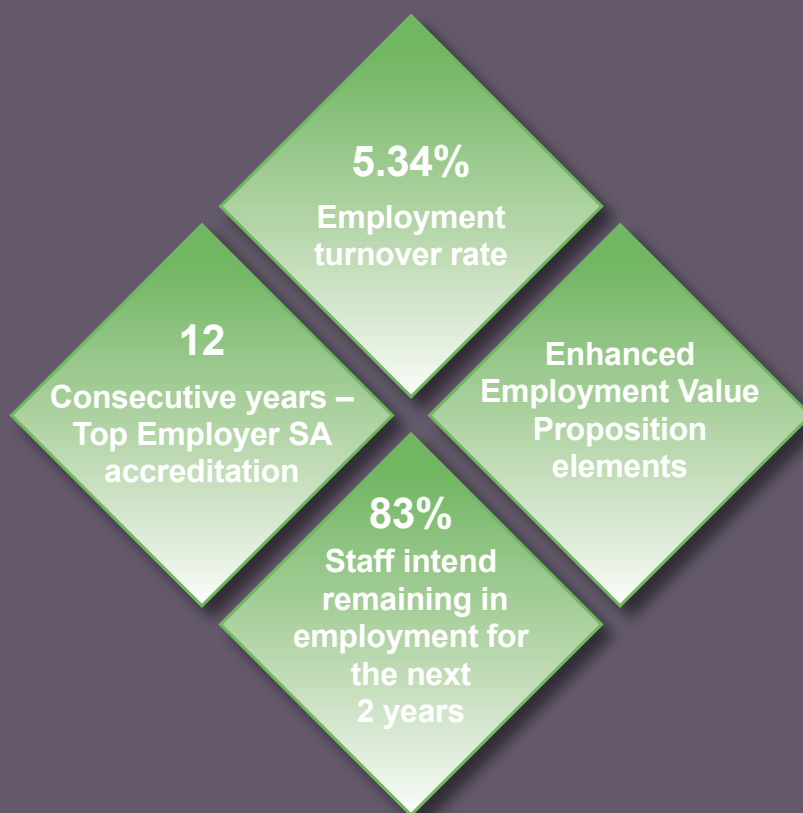
Our Nelspruit Local Office represented three-year-old triplets in an inquiry to declare them children in need of care and protection. The children were neglected by their parents who were drug users. The children were dirty, underfed and their emotional development was far below their age. The children were placed in safe care but the parents contested the fact that the children were neglected and in need of care and protection. When the trial started, our practitioner realised that the parents did not understand what the matter was really about. He requested the Magistrate to stand the matter down so that he can assist the parents, even though they were not his clients. He then explained the court proceedings to them and ensured they understood the principle of the best interest of the children. The parents were grateful for this intervention and explanation of the legal process and they then agreed that the children be placed in foster care.

PART E

HUMAN RESOURCES MANAGEMENT



**HUMAN
RESOURCES
BEST PRACTICE
ENSURED A HAPPY
AND HEALTHY
WORKFORCE**



HUMAN RESOURCES MANAGEMENT

1. OVERVIEW OF HR MATTERS AT THE PUBLIC ENTITY

During the financial year under review, Human Resources Management remained stable in all talent management areas, despite being in a challenging position due to the impact of financial constraints and budget cuts on the Employment Value Proposition (EVP) and employee engagement and cohesion. Human Resources Management strived to continuously add value to the core business and support the organisation in the achievement of its strategic goals.

Although recruitment levels were below targets, a satisfactory turnover rate and training and development targets were achieved in the face of budgetary uncertainty.

2. SET HR PRIORITIES FOR THE YEAR UNDER REVIEW AND THE IMPACT OF THESE PRIORITIES

The key priorities set for the Human Resources Function, over and above maintaining the standard talent management programmes, included maintaining a competitive EVP, ongoing leadership development and high levels of employee engagement all within the context of budget reductions to the cost of employment.

2.1 MAINTAINING A COMPETITIVE EVP



The Legal Aid SA EVP articulates both the financial and non-financial value presented as a total rewards package in the organisational employment offering. The EVP establishes the expectation by the employer from the employee in terms of commitment to the Constitution, the organisational culture, the Legal Aid SA brand and approach to providing access to justice to the indigent and vulnerable. The EVP thus represents a partnership between the employee and employer, and shared, mutual responsibility for the provision of a stimulating and meaningful work experience.

During the 2020-2021 financial year, the Legal Aid SA Human Resources practises were reviewed against the People Management Best Practises. Legal Aid SA was accredited as a Top Employer South Africa for the **12th** consecutive year. This benchmark provides assurance that the organisation's talent management, leadership, culture and development practises are in keeping with international contemporary best practice.

To keep a healthy and happy workforce in the organisation, the following EVP aspects were revisited and reviewed: the prior year's Group Life cover was doubled, professional services membership fees were subsidised, Candidate Attorneys' Practical Legal Training and Board Examination

Fees were covered in full and the postgraduate bursary funding ceiling was doubled as well. In addition, the 2018-2019 reduction of **50%** of the Performance Bonus was reinstated in recognition of the employees' contribution towards the entity's sterling performance.

Despite the financial constraints, the improved EVP remained effective in ensuring that Legal Aid SA was able to attract and retain talent during the reporting period.

2.2 LEADERSHIP DEVELOPMENT PROGRAMME



During 2020-2021, Legal Aid SA's decentralised leadership programme was supported by continued in-house education and training in critical leadership competencies. The block-based Leadership and Management Development Programme which focuses on all levels of Management and was initiated in the 2019-2020 reporting year continued into the current reporting period. This programme was facilitated by a leading tertiary institution. Leveraging integrated personal capabilities to manoeuvre uncertain environments was critical to these leadership development initiatives.

Ongoing leadership support to ensure that leaders are able to engage with their teams whilst providing direction is essential to employee engagement during moments of uncertainty. Positive, effective leadership helps navigate crises, rebuild teams and forge ahead into innovative and creative spaces.

The 9 Box Talent Management Tool continues to drive talent development for critical positions. This tool has assisted to ensure a more intentional purpose-directed leadership and succession management approach in the year under review.

2.3 MANAGING EMPLOYEE ENGAGEMENT



An Internal Omnibus Survey was conducted by an external party for the entire organisation. The findings were used to direct the Human Resources Business Partners to work with leaders and teams to address and improve the engagement dimensions that needed attention. All employees remain committed to the values and organisational culture of Legal Aid SA. Leaders are held accountable for levels of employee engagement within each business unit. A productive and purposeful relationship was maintained with both the Legal Aid SA recognised trade unions, the South African Parastatal and Tertiary Institutions Union (SAPTU) and South African Lawyers and Allied Workers Union (SALAWU), in the face of COVID-19 challenges and budgetary constraints. Both trade unions are represented on the entity's COVID-19 Steering Committee that ably coordinated Legal Aid SA's COVID-19 integrated response.

HUMAN RESOURCES MANAGEMENT

This positive climate is confirmed by the upward trend reported in the independent Internal Omnibus Survey that is conducted biennially to gauge employee satisfaction levels on a number of attributes.

3. WORKFORCE PLANNING FRAMEWORK AND KEY STRATEGIES TO ATTRACT AND RECRUIT A SKILLED AND CAPABLE WORKFORCE

The organisation bases its workforce planning framework on a 'practitioner per court' model which is aimed at having dedicated Legal Aid SA practitioners based at courts.

In the Magistrate's Courts (District and Regional), the 'practitioner per court' model is able to serve the requirements of providing service at scale, meeting high volume needs. The advantage of the 'practitioner per court' model is that the same practitioner is able to take on all cases required in a specific court on a specific day. This provides certainty amongst court-based stakeholders as to who the Legal Aid SA service provider is and contributes positively to efficient case flow management.

The entity's 'practitioner per court' model has a target of achieving **≥80%** coverage of District Courts and **≥90%** coverage of Regional Courts. In the 2020-2021 financial year, we achieved our target of **85%** coverage of District Courts and **94%** coverage of Regional Courts.

In the High Courts, the central diary system provides the opportunity to match each case with the appropriate levels of practitioner skills and ability.

Whilst the practitioner per court coverage explained above is the current targeted court coverage, the organisation strives to improve the court coverage with any improvements in this regard being dependent on additional budget allocations from the National Treasury.

Legal Aid SA remained reasonably well recruited throughout the year under review with a recruitment rate of **86.7%** being recorded as at financial year end against the targeted recruitment of **95%**. The recruitment rate was below target due to mitigation measures implemented at points in response to budgetary uncertainty and reductions in the total cost of employment.

In so far as civil legal aid is concerned, workforce planning is undertaken on the basis of demand in a given Legal Aid SA local office coverage area together with the ability of the organisation's capacity to efficiently serve this demand.

The workforce planning approach of the support platform is one of continuous improvement and best practice alignment. The support services platform continuously refines and develops support models in order to improve sustainability, efficiency and effectiveness of delivery. Business processes and organisational structures in support departments were reviewed in response to the need to reduce the total cost of employment.

The turnover rate of **5.34%** in relation to permanent positions recorded for the 2020-2021 financial year is well within acceptable norms. The independent Omnibus Survey confirmed that **83%** of staff intend remaining in employment for the next **two** years. The key Legal Aid SA attraction and retention strategy is the offering of a viable EVP which is appealing to our knowledge-based workforce both in terms of financial rewards, professional fulfilment, work-life balance and social consciousness in improving the lives of the indigent and vulnerable by providing access to justice.

4. EMPLOYEE PERFORMANCE MANAGEMENT FRAMEWORK

The Legal Aid SA Performance Management Framework has continued to deliver sustainable, holistic and integrated organisational performance. This is because the inclusive performance management policy applies to all permanent employees and contains elements of collective and individual performance which must be delivered within budget and in compliance with organisational rules and policies. Whilst each employee's individual performance is critical, every employee has to ensure a team approach to performance so that the entity's Business Plan is holistically delivered whilst complying with budgetary and policy frameworks.

The annual revision of the Performance Management Framework provides a comprehensive, continuous and flexible approach to the management of performance in the organisation, in a way that recognises achievement, deals with underperformance and reflects good practice at international level.

The framework allows Legal Aid SA to calibrate effectively and relevantly within the versatile cultural environment and its challenges, sustaining talent pool identification for critical job positions.

The Performance Management Framework also includes aspects aimed at stimulating innovation, exceptional performance beyond agreed deliverables and paradigm changing organisational solutions. In addition, leadership development and performance forms part of the system for all Managers.

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Each Management employee's performance assessment is weighted as follows:

Key Performance Indicators	60%
Contribution to Strategic Outcomes	20%
Management and Leadership Effectiveness	10%
Engagement with Culture and Values	10%

Each non-Management employee's performance assessment is weighted as follows:

Key Performance Indicators	70%
Contribution to Strategic Outcomes	20%
Engagement with Culture and Values	10%

As such, the Performance Management Framework contributes to the sustainable realisation of Legal Aid SA's stated outcomes.

5. EMPLOYEE WELLNESS PROGRAMME

The Employee Wellness Programme took the form of health awareness programmes and an independent counselling service. The creation of in-house clinical psychological services has continued to reap rewards in terms of assisting legal professionals to deal with vicarious trauma they are often exposed to in the course of the criminal cases they handle. During the year under review, vicarious trauma counselling and awareness, and supporting employees to maintain healthy lifestyles were the main focus of the programme, delivered virtually on a national scale by the clinical psychologist.

Since the outbreak of the COVID-19 pandemic, Legal Aid SA has implemented flexible work arrangements to minimise the number of employees performing daily tasks at their workstations physically. In order to reduce the spread of the virus within the workplace, the two teams approach was developed and implemented successfully. COVID-19 Compliance Officers were appointed at all Legal Aid SA offices to monitor and ensure compliance with health and safety protocols and to keep the COVID-19 Steering Committee informed at all times. Furthermore, the organisation managed to fill positions that became vacant during the period under review by means of conducting virtual interviews in order to adhere to the restrictions of the National Lockdown and health and safety protocol. Legal Aid SA successfully supported employees who suffered from and were affected by stress and emotional COVID-19 related matters through the well-structured Employee Wellness Programme that is led by the in-house clinical psychologist and an external service provider.

6. POLICY DEVELOPMENTS: HIGHLIGHTS, CHALLENGES, FUTURE GOALS

Legal Aid SA has benchmarked its Human Resources practices against the Top Employers Institute standard and is proud that it received Top Employer South Africa accreditation for the **12th** consecutive year.

In keeping with its commitment to continuous improvement in people management practice, Legal Aid SA has continuously benchmarked its human resources policies and practices against the Top Employer standards.

A productive and purposeful relationship was maintained with both the organisation's recognised trade unions, SAPTU and SALAWU in the face of challenges and reductions to the EVP. Legal Aid SA has stood equal to the task of ongoing intentional engagement with employees on the financial constraints and remains committed to re-energising the employment partnership.

In forecasting the year ahead, a key priority focus area for the entity will be to implement and create a work environment that boosts employee morale and improves performance, a change and transformation project to mitigate the disruption caused by budget cuts on employee satisfaction and engagement. Rethinking physical workspaces and prioritising a work approach that could support continuity of operations even when people are not in the office will be crucial. While technology developments should continue to respond to the evolving world of work, the new world of work is not void of risks.

These goals will be attained as part of ongoing programmes by prioritising recruitment of human capital as per staffing and equity plans and within available resources, repositioning of the EVP within available resources, repositioning and strengthening of organisational culture, employee engagements to promote sound employee relations, retention of skills, managing performance in a virtual world of work and developing competencies to embrace the Fourth Industrial Revolution.

Additionally, the leadership will have to be supported through training and development to manage and lead the transformation agenda whilst maintaining a humanistic work environment. The main pillars of execution going forward will be the persistent execution of programmes, tireless empowerment of Managers and a highly efficient, relevant and contemporary Human Resources Function.

Culture Statement

"Proudly Legal Aid SA... champion of legal rights, serving our clients with compassion, integrity and confidence. Your Voice. For Justice."

Leadership Statement

"Mentor Leaders that have genuine concern for people development and success, leading with integrity, empathy and excellence."

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7. HUMAN RESOURCES OVERSIGHT STATISTICS

Table 20: Personnel Cost by Business Unit

Directorate/Business Unit	Total Expenditure for the Entity (R'000)	Personnel Expenditure (R'000)	Personnel Exp. as a % of Total Exp.	No. of Employees	Average Personnel Cost per Employee (R'000)
Legal Aid SA National Office	R304,839,840	R134,335,725	100	195	R6,261,082
Office of the CEO (includes COO & BS)	R10,051,321	R9,106,125	6.78	8	R1,138,266
Communication	R8,602,492	R6,133,318	4.57	7	R876,188
Finance (includes PPU & Creditors)	R69,533,781	R33,058,753	24.61	61	R541,947
Human Resources	R37,259,966	R10,549,675	7.85	17	R620,569
Internal Audit	R68,768,629	R20,656,562	15.38	26	R794,483
Information Systems	R21,273,060	R21,598,019	16.08	29	R744,759
Legal Development Services	R21,637,782	R18,936,905	14.10	32	R591,778
National Operations	R67,712,809	R14,296,368	10.64	15	R953,091
Eastern Cape Province	R254,065,535	R232,489,984	100	383	R6,992,985
Legal Aid SA Aliwal North LO	R10,721,814	R9,890,399	4.25	14	R706,457
Legal Aid SA Butterworth LO	R13,205,626	R11,881,954	5.11	25	R475,278
Legal Aid SA East London LO	R21,571,921	R19,526,468	8.40	36	R542,402
Legal Aid SA Eastern Cape Provincial Office	R9,847,342	R8,058,150	3.47	8	R1,007,269
Legal Aid SA Graaff-Reinet LO	R13,163,900	R12,146,703	5.22	19	R639,300
Legal Aid SA Grahamstown LO	R21,492,604	R18,999,887	8.17	30	R633,330
Legal Aid SA King Williams Town LO	R24,279,305	R22,614,581	9.73	37	R611,205
Legal Aid SA Mthatha LO	R49,042,236	R43,812,060	18.84	79	R554,583
Legal Aid SA Port Elizabeth LO	R55,152,209	R53,113,934	22.85	78	R680,948
Legal Aid SA Queenstown LO	R22,202,561	R20,302,464	8.73	36	R563,957
Legal Aid SA Uitenhage LO	R13,386,017	R12,143,383	5.22	21	R578,256
Free State/North West Province	R211,836,441	R192,170,849	100	329	R7,602,152
Legal Aid SA Bethlehem LO	R16,621,971	R15,349,499	7.99	27	R568,500
Legal Aid SA Bloemfontein LO	R35,555,758	R33,043,965	17.20	48	R688,416
Legal Aid SA Botshabelo LO	R12,195,378	R10,897,238	5.67	21	R518,916
Legal Aid SA Free State/ North West Provincial Office	R9,594,269	R7,430,362	3.87	9	R825,596
Legal Aid SA Klerksdorp LO	R18,015,184	R16,898,817	8.79	26	R649,954
Legal Aid SA Kroonstad LO	R11,160,611	R10,161,453	5.29	17	R597,733
Legal Aid SA Lichtenburg LO	R11,012,846	R9,710,473	5.05	17	R571,204
Legal Aid SA Mafikeng LO	R20,295,547	R17,105,272	8.90	31	R551,783
Legal Aid SA Phuthaditjhaba LO	R12,730,522	R10,913,038	5.68	23	R474,480
Legal Aid SA Potchefstroom LO	R18,903,939	R17,684,770	9.20	29	R609,820
Legal Aid SA Rustenburg LO	R15,182,823	R14,394,622	7.49	26	R553,639
Legal Aid SA Vryburg LO	R7,909,220	R6,661,874	3.47	15	R444,125
Legal Aid SA Welkom LO	R22,658,373	R21,919,466	11.41	40	R547,987
Gauteng Province	R320,502,298	R288,064,360	100	470	R7,506,965
Legal Aid SA Alexandra LO	R19,931,134	R16,658,274	5.78	30	R555,276
Legal Aid SA Benoni LO	R30,511,077	R27,863,207	9.67	52	R535,831
Legal Aid SA Ga-Rankuwa LO	R20,417,377	R19,143,406	6.65	29	R660,117

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Table 20: Personnel Cost by Business Unit (continued)

Directorate/Business Unit	Total Expenditure for the Entity (R'000)	Personnel Expenditure (R'000)	Personnel Exp. as a % of Total Exp.	No. of Employees	Average Personnel Cost per Employee (R'000)
Legal Aid SA Gauteng Provincial Office	R14,953,218	R8,182,605	2.84	9	R909,178
Legal Aid SA Germiston LO	R18,748,940	R17,217,824	5.98	31	R555,414
Legal Aid SA Johannesburg LO	R56,544,144	R51,884,203	18.01	81	R640,546
Legal Aid SA Krugersdorp LO	R23,033,796	R22,058,974	7.66	40	R551,474
Legal Aid SA Pretoria LO	R49,972,353	R44,319,992	15.39	64	R692,500
Legal Aid SA Soshanguve LO	R14,083,631	R13,474,601	4.68	23	R585,852
Legal Aid SA Soweto LO	R31,483,627	R29,307,670	10.17	51	R574,660
Legal Aid SA Tembisa LO	R15,326,562	R13,813,203	4.80	24	R575,550
Legal Aid SA Vereeniging LO	R25,496,439	R24,140,401	8.38	36	R670,567
KwaZulu-Natal Province	R261,254,525	R235,605,618	100	404	R6,583,258
Legal Aid SA Durban LO	R46,491,816	R43,213,975	18.34	67	R644,985
Legal Aid SA Empangeni LO	R25,417,306	R22,133,400	9.39	47	R470,923
Legal Aid SA KwaZulu-Natal Provincial Office	R10,341,881	R8,271,567	3.51	9	R919,063
Legal Aid SA Ladysmith LO	R13,926,777	R11,698,310	4.97	22	R531,741
Legal Aid SA Newcastle LO	R17,853,922	R15,471,416	6.57	28	R552,551
Legal Aid SA Pietermaritzburg LO	R17,314,587	R37,561,218	15.94	61	R615,758
Legal Aid SA Pinetown LO	R40,192,528	R15,929,139	6.76	29	R549,281
Legal Aid SA Port Shepstone LO	R23,242,472	R21,044,390	8.93	34	R618,953
Legal Aid SA Umlazi LO	R20,640,546	R19,232,703	8.16	33	R582,809
Legal Aid SA Verulam LO	R29,375,155	R26,393,913	11.20	46	R573,781
Legal Aid SA Vryheid LO	R16,457,535	R14,655,586	6.22	28	R523,414
Limpopo/Mpumalanga Province	R208,873,118	R187,496,008	100	326	R5,923,402
Legal Aid SA Ermelo LO	R19,158,167	R15,744,886	8.40	26	R605,573
Legal Aid SA Limpopo/Mpumalanga Provincial Office	R13,035,216	R7,903,782	4.22	9	R878,198
Legal Aid SA Makhado LO	R14,102,716	R13,071,949	6.97	25	R522,878
Legal Aid SA Middelburg LO	R19,533,728	R18,221,042	9.72	32	R569,408
Legal Aid SA Modimolle LO	R10,514,449	R8,929,957	4.76	19	R469,998
Legal Aid SA Nelspruit LO	R35,353,584	R32,443,601	17.30	59	R549,892
Legal Aid SA Polokwane LO	R36,554,474	R34,246,986	18.27	54	R634,203
Legal Aid SA Thohoyandou LO	R16,932,092	R16,368,532	8.73	28	R584,590
Legal Aid SA Tzaneen LO	R21,238,368	R20,170,785	10.76	33	R611,236
Legal Aid SA Witbank LO	R22,450,324	R20,394,488	10.88	41	R497,427
Northern Cape/Western Cape Province	R293,682,904	R266,821,795	100	428	R8,317,923
Legal Aid SA Athlone LO	R40,218,400	R38,506,012	14.43	70	R550,086
Legal Aid SA Bellville LO	R25,956,163	R24,186,319	9.06	42	R575,865
Legal Aid SA Caledon LO	R12,568,118	R11,648,123	4.37	17	R685,184
Legal Aid SA Cape Town LO	R39,967,962	R37,368,528	14.01	54	R692,010
Legal Aid SA Colesberg LO	R12,308,758	R11,090,994	4.16	18	R616,166
Legal Aid SA George LO	R34,570,147	R31,830,609	11.93	43	R740,247
Legal Aid SA Kimberley LO	R30,852,368	R29,461,975	11.04	47	R626,851

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Table 20: Personnel Cost by Business Unit (continued)

Directorate/Business Unit	Total Expenditure for the Entity (R'000)	Personnel Expenditure (R'000)	Personnel Exp. as a % of Total Exp.	No. of Employees	Average Personnel Cost per Employee (R'000)
Legal Aid SA Malmesbury LO	R13,960,141	R12,073,080	4.52	21	R574,909
Legal Aid SA Northern Cape/ Western Cape Provincial Office	R10,946,604	R7,410,047	2.78	9	R823,339
Legal Aid SA Stellenbosch LO	R26,821,421	R23,777,247	8.91	41	R579,933
Legal Aid SA Upington LO	R17,175,373	R13,585,621	5.09	28	R485,201
Legal Aid SA Vredendal LO	R12,687,648	R11,241,912	4.21	16	R702,619
Legal Aid SA Worcester LO	R15,649,801	R14,641,328	5.49	22	R665,515
	R1,855,054,661	R1,536,984,338		2,535	R606,305

Table 21: Personnel Cost by Salary Band

Level	Personnel Expenditure (R'000)	% of Personnel Exp. to Total Personnel Cost	No. of Employees	Average Personnel Cost per Employee (R'000)
Top Management	R 24,978,917	1.63%	19	R1,314,680
Senior Management	R 129,827,342	8.45%	105	R1,236,451
Professional Qualified	R 1,011,170,390	65.79%	1,702	R594,107
Skilled	R 211,502,641	13.76%	1,246	R169,745
Semi-skilled	R 159,505,048	10.38%	668	R238,780
Total	R1,536,984,338	100.00%	3,740	R410,958

Table 22: Performance Rewards

Salary Band	Performance Rewards	Personnel Expenditure (R'000)	% of Performance Rewards to Total Personnel Cost
Top Management	R2,236,180	R24,978,917	0.15%
Senior Management	R6,389,711	R129,827,342	0.42%
Professional Qualified	R31,951,713	R1,011,170,390	2.08%
Skilled	R3,386,453	R211,502,641	0.22%
Semi-skilled	R4,768,089	R159,505,048	0.31%
Total	R48,732,147	R1,536,984,338	3.17%

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Table 23: Training Costs

Directorate/Business Unit	Personnel Expenditure (R'000)	Training Expenditure (R'000)	Training Expenditure as a % of Personnel Cost	No. of Employees Trained	Avg. Training Cost per Employee
Legal Aid SA National Office	R134,335,725	R752,114.00	6.45%	121	
Office of the CEO (includes COO & BS)	R9,106,125	R900.00	0.01%	4	R225.00
Communication	R6,133,318	R1,848.00	0.03%	4	R462.00
Finance (includes PPU & Creditors)	R33,058,753	R16,100.00	0.05%	16	R1,006.25
Human Resources	R10,549,675	R523,358.00	4.96%	57	R9,181.72*
Internal Audit	R21,598,019	R14,832.00	0.07%	11	R1,348.36
Information Systems	R20,656,562	R5,988.00	0.03%	7	R855.43
Legal Development Services	R18,936,905	R12,000.00	0.06%	15	R800.00
National Operations	R14,296,368	R177,088.00	1.24%	7	R25,298.29
Eastern Cape Province	R232,489,984	R75,703.00	0.30%	183	
Legal Aid SA Aliwal North LO	R9,890,399	R0.00	0.00%	14	R0.00
Legal Aid SA Butterworth LO	R11,881,954	R3,228.00	0.03%	7	R461.14
Legal Aid SA East London LO	R19,526,468	R3,900.00	0.02%	32	R121.88
Legal Aid SA Eastern Cape Provincial Office	R8,058,150	R0.00	0.00%	7	R0.00
Legal Aid SA Graaff-Reinet LO	R12,146,703	R0.00	0.00%	5	R0.00
Legal Aid SA Grahamstown LO	R18,999,887	R1,364.00	0.01%	15	R90.93
Legal Aid SA King Williams Town LO	R22,614,581	R4,260.00	0.02%	27	R157.78
Legal Aid SA Mthatha LO	R43,812,060	R15,296.00	0.03%	15	R1,019.73
Legal Aid SA Port Elizabeth LO	R53,113,934	R24,875.00	0.05%	12	R2,072.92
Legal Aid SA Queenstown LO	R20,302,464	R13,950.00	0.07%	24	R581.25
Legal Aid SA Uitenhage LO	R12,143,383	R8,830.00	0.07%	25	R353.20
Free State/North West Province	R192,170,849	R81,133.00	0.76%	178	
Legal Aid SA Bethlehem LO	R15,349,499	R4,912.00	0.03%	9	R545.78
Legal Aid SA Bloemfontein LO	R33,043,965	R6,210.00	0.02%	31	R200.32
Legal Aid SA Botshabelo LO	R10,897,238	R2,070.00	0.02%	4	R517.50
Legal Aid SA Free State/ North West Provincial Office	R7,430,362	R36,240.00	0.49%	5	R7,248.00
Legal Aid SA Klerksdorp LO	R16,898,817	R0.00	0.00%	23	R0.00
Legal Aid SA Kroonstad LO	R10,161,453	R1,035.00	0.01%	5	R207.00
Legal Aid SA Lichtenburg LO	R9,710,473	R0.00	0.00%	14	R0.00
Legal Aid SA Mafikeng LO	R17,105,272	R0.00	0.00%	21	R0.00
Legal Aid SA Phuthaditjhaba LO	R10,913,038	R0.00	0.00%	8	R0.00
Legal Aid SA Potchefstroom LO	R17,684,770	R0.00	0.00%	5	R0.00
Legal Aid SA Rustenburg LO	R14,394,622	R23,036.00	0.16%	20	R1,151.80
Legal Aid SA Vryburg LO	R6,661,874	R0.00	0.00%	12	R0.00
Legal Aid SA Welkom LO	R21,919,466	R7,630.00	0.03%	21	R363.33
Gauteng Province	R288,064,360	R98,551.00	0.35%	286	
Legal Aid SA Alexandra LO	R16,658,274	R2,940.00	0.02%	19	R154.74
Legal Aid SA Benoni LO	R27,863,207	R5,832.00	0.02%	37	R157.62
Legal Aid SA Ga-Rankuwa LO	R19,143,406	R4,020.00	0.02%	25	R160.80
Legal Aid SA Gauteng Provincial Office	R8,182,605	R443.00	0.01%	8	R54.69
Legal Aid SA Germiston LO	R17,217,824	R3,408.00	0.02%	37	R92.11

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Table 23: Training Costs (continued)

Directorate/Business Unit	Personnel Expenditure (R'000)	Training Expenditure (R'000)	Training Expenditure as a % of Personnel Cost	No. of Employees Trained	Avg. Training Cost per Employee
Legal Aid SA Johannesburg LO	R51,884,203	R34,885.00	0.07%	17	R2,052.06
Legal Aid SA Krugersdorp LO	R22,058,974	R12,295.00	0.06%	40	R307.38
Legal Aid SA Pretoria LO	R44,319,992	R5,712.00	0.01%	31	R184.26
Legal Aid SA Soshanguve LO	R13,474,601	R2,760.00	0.02%	11	R250.91
Legal Aid SA Soweto LO	R29,307,670	R0.00	0.00%	39	R0.00
Legal Aid SA Tembisa LO	R13,813,203	R0.00	0.00%	12	R0.00
Legal Aid SA Vereeniging LO	R24,140,401	R26,256.00	0.11%	10	R2,625.60
KwaZulu-Natal Province	R235,605,618	R120,907.00	0.89%	333	
Legal Aid SA Durban LO	R43,213,975	R3,146.00	0.01%	60	R52.43
Legal Aid SA Empangeni LO	R22,133,400	R15,856.00	0.07%	45	R352.36
Legal Aid SA KwaZulu-Natal Provincial Office	R8,271,567	R32,292.00	0.39%	8	R3,986.67
Legal Aid SA Ladysmith LO	R11,698,310	R7,188.00	0.06%	19	R380.32
Legal Aid SA Newcastle LO	R15,471,416	R0.00	0.00%	23	R0.00
Legal Aid SA Pinetown LO	R37,561,218	R0.00	0.00%	29	R0.00
Legal Aid SA Pietermaritzburg LO	R15,929,139	R30,350.00	0.19%	45	R674.44
Legal Aid SA Port Shepstone LO	R21,044,390	R10,430.00	0.05%	31	R336.45
Legal Aid SA Umlazi LO	R19,232,703	R2,685.00	0.01%	31	R86.61
Legal Aid SA Verulam LO	R26,393,913	R7,240.00	0.03%	42	R172.38
Legal Aid SA Vryheid LO	R14,655,586	R11,720.00	0.08%	25	R468.80
Limpopo/Mpumalanga Province	R187,496,008	R50,970.00	0.31%	215	
Legal Aid SA Ermelo LO	R15,744,886	R6,375.00	0.04%	17	R375.00
Legal Aid SA Limpopo/Mpumalanga Provincial Office	R7,903,782	R10,048.00	0.13%	5	R2,009.60
Legal Aid SA Makhado LO	R13,071,949	R2,772.00	0.02%	27	R102.67
Legal Aid SA Middelburg LO	R18,221,042	R1,259.00	0.01%	28	R44.96
Legal Aid SA Modimolle LO	R8,929,957	R0.00	0.00%	8	R0.00
Legal Aid SA Nelspruit LO	R32,443,601	R3,612.00	0.01%	32	R112.88
Legal Aid SA Polokwane LO	R34,246,986	R14,604.00	0.04%	42	R347.71
Legal Aid SA Thohoyandou LO	R16,368,532	R0.00	0.00%	14	R0.00
Legal Aid SA Tzaneen LO	R20,170,785	R0.00	0.00%	29	R0.00
Legal Aid SA Witbank LO	R20,394,488	R12,300.00	0.06%	13	R946.15
Northern Cape/Western Cape Province	R266,821,795	R57,656.00	0.24%	364	
Legal Aid SA Athlone LO	R38,506,012	R0.00	0.00%	35	R0.00
Legal Aid SA Bellville LO	R24,186,319	R9,230.00	0.04%	48	R192.29
Legal Aid SA Caledon LO	R11,648,123	R4,851.00	0.04%	19	R255.32
Legal Aid SA Cape Town LO	R37,368,528	R13,805.00	0.04%	55	R251.46
Legal Aid SA Colesberg LO	R11,090,994	R0.00	0.00%	15	R0.00
Legal Aid SA George LO	R31,830,609	R0.00	0.00%	29	R0.00
Legal Aid SA Kimberley LO	R29,461,975	R17,671.00	0.06%	39	R453.10
Legal Aid SA Malmesbury LO	R12,073,080	R0.00	0.00%	21	R0.00

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Table 23: Training Costs (continued)

Directorate/Business Unit	Personnel Expenditure (R'000)	Training Expenditure (R'000)	Training Expenditure as a % of Personnel Cost	No. of Employees Trained	Avg. Training Cost per Employee
Legal Aid SA Northern Cape/Western Cape Provincial Office	R7,410,047	R0.00	0.00%	8	R0.00
Legal Aid SA Stellenbosch LO	R23,777,247	R6,949.00	0.03%	38	R182.87
Legal Aid SA Upington LO	R13,585,621	R0.00	0.00%	23	R0.00
Legal Aid SA Vredendal LO	R11,241,912	R0.00	0.00%	14	R0.00
Legal Aid SA Worcester LO	R14,641,328	R5,150.00	0.04%	20	R257.50
	R1,536,984,338	R1,237,034	9.30%	1,680	R736.00

Note: Excluding Board members.

*HR Training Expenditure includes bursaries awarded to employees.

Table 24: Employment and Vacancies per Category

Programme/activity/objective	Approved Posts	No. of Employees (Filled Permanent Posts)	Vacancies	% of Vacancies	*No. of Employees (Posts Filled Additional to Establishment)
Top Management	16	15	1	6.25%	0
Senior Management	102	99	3	2.94%	0
Professional Qualified	1,553	1,323	230	14.81%	87
Skilled	734	641	93	12.67%	0
Semi-skilled	394	348	46	11.68%	19
Total	2,799	2,426	373	13.33%	106

* Includes overlapping Candidate Attorneys and Temps.

Senior Management positions became vacant towards the end of the financial year under review. The recruitment process is currently underway; this includes the position of Legal Executive: Land Rights Management.

Table 25: Employment Changes

Salary Band	Employment at Beginning of Period	Appointments	Terminations	Employment at End of the Period
Top Management	14	2	1	15
Senior Management	97	5	3	99
Professional Qualified	1,423	39	102	1,323
Skilled	691	193	280	641
Semi-skilled	346	12	10	348
Total	2,571	251	396	2,426

Note: There will be differences at the various levels between opening and closing – this is due to persons moving through the levels internally. Most important is the total, which does balance with zero discrepancy.

HUMAN RESOURCES MANAGEMENT

Table 26: Reasons for Staff Leaving

Reason	Number	% of Total No. of Staff Leaving
Death	19	4.80%
Resignation	118	29.80%
Dismissal	5	1.26%
Retirement	8	2.02%
Ill Health	1	0.25%
Expiry of Contract	245	61.87%
Other	0	0.00%
Total	396	100.00%

Table 27: Labour Relations: Misconduct and Disciplinary Action

Nature of Disciplinary Action	Number
Verbal Warning	10
Written Warning	3
Final Written Warning	6
Dismissal	5
Total	24

Table 28: Equity Target and Employment Equity Status

Levels	MALE							
	African		Coloured		Indian		White	
	Current	Target	Current	Target	Current	Target	Current	Target
Top Management	7	6	0	1	1	0	1	1
Senior Management	40	43	5	5	5	2	8	5
Professional Qualified	529	606	50	73	28	24	109	69
Skilled	255	278	20	34	4	11	1	32
Semi-skilled	80	157	4	19	3	6	1	18
Unskilled	0	0	0	0	0	0	0	0
Total	911	1,090	79	132	41	43	120	125

Levels	FEMALE							
	African		Coloured		Indian		White	
	Current	Target	Current	Target	Current	Target	Current	Target
Top Management	5	5	0	1	0	0	1	1
Senior Management	22	36	3	4	3	1	13	4
Professional Qualified	437	510	112	61	52	13	93	54
Skilled	319	234	30	28	12	6	5	25
Semi-skilled	210	132	39	16	7	3	21	14
Unskilled	0	0	0	0	0	0	0	0
Total	993	917	184	110	74	23	133	98

HUMAN RESOURCES MANAGEMENT

Table 28: Equity Target and Employment Equity Status (continued)

Levels	Disabled Staff			
	Male		Female	
	Current	Target	Current	Target
Top Management	0	0	0	0
Senior Management	1	1	1	1
Professional Qualified	26	12	5	12
Skilled	0	6	1	7
Semi-skilled	0	2	2	5
Unskilled	0	0	0	0
Total	27	21	9	25

Note: A 2% target has been set for disabled persons. The figures exclude Candidate Attorneys/Temps. The organisation is challenged in meeting its targets for African Females at the Top, Senior and Middle Management levels. This is being addressed through the 2020-2025 Employment Equity Plan.

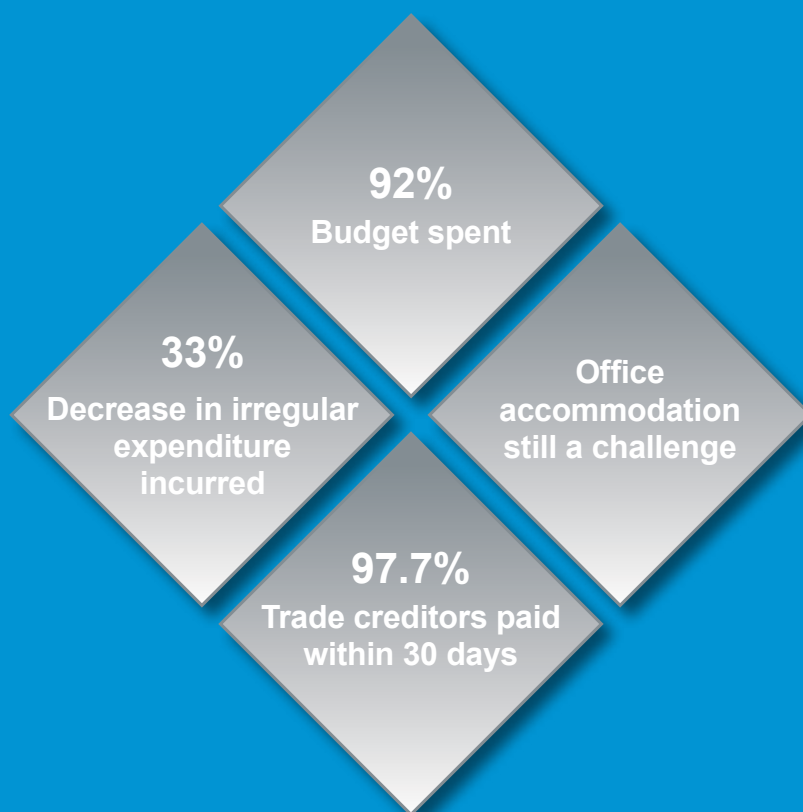
Our client, the mother of a 12-year-old minor child, approached the Legal Aid SA Kroonstad Local Office for assistance in a Children's Court matter. The father had approached the Children's Court with an application for primary care, alleging that the minor child was not well taken care of and was neglected by our client. The matter was referred to the local social worker and the minor child was subsequently placed in a temporary place of care. For some unknown reason, the minor child was later sent to stay with their father. Our client was denied any right to be in contact with the minor child by the father, which led to her being very distressed and applying for legal aid for assistance. After a thorough consultation with the client, it came to light that the father of the child is a well-known court interpreter and that no one was willing to assist our client. The practitioner immediately requested a new social worker be assigned to the matter and asked for a more detailed report. The investigations by the new social worker revealed that the minor child was staying with the paternal grandmother and was not in the primary care of the father. It also came to light that all the allegations made by the father against our client were false and that the minor child was in fact well taken care of by our client. The social worker recommended that it will be in the best interest of the minor child if our client remains the primary caregiver of the minor child, subject to the fathers' right to reasonable contact. It was further recommended that a parenting plan be made an order of the court. The practitioner made sure that proper investigations took place with regard to the best interest of the minor child, ensuring that their rights are upheld.

PART F

FINANCIAL INFORMATION



**LEGAL AID SA
HAS RECEIVED ITS
20TH UNQUALIFIED
AUDIT OPINION**



FINANCIAL INFORMATION

1. STATEMENT OF RESPONSIBILITY

Refer to page 16 for the Statement of Responsibility.

2. REPORT OF THE CHIEF EXECUTIVE OFFICER

2.1. GENERAL FINANCIAL REVIEW

Legal Aid South Africa had a challenging year, experiencing **two** budgets cuts totalling **R127 million** in the year under review. Despite this, the organisation continued to mature its financial management processes, internal controls and financial risk management controls. Legal Aid SA reviewed its policies and procedures to be in line with best practises in the industry. The Internal Control Framework was also reviewed and approved by the Board in May 2020, taking into account additional mitigating controls implemented by the organisation throughout the financial year under review.

The 2020-2021 financial year was a testing year for Legal Aid SA, where its baseline allocation was reduced by Government. The organisation's main source of revenue is the Government grant which amounted to **R1,96 billion** in the 2020-2021 financial year, which is **1%** lower than the 2019-2020 allocation. The decrease was due to a baseline reduction of **R127 million** which was implemented by Government in order to mitigate against the effect of the COVID-19 pandemic. To absorb the reductions, Management employed intensive mitigating strategies to ensure prudent and effective cost management. In addition, Legal Aid SA focused on recruiting positions which are identified as critical to ensure that there is no overspending on the budget. The uncertainties surrounding the South African economy and changes in working arrangements to curb the spread of COVID-19 within the entity's offices has resulted in Legal Aid SA spending and committing its budget below target. Despite this, the organisation achieved its targets within the budget constraints it operated under.

2.2. EXPENDITURE: TRENDS AND CHALLENGES

The entity spent and committed **92%** of the budget which is below the targeted expenditure trend of **98%**.

Legal Aid SA continues to face challenges with regard to office accommodation as the organisation operates mostly from rented premises. The escalation of rates and/or renewal of these leases are usually higher than the macro of between **4-5%** provided by the National Treasury. Legal Aid SA also faced challenges with the renting of office accommodation, in that in some areas where there is no alternative office accommodation, landlords are not compliant with the National Treasury supply chain management requirements resulting in the incurrence of irregular expenditure. The entity advertised numerous tenders relating to leasing of office accommodation which were non-responsive. The organisation was however

successful in negotiating lower rental amounts when renewing some office accommodation tenders.

Stringent measures were implemented to manage the staff establishment through the filling of only critical vacant positions. This assisted Management to manage the employee costs and be able to cushion the baseline reductions envisaged for the MTEF period. Legal Aid SA has not implemented Cost of Living Increases for the 2020-2021 financial year, pending the negotiations outcome between the Department of Public Service and Administration and various public sector unions.

Intermittent vehicle fuel prices continue to be a challenge as they continue to increase above the inflation rates. There was however some savings as there was limited travelling in the current year owing to the National Lockdown restrictions.

Although this prudent budgeting has worked in the past financial years, it is not sustainable in the long-term. Unfortunately, the organisation must continue to implement stringent controls in the budget process until the financial challenges that overnment is encountering improves, as this influences the grant allocations.

2.3. ROLLOVER OF FUNDS FROM 2019-2020 FINANCIAL YEAR

Legal Aid SA embarked on projects, most notably the development of the eLAA, to enhance its IT infrastructure to align to its business operational requirements. The commissioning of the eLAA continued during the year under review and Release 2 development activities commenced.

Developing a system of this complex nature takes multiple years to finish, with the eLAA project launched in October 2019. Management is proud to report that Legal Aid SA has started to harvest the benefits through the Release 1 and part of Release 2 activities. The system has improved agility and efficiency within the operational processes. Rollover funds have been set aside for the finalisation of this system to the new financial year.

Legal Aid SA manages its computer hardware refreshments through the Capital Asset Replacement Programme (CARP). During the year under review, computer hardware was ordered from the service provider but could not be delivered before year end due to shipping challenges.

Legal Aid SA participates in the National Treasury Motor Vehicle Transversal Contract RT 57 2018. Orders for motor vehicles were placed with the supplier timeously, however, the supplier could not deliver the total orders placed by the end of the financial year. The remaining vehicles that were ordered prior to year end were delivered subsequent to year end.

FINANCIAL INFORMATION

Other projects such as strategic litigation matters run over a lengthy period of time, which then extend into the next financial year.

2.4. SUPPLY CHAIN MANAGEMENT (SCM)

Legal Aid SA submitted its Procurement Plan to the National Treasury by 31 March 2020 as required in terms of the National Treasury Instruction Note. Where the need arose, the revised Procurement Plan was submitted to the National Treasury in line with the SCM prescripts. The organisation was able to implement its approved Procurement Plan within the allocated budget, although there were some projects which were rolled over to the 2021-2022 financial year as indicated above. Legal Aid SA also reviewed its SCM policies and procedures to align them to the applicable legislation, National Treasury Regulations, Practice Notes and best practises.

The organisation had effectively functioning Bid Specification, Bid Evaluation and Bid Adjudication Committees in place. Compliance with SCM policies and procedures was managed by Executive Management, Provincial Office and Local Office Management and was monitored and audited by the Internal Audit Department.

The entity however incurred irregular expenditure amounting to **R1,7 million** due to failure to comply with SCM processes which included, amongst others, conducting business with non-tax compliant service providers for office accommodation, failure to renew contracts before they expired and other non-compliance with applicable National Treasury instruction notes.

In most of the rural areas, the potential suppliers are not interested in bidding for government tenders and are not registered on the National Treasury CSD, and as a result, Legal Aid SA cannot lease office space from them. As mentioned above, there were numerous tenders for leasing of office accommodation advertised but these were non-responsive and had to be cancelled. In some of the instances where the organisation does not have alternatives for office accommodation, it had to continue to rent offices from these suppliers/landlords to ensure that services were not interrupted, which resulted in the entity incurring irregular expenditure. During the year under review, Management requested the National Treasury to approve a single source deviation where Legal Aid SA is experiencing these challenges. This, amongst other factors, has contributed to the reduction of irregular expenditure compared to the amount reported in previous years.

In order to curb this irregular expenditure, the Board approved the acquisition of immovable property in areas

where the organisation is facing challenges. Legal Aid SA has identified the said areas and submitted an approval request to the Executive Authority in accordance with section 4(1)(c) of the Legal Aid SA Act and section 54(2)(d) of the Public Finance Management Act. The entity will embark on the procurement process as soon as the Executive Authority approval is obtained.

A total of **97.7%** of trade creditors were paid within 30 days while **81.4%** of Judicare creditors were paid within 30 days. The lower than target rate (the target is **100%**) was mainly due to system challenges experienced when Legal Aid SA launched the new eLAA system. Further systems enhancements have been put in place to improve the payment turnaround rate of creditors.

2.5. ASSET MANAGEMENT



In terms of sub-section 51(1)(c) of the Public Finance Management Act as amended, the Accounting Authority of a public entity is responsible for the management, including the safeguarding, of assets and for the management of the revenue, expenditure and liabilities of the public entity.

In addition to the normal day-to-day administration and management of the organisation's asset register, Legal Aid SA carried out several activities including the quarterly asset verifications.

The various local offices and National Office departments assist in the day-to-day administration and monitoring of the entity's assets. To assist with asset monitoring, asset verification processes were concluded by offices as a control measure on a quarterly basis. The overall verification process for 2020-2021 was finalised successfully for all the quarters, and variances resolved. The Fixed Assets Register and general ledger reconciliations for 2020-2021 continued to be performed on a monthly basis and outstanding reconciling items were attended to. Legal Aid SA continued to maintain its assets to ensure that its mandate of offering legal services to the indigent and vulnerable is not interrupted by idling assets.

The organisation continued to capitalise overlapping software licences in its financial statements for 2020-2021 in line with the National Treasury guidelines. The increase in intangible assets is also attributable to the new in-house developed system (eLAA) which was commissioned during the 2020-2021 financial year.

During the financial year under review, the organisation had functional Local, Provincial and National Office Asset Disposal Committees. These committees approved assets for disposal in terms of the approved Fixed Assets Policy.

FINANCIAL INFORMATION

As part of corporate social responsibility initiatives, Legal Aid SA donated some of its computer hardware equipment to various non-profit organisations providing legal advice services in accordance with the approved Fixed Asset Policy.

2.6. AUDIT 2020-2021

The organisation produced its financial statements for the 2020-2021 financial year and submitted them to the Auditor-General and National Treasury timeously. Legal Aid SA received its **20th** unqualified audit opinion in 2020-2021 with no matters emphasised by the Auditor-General.

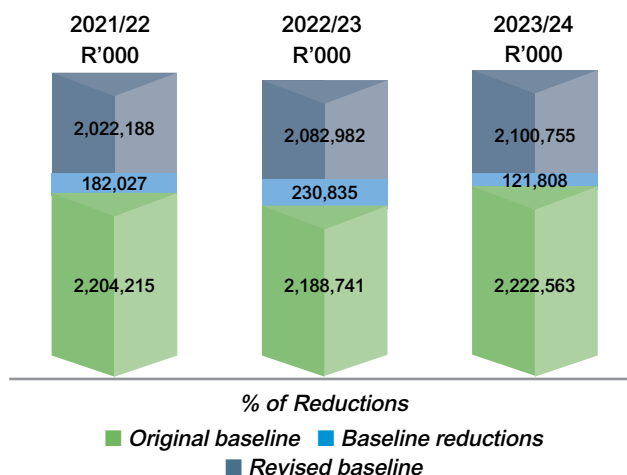
Interim financial statements were issued for various quarters of the 2020-2021 financial year that fairly presented the financial performance, financial position, changes in net assets and cash flows of the organisation at the end of each quarter. The Auditor-General South Africa (AGSA) conducted the 2020-2021 Interim Audit. There were no findings impacting the audit report that were identified by the auditors.

2.7. ECONOMIC VIABILITY

The entity understands the budget constraints the country is facing. The shedding of jobs owing to the COVID-19 pandemic will increase the demand for legal services with the consequent impact on the fiscus which is the main source of funding for Legal Aid SA. Management remains hopeful that the South African economy will recover from this devastating status and the organisation will continue fulfilling its constitutional mandate to ensure access to justice for all.

2.8. OUTLOOK/PLAN FOR THE FUTURE TO ADDRESS FINANCIAL CHALLENGES

Legal Aid SA received the Medium Term Expenditure Framework (MTEF) allocations for 2021/22-2023/24 during the year under review. The allocations included further reductions effected over the MTEF period. The below graph depicts the reductions and allocations:



Based on the above graph, the baseline is expected to decrease by **8.26%** in 2021-2022, **9.98%** in 2022-2023 and **5.48%** in 2023-2024 which equates to an average decrease of **7.93%** over the MTEF period.

Legal Aid SA is expected to reduce compensation to employees by **R225,768,000** and goods and services expenditure by **R308,902,000** over the MTEF period as depicted in the table below.

Table 29: Reductions over the MTEF Period

Description	2021/22 R'000	2022/23 R'000	2023/24 R'000	Total R'000
Compensation of employees	100,692	125,076	0	225,768
Goods and services	81,335	105,759	121,808	308,902
	182,027	230,835	121,808	534,670

The organisation will continue to implement prudent and cost effective measures in striving to achieve its strategies and deliver legal services as well as address the challenge of increasing demands for legal aid services in the context of limited funding.

2.9. EVENTS AFTER REPORTING DATE

Legal Aid SA was able to produce its financial statements for the 2020-2021 financial year and submit them to the Auditor-General and National Treasury timeously.

There were no significant adjusting events or non-adjusting events that took place after the reporting date of the Statement of Financial Position, other than those reported under note 30 of the Annual Financial Statements.

Based on the above, the Board is of the view that Legal Aid SA will continue to be in operational existence during the twelve months ahead, and therefore the preparation and presentation of the Annual Financial Statements on a going concern basis is considered appropriate.



Ms Mantiti Kola
Chief Executive Officer
31 July 2021

3. Report of the auditor-general to Parliament on Legal Aid South Africa

Report on the audit of the financial statements

Opinion

1. I have audited the financial statements of Legal Aid South Africa set out on pages 134 to 173 which comprise the statement of financial position as at 31 March 2021, the statement of financial performance, statement of changes in net assets, cash flow statement and the statement of comparison of budget and actual amounts for the year then ended, as well as notes to the financial statements, including a summary of significant accounting policies.
2. In my opinion, the financial statements present fairly, in all material respects, the financial position of Legal Aid South Africa as at 31 March 2021, and its financial performance and cash flows for the year then ended in accordance with the Standards of Generally Recognised Accounting Practice (Standards of GRAP) and the requirements of the Public Finance Management Act 1 of 1999 (PFMA).

Basis for opinion

3. I conducted my audit in accordance with the International Standards on Auditing (ISAs). My responsibilities under those standards are further described in the auditor-general's responsibilities for the audit of the financial statements section of my report.
4. I am independent of the public entity in accordance with the International Ethics Standards Board for Accountants' *International code of ethics for professional accountants (including International Independence Standards)* (IESBA code) as well as other ethical requirements that are relevant to my audit in South Africa. I have fulfilled my other ethical responsibilities in accordance with these requirements and the IESBA code.
5. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of the accounting authority for the financial statements

6. The accounting authority is responsible for the preparation and fair presentation of the financial statements in accordance with the Standards of GRAP and the requirements of the PFMA, and for such internal control as the accounting authority determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.
7. In preparing the financial statements, the accounting authority is responsible for assessing the public entity's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the appropriate governance structure either intends to liquidate the public entity or to cease operations, or has no realistic alternative but to do so.

Auditor-general's responsibilities for the audit of the financial statements

8. My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.
9. A further description of my responsibilities for the audit of the financial statements is included in the annexure to this auditor's report.

FINANCIAL INFORMATION

Report on the audit of the annual performance report

Introduction and scope

10. In accordance with the Public Audit Act 25 of 2004 (PAA) and the general notice issued in terms thereof, I have a responsibility to report on the usefulness and reliability of the reported performance information against predetermined objectives for selected objective presented in the annual performance report. I performed procedures to identify material findings but not to gather evidence to express assurance.
11. My procedures address the usefulness and reliability of the reported performance information, which must be based on the public entity's approved performance planning documents. I have not evaluated the completeness and appropriateness of the performance indicators included in the planning documents. My procedures do not examine whether the actions taken by the public entity enabled service delivery. My procedures do not extend to any disclosures or assertions relating to the extent of achievements in the current year or planned performance strategies and information in respect of future periods that may be included as part of the reported performance information. Accordingly, my findings do not extend to these matters.
12. I evaluated the usefulness and reliability of the reported performance information in accordance with the criteria developed from the performance management and reporting framework, as defined in the general notice, for the following selected objective presented in the public entity's annual performance report for the year ended 31 March 2021:

Objective	Pages in the annual performance report
Objective 1 – Empowered clients and communities making informed choices about their legal matters, rights and responsibilities.	43

13. I performed procedures to determine whether the reported performance information was properly presented and whether performance was consistent with the approved performance planning documents. I performed further procedures to determine whether the indicators and related targets were measurable and relevant, and assessed the reliability of the reported performance information to determine whether it was valid, accurate and complete.
14. I did not identify any material findings on the usefulness and reliability of the reported performance information for this objective:
- Objective 1 – Empowered clients and communities making informed choices about their legal matters, rights and responsibilities.

Other matter

15. I draw attention to the matter below.

Achievement of planned targets

16. Refer to the annual performance report on page 43 for information on the achievement of planned targets for the year and management's explanations provided for the over achievement of targets.

Report on the audit of compliance with legislation

Introduction and scope

17. In accordance with the PAA and the general notice issued in terms thereof, I have a responsibility to report material findings on the public entity's compliance with specific matters in key legislation. I performed procedures to identify findings but not to gather evidence to express assurance.
18. I did not identify any material findings on compliance with the specific matters in key legislation set out in the general notice issued in terms of the PAA.

FINANCIAL INFORMATION

Other information

19. The accounting authority is responsible for the other information. The other information comprises the information included in the annual report. The other information does not include the financial statements, the auditor's report and the selected objective presented in the annual performance report that has been specifically reported in this auditor's report.
20. My opinion on the financial statements and findings on the reported performance information and compliance with legislation do not cover the other information and I do not express an audit opinion or any form of assurance conclusion on it.
21. In connection with my audit, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements and the selected objective presented in the annual performance report, or my knowledge obtained in the audit, or otherwise appears to be materially misstated.
22. If based on the work I have performed, I conclude that there is a material misstatement in this other information, I am required to report that fact. I have nothing to report in this regard.

Internal control deficiencies

23. I considered internal control relevant to my audit of the financial statements, reported performance information and compliance with applicable legislation; however, my objective was not to express any form of assurance on it. I did not identify any significant deficiencies in internal control.

Other reports

24. I draw attention to the following engagement conducted by the Public Protector of South Africa which had, or could have, an impact on the matters reported in the public entity's financial statements, reported performance information, compliance with applicable legislation and other related matters. This report will not form part of my opinion on the financial statements or my findings on the compliance with legislation.
25. The Public Protector of South Africa performed an investigation into allegations of tender irregularities at Legal Aid South Africa at the request of an anonymous complainant, which covered the 2013-14 financial year. The investigation was concluded in July 2019 and the Public Protector found that Legal Aid South Africa failed to adhere to the constitutional demands of procedural fairness, transparency, lawfulness and reasonableness as envisaged in terms of sections 217 and section 33 of the Constitution when dealing with the appointment of a service provider.
26. Legal Aid SA has since taken the Public Protector's report on review and opposed the remedial actions; however is currently in communication with the Public Protector's office in this regard. The matter will be finalised after a court hearing is held, after which the necessary actions will then be taken.

Auditor - General

Pretoria
31 July 2021



Auditing to build public confidence

FINANCIAL INFORMATION

Annexure – Auditor-general's responsibility for the audit

1. As part of an audit in accordance with the ISAs, I exercise professional judgement and maintain professional scepticism throughout my audit of the financial statements and the procedures performed on reported performance information for selected objective and on the public entity's compliance with respect to the selected subject matters.

Financial statements

2. In addition to my responsibility for the audit of the financial statements as described in this auditor's report, I also:
 - identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control
 - obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the public entity's internal control
 - evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the accounting authority
 - conclude on the appropriateness of the accounting authority's use of the going concern basis of accounting in the preparation of the financial statements. I also conclude, based on the audit evidence obtained, whether a material uncertainty exists relating to events or conditions that may cast significant doubt on the ability of the Legal Aid South Africa to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements about the material uncertainty or, if such disclosures are inadequate, to modify my opinion on the financial statements. My conclusions are based on the information available to me at the date of this auditor's report. However, future events or conditions may cause a public entity to cease operating as a going concern
 - evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation

Communication with those charged with governance

3. I communicate with the accounting authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.
4. I also provide the accounting authority with a statement that I have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence and, where applicable, actions taken to eliminate threats or safeguards applied.

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

4. ANNUAL FINANCIAL STATEMENTS

Country of incorporation	South Africa
Nature of business	Provide legal services to the indigent
Members of Accounting Authority	Non-executive Members Judge M Makume – Chairperson Mr MNF Mvundlela Ms A Chowan (Resigned in November 2020) Mr M Leseilane Prof. W Gumede Dr C Sanangura Adv. M Odayan Ms M Makgoba Mr L Mtshali Mr F Pandelani (Appointed May 2020) Executive Members Ms M Kola Mr S Mamotheti (Appointed May 2020) Mr P Hundermark Adv. B Nair
Registered office	29 De Beer Street Braamfontein Johannesburg
Business address	29 De Beer Street Braamfontein Johannesburg
Postal address	Private Bag X76 Braamfontein 2017
Bankers	First National Bank South African Reserve Bank
Auditors	Auditor-General of South Africa

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

The reports and statements set out below comprise the Annual Financial Statements presented to the members:

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Report of the Accounting Authority	132-133
Statement of Financial Position	134
Statement of Financial Performance	135
Statement of Changes in Net Assets	135
Cash Flow Statement	136
Statement of Comparison of Budget and Actual Amounts	137
Notes to the Annual Financial Statements	150-173

ACCOUNTING AUTHORITY'S RESPONSIBILITY AND APPROVAL

The Public Finance Management Act (No. 1 of 1999) (PFMA), as amended, requires the Accounting Authority to ensure that Legal Aid South Africa keeps full and proper records of its financial affairs. The Annual Financial Statements have been prepared in accordance with the effective Standards of Generally Recognised Accounting Practice (GRAP), including any interpretations and directives issued by the Accounting Standards Board.

The Annual Financial Statements are the responsibility of the Accounting Authority.

To enable the members of the Accounting Authority to fulfil their responsibilities, appropriate standards are set and agreed at their level, and require systems of internal control and risk management to be implemented. These are designed to provide reasonable assurance against material misstatements and deficits. Legal Aid SA maintains internal financial controls to provide assurance regarding the safeguarding of assets against unauthorised use or disposition as well as the maintenance of proper accounting records to provide reliable financial information for use within the organisation or for publication.

The internal controls contain self-monitoring mechanisms, and actions taken to mitigate risk as identified. Even an effective system of internal control, no matter how well designed, has inherent limitations, including the possibility of circumvention or the overriding of controls.

An effective system of internal control therefore aims to provide reasonable assurance that financial information is accurate, valid and complete, to ensure that the financial statements fairly present the financial position of Legal Aid SA.

The effectiveness of internal financial controls may vary over time due to the changes in conditions.

The Accounting Authority has reviewed Legal Aid SA's budgets and cash flow forecasts for the period under review. On the basis of this review, and in view of the current financial position, the Accounting Authority has every reason to believe that Legal Aid SA will be a going concern in the foreseeable future. Accordingly, Annual Financial Statements have been prepared on the going concern basis, since the Accounting Authority has every reason to believe that the organisation has sufficient resources to continue in operation for the foreseeable future.

In the 2020-2021 financial year, Legal Aid SA had a baseline allocation reduction of R127.2 million, which was funded from the cash and cash equivalent reserves. This baseline allocation reduction did not have an impact on service delivery and the organisation continued to be a going concern for the foreseeable future.

The Annual Financial Statements which appear on pages 130 to 173 were approved by the Accounting Authority and signed on their behalf by:



Ms Mantiti Kola
Chief Executive Officer
Legal Aid South Africa
Johannesburg



Judge Motsamai Makume
Chairperson
Legal Aid South Africa
Johannesburg

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

REPORT OF THE ACCOUNTING AUTHORITY FOR THE PERIOD ENDED 31 MARCH 2021

The Members of the Accounting Authority present their report for the Annual Financial Statements.

1. INCORPORATION

Legal Aid SA was established on 26 March 1969 in terms of the Legal Aid Act (No. 22 of 1969). The Act was replaced by the new Legal Aid South Africa Act (No. 39 of 2014) which came into effect on 01 March 2015.

2. BUSINESS AND OPERATIONS

Legal Aid SA's results are clearly reflected in the attached Annual Financial Statements. No material fact or circumstance has occurred between the accounting date and the date of this report. The entity carries on the business of providing legal services to indigent residents of South Africa utilising State funding. There was no major change in the nature of the business.

3. FINANCIAL RESULTS

The financial statements are prepared in accordance with the Standard of Generally Recognised Accounting Practice (GRAP), as set out in the Accounting Policy. The financial statements fairly present the state of affairs of Legal Aid SA at 31 March 2021, the results of its operations and cash flow information for the year then ended. The results of the organisation and the state of its affairs are set out in the attached Annual Financial Statements and do not, in our opinion, require further comments. The financial position of the organisation, which is set out in the Statement of Financial Position, shows it has no borrowings. Legal Aid SA's surplus on ordinary activities for the period amounted to R174,905,647 (March 2020: R115,527,232 Re-stated).

4. PROPERTY, PLANT AND EQUIPMENT AND INTANGIBLE ASSETS

There were no major changes in the nature of property, plant and equipment and intangible assets or in the policy regarding their usage during the year. Details are contained in notes 2 and 3 of the financial statements.

During the year under review, Management discovered that the Property, Plant and Equipment and Intangible Assets balances are misstated and required a prior year adjustment. The necessary prior year adjustments were effected and are disclosed under note 28 of the financial statements.

5. MEMBERS OF THE ACCOUNTING AUTHORITY

The members of the Accounting Authority of Legal Aid SA, all of whom are South Africans, during the financial year and up to the date of this report were as follows:

NON-EXECUTIVE MEMBERS

Judge M Makume – Chairperson	Dr C Sanangura
Mr MNF Mvundlela	Adv. M Odayan
Ms A Chowan (Resigned in November 2020)	Ms M Makgoba
Mr M Leseilane	Mr L Mtshali
Prof. W Gumede	Mr F Pandelani (Appointed May 2020)

EXECUTIVE MEMBERS

Ms M Kola	Mr P Hundermark
Mr S Mamotheti (Appointed May 2020)	Adv. B Nair

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

6. EVENTS AFTER REPORTING DATE

During February 2021, Legal Aid SA granted a client of Mvundlela and Associates Attorneys Incorporated, in which Mr N Mvundlela is a Director, funding amounting to R189,595 to pursue a strategic litigation matter at the Limpopo High Court. This transaction has been disclosed as part of the commitments, surplus fund related to rollovers and related party notes (note 20, 22 and 25). As at 31 March 2021, no fees and disbursements were claimed. At the Board meeting held on 29 May 2021, Mr Mvundlela was asked to withdraw as the attorney of record in the matter.

On 29 May 2021, the Board approved bad debts to be written off for various reasons. The circumstances for the write-off were existing prior to the reporting date, however the approval was granted after the reporting date. All the debtors that have been written off were provided for impairment purposes. The debtors written off was R1,148,341.38.

There were no other non-adjusting events after the reporting date of the Statement of Financial Position.

7. GOING CONCERN

The Accounting Authority reviewed Legal Aid SA's budgets and cash flow forecasts for the period under review. On the basis of this review, and in view of the organisation's current sound financial position, the Accounting Authority assesses the organisation's going concern in the year ahead. The Accounting Authority also considered the responsibility of the Minister of Justice and Correctional Services to fund the operations of the organisation as envisaged by the Legal Aid SA Act. Accordingly, the Annual Financial Statements are prepared on a going concern basis based on the Accounting Authority's assessment.

8. COVID-19 UNCERTAINTY

Given the unpredictability of the potential impact, material uncertainties and associated risks of the COVID-19 outbreak in the country and globally, the Accounting Authority has assessed the potential impact on the organisation's ability to continue as a going concern. Furthermore, the Accounting Authority assessed the negative impact of budget cuts due to government financial pressures resulting from the COVID-19 pandemic. However, any budget cuts are likely to affect the business. The Accounting Authority is of the view that Legal Aid SA will continue to be in operational existence during the twelve months ahead. Therefore, the preparation and presentation of the Annual Financial Statements on a going concern basis is appropriate.

Johannesburg
31 July 2021

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

STATEMENT OF FINANCIAL POSITION FOR THE YEAR ENDED 31 MARCH 2021

	Notes	March 2021 R	Re-stated March 2020 R
ASSETS			
Non-current assets		214,986,757	192,809,770
Property, plant and equipment	2	195,132,927	172,814,026
Finance lease assets	2.1	427,031	728,331
Intangible assets	3	19,426,800	19,267,415
Current assets		638,014,066	511,325,381
Trade and other receivables	4	5,608,613	5,704,271
Prepayments	5	–	15,655,403
Client trust funds	6	56,726,471	63,210,454
Deposits	7	1,708,705	1,665,974
Cash and cash equivalents	8a	573,970,277	425,089,279
Total assets		853,000,824	704,135,151
NET ASSETS AND LIABILITIES			
Accumulated surplus		564,771,089	389,865,442
Non-current liabilities			
Non-current portion of finance lease	9	76,145	7,987
Employee benefits	10	1,396,015	1,408,492
Current liabilities		286,757,575	312,853,231
Current portion of finance lease	9	328,301	712,281
Provisions	11	107,944,500	141,356,242
Client trust funds	12a	56,726,471	63,210,454
Trade and other payables	12	121,758,303	107,574,254
Net assets and liabilities		853,000,824	704,135,151

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

STATEMENT OF FINANCIAL PERFORMANCE FOR THE YEAR ENDED 31 MARCH 2021

	Notes	March 2021 R	Re-stated March 2020 R
Revenue		1,993,440,876	2,004,674,709
Non-exchange transactions		1,960,000,740	1,971,863,774
Grant	13	1,958,883,000	1,970,973,000
Service in kind – office rental	13	1,117,740	890,774
Exchange transactions		33,440,136	32,810,935
Interest income	14.1	24,005,694	29,266,521
Other income	14.2	9,434,442	3,544,414
Expenses		(1,818,535,229)	(1,889,147,477)
Personnel expenses		(1,514,523,247)	(1,538,998,862)
Administrative	15	(81,401,260)	(114,222,850)
Other expenses	15.1	(188,132,448)	(202,334,532)
Depreciation and amortisation	8c	(33,877,144)	(32,849,427)
Finance costs	9.1	(601,130)	(741,806)
Surplus for the year		174,905,647	115,527,232

STATEMENT OF CHANGES IN NET ASSETS AS AT 31 MARCH 2021

	Notes	R
Balance as at 31 March 2019		284,533,982
Prior year adjustment	28	(10,195,772)
Restated balance as at 31 March 2019		274,338,210
Net surplus for the year		115,527,232
Restated balance as at 31 March 2020		389,865,442
Net surplus for the year		174,905,647
Balance as at 31 March 2021		564,771,089

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

CASH FLOW STATEMENT FOR THE YEAR ENDED 31 MARCH 2021

	Notes	March 2021 R	Re-stated March 2020 R
CASH FLOW FROM OPERATING ACTIVITIES			
Receipts		1,991,546,681	2,001,854,829
Grant		1,958,883,000	1,970,973,000
Interest received		24,553,133	29,266,521
Other receipts		8,110,548	1,615,308
Payments		(1,786,736,746)	(1,804,155,473)
Employee costs		(1,531,934,903)	(1,538,998,862)
Suppliers		(254,595,903)	(264,928,819)
Finance costs		(205,940)	(227,792)
Net cash flow from operating activities	8c	204,809,935	197,699,356
CASH FLOWS FROM INVESTING ACTIVITIES			
Proceeds on disposals of property, plant and equipment		1,707,599	3,856,826
Acquisition of property, plant and equipment	2	(50,808,290)	(32,353,958)
Acquisition of intangible assets	3	(6,157,937)	(4,780,958)
Cash flows from investing activities		(55,258,628)	(33,278,090)
CASH FLOWS FROM FINANCING ACTIVITIES			
Finance leases		(670,308)	(666,031)
Cash flow from financing activities		(670,308)	(666,031)
Increase/(Decrease) in cash and cash equivalents		148,880,998	163,755,235
Cash and cash equivalents at beginning of the year		425,089,279	261,334,044
Cash and cash equivalents at end of the year	8a	573,970,277	425,089,279

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

STATEMENT OF COMPARISON OF BUDGET AND ACTUAL AMOUNTS FOR THE YEAR ENDED 31 MARCH 2021

	Approved Budget R	Adjustments R	Final Budget R	Actuals R	Difference between Final Budget and Actuals R	% Difference
Revenue	2,106,096,000	(62,016,588)	2,044,079,412	1,993,440,875	64,383,956	
Grant	2,086,096,000	(127,213,000)	1,958,883,000	1,958,883,000	–	0%
Services in kind – office rental	–	–	–	1,117,740	1,117,740	100%
Interest income	20,000,000	–	20,000,000	24,005,694	4,005,694	20%
Other income	–	7,685,166	7,685,166	9,434,442	1,749,276	23%
Rollover funding	–	57,511,246	57,511,246	–	57,511,246	100%
Expenses	2,096,554,745	(102,530,293)	1,994,024,452	1,818,535,228	175,489,225	
Personnel	1,705,430,798	(136,943,158)	1,568,487,640	1,514,523,247	53,964,393	3%
Administrative	135,605,046	(23,435,715)	112,169,331	81,401,260	30,768,071	27%
Other expenses	221,725,156	57,813,726	279,538,882	188,132,448	91,406,434	33%
Depreciation and amortisation	33,793,745	–	33,793,745	33,877,144	(83,399)	(0%)
Finance costs	–	34,854	34,854	601,130	(566,276)	(1625%)
Surplus for the period	9,541,255	40,513,705	50,054,960	174,905,647	239,873,181	
Depreciation – non-cash flow item	33,793,745	–	33,793,745	–	33,793,745	
	43,335,000	40,513,705	83,848,705	174,905,647	273,666,925	
Assets						
Non-current assets	43,335,000	40,513,705	83,848,705	56,966,227	26,882,478	–32%
Property, plant and equipment	40,292,900	31,452,257	71,745,157	50,808,290	20,936,867	
Intangible assets	3,042,100	9,061,448	12,103,548	6,157,937	5,945,611	

For material budget variances, refer to note 27

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

ACCOUNTING POLICIES

1. BASIS OF PREPARATION

The Annual Financial Statements have been prepared in accordance with the policies stipulated, which have been applied consistently in all material respects, unless otherwise indicated. However, where appropriate and meaningful, additional information has been disclosed to enhance the usefulness of the Annual Financial Statements and to comply with the statutory requirements of the Public Finance Management Act 1 of 1999 (as amended by Act 29 of 1999) and the Treasury Regulations issued in terms of the Act.

Legal Aid SA's Annual Financial Statements have been prepared in accordance with the effective Standard of Generally Recognised Accounting Practice (GRAP), including any interpretations and directives issued by the Accounting Standards Board. The Annual Financial Statements have been prepared using the accrual basis of accounting.

The Annual Financial Statements are prepared in concurrence with the going concern principle. This principle assumes that funds will be available to finance future operations and that the realisation of assets and settlement of liabilities, contingent liabilities and commitments will occur in the ordinary course of business.

Assets and liabilities, income and expenditure have been reported separately and have not been offset against one another.

The principal accounting policies of the entity, except where noted, are consistent in all material respects with those applied in the previous period. The Annual Financial Statements have been prepared on the historical cost basis and at fair value where applicable.

The Annual Financial Statements are presented in South African Rands (R) and all amounts are rounded to the nearest rand.

Standards, amendments to standards and interpretations issued yet effective 01 April 2020

The following standards, amendments to standards and interpretations have been issued effective 01 April 2020. Management has assessed the application of these standards to Legal Aid SA and their impact and interpretations on the operations of the entity. The adoption of the standards did not have material changes on the presentation of the financial statements or prior year balance, but did improve the presentation of the financial statements.

Standards approved and effective:

Title	Name	Date Effective	Impact On Financial Statements
GRAP 34	Separate Financial Statements	01 April 2020	Legal Aid SA is not impacted by the GRAP Statement.
GRAP 35	Consolidated Financial Statements	01 April 2020	Legal Aid SA is not impacted by the GRAP Statement.
GRAP 36	Investments in Associates and Joint Ventures	01 April 2020	Legal Aid SA is not impacted by the GRAP Statement.
GRAP 37	Joint Arrangements	01 April 2020	Legal Aid SA is not impacted by the GRAP Statement.
GRAP 38	Disclosure of Interest in Other Entities	01 April 2020	Legal Aid SA is not impacted by the GRAP Statement.
GRAP 110	Living and Non-living Resources	01 April 2020	Legal Aid SA is not impacted by the GRAP Statement.

Standards, amendments to standards and interpretations issued but not yet effective

The following standards, amendments to standards, guidelines and/or interpretations have been issued but are not yet effective and have not been early adopted by Legal Aid SA. Management has assessed the impact of these standards, guidelines and/or interpretations on the operations of the entity.

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

The adoption of the standards would not have material changes on the presentation of the financial statements or prior year balance, but will improve the presentation of the financial statements. The standards, guidelines and/or interpretations, where applicable, will be adopted in the year they become effective.

Standards approved but not yet effective:

Title	Name	Date Effective	Impact on Financial Statements
GRAP 104 (revised)	Financial Instruments	Not yet known	The impact is expected on credit instruments.

Guidelines approved but not yet effective:

Name	Date Effective	Impact on Financial Statements
Guideline on Accounting for Landfill Sites 2020	Not yet known	Legal Aid SA will not be impacted by the Guideline.
Guideline on the Application of Materiality to Financial Statements 2020	Not yet known	The Guideline will assist Legal Aid SA on how to apply principles of materiality.

1.1 SIGNIFICANT JUDGMENTS AND ESTIMATES

The preparation of financial statements in conformity with GRAP requires the use of certain critical accounting estimates. Management makes estimates and assumptions that affect the amounts presented in the financial statements and related disclosures. Use of available information and the application of judgment is inherent in the formation of estimates. Actual results in the future could differ from these estimates which may be material to the Annual Financial Statements. Significant judgments and estimates include provisions including Judicare provision, impairment of debtors, employee benefits and useful lives and depreciation or amortisation methods and asset impairment.

Provisions

Provisions are raised based on Management's determined estimate using the information available. The accounting policy for provisions is disclosed under note 11 and additional disclosure of these estimates of provisions are included in note 1.11.

Depreciation and amortisation

During each financial year, Management reviews property, plant and equipment and intangible assets to assess whether the useful lives and residual values applicable to each asset are appropriate. At the end of each financial year, Management assesses whether there is any indication that Legal Aid SA's expectations about the residual value and the useful life of assets included in property, plant and equipment have changed since the preceding reporting date.

Impairment of receivables

Management conducts annual tests to determine whether receivables have suffered any impairment.

Post-employment benefits

The cost of certain guaranteed minimum benefits in terms of post-employment medical benefits is determined using actuarial valuations. The actuarial valuation involves making assumptions about discount rates, future salary increases, mortality rates and future medical increases. Due to the long-term nature of the plan, such estimates are subject to significant uncertainty.

1.2 PROPERTY, PLANT AND EQUIPMENT

The cost of an item of property, plant and equipment is recognised as an asset when:

- it is probable that future economic benefits or services associated with the item will flow to the entity, and
- the cost of the item can be measured reliably.

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

ACCOUNTING POLICIES (continued)

On initial recognition, an item of property, plant and equipment is measured at cost but those that are acquired through non-exchange transactions are initially measured at fair value. Cost includes purchase price or all costs incurred initially to acquire or construct an item of property, plant and equipment less discounts received on acquisition, including service costs.

Recognition of cost in the carrying amount of an item of property, plant and equipment ceases when the item is in the location and condition necessary for it to be capable of operating in the manner intended by Management.

Property, plant and equipment are subsequently carried at cost less accumulated depreciation and any impairment losses. Property, plant and equipment items are tested for impairment when there is an indicator that the asset or assets should be impaired (refer to note 2).

Depreciation is calculated on the straight-line method to write-off the cost of each asset to its residual value over its estimated useful life.

Land is not depreciated as it is deemed to have an indefinite useful life. When significant components of an item of equipment have useful lives or residual values, they are accounted for as separate items (major components) of equipment. Depreciation commences when the item of property, plant and equipment is available for use. The depreciation rates applicable to each category of property, plant and equipment are as follows:

Description	Estimated Useful Life	%
Land	Infinite	0%
Building	25 years	4%
Building improvements	15 years	6.67%
Motor vehicles	9 years	11.1%
Furniture and equipment	5 to 15 years	6.67%-20%
Leasehold improvements	Lease term	Lease term
Fittings and fixtures	20 years	5%
Computer equipment	5 to 10 years	10%-20%

The assets' residual values, useful lives and depreciation method are reviewed and adjusted if appropriate, at each reporting date when there is an indicator. If the expectations differ from previous estimates, the change is accounted for as a change in accounting estimate.

The residual values are determined by considering the expected market demand of the asset at the end of its lifespan, and the market value of similar assets that had reached their lifespan.

The depreciation charge for each period is recognised in surplus or deficit.

Subsequent expenditure incurred on items of property, plant and equipment is only capitalised to the extent that such expenditure enhances the value or previous capacity of those assets.

Repairs and maintenance not deemed to enhance the economic benefits or service potential of items of property, plant and equipment are charged to surplus or deficit during the period in which they are incurred. Legal Aid SA separately discloses expenditure to repair or maintain property, plant and equipment in the notes to the financial statements (refer to note 2).

Leasehold improvements relate to refurbishments and partitioning of buildings that are leased. These are depreciated over the lease period.

Property, plant and equipment items are derecognised once they are fully depreciated and sold, or are obsolete or fully impaired. Gains and losses on disposal of property, plant and equipment are determined by reference to their carrying amount and are taken into account in determining operating surplus.

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

1.3 INTANGIBLE ASSETS

Intangible assets consist of computer software and are defined as an identifiable non-monetary asset without physical substance.

An intangible asset is recognised as an asset when:

- it is probable that future economic benefits or services associated with the item will flow to the entity, and
- the cost of the item can be measured reliably.

On initial recognition, an item of intangible asset is measured at cost but if acquired through non-exchange transactions, it is initially measured at fair value.

Cost includes the purchase price, all developmental costs incurred in preparing the intangible asset to be ready for use, less discounts received on acquisition including service costs. Intangible assets are carried at cost less accumulated amortisation and any impairment losses.

Subsequent expenditure incurred on an item of intangible asset is only capitalised to the extent that such expenditure meets the recognition criteria. Where the expenditure is material or more than the initial cost of the asset, the cost is capitalised as a new asset and the initial asset is derecognised.

Intangible assets are amortised on a straight-line basis over the useful lives of the asset. Amortisation commences when the intangible asset is available for use. Amortisation is provided to write down the intangible assets to the residual values as follows:

Description	Estimated Useful Life
Computer software	1 year to indefinite

Intangible assets that will be used for an indefinite period are not amortised.

The assets' useful lives, residual values and amortisation methods are reviewed and adjusted if appropriate at each reporting date.

The assets classified as indefinite are evaluated at year end to assess for impairment and whether they are still considered to be indefinite. Where the assets cease to be classified as indefinite assets, they are amortised over the remainder of their useful life. During the year under review there were no assets which useful lives had changed.

Intangible assets are tested for impairment annually when there is an indicator that the asset or assets should be impaired. Intangible assets under development and/or not available for use are tested for impairment at reporting date.

Intangible assets items are derecognised once they are fully amortised and replaced by new computer software, or become obsolete and no longer supported by the service providers.

1.4 LEASED ASSETS

A lease is classified as a finance lease if it transfers substantially all the risks and rewards incidental to ownership. A lease is classified as an operating lease if it does not transfer substantially all the risks and rewards to ownership.

Finance leases – lessee

Finance leases are recognised as assets and liabilities in the Statement of Financial Position at amounts equal to the fair value of the leased property or, if lower, the present value of the minimum lease payments. Finance lease payments are apportioned between the capital and the interest portions.

The corresponding liability to the lessor is included in the Statement of Financial Position as a finance lease obligation. The interest is expensed in the Statement of Financial Performance and allocated to each period during the lease term so as to produce a constant periodic rate of the remaining balance of the liability.

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

ACCOUNTING POLICIES (continued)

The lease assets are depreciated over the lease period. The present value of the minimum lease payments is calculated at the net present value based on the applicable prime rate at the reporting date. The minimum lease payments are apportioned between the finance charge and the reduction of the outstanding liability.

The finance lease obligations are derecognised when Legal Aid SA's obligation to settle the liability is extinguished. The assets capitalised under the finance lease are derecognised when the entity no longer expects any economic benefits or service potential to flow from the asset.

Operating leases

Operating lease payments are straight lined and recognised as an expense over the period of the lease in the Statement of Financial Performance. The difference between the amounts recognised as an expense and contractual payments is recognised as an operating lease asset or liability. The operating lease commitments are disclosed in the notes to the financial statements.

The operating lease liabilities are derecognised when Legal Aid SA's obligation to settle the liability is extinguished. The operating lease assets are derecognised when the entity no longer anticipates any economic benefits or service potential to flow from the asset.

1.5 FINANCIAL INSTRUMENTS

Initial recognition and measurement

Financial instruments are recognised on the Statement of Financial Position when Legal Aid SA becomes party to the contractual provisions of the instrument. Financial instruments include cash and cash equivalents, trade and other receivables and trade and other payables. Financial assets and liabilities are recognised initially at fair value. In the case of financial assets or liabilities not classified at fair value through the Statement of Financial Performance, transaction costs that are directly attributable to the acquisition or issue of the financial instrument are added to the fair value. Financial assets are derecognised if the entity's contractual rights to the cash flows from the financial assets expire or if Legal Aid SA transfers the financial assets to another party without retaining control or substantially all risks and rewards of the asset. Financial liabilities are derecognised if the entity's obligations specified in the contract expire or are discharged or cancelled.

The financial instruments at Legal Aid SA are currently classified as *Financial Instruments* at Amortised Cost and are detailed as follows:

Trade and other receivables

Trade and other receivables are initially measured at fair value, and subsequently measured at amortised cost. Appropriate allowances for estimated irrecoverable amounts are recognised in surplus or deficit when there is objective evidence that not all amounts due will be collected according to original terms of receivables. Significant financial difficulties of the debtor, probability that the debtor will default or delinquency in payments are considered indicators that the receivable is impaired.

An estimate of doubtful debts is made based on a review of all outstanding individual amounts at statement of position date. The allowance recognised is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the effective interest rate.

The Accounting Authority writes off irrecoverable debts in accordance with Treasury Regulations 11.4.1(a) and (b) after having taken the necessary steps to recover the debt.

Receivables included in the Statement of Financial Position arise from staff debtors, duplicate Judicare travel claims by practitioners, normal Judicare debtors and other debtors.

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

Cash and cash equivalents

Cash and cash equivalents comprise balances in the current and call investment accounts and the cash on hand. Cash and cash equivalents are initially recorded at fair value.

Deposits held on call and investments in money market instruments are classified as financial assets at amortised cost. Due to the short-term nature of these instruments, the amortised cost approximates its fair value.

Trade and other payables

Trade and other payables are initially measured at fair value, using the effective interest rate method.

Trade and other payables are classified as financial liabilities at amortised cost.

Derecognition of financial instruments

Financial assets are derecognised when the entity loses control of the contractual rights that comprise the financial assets. Legal Aid SA loses such control if rights to benefits specified in the contract are realised, the rights expire or the entity surrenders those rights. Financial liabilities are derecognised when the obligation is discharged, cancelled or expires.

1.6 IMPAIRMENT OF NON-CASH GENERATING ASSETS

Legal Aid SA's property, plant and equipment including intangible assets are classified as non-cash generating assets, as they are not used to generate profit but to provide legal services.

The non-cash generating assets are assessed at each reporting date to determine if there is any indication that the assets are impaired. If there is an indication that the asset may be impaired, the recoverable service amount is estimated for the individual asset. The recoverable service amount of an asset is the higher of its fair value less cost to sell and its value in use. If the recoverable service amount of an asset is less than its cost less accumulated depreciation or amortisation, the impairment loss is recognised immediately in surplus or deficit.

Intangible assets with an indefinite useful life and intangible assets under development are assessed for impairment at each reporting date.

At each reporting date, the entity assesses whether there is an indication that an impairment loss recognised in prior periods for assets may no longer exist or may have decreased. If any indication exists, the recoverable service amounts of those assets are estimated. The increased carrying amount of assets attributable to a reversal of an impairment loss does not exceed the carrying amount that would have been determined had no impairment loss been recognised for assets in the prior years. A reversal of an impairment loss of assets carried at cost less accumulated depreciation or amortisation is recognised immediately in surplus or deficit.

1.7 PREPAYMENTS

Prepayments are payments made in advance for services or goods that have not been delivered, for which Legal Aid SA expects the delivery in the next financial period. Prepayments are recognised as current assets and are not discounted as the discounting effect thereof is considered immaterial.

1.8 CLIENT TRUST FUNDS

These constitute amounts received from estates late and settlements reached in civil matters. These amounts are payable to recipients based on court settlement orders and/or heirs, legatees or other claimants in estate matters.

1.9 DEPOSITS

These constitute amounts held by landlords for the various buildings leased by the entity, and travel agencies.

Deposits are recorded at fair value.

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

ACCOUNTING POLICIES (continued)

1.10 EMPLOYEE BENEFITS

Short-term employee benefits

The cost of short-term employee benefits (those payable within 12 months after the service is rendered, such as paid vacation leave, sick leave, bonuses and non-monetary benefits such as medical care) are recognised in the period in which the service is rendered, and are not discounted.

The expected cost of compensation for absences is recognised as an expense as the employees render services that increase their entitlement, or, in the case of non-accumulating absences, when the absence occurs.

Employee entitlements to annual leave are recognised when they accrue to employees. An accrual, based on total employment cost, is raised for the estimated liabilities as a result of services rendered by employees up to reporting date.

Defined contribution plans

Legal Aid SA has a defined contribution plan, where contributions are made to a separately administered fund. The fund is administered under the control of the National Government. The National Treasury stands as guarantor for any shortfall that the fund may experience.

Existing employees

Past service costs, experience adjustments, the effects of changes in actuarial assumptions and the effects of plan amendments in respect of existing employees in a defined contribution plan are recognised as an expense or as income systematically over the expected average remaining working lives of those employees (except in the case of certain plan amendments where the use of a shorter time year is necessary to reflect the receipt of economic benefits by the entity).

Plan terminations, curtailments and settlements

When it is probable that a defined contribution plan will be terminated or that there will be a curtailment or settlement of the retirement benefits payable under that plan:

- any resulting increase in the retirement benefit cost is recognised as an expense immediately, and
- any resulting gain is recognised as income in the year in which the termination, curtailment or settlement occurs.

Post-retirement medical benefit

The defined benefit obligation, the related current cost, and, where applicable, past service costs, is determined by using the Projected Unit Credit Method. A portion of the actuarial gains and losses is recognised as income or expense in the year it occurs.

Unvested past service cost is recognised as an expense on the straight-line basis over the average year until the benefits become vested, while vested past service costs are recognised as an expense in the Statement of Financial Performance.

1.11 PROVISIONS

Provisions are recognised when Legal Aid SA has a present legal or constructive obligation as a result of past events; it is probable that an outflow of resources embodying economic benefits will be required to settle the obligation, and a reliable estimate of the amount of the obligation can be made. These provisions are raised based on Management's determined estimate using information available, and represent the best estimate expected to be required to settle the present obligation at the reporting date. Other provisions of the entity are short-term in nature and thus ignore the effects of discounting.

Where the effect of time value of money is material, the amount of a provision is the present value of the expenditures expected to be required to settle the obligation. The discount rate is a pre-tax rate that reflects current market assessments of the time value of money and the risks specific to the liability.

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Provisions are reviewed at each reporting date and adjusted to reflect the current best estimate. Provisions are reversed if it is no longer probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation. A provision is used only for expenditures for which the provision was originally recognised. Provisions are not recognised for future operating deficits.

Judicare provision

Judicare provisions are recognised when Legal Aid SA has a present legal or constructive obligation as a result of past events, for which it is probable that an outflow of economic benefits will be required.

In the process of applying the Accounting Authority's accounting policies, Management has made the following judgment that has the most significant effect on the amounts recognised in the financial statements:

- The calculation for this provision is based on reviewing actual payments for matters over a minimum period of five (5) financial years and adjusting all payments made during this period to their present value. Management thereafter determines the percentage of case activities that is completed per month for each matter and/or court type, up to a maximum of 36 months. This information is then used to determine the provision amount for each pending matter based on its age and the cost per case of the matter.

Incentive payments provision

Incentive payments is a short-term employee benefit which is expensed as the related services are provided. A liability is recognised for the amount expected to be paid if the entity has a present legal or constructive obligation to pay this amount as a result of past service provided by the employee and the obligation can be estimated reliably. A provision for incentive payments is raised on the estimated amount payable in terms of the incentive scheme which is based on the business and employee's performance in the applicable year.

Corporate litigation

Corporate litigation is provided for legal matters where it is probable that an outflow of economic benefits will be required to settle the obligation and the amount can be reliably measured.

1.12 CONTINGENT LIABILITIES

Contingent liabilities are possible obligations that arise from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within control of Legal Aid SA, or a present obligation that is not recognised because the outflow of economic benefits or service potential is not probable and/or a real present obligation that may not be recognised, either because the timing or the measurement is not known. Contingent liabilities are only disclosed in the notes to the Annual Financial Statements.

1.13 COMMITMENTS

Commitments are recorded at cost in the notes to the financial statements when there is a contractual arrangement or an approval by Management in a manner that raises a valid expectation that the entity will discharge its responsibilities, thereby incurring future expenditure that will result in the outflow of cash. Commitments are not recognised in the Statement of Financial Position but are disclosed in the notes to the Annual Financial Statements.

1.14 REVENUE

Revenue is the gross inflow of economic benefits or service potential received during the reporting period when those inflows result in an increase in net assets, other than increases relating to contributions from owners.

Revenue is recognised when all the following criteria have been met:

- It is probable that economic benefits or services potential will flow to the entity.
- These benefits can be measured reliably.

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ACCOUNTING POLICIES (continued)

Revenue is classified into two categories namely, Revenue from non-exchange transactions and Revenue from exchange transactions.

Revenue from non-exchange transactions

A non-exchange transaction is one that Legal Aid SA receives or gives value to another entity without directly providing or receiving an approximate equal value in exchange. Non-exchange revenue is recognised when the asset is recognised, and if an obligation arises from the receipt of the asset, the revenue is recognised to the extent that there is no further obligation of returning the asset.

Government grant

Legal Aid SA receives an unconditional Government grant from the Department of Justice and Constitutional Development. The Government grant is recognised in the period when it becomes receivable.

Services received in-kind

The entity recognises services in-kind that are significant to its operations and/or service delivery objectives as assets and recognises the related revenue when it is probable that the future economic benefits or service potential will flow to the institution and the fair value of the assets can be measured reliably.

Where services in-kind are not significant to Legal Aid SA's operations and/or service delivery objectives and/or do not satisfy the criteria for recognition, the institution discloses the nature and type of service in-kind received during the reporting period.

Revenue from exchange transactions

An exchange transaction is one where the entity receives assets or services or has liabilities extinguished and directly gives approximately equal value to another entity (primarily in the form of goods, services or use of assets) in exchange. Revenue is measured at the fair value of the consideration received or receivable, net of trade discounts and volume rebates. Revenue is recognised when the amount of revenue can be measured reliably, it is probable that future economic benefits will flow to Legal Aid SA and specific criteria have been met. Revenue from exchange transactions comprises of other income and interest income.

Other income

The entity receives occasional income by way of a share in awards made to clients in civil matters as well as receiving cost awards, and income from disposed assets sold to staff. Due to the nature of services as well as the prospect of appeals, Legal Aid SA only recognises this income as soon as it is awarded to it.

Interest income

Interest is recognised on a time proportion basis that takes into account the effective yield on cash and cash equivalent.

1.15 FINANCE COSTS

Finance costs are charges incurred by the entity in connection with the finance lease liability. Finance costs are recognised as an expense in the period in which they are incurred.

1.16 TRANSLATION OF FOREIGN CURRENCIES

Foreign currency transactions are translated into the measurement currency using the exchange rates prevailing at the dates of the transactions.

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Foreign exchange gains and losses resulting from the settlement of such transactions and from the monetary assets and liabilities denominated in foreign currencies are recognised in the surplus or deficit, where applicable and material.

1.17 TAXATION

No provision is made for taxation as Legal Aid SA is exempt in terms of section 10(1)(CA) of the Income Tax Act.

1.18 MATERIALITY

Section 55(2) of the PFMA specifies components of the financial statements that have to take into account tolerance levels both in terms of financial, non-financial and disclosure of specific information such that it enables the Executive Authority to effectively perform their fiduciary duties. The entity has an approved framework of acceptable levels of materiality and significance.

1.19 CASH FLOW

The Cash Flow Statement is prepared in accordance with the direct method. Specific information has been presented separately on the Statement of Financial Position, such as:

- Receivables from exchange transactions.
- Trade and other payables from non-exchange transactions.

1.20 BUDGET NOTE

Legal Aid SA prepares its annual budget on a cash basis in terms of the PFMA and the National Treasury Medium Term Expenditure Framework Guidelines issued annually. The budget is approved by the Accounting Authority before the commencement of the new financial year. The Statement of Financial Performance is prepared on an accrual basis.

1.21 IRREGULAR EXPENDITURE

Irregular expenditure means expenditure other than unauthorised expenditure, incurred in contravention of, or that is not in accordance with the requirements of any applicable legislation from the definition in the PFMA.

All expenditure relating to irregular expenditure is recognised as an expense in the Statement of Financial Performance in the period that the expenditure was incurred.

Irregular expenditure is recorded in the notes to the financial statements when confirmed. The amount recorded is equal to the value of the irregular expenditure incurred unless it is impracticable to determine, in which case reasons therefore are provided in the note.

Irregular expenditure is removed from the note when it is either condoned by the relevant authority, transferred to receivables for recovery or is not condoned and is not recoverable.

Irregular expenditure receivables are measured at the amount that is expected to be recoverable and are derecognised when settled or subsequently written off as irrecoverable.

1.22 FRUITLESS AND WASTEFUL EXPENDITURE

Fruitless and wasteful expenditure means expenditure that was made in vain and would have been avoided had reasonable care been exercised.

All expenditure relating to fruitless and wasteful expenditure is recognised as an expense in the Statement of Financial Performance in the period that the expenditure was incurred.

Fruitless and wasteful expenditure is recorded in the notes to the financial statements when confirmed. The amount recorded is equal to the total value of the fruitless and/or wasteful expenditure incurred.

Fruitless and wasteful expenditure is removed from the notes to the financial statements when it is resolved or transferred to receivables for recovery.

ACCOUNTING POLICIES (continued)

Fruitless and wasteful expenditure receivables are measured at the amount that is expected to be recoverable and are derecognised when settled or subsequently written off as irrecoverable.

1.23 RELATED PARTIES

All parties that have the ability to control or exercise significant influence over the entity in making financial and operating decisions are considered to be related parties of the organisation. Related parties include key Management personnel, and close members of the family of key Management personnel.

All payments to Executive Management and non-executive members of Legal Aid SA are disclosed as related party transactions. Transactions with State-controlled organisations falling under the definition of control or significant influence which occur other than in accordance with operating parameters established are disclosed separately in the notes to the financial statements.

A related party transaction is a transfer of resources, services or obligations between the reporting entity and the related party, regardless of whether a price is charged. Related party transactions exclude transactions with any other entity that is a related party solely because of its economic dependence on the reporting entity.

1.24 EVENTS AFTER THE REPORTING DATE

Events after reporting date are those events, both favourable and unfavourable, that occur between the reporting date and the date when the financial statements are authorised for issue. Two types of events can be identified:

- Those that provide evidence of conditions that existed at the reporting date (adjusting events after the reporting date).
- Those that are indicative of conditions that arose after the reporting date (non-adjusting events after the reporting date).

Legal Aid SA will adjust the amount recognised in the financial statements to reflect adjusting events after the reporting date once the events have occurred.

Legal Aid SA will disclose the nature of the event and an estimate of its financial effect or a statement that such estimate cannot be made in respect of all material non-adjusting events, where non-disclosure could influence the economic decisions of users taken on the basis of the financial statements. Refer to note 30 for detailed disclosure.

1.25 RISK MANAGEMENT OF FINANCIAL ASSETS AND LIABILITIES

Credit risk:

- Each class of instrument is disclosed separately.
- Maximum exposure to credit risk not covered by collateral is specified.
- Financial instruments covered by collateral are specified.

Liquidity risk:

A maturity analysis is conducted for financial assets and liabilities that shows the remaining contractual maturities.

Liquidity risk is managed by ensuring that all assets are invested at maturity at competitive interest rates in relation to cash flow requirements. Liabilities are managed by ensuring that all contractual payments are met on a timeous basis and, if required, additional new arrangements are established at competitive rates to ensure that cash flow requirements are met.

A maturity analysis for financial liabilities that shows the remaining undiscounted contractual maturities is disclosed in note 13.1 to the Annual Financial Statements.

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1.26 CHANGE IN ACCOUNTING ESTIMATES

Change in estimates is an adjustment of the carrying amount of an asset or a liability, or the amount of the periodic consumption of an asset, that results from the assessment of the present status of, and expected future benefits and obligations associated with assets and liabilities. Changes in accounting estimates result from new information or new developments and, accordingly, are not corrections of errors. The nature and amount of a change in an accounting estimate that has an effect in the current periods is disclosed in the notes. Changes in accounting estimates are accounted for prospectively.

1.27 PRIOR PERIOD ADJUSTMENTS

The accounting policies applied are consistent with those used to present the previous year's financial statements, unless explicitly stated otherwise.

Correction of errors is applied retrospectively in the period in which the error has occurred, in accordance with GRAP 3 requirements, except to the extent that it is impracticable to determine the period-specific effects or the cumulative effect of the error. In such cases, Legal Aid SA shall restate the opening balances of assets, liabilities and net assets for the earliest period for which retrospective restatement is practicable.

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

2. PROPERTY, PLANT AND EQUIPMENT

	March 2021			Re-stated March 2020		
	Cost R	Accumulated depreciation R	Carrying value R	Cost R	Accumulated depreciation R	Carrying value R
Owned assets						
Land	7,180,822	–	7,180,822	6,080,822	–	6,080,822
Building	59,838,796	14,368,444	45,470,352	49,679,623	12,360,772	37,318,850
Building improvements	26,646,514	10,516,258	16,130,256	24,948,554	9,023,356	15,925,198
Motor vehicles	98,794,131	31,224,785	67,569,345	82,906,270	27,934,678	54,971,592
Furniture and equipment	26,503,857	14,207,857	12,296,000	26,222,208	13,723,619	12,498,589
Fitting and fixtures	2,979,926	2,734,484	245,443	2,979,926	2,718,749	261,178
Leasehold improvements	22,740,121	12,356,185	10,383,937	20,673,837	11,861,538	8,812,299
Computer equipment	106,862,498	71,005,726	35,856,772	110,232,171	73,286,673	36,945,497
	351,546,665	156,413,739	195,132,927	323,723,411	150,909,385	172,814,026

The cost for maintenance on buildings amounted to R1,370,056 (March 2020: R1,363,577).

The cost for maintenance on motor vehicles amounted to R3,444,837 (March 2020: R3,923,389).

The cost for maintenance on office equipment amounted to R2,804,292 (March 2020: R3,407,540).

The carrying amounts of property, plant and equipment can be reconciled as follows:

Reconciliation of property, plant and equipment – March 2021

	Carrying value at beginning of year R	Additions R	Disposals R	Depreciation	Carrying value at end of year R
Owned assets					
Land	6,080,822	1,100,000	–	–	7,180,822
Building	37,318,850	10,155,833	–	(2,004,332)	45,470,351
Building improvements	15,925,198	1,695,351	–	(1,490,294)	16,130,256
Motor vehicles	54,971,592	19,593,638	(1,160,196)	(5,835,689)	67,569,345
Furniture and equipment	12,498,589	683,491	(15,632)	(870,447)	12,296,001
Fitting and fixtures	261,178	–	–	(15,735)	245,443
Leasehold improvements	8,812,299	4,124,581	(233)	(2,552,711)	10,383,936
Computer equipment	36,945,497	13,455,396	(66,567)	(14,477,554)	35,856,772
	172,814,026	50,808,290	(1,242,628)	(27,246,762)	195,132,928

Land

The first land is described as ERF 4410 Johannesburg Township Registration Division I.R., provision of Gauteng, Johannesburg Division Gauteng Province. The land measures 1,490 square metres. It was transferred (sold) to Legal Aid South Africa on 04 September 2008. For initial split, the land was revaluated by an independent valuator, J.O. Schoonraad, on 23 September 2011 and has been stated at cost of R11,788,000.

The second land is described as ERF 408 Middelburg Registration Division I.R., provision of Mpumalanga, Middelburg Division Mpumalanga Province. The land measures 966 square metres. It was transferred (sold) to Legal Aid South Africa on 08 March 2017. For initial recognition split, the land was revaluated by an independent valuator, Kgolofelo Property Services CC, on 15 August 2015 and has been stated at cost of R630,000.

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

NOTES TO THE ANNUAL FINANCIAL STATEMENTS (continued)

The third land is described as ERF 1956 Lichtenburg Registration Division I.R., provision of North West, Lichtenburg Division North West Province. The land measures approximately 1,086 square metres. It was transferred (sold) to Legal Aid South Africa on 19 May 2016. For initial recognition split purpose, the land was revalued by an independent valuator, Ettienne E. Pretorius, on 20 September 2016 and has been stated at cost of R543,000.

The fourth land is described as ERF 884 Johannesburg Registration Division I.R., provision of Gauteng, Johannesburg Division Gauteng Province. The land measures approximately 595 square metres. It was transferred (sold) to Legal Aid South Africa on 29 July 2016. For initial recognition split purpose, the land was revalued by an independent valuator, Ettienne E. Pretorius, on 20 September 2016 and has been stated at cost of R595,000.

The fifth land is described as ERF 1737 Krugersdorp Township Registration Division I.R., provision of Gauteng, Krugersdorp Division Gauteng Province. The land measures approximately 495 square metres. It was transferred (sold) to Legal Aid South Africa on 13 April 2017. For initial recognition split purpose, the land was revalued by an independent valuator, Tsebo Real Asset Management, on 14 November 2017 and has been stated at cost of R850,000.

The sixth land is described as ERF 39 Welkom Registration Division I.R., provision of Free State, Welkom Division Free State Province. The land measures approximately 373 square metres. It was transferred (sold) to Legal Aid South Africa on 10 May 2017. For initial recognition split purpose, the land was revalued by an independent valuator, Equity Property Professionals, on 28 March 2018 and has been stated at cost of R292,696.

The seventh land is described as ERF 109 Witbank Registration Division I.R., provision of Mpumalanga, Witbank Division Mpumalanga Province. The land measures approximately 2,231 square metres. It was transferred (sold) to Legal Aid South Africa on 12 July 2017. For initial recognition split purpose, the land was revalued by an independent valuator, Equity Property Professionals, on 28 March 2018 and has been stated at cost of R1,382,130.

The eighth land is described as ERF 840 Port Elizabeth Registration Division I.R., provision of Eastern Cape, King Williams Town Division Eastern Cape Province. The land measures approximately 2,725 square metres. It was transferred (sold) to Legal Aid South Africa on 27 July 2020. For initial recognition split purpose, the land was revalued by an independent valuator, Modi-Res Valuers, on 05 April 2018 and has been stated at cost of R1,100,000.

Building

The first building is described as ERF 4410 Johannesburg Township Registration Division I.R., provision of Gauteng, Johannesburg Division Gauteng Province. The building measures approximately 8,289 square metres and it was transferred (sold) to Legal Aid South Africa on 04 September 2008. The estimated useful life of the building is 25 years and has been stated at the cost price of R21,981,000 in order to comply with GRAP 17. The building included building improvements made to Legal Aid House.

The second building is described as ERF 408 Middelburg Registration Division I.R., provision of Mpumalanga, Middelburg Division Mpumalanga Province. The building measures approximately 616 square metres and it was transferred (sold) to Legal Aid South Africa on 08 March 2017. The estimated useful life of the building is 25 years and has been stated at the cost price of R5,250,554.

The third building is described as ERF 1956 Lichtenburg Registration Division I.R., provision of North West, Lichtenburg Division North West Province. The building measures approximately 258 square metres and it was transferred (sold) to Legal Aid South Africa on 19 May 2016. The estimated useful life of the building is 25 years and has been stated at the cost price of R1,307,425.

The fourth building is described as ERF 884 Ekurhuleni Metropolitan Registration Division I.R., provision of Gauteng, Johannesburg Division Gauteng Province. The building measures approximately 1,696 square metres and it was transferred (sold) to Legal Aid South Africa on 29 July 2016. The estimated useful life of the building is 25 years and has been stated at the cost price of R3,089,310.

The fifth building is described as ERF 1737 Krugersdorp Township Registration Division I.R., provision of Gauteng, Krugersdorp Division Gauteng Province. The building measures approximately 1,380 square metres and it was transferred (sold) to Legal Aid South Africa on 13 April 2017. The estimated useful life of the building is 25 years and has been stated at the cost price of R4,325,371.

The sixth building is described as ERF 39 Welkom Registration Division I.R., provision of Free State, Welkom Division Free State Province. The building measures approximately 1,073 square metres and it was transferred (sold) to Legal Aid South Africa on 10 May 2017. The estimated useful life of the building is 25 years and has been stated at the cost price of R7,292,718.

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NOTES TO THE ANNUAL FINANCIAL STATEMENTS (continued)

Building (continued)

The seventh building is described as ERF 109 Witbank Registration Division I.R., provision of Mpumalanga, Witbank Division Mpumalanga Province. The building measures approximately 1,548 square metres and it was transferred (sold) to Legal Aid South Africa on 12 July 2017. The estimated useful life of the building is 25 years and has been stated at the cost price of R6,433,243.

The eighth building is described as ERF 840 Port Elizabeth Registration Division I.R., provision of Eastern Cape, King Williams Town Division Eastern Cape Province. The building measures approximately 1,701 square metres. It was transferred (sold) to Legal Aid South Africa on 27 July 2020. The estimated useful life of the building is 25 years and has been stated at the cost price of R10,159,172.80.

Reconciliation of property, plant and equipment – March 2020

	Carrying value at beginning of year R	Additions R	Disposals R	Depreciation R	Re-statement	Carrying value at end of year R
Owned assets						
Land	6,080,822	–	–	–	–	6,080,822
Building	38,948,827	–	–	(1,629,977)	–	37,318,850
Building improvements	10,983,067	6,409,648	–	(1,288,826)	(178,690)	15,925,199
Motor vehicles	62,457,802	5,048,901	(429,587)	(5,535,236)	(6,570,287)	54,971,593
Furniture and equipment	4,387,197	2,696,346	(146,883)	(655,235)	6,217,164	12,498,588
Fitting and fixtures	244,781	42,550	–	(26,153)	–	261,178
Leasehold improvements	8,072,636	4,501,347	(445,988)	(3,279,581)	(36,115)	8,812,300
Computer equipment	45,231,139	13,655,165	(900,361)	(15,701,765)	(5,338,680)	36,945,497
	176,406,270	32,353,958	(1,922,820)	(28,116,772)	(5,906,608)	172,814,026

2.1 Finance leased assets

	March 2021			March 2020		
	Cost R	Accumulated depreciation R	Carrying value R	Cost R	Accumulated depreciation R	Carrying value R
Cellphones	2,628,259	2,201,229	427,031	2,273,771	1,545,440	728,331
	2,628,259	2,201,229	427,031	2,273,771	1,545,440	728,331

Reconciliation of property, plant and equipment – March 2021

Finance leased assets

	Carrying value at beginning of year R	Additions R	Disposals R	Depreciation R	Carrying value at end of year R
Cellphones	728,331	354,488	–	(655,788)	427,031
	728,331	354,488	–	(655,788)	427,031

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

NOTES TO THE ANNUAL FINANCIAL STATEMENTS (continued)

Reconciliation of property, plant and equipment – March 2020

Finance leased assets

	Carrying value at beginning of year R	Additions R	Disposals R	Depreciation R	Carrying value at end of year R
Cellphones	477,271	888,933	–	(637,873)	728,331
	477,271	888,933	–	(637,873)	728,331

3. INTANGIBLE ASSETS

	March 2021			Re-stated March 2020		
	Cost R	Accumulated amortisation R	Carrying value R	Cost R	Accumulated amortisation R	Carrying value R
Computer software	26,667,703	(7,240,903)	19,426,800	8,098,271	(7,255,199)	843,073
Computer software – eLAA (under development)	–	–	–	18,583,740	(159,398)	18,424,342
	26,667,703	(7,240,903)	19,426,800	26,682,011	(7,414,597)	19,267,415

Reconciliation of intangible assets – March 2021

The carrying amounts of intangible assets can be reconciled as follows:

	Carrying value at beginning of year R	Additions R	Disposals R	Amortisation R	Transfer R	Carrying value at end of year R
Computer software	843,072	6,157,937	(23,958)	(5,974,593)	18,424,343	19,426,801
Computer software – eLAA (under development)	18,424,343	–	–	–	(18,424,343)	–
	19,267,415	6,157,937	(23,958)	(5,974,593)	–	19,426,800

Reconciliation of intangible assets – March 2020

	Carrying value at beginning of year R	Additions R	Disposals R	Amortisation R	Re-statement R	Carrying value at end of year R
Computer software	1,822,444	3,120,312	(4,900)	(4,094,784)	–	843,072
Computer software – eLAA (under development)	14,167,594	1,660,646	–	–	2,596,103	18,424,343
	15,990,038	4,780,958	(4,900)	(4,094,784)	2,596,103	19,267,415

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

4. TRADE AND OTHER RECEIVABLES – EXCHANGE TRANSACTIONS

	March 2021 R	March 2020 R
Trade receivables	16,694,926	15,560,727
Accrued interest	–	547,439
Other receivables	601,151	255,999
Provision for doubtful debts	(11,687,464)	(10,659,894)
	5,608,613	5,704,271

Included in the Trade and other receivables is an amount of R11 million relating to Judicare duplicate travel claims raised from 2004/05 to date.

4.1 Reconciliation of doubtful debt provision

	March 2021 R	March 2020 R
Balance at the beginning of the period	10,659,894	12,248,905
Bad debts written off	(431,100)	(104,111)
Increase/(Decrease) in provision for doubtful debts	1,458,670	(1,484,899)
	11,687,464	10,659,894

5. PREPAYMENTS

	March 2021 R	March 2020 R
Prepayments	–	15,655,403
	–	15,655,403
Reconciliation of prepayments		
Operating expenditure	–	4,396,230
Capital expenditure	–	11,259,173
	–	15,655,403

March 2020 – Prepayments for capital expenditure relate to an office building bought for the Legal Aid SA Port Elizabeth Local Office but not yet registered with the Deeds Office.

March 2020 – Prepayments for operating expenditure relate to office rentals for April 2020 paid in March 2020.

6. CLIENT TRUST FUNDS

	March 2021 R	March 2020 R
Client trust funds	56,726,471	63,210,454
	56,726,471	63,210,454

These constitute amounts received from estates late and settlements reached in civil matters. These amounts are payable to recipients based on court settlement orders.

The corresponding liability for the client trust asset. Refer to note 12a.

7. DEPOSITS

	March 2021 R	March 2020 R
These mainly constitute amounts paid to landlords as security for rent repayment.	1,708,705	1,665,974
The total deposits above are classified as follows:		
Later than 1 year and not later than 5 years	1,354,620	1,399,044
Not later than 1 year	354,085	266,930
	1,708,705	1,665,974

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

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	March 2021 R	March 2020 R
7.1 Deposit reconciliation		
Opening balance	1,665,974	1,608,460
Recoveries	–	(74,150)
Deposits expensed	(189,540)	–
Deposits moved to debtors	(12,996)	–
Interest earned	165,010	–
New/additional deposits for the year	80,257	131,664
Closing balance	1,708,705	1,665,974

8. NOTES TO CASH FLOW STATEMENT

a) Cash and cash equivalents

Cash and cash equivalents consist of cash on hand and balances with banks and investments in money market instruments. Cash and cash equivalents included in the Cash Flow Statement comprise the following statement of amounts indicating financial position:

	March 2021 R	March 2020 R
Funds held with the Corporation for Public Deposits	568,514,886	418,334,161
Bank balance and cash on hand	5,455,391	6,755,118
	573,970,277	425,089,279

Cash and cash equivalents are set aside for liabilities and commitments.

b) Property, plant and equipment

During the year, Legal Aid SA acquired property, plant and equipment including intangible assets for R56,966,223 by means of a grant allocated by the National Government.

c) Cash generated by operating activities

	March 2021 R	Re-stated March 2020 R
Reconciliation of net cash flows from operating activities to surplus		
Net surplus	174,905,647	115,527,232
Adjustments:		
Non-cash flow movement		
Depreciation	27,902,551	31,350,743
Amortisation	5,974,593	1,498,684
Debts written off	431,100	104,111
Gains on sale of property, plant and equipment	(441,013)	(1,929,104)
Changes in working capital		
Increase/(Decrease) in provisions and employee benefits	(33,424,219)	49,169,274
Increase/(Decrease) in trade and other payables	14,184,047	10,175,137
(Increase)/Decrease in receivables, prepayments and deposits	15,277,230	(8,196,723)
	204,809,936	197,699,356

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9. FINANCE LEASES

	March 2021 R	March 2020 R
Interest bearing borrowings		
Non-current portion of finance lease liability	76,145	7,987
Current portion of finance lease liability	328,301	712,281
Total finance lease liability	404,446	720,268

The interest bearing borrowings relates to cellphones (see note 2). The liabilities are repayable in equal monthly instalments on the first day of the month, at prime interest rates, respectively.

Reconciliation of minimum lease payments

	March 2021			March 2020		
	Up to 1 year R	2-5 years R	Total R	Up to 1 year R	2-5 years R	Total R
Minimum lease payments	348,620	80,057	428,677	789,783	7,987	797,770
Finance charges	(20,319)	(3,912)	(24,231)	(77,502)	–	(77,502)
Present value	328,301	76,145	404,446	712,281	7,987	720,268

Finance lease cash flow recon

	March 2021	March 2020	Net Cash Flow
Finance lease assets	427,031	728,331	301,300
Finance lease liability	(404,446)	(720,268)	(315,822)
Depreciation on finance leases	(655,788)	(637,873)	17,915
	(633,204)	(645,546)	3,394

Present value of the minimum lease payments

	March 2021	March 2020
Up to 1 year	328,301	712,281
More than 1 year less than 5 years	76,145	7,987
	404,446	720,268
Current liabilities	328,301	712,281
Non-current liabilities	76,145	7,987
	404,446	720,268

	March 2021 R	March 2020 R
Finance costs	601,130	741,806

Finance costs relate to finance charges for cellphones and actuarial valuation on defined benefits and interest on VAT.

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10. EMPLOYEE BENEFITS

Pensions

Defined contribution plan

Legal Aid SA has a defined contribution plan, where contributions are made to a separately administered fund. The plan is governed by the Associated Institutions Pension Fund Act 41 of 1963. The assets of the plan are administered by trustees in a fund independent of Legal Aid SA. The fund is administered under the control of the National Government. The National Treasury stands as guarantor for any shortfall that the fund may experience. For this reason, no provision is made in the books of Legal Aid SA for any shortfall or surplus that may arise. The disclosure for this plan is done in accordance with a defined contribution plan due to the following reasons: Legal Aid SA is not the only member of the pension fund and the liability exposure and the assets cannot be separated from the other members' liability and assets.

Group Life risk cover

Legal Aid SA contributes to a Group Life scheme on behalf of its employees and is not exposed to any actuarial or investment risk of the fund. As the contributions made are those of the employees from guaranteed remuneration, the contributions paid are expensed as remuneration.

Medical

Legal Aid SA contributes to a medical aid scheme for certain retired employees. The liability for future contributions to the scheme in respect of three (3) retirees was actuarially valued at year end. The scheme is valued every three (3) years.

The latest actuarial valuation was carried out as at 31 March 2021. The principal assumptions adopted by the actuary are that discount rates will be 9.11% (March 2020: 11.11%) per annum, and the general inflation rate will be 5.64% (March 2020: 5.93%) per annum. Medical costs' inflation rate will be 7.14% (March 2020: 7.43%) per annum. The actuarial value of the promised benefits is R1,396,015 (March 2020: R1,408,492) which has been recognised as a liability in the past.

Legal Aid SA provided for the payment of medical aid for retired employees. This practise has ceased, however, a contractual obligation exists for certain employees who retired with this condition. It is anticipated that these amounts will be paid out over the remaining lives of these pensioners.

Post-retirement benefit

	March 2021 R	March 2020 R
Post-retirement medical aid benefits	1,396,015	1,408,492
	1,396,015	1,408,492
The movement in the present value of the unfunded obligation for the year is as follows:		
Present value of liability at the beginning of the year	1,408,492	1,468,994
Interest cost	143,625	118,379
Actuarial (gains)/losses	81,522	23,973
Contribution payments	(237,624)	(202,854)
	1,396,015	1,408,492

Amount for the current and previous four years

	2021	2020	2019	2018	2017
Present value of unfunded obligations recognised in the Statement of Financial Position	1,396,015	1,408,492	1,468,998	1,045,517	1,096,704

Mortality assumptions

Female spouses younger than male spouses

2021	2020
3 years	3 years
PA(90) rated down 1 year	PA(90) rated down 1 year

Post-retirement mortality assumption

It is assumed that the health care costs trend has a significant effect on the amounts recognised in surplus or deficit. A one percent change in assumed health care cost trend rates would have the following effects:

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11. PROVISIONS

March 2021	Carrying value at beginning of year	Used during the year R	Additional/ Reversal provisions R	Carrying value at end of year R
Judicare	77,682,700	(56,525,987)	48,826,115	69,982,828
Provision for incentive payments	59,589,351	(48,732,147)	22,775,666	33,632,870
Provision for SARS penalties and interest*	2,338,993	–	395,190	2,734,183
Corporate litigation	1,745,198	–	(150,580)	1,594,618
	141,356,242	(105,258,134)	71,846,391	107,944,500

*Provision for SARS relates to penalties and interest imposed by SARS for not complying with the VAT Act on imported services from foreign service providers.

March 2020	Carrying value at beginning of year R	Used during the year R	Additional provisions R	Carrying value at end of year R
Judicare	67,281,615	(64,691,226)	75,092,311	77,682,700
Provision for incentive payments	21,044,066	(23,335,940)	61,881,225	59,589,351
Provision for SARS penalties and interest*	1,824,979	–	514,014	2,338,993
Corporate litigation	1,975,805	(230,607)	–	1,745,198
	92,126,465	(88,257,773)	137,487,550	141,356,242

*Provision for SARS relates to penalties and interest imposed by SARS for not complying with the VAT Act on imported services from foreign service providers.

Judicare

Legal Aid SA instructs independent legal practitioners where it believes that the interests of the client are best handled in this manner. These practitioners are paid according to a tariff set by Legal Aid SA from time to time. A consequence of the nature of court cases is that while an estimate can be made of the cost of cases based on historical experience, the actual payments may vary. In addition, the length of time taken to complete cases often varies; in general, payment is only made on completion of a case.

Gross claims incurred comprise of all claims arising from events that have occurred in the period and for which Legal Aid SA is responsible, whether or not reported by the end of the period.

Net claims incurred comprise of:

- claims submitted and accrued for services rendered during the period net of recoveries, and
- claims for services rendered during the previous period not included in the outstanding claims provision for that period, net of recoveries.

Outstanding claims provision

The method used is based on reviewing actual payments for matters over a minimum period of five (5) financial years and adjusting all payments made during this period to their present day value. We thereafter determine the percentage of case activities that is completed per month for each matter and/or court type, up to a maximum of 36 months. This information is then used to determine the provision amount for each pending matter based on its age and the cost per case of the matter.

Changes in assumptions and sensitivities to changes in key variables

All assumptions are based on actual claims experience in determining the outstanding claims provision. Due to the nature of the provision, no material change is expected in any assumptions made.

Legal Aid SA believes that the liability for claims reported in the Statement of Financial Position is adequate. However, it recognises that the process of estimation is based upon variable factors and assumptions which could differ when claims arise. A retrospective review of actual claims experience is performed monthly to determine the accuracy of the outstanding claims provision. Due to this, the impact of a change in the key variables is not considered to be significant and no further sensitivity analysis is provided.

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Bonuses

Employees who are members of the pension fund are entitled to structure their package in such a way that they receive a 13th cheque. The duty to pay this amount accrues monthly. The full amount of accrual is paid out each period when it falls due. In addition, an incentive payment is payable to employees during August each year based on their personal performance as well as that of the organisation as a whole.

Litigation

Legal Aid SA, by the nature of its activities, has at any time a number of legal matters in process. The cost of these, as well as the possible effect of any outcome, is provided for in the year in which the cause of action arises. No certainty exists as to the timing of when these amounts will be paid.

12. TRADE AND OTHER PAYABLES

	2021	2020
Trade payables	270,897	128,375
Leave pay benefits	49,114,154	41,279,912
Bonus pay benefits (13th cheque)	33,595,408	32,872,348
Accruals	2,327,584	2,258,796
VAT liability	5,060,287	5,060,287
Sundry creditors*	31,389,972	25,974,536
	121,758,302	107,574,254

*The sundry creditors amount includes accruals for goods received which were not receipted on the system by year end. This represents invoices not paid as at year end. Also included is the operating lease accrual amounting to R2,921,980 (March 2020: R1,527,409).

12.1 Maturity analysis

	<1 Year	1–2 Years	2–5 Years	5+ Years	Total
March 2021					
Trade and other payables	118,836,322	2,921,980	–	–	121,758,302
March 2020					
Trade and other payables	106,046,845	1,527,409	–	–	107,574,254

12a. Clients' trust liability

	March 2021	March 2020
Client trust fund	56,726,471	63,210,454
These constitute amounts received from estates late and settlements reached in civil matters. These amounts are payable to recipients based on court settlement orders. The corresponding asset for the client trust liability. Refer to note 6.		
Client trust recon		
Client trust asset	56,726,471	63,210,454
Client trust liability	56,726,471	63,210,454

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13. REVENUE – NON-EXCHANGE TRANSACTIONS

Gross revenue comprises grants from the National Revenue Fund. These funds are provided to Legal Aid SA to enable it to meet the Government's responsibility to provide legal services to those who cannot afford it.

	March 2021 R	Re-stated March 2020 R
Unconditional Government baseline allocation	1,958,883,000	1,970,973,000
Services in-kind (rental)*	1,117,740	890,774
	1,960,000,740	1,971,863,774

* Legal Aid SA recognised services in-kind relating to office accommodation in Mitchells Plain, Polokwane and Nelspruit. The Department of Justice offered Legal Aid SA office space in their court buildings.

14. REVENUE – EXCHANGE TRANSACTIONS

14.1 Interest income

	March 2021 R	March 2020 R
Interest from Corporation for Public Deposits and other accounts	24,005,694	29,266,521
	24,005,694	29,266,521

14.2 Other income

Other income comprises

Commission on garnishee order and benefit to the Legal Aid Board	57,227	118,857
Profit on disposal of assets	441,013	1,929,106
*Sundry income	8,936,202	1,496,451
	9,434,442	3,544,414

*Sundry income mainly comprises of legal costs recovered and Trust admin fees.

15. ADMINISTRATIVE EXPENSES

	March 2021 R	March 2020 R
Co-operation and Agency Agreements	8,329,485	8,483,020
Strategic Litigation	2,272,138	1,599,327
Judicare	67,688,832	96,310,311
Civil disbursements	3,110,805	7,830,192
	81,401,261	114,222,850

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15.1 Other expenses

Other expenses are made up of the following material expenses:

	March 2021 R	March 2020 R
Advertising	1,349,160	2,390,255
Audit fees	4,208,248	4,363,931
Board fees	947,267	1,028,832
Cleaning services	10,366,700	9,560,224
Communication	1,561,567	1,212,565
Computer software licences	9,005,836	9,031,239
Document exchange	927,254	1,191,927
Education and training	773,948	2,492,593
Insurance short-term	6,321,388	6,114,824
IT support	77,097	948,952
Leadership programme	–	535,693
Library and publications	3,776,645	2,450,077
Maintenance building	1,370,056	1,363,577
Maintenance office equipment	2,804,292	3,407,540
Management fees	463,569	501,156
Municipal services	13,401,861	14,316,833
Office rental	45,273,197	47,360,520
Office rental – satellite offices	9,087,673	8,656,410
Postage and courier	729,621	954,292
Printing and stationery	4,219,572	4,341,856
Recruitment	1,812,119	1,711,163
Refreshments	316,193	752,434
Security costs	2,351,720	2,473,572
Signage and branding	59,570	46,240
Storage costs	895,917	861,294
Subscriptions and membership fees	3,555,616	3,520,171
Skills development	911,534	1,304,854
Software maintenance	408,071	1,021,814
Telephone and faxes	11,465,671	11,938,544
Tools and equipment	1,097,833	2,434,907
Travel and subsistence	725,926	7,698,961
Travelling and sub-Circuit Court	65,628	661,151
Vehicle fuel	5,954,406	11,089,586
Vehicle maintenance	3,444,957	3,923,389
Vehicle tracking	1,186,982	1,000,020
Wide Area Network	23,591,081	18,396,998
Workmen's Compensation	1,527,301	1,379,572
Workshops	135,925	1,573,062
Education and training Legal Development	–	762,938
Legal fees	567,693	1,125,191

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15.1 Other expenses (continued)

	March 2021 R	March 2020 R
Health and safety – COVID-19	2,715,958	–
Other expenses, not material individually	8,677,394	6,435,376
	188,132,448	202,334,532

Other expenses include bank charges, public relations, bursaries, et cetera. An amount of R1,458,670 is also included as impairment on receivables.

16. CHANGE IN ACCOUNTING ESTIMATE

The residual values for the current year were changed to reflect the changes in estimates. Legal Aid SA uses the previous sale amounts realised through disposal as residual values. The percentage of the sale amount compared to the original cost is used to compute residual values. The resultant adjustment to depreciation amounted to R453,269 in the current year and zero in the 2020 financial period:

	March 2021 R	March 2020 R
Effect of the change		
Decrease on depreciation	453,269	–
Increase in surplus	(453,269)	–
	–	–

17. RECONCILIATION OF ACTUAL AMOUNT IN THE CASH FLOW STATEMENT AND BUDGET STATEMENT

The budget is approved on a cash basis by functional classifications. The approved budget covers the period from 01 April 2020 to 31 March 2021.

The budget and accounting basis differs. The financial statements are prepared on the accrual basis using a classification on the nature of expenses in the Statement of Financial Performance.

A reconciliation between the actual amounts on a comparable basis as presented in the Statement of Comparison of Budget and Actual Amounts in the Cash Flow Statement for the period ended 31 March 2021 has been presented below. The financial statements are prepared on an accrual basis and the budget is prepared on a cash basis which creates a basis difference.

	March 2021 R	Re-stated March 2020 R
Operating activities		
Actual amount as presented in budget statement	174,905,647	115,527,232
Basis differences	29,904,288	82,172,124
Net cash flows from operating activities	204,809,935	197,699,356
Financing activities		
Actual amount as presented in budget statement	–	–
Basis differences	(670,308)	(666,031)
Net cash flows from financing activities	(670,308)	(666,031)
Investing activities		
Actual amount as presented in budget statement	56,966,227	31,684,908
Basis differences	(112,224,855)	(64,962,998)
Net cash flows from investing activities	(55,258,628)	(33,278,090)

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18. DIRECTORS' EMOLUMENTS

18.1 Directors-Non-executive

– For services as directors

Name	Comments	March 2021 R	March 2020 R
Judge M Makume	Non-beneficial (Chairperson of Board & Board Executive Committee)	–	–
Adv. P du Rand***	Non-beneficial (Legal Services Committee member)	–	–
Mr F Pandelani**	Non-beneficial (DoJ representative; Legal Services Committee & Remuneration Social and Ethics Committee member)	–	–
Ms M Naidoo	((Alternate member) Remuneration Social and Ethics Committee member)	34,992	50,976
Ms T Mhlungu	((Alternate member) Legal Services Committee & Audit Committee member)	48,114	40,824
Mr N Mvundlela	(Chairperson of Legal Services Committee & Board Exco member)	143,917	134,695
Mr M Leseilane	(Chairperson of Remuneration Social and Ethics Committee & Board Exco member)	84,078	127,818
Mr L Mtshali	(Legal Services Committee member)	70,227	89,424
Ms A Chowan*	(Chairperson of Audit Committee & Board Exco member)	59,778	100,116
Adv. M Odayan	(Legal Services Committee member)	86,751	93,312
Prof. W Gumede	(Audit Committee member)	78,003	79,704
Ms M Makgoba*	(Chairperson of Audit Committee & Board Exco member)	75,330	83,592
Dr C Sanangura	(Remuneration Social and Ethics Committee member)	71,199	88,938
Ms R Serepong	(Co-opted member) (Remuneration Social and Ethics Committee member)	26,487	33,048
Prof. M Mokotong	(Co-opted member) (Legal Services Committee member)	34,020	40,824
Mr S Nkosi	(Co-opted member) (Audit Committee & Board Exco member)	43,497	36,936
Mr S Roopa	(Co-opted member) (Legal Services Committee member)	39,123	46,948
Ms L Fourie	(Co-opted member) (Remuneration Social and Ethics Committee member)	32,076	35,964
Ms L Francois	(Co-opted member) (Audit Committee member)	34,263	23,328
		961,855	1,106,447

* Ms A Chowan resigned in November 2020 and was replaced by Ms M Makgoba as the new Chairperson of the Audit Committee.

** Mr F Pandelani was appointed in May 2020.

*** Adv. P du Rand resigned on 29 February 2020.

19. CATEGORIES OF FINANCIAL INSTRUMENTS

Financial assets	Category	March 2021 R	March 2020 R
Cash and cash equivalents		573,970,277	425,089,279
Deposits	Financial instruments at amortised cost	1,708,705	1,665,974
Client trust account	Financial instruments at amortised cost	56,726,471	63,210,454
Trade and other receivables	Financial instruments at amortised cost	5,608,613	5,704,271
Financial liabilities			
Trade and other payables	Financial instruments at amortised cost	121,758,303	102,513,967
Finance lease obligation	Financial instruments at amortised cost	404,446	720,268
Client trust account	Financial instruments at amortised cost	56,726,471	63,210,454

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19.1 Risk management

Sensitivity analysis risk

Legal Aid SA's major source of revenue is a Government grant and to a lesser extent, interest income depending on cash equivalents held. A major expense is salaries which are fixed for the period under review.

19.2 Sensitivity analysis

Below is the recalculated financial assets and liabilities showing the effect of:

- A one (1) percentage point decrease or increase in the current account interest rate.
- A one (1) percentage point decrease or increase in the trade and other payables account interest rate.
- A one (1) percentage point decrease or increase in the trade and other receivables account interest rate.

Method used

It is assumed that the deceased estates funds and the rental deposit interest rate trend have a significant effect on the amounts recognised in surplus or deficit. A one (1) percentage point change in the assumed deceased estates funds and rental deposit interest rate would have the following effects:

	2021 (1%) R	1% R	2020 (1%) R	1% R
Cash and cash equivalents	(573,970,277)	(5,739,703)	(425,089,279)	(4,250,893)
Deposits	(1,708,705)	(17,087)	(1,665,974)	(16,660)
Client trust account	(56,726,471)	(567,265)	(63,210,454)	(632,105)
Trade receivables	(5,608,613)	(56,086)	(5,704,271)	(57,043)

Market risk

Legal Aid SA is required by regulation to invest its short-term funds in the Corporation for Public Deposits (CPD) which is a subsidiary of the South African Reserve Bank. It accepts call deposits from the public sector and invests the funds in short-term money market instruments, special Treasury bills and cash. Since the CPD's funds may be withdrawn on short notice, a pre-requisite is that investments are made mainly in short-term assets; the CPD Board does not invest in any assets with a maturity of one (1) and three (3) years, and at least 60% of all funds are invested in assets with a maturity of less than one (1) month.

Legal Aid SA does not operate internationally but is exposed to the foreign risk element in that we have memberships and subscriptions abroad and we procure software licences internationally. The foreign risk exposure is considered very low.

Liquidity risk

Liquidity risk is the risk that the organisation would not have sufficient funds available or may encounter difficulties in raising funds to meet its future commitments. This risk is regarded as low considering Legal Aid SA's current funding structures and the management of available cash resources.

	March 2021 R	March 2020 R
Receivables past due		
<3 months	4,461,331	2,775,771
3-6 months	807,307	142,799
6 months-1 year	339,975	2,785,701
1+ years	–	–
	5,608,613	5,704,271

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Payables past due date		<1 Year	1-2 Years	2-5 Years	5+ Years	Total
Trade and other payables	Year 2021	118,836,322	2,921,980	–	–	121,758,302
Client trust funds	Year 2021	56,726,471	–	–	–	56,726,471
Finance lease obligation	Year 2021	328,301	–	–	–	328,301
Trade and other payables	Year 2020	106,046,845	1,527,409	–	–	107,574,254
Client trust funds	Year 2020	63,210,454	–	–	–	63,210,454
Finance lease obligation	Year 2020	712,281	–	–	–	712,281

Interest rate risk

The organisation is exposed to interest rate risk in respect of returns on investments with financial institutions and interest payable on finance leases contracted with outside parties. The organisation's income and operating cash flows are substantially independent of changes in market interest rates. The organisation has no significant interest bearing assets other than liquid cash.

Credit risk

Credit risk arises mainly from receivables and cash and cash equivalents. Legal Aid SA's exposure to credit risk arises because of default of counterparties with maximum exposure equal to the carrying amount of these instruments. These risks are mitigated as follows:

- Cash and cash equivalents are placed with high credit quality financial institutions, thus rendering the credit risk with regard to cash and cash equivalents limited.
- Transactions are entered into with reputable institutions approved by the National Treasury.
- With regard to accounts receivables, credit risk is limited by the fact that the organisation does not issue loans or raise debtors in its day-to-day business.
- Legal Aid SA does not offer credit facilities to neither employees nor any other person, except where a debtor may be raised due to advances on travel and subsistence.

Credit quality of receivables

	March 2021 R	March 2020 R
Group 1	4,629,837	2,775,771
Group 2	638,802	142,799
Group 3	47,325	404,640
Group 4	11,980,113	13,040,955
	17,296,077	16,364,165

Group 1 – Staff debtors outstanding for less than 90 days and with no defaults; these largely comprise of membership fees.

Group 2 – Other staff debtors outstanding for more than 90 days and with no defaults.

Group 3 – Existing debtors outstanding.

Group 4 – Judicare and other legal debtors outstanding for more than 90 days and handed over for collection.

The total gross carrying amount of the impaired receivables as at reporting date is R17,296,077 (March 2020: R16,364,165) and the associated total impairment is R11,687,463 (March 2020: R10,659,894); see note 4. Of these debtors, the recovery of R10,640,893 (March 2019: R11,871,929) has been handed over for collection. Refer to the accounting policy note.

Legal Aid SA debtors comprise mainly of Judicare duplicate travel recoveries and staff debts emanating from part contribution towards Law Society fees. The membership fees are recovered through payroll over a period not exceeding six (6) months.

The maximum exposure to credit risk is as follows:

Trade receivables R17,296,077

Less: Provisions for credit loss (R11,687,464)

Total: R5,608,613

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20. COMMITMENTS

	March 2021 R	March 2020 R
Judicare commitments	47,863,040	54,783,371

R48 million (March 2020: R54,8 million) committed expenditure related to the estimated value of instructions issued before year end where no accounts have been received. Refer to note 11 on Judicare provision.

	March 2021 R	March 2020 R
Computer hardware and IT support	12,369,292	7,306,743
Computer software	4,473,575	10,843,151
Computer maintenance	–	18,480
Strategic Litigation	7,850,051	9,590,502
Signage and branding	67,245	200,000
Health and safety - COVID-19	110,882	–
Furniture and equipment	41,397	1,249,408
Leasehold improvements	567,716	7,649,467
Tools and equipment	84,096	644,225
Education and training	–	600,820
Motor vehicles	13,491,487	14,448,362
Communication	105,059	1,172,890
Professional services	59,903	168,788
Storage costs	–	18,818
Security costs	–	31,444
Cleaning services	–	13,957
Printing and stationery	54,340	608,225
Building improvements	15,000	1,635,694
Moving costs	–	261,131
Maintenance - office equipment	202,871	751,214
Maintenance - buildings	211,473	254,275
Vehicle maintenance	–	2,631
Workshops	–	41,022
	39,704,387	57,511,247

Legal Aid SA placed orders with suppliers before year end and the goods and services were not received on 31 March 2021. Included in the commitments above is capital commitments approved and contracted.

Operating lease commitments

Operating lease – Legal Aid SA as lessee

The future minimum lease payments under non-cancellable operating leases for office rentals are as follows:

Legal Aid SA leases office space from different landlords in all nine (9) provinces. The various lease agreements provide for an escalation rate linked to the percentage increase. The majority of the leases are for a minimum of three (3) years.

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	March 2021 R	March 2020 R
Not later than 1 year	49,345,607	43,006,653
Later than 1 year and not later than 5 years	92,896,583	107,456,670
	142,242,190	150,463,323

The future minimum lease payments under non-cancellable operating leases for office rentals are as follows:

Legal Aid SA leases 159 photocopiers for all nine (9) provinces. The lease agreements do not provide for escalation. The duration of the lease period is from 01 April 2020 to 31 March 2023.

	March 2021 R	March 2020 R
Not later than 1 year	1,838,189	–
Later than 1 year and not later than 5 years	1,838,189	–
	3,676,378	–

21. CONTINGENT LIABILITIES

Contingent liabilities is constituted of three (3) categories as per below.

	65,841,651	1,922,998
--	------------	-----------

21.1 Legal claims with insurance cover

There are ten (10) claims that are covered by insurance (including five (5) professional negligence matters).

21.2 Other legal claims with no insurance

There are four (4) other general claims.

21.3 Legal claim for COLI

The Public Sector Union's case with government over non-implementation of the final year of the 2018 wage agreement will be heard by the Constitutional Court in August 2021. Legal Aid SA has set aside the amount to pay the COLI in the event that the Constitutional Court rules in favor of the labour unions.

22. SURPLUS FUND LINKED TO ROLLOVERS

22.1 Rollover funding

Computer hardware and IT support	12,369,292	7,306,743
Computer software	4,473,575	10,843,151
Computer maintenance	–	18,480
Strategic Litigation	7,850,051	9,590,502
Signage and branding	67,245	200,000
Health and safety – COVID-19	110,882	–
Furniture and equipment	41,397	1,249,408
Leasehold improvements	567,716	7,649,467
Tools and equipment	84,096	644,225
Education and training	–	600,820
Motor vehicles	13,491,487	14,448,362
Communication	105,059	1,172,890
Professional services	59,903	168,788
Storage costs	–	18,818
Security costs	–	31,444
Cleaning services	–	13,957
Expert witness	54,340	–
Printing and stationery	15,000	608,225
Building improvements	–	1,635,694
Moving costs	–	261,131

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

	March 2021 R	March 2020 R
22.1 Rollover funding (continued)		
Maintenance – office equipment	202,871	751,214
Maintenance – buildings	211,473	254,275
Vehicle maintenance	–	2,631
Workshops	–	41,022
	39,704,387	57,511,247
	March 2021 R	March 2020 R
23. BAD DEBTS WRITTEN OFF		
Bad debts written off	431,100	104,111
Bad debts written off include Judicare duplicate travel claims, untraceable/deceased debtors and those amounts which are uneconomical to pursue.		
	March 2021 R	March 2020 R
24. FRUITLESS AND WASTEFUL EXPENDITURE AND IRREGULAR EXPENDITURE		
Opening balance	540	–
Add: Fruitless and wasteful expenditure – current year	20,101	683
Add: Fruitless and wasteful expenditure – prior year	–	–
Less: Condoned or written off by relevant authority	–	–
Less: Recovered	(16,746)	(143)
Closing balance	3,895	540
Details of fruitless and wasteful expenditure		
In one (1) instance, local offices were charged penalties for late payment of a vehicle licence.	34	
In two (2) instances, local offices were charged interest on municipality accounts.	38	
In three (3) instances, local offices paid VAT to a non-VAT registered supplier.	20,029	
The total number of incidences is six (6).	20,101	

Financial misconduct related to fruitless and wasteful expenditure

Six (6) incidents of financial misconduct which relate to fruitless and wasteful expenditure were reported for the year under review.

Steps taken

In four (4) instances, monies were recovered and in two (2) instances, monies still need to be recovered.

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

24.1 Irregular expenditure

	March 2021 R	March 2020 R
Opening balance	9,272,909	10,970,663
Prior period adjustment on opening balance	–	(214,734)
Add: Irregular expenditure relating to office rental – current year	608,899	2,524,486
Add: Irregular expenditure relating to office rental – prior year	850,050	–
Add: Irregular expenditure relating to other goods and services – current year	185,555	722,983
Add: Irregular expenditure relating to other goods and services – prior year	64,423	–
Prior period adjustment	–	(692,444)
	10,981,836	13,310,954
Less: Amounts condoned	–	4,038,045
	10,981,836	9,272,909
Less: Amounts recoverable (not condoned)	–	–
Irregular expenditure awaiting condonation	10,981,836	9,272,909
The majority of the irregular expenditure not yet condoned relates to the ones which must be approved by the National Treasury and very few by Management. They could not be approved as at 31 March 2021 because the processes were not finalised.		
March 2021 Reconciliation		
24.1.1 Irregular expenditure office rental		
In two (2) instances, office leases were not signed due to non-responsive bids/procurement/landlord not compliant.	321,409	
In three (3) instances, office leases were extended without approved variations from the National Treasury.	1,137,540	
	1,458,949	
24.1.2 Irregular expenditure other goods and services		
In 15 instances, a supplier was approved without three (3) quotations and an approved deviation or were paid without a contract.	235,577	
In one (1) instance, the minimum threshold for local content was not specified.	2,642	
In one (1) instance, the contract variation was not approved by the CEO.	11,759	
	1,708,927	

The total number of incidents is 22.

Misconduct related to irregular expenditure

March 2021

Twenty-two (22) incidents of financial misconduct which relate to irregular expenditure were reported for the year under review.

Steps taken

In five (5) instances written warnings were issued, in three (3) instances verbal warnings were issued, in 10 instances the disciplinary processes are still underway, and in four (4) instances there were no specific members who could be held responsible as these were due to challenges with non-responsive bids and delays in the procurement process.

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

25. RELATED PARTY DISCLOSURES

All the parties that have the ability to control or exercise significant influence over Legal Aid SA in making financial and operating decisions were considered to be related parties of the organisation. Legal Aid SA operates under the umbrella of the Department of Justice and Constitutional Development and the relevant Executive Authority is the Minister of Justice and Correctional Services and it receives a Government grant (refer to note 13). The following entities are considered to be related parties due to common control:

National Prosecuting Authority
Special Investigating Unit
South African Human Rights Commission
Public Protector
Guardian's Fund
President's Fund
South African Board of Sheriffs
Criminal Asset Recovery Account
Council of Debt Collectors
South African Law Reform Commission

As Legal Aid SA is a national public entity and controlled by the National Government, any other controlled entity of the National Government is a related party. All transactions with such entities are done at arm's length and on normal commercial terms, except where employees of national departments or national public entities participate in Legal Aid SA processes and do not receive any remuneration.

Legal Aid SA had related party transactions with Telkom for telecommunication which had outstanding balances as at year end. The outstanding March Telkom invoice amounted to R725,381 (March 2020: R754,068).

Included in the Statement of Financial Position is an amount payable to the Office of the Compensation Fund Commissioner amounting to R1,527,301 (March 2020: R1,379,572) for compensation of employees' injury on duty.

Included in the Statement of Financial Position is VAT on imported services amounting to R5,060,286.72 (March 2020: R5,060,286.72) owed to SARS. In addition, an amount of R2,734,182.64 relating to interest and penalties has been included under provisions.

In administering deceased estates for minor children, Legal Aid SA pays all monies due to minor children from the estate of their deceased parents into the Guardian's Fund as per the requirements of section 43(6) of the Administration of Estates Act 66 of 1965. The total amount transferred is R15,910,177.83 (March 2020: R24,891,085).

In February 2021, a Mvundlela and Associates Attorneys client was granted funding by Legal Aid SA to pursue a strategic litigation matter at the Limpopo High Court, Division of the High Court in Thohoyandou. Mr Nkosana Mvundlela of Mvundlela and Associates Attorneys is a member of the Board of Directors, Board Deputy Chairperson, Chairperson of the Legal Services Committee for Legal Aid SA and member of the Constitutional Case Management Committee; Mvundlela and Associates are therefore related parties. The amount allocated for the matter is R189,595. As at 31 March 2021 no fees and disbursements were claimed.

Legal Aid SA recognises services in kind amounting to R1,117,740 (March 2020: R890,774) for office accommodation in Mitchells Plain, Polokwane and Nelspruit that is offered by the Department of Justice and Constitutional Development in their court buildings.

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

For Non-executive Directors' details please refer to note 18.

– For services as Executives

Name	Basic Salary	Bonus and Incentives	Expenses/ Allowances	Other	March 2021 R Total	March 2020 R Total
Ms V Vedalankar – Chief Executive Officer*	–	148,300	–	464	148,763	1,891,102
Ms MJ Kola – Chief Executive Officer*	1,492,021	–	852,583	6,799	2,351,403	1,178,202
Dr J Makokoane – Chief Operations Officer	–	224,741	156,067	381	381,189	2,068,105
Mr S Mamotheti – Chief Operations Officer*	1,091,560	134,603	715,538	17,563	1,959,264	1,494,404
Ms R Hlabatau – Chief Financial Officer*	199,975	203,570	186,069	27,210	616,823	1,792,691
Ms P Mbingo – Chief Financial Officer*	422,189	–	276,390	7,574	706,153	–
Ms A Clark – Human Resources Executive	–	–	–	–	–	1,564,761
Mr R Baloyi – Human Resources Executive*	567,028	78,936	120,618	78,400	844,983	–
Mr P Hundermark – Chief Legal Executive	1,371,903	217,219	411,162	184,201	2,184,484	2,063,352
Adv. B Nair – National Operations Executive	1,371,903	331,544	309,005	174,057	2,186,509	2,065,742
Mr MV Shabangu – Communication Executive	902,313	115,499	386,706	5,042	1,409,560	1,341,525
Mr T Mtati – Legal Executive*	–	–	–	–	–	88,039
Mr V Mdaka – Provincial Executive KZN	1,047,169	226,994	223,694	142,896	1,640,754	1,570,377
Mr H Bambiso – Provincial Executive EC	1,043,301	223,459	222,823	144,440	1,634,023	1,540,095
Ms C Robertson – Provincial Executive NC/WC*	–	–	–	–	–	312,232
Adv. W Lambley – Provincial Executive GP	897,574	135,938	598,382	8,240	1,640,133	1,584,303
Mr T Makamedi – Provincial Executive FS/NW	1,047,169	224,514	223,694	144,906	1,640,284	1,567,759
Ms M Kgabi – Provincial Executive L/MP	1,027,885	218,952	231,519	130,406	1,608,762	1,571,786
Mr HM Ndlangamandla – Internal Audit Executive*	392,504	–	255,585	8,912	657,001	–
Ms M Monwa – Information Systems Executive	855,200	201,055	498,867	5,149	1,560,271	1,467,069
Ms N Jali – Provincial Executive NC/WC	1,016,450	208,948	216,775	139,169	1,581,343	1,525,013
Ms N Liphosa – Acting Chief Financial Officer**	–	–	116,573	–	116,573	–
Mr R Baloyi – Acting Human Resources Executive**	–	–	8,065	–	8,065	–
Mr F Mokoena – Acting Internal Audit Executive**	–	–	2,844	–	2,844	–
	14,746,144	2,894,271	6,012,959	1,225,810	24,879,183	26,686,556

* Executives for part of the current/previous financial year

** Officials were acting in positions before they were filled

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

26. SERVICES RECEIVED IN-KIND

Legal Aid SA received services in-kind from our non-beneficial Board members who execute Board duties without compensation, which is considered insignificant to the entity's operations.

Legal Aid SA recognised services in-kind relating to the office accommodation in Mitchells Plain, Polokwane and Nelspruit. The Department of Justice and Constitutional Development offered the entity office space in their court buildings. Refer to note 13 for full details.

27. BUDGET VARIANCES

The 2020-2021 approved budget was prepared on the cash basis and financial statements are presented on the accrual basis. The approved budget was for the period 01 April 2020 to 31 March 2021. The variances in line items between the approved budget and final budget were due to the following:

Services in-kind – office rental

This item represents services in-kind recognised in accordance with GRAP 23 for office accommodation space provided by the Department of Justice and Constitutional Development which is not budgeted for.

Interest income

The 20% variance on interest is mainly due to a higher balance that is invested than what was anticipated at budget stage.

Other income

This item is highly estimated at budget adjustment stage. The 23% variance on other income mainly relates to profit on disposals of assets and monies collected from client contributions.

Other expenses

The 33% variance on other expenses is due to certain projects such as the maintenance of office equipment, communication and tools and equipment that could not be finalised due to matters beyond the control of the organisation. A request to roll over the funds has been submitted.

Finance costs

The 1.625% unfavourable variance on finance costs is mainly due to the interest cost from SARS for imported services and the post-retirement medical aid actuarial valuation which are not budgeted for.

Non-current assets

The 32% variance on capital expenditure is due to eLAA, motor vehicles, building and leasehold improvements which could not be delivered/finalised in the financial year.

28. PRIOR YEAR ADJUSTMENT

Legal SA embarked on an exercise to recalculate our 2020-2021 Assets Register amount and it was noted that the accumulated depreciation was under/overstated in the prior year within the various categories of property, plant and equipment and computer software. This resulted in the net overstatement of R6,828,959; this correction is as a result of accumulated depreciation error for not accounting for residual values on motor vehicles and computer hardware. The error on accumulated depreciation for motor vehicles is R7,466,855 and the accumulated depreciation on computer hardware error was R5,395,265. The other correction was as a result of accumulated depreciation on tools and equipment error amounting to overstatement by R6,253,922; the accumulated depreciation on building improvement and leasehold improvement error amounts are R184,650 and R36,114 respectively.

The error on intangible assets accumulated amortisation amounted to R2,353,935; this was a result of the Intangible Assets Restatement Journal not reversed when the disposal took place.

Legal Aid SA received a letter from SARS dated 23 December 2020 informing us of the obligation to pay VAT in respect of imported services received from various foreign suppliers for the period 2015 to 2019. After the calculation it was then noticed that computer software was understated by R5,060,286.72. In addition, a provision for interest and penalties on late payment has been made as a result of non-compliance with the VAT Act. Certain comparative figures have been re-stated to account for the expense which relates to the prior year's reporting period. The effect of the re-statement is disclosed below.

The effect of the above prior year adjustments is disclosed below:

LEGAL AID SOUTH AFRICA ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

	March 2020		
	Previously Reported R	Adjustments R	Re-stated R
Statement of Financial Position at 31 March 2020			
Assets			
Non-current assets			
Property, plant and equipment	179,642,985	(6,828,959)	172,814,026
Intangible assets	16,913,480	2,353,935	19,267,415
Current liabilities			
Trade and other payables	102,513,967	5,060,287	107,574,254
Provisions	139,017,249	2,338,993	141,356,242
Equity			
Accumulated surplus – March 2019	284,533,982	(10,195,772)	274,338,210
Surplus relating – March 2020	117,205,765	(1,678,533)	115,527,232

Legal Aid SA recognised services in-kind relating to the office accommodation in Mitchells Plain, Polokwane and Nelspruit. The Department of Justice and Constitutional Development offered the entity office space in their court buildings. The revenue from non-exchange transactions and other expenses was understated by R890,774 for the year ended 31 March 2020. The effect of the re-statement is as follows:

	March 2020		
	Previously Reported R	Adjustments R	Re-stated R
Statement of Financial Performance at 31 March 2020			
Revenue – non-exchange transaction	1,970,973,000	890,774	1,971,863,774
Other expenses	205,085,399	890,774	205,976,172

No impact on the opening accumulated surplus.

Legal Aid SA relied on National Treasury Instruction No. 09 of 2017/2018 to classify Sheriff fees paid to Sheriffs who are not compliant on the CSD as irregular expenditure. Management later confirmed that Sheriffs are appointed in terms of an Act and are not procured services as selected in terms of SCM process. Consequently, the Sheriffs do not have to comply with the National Treasury Instruction No. 09 of 2017/2018. Legal Aid SA therefore overstated its irregular expenditure by R692,444 (March 2020) and R214,734 (March 2019). The disclosure note has been restated by R907,178. The re-statement did not affect the Statement of Performance, Position and changes in equity.

The accounting policy on Trade and other payables was incorrectly worded as “are classified as financial liabilities at fair value” and was changed to “classified as financial liabilities at amortised cost”. The change in wording does not affect the Annual Financial Statements.

29. RE-CLASSIFICATION OF COMPARATIVES

Legal Aid SA has done some re-classification aimed at improving the disclosure and fair presentation of the Annual Financial Statements. We have moved the budget variance explanations from below the Statement of Budget versus Actuals to note 27. We have also included the credit quality on receivables under note 19. The Group Life amount of R6,169,332 (March 2020: R3,641,640) is now classified as personnel expenses instead of operating expenditure. The changes were made with the aim of improving disclosure and fair presentation. The re-classification did not have an impact on any totals reported previously.

30. EVENTS AFTER THE REPORTING DATE

During February 2021, Legal Aid SA granted a client of Mvundlela and Associates Attorneys Incorporated, in which Mr N Mvundlela is a Director, funding amounting to R189,595 to pursue a strategic litigation matter at the Limpopo High Court. This transaction has been disclosed as part of the commitments, surplus fund related to rollovers and related party notes (note 20, 22 and 25). As at 31 March 2021, no fees and disbursements were claimed. At the Board meeting held on 29 May 2021, Mr Mvundlela was asked to withdraw as the attorney of record in the matter.

On 29 May 2021, the Board approved bad debts to be written off for various reasons. The circumstances for the write-off were existing prior to the reporting date, however the approval was granted after the reporting date. All the debtors that have been written off were provided for impairment purposes. The debtors written off was R1,148,341.38.

There were no other non-adjusting events after the reporting date of the Statement of Financial Position.

PART G

LEGAL AID SA CONTACT DETAILS



**LEGAL AID SA HAS
A NATIONWIDE
FOOTPRINT OF
135 OFFICES**



LEGAL AID SA CONTACT DETAILS

1. LEGAL AID SA NATIONAL OFFICE

29 De Beer Street
Braamfontein
Johannesburg
2017
South Africa

Private Bag X76
Braamfontein
2017

Docex 117, Johannesburg

Tel: +27 11 877 2000
Fax: +27 11 877 2222
Legal Aid Advice Line: 0800 110 110
Please Call Me number: 079 835 7179
Legal Aid SA Ethics Hotline: 0800 153 728
Website: www.legal-aid.co.za

National Office Management Structure as at 31 March 2021

Name	Designation	Email Address
Judge Motsamai Makume	Board Chairperson	
Ms Mantiti Kola	Chief Executive Officer	MantitiK@legal-aid.co.za
Mr Sethopo Mamotheti	Chief Operations Officer	SethopoM@legal-aid.co.za
Adv. Brian Nair	National Operations Executive	BrianN@legal-aid.co.za
Mr Patrick Hundermark	Chief Legal Executive	PatrickH@legal-aid.co.za
Mr Mthunzi Ndlangamandla	Internal Audit Executive	MthunziN@legal-aid.co.za
Ms Precious Mbingo	Chief Financial Officer	PreciousMm@legal-aid.co.za
Vacant	Legal Executive: Land Rights Management	
Mr Richard Baloyi	Human Resources Executive	RichardBa@legal-aid.co.za
Ms Mmantsha Monwa	Information Systems Executive	MmantshaM@legal-aid.co.za
Mr Victor Shabangu	Communication Executive	VictorS@legal-aid.co.za

LEGAL AID SA CONTACT DETAILS

2. LEGAL AID SA PROVINCIAL MANAGEMENT

EASTERN CAPE PROVINCE



Mr Hope Bambiso
Eastern Cape
Provincial
Executive



Ms Pindiwe Kuzane
Aliwal North HoO



Mr Lunga Marenene
Butterworth HoO



Ms Tobeka Maqwati
East London HoO



Ms Sylvia Mlalandle-Magwentshu
Graaff-Reinet HoO



Ms Imkitha Salman-Beya
Grahamstown
HoO



Mr Phumlani Dlamkile
King Williams Town
HoO



Mr Mandla Mngaza
Mthatha HoO



Ms Lynette Franklin
Port Elizabeth HoO



Ms Yolundi Ngxola-Tshona
Queenstown HoO



Ms Wongiwe Makhenyane
Uitenhage HoO

FREE STATE/NORTH WEST PROVINCE



Mr Tshotlego Makamedi
Free State/North
West Provincial
Executive



Mr Wouter de Villiers
Bethlehem HoO



Mr Machini Motloung
Bloemfontein HoO



Mr Muziwandile Nhlapo
Botshabelo HoO



Ms Melinda de Kock
Klerksdorp HoO



Ms Anele Tshapa
Kroonstad HoO



Mr Theriso Mokgwatheng
Lichtenburg HoO



Ms Victoria Maelisa Mophulane
Mafikeng HoO



Mr Tsepo Mosethe
Phuthaditjhaba
HoO



Mr Moima Phakedi
Potchefstroom
HoO



Ms Charmain Smit
Rustenburg HoO



Mr Aubrey Kunene
Vryburg HoO



Mr Puseletso Mokoena
Welkom HoO

LEGAL AID SA CONTACT DETAILS

GAUTENG PROVINCE



**Adv. Wilna
Lambley**
Gauteng Provincial
Executive



**Ms Silindile
Hlatshwayo**
Benoni HoO



**Mr Lungelo
Mdletshe**
Ga-Rankuwa HoO



Ms Aysha Gani
Germiston HoO



**Ms Nokuphiwa
Nguqu**
Johannesburg
HoO



Ms Nelisa Soji
Krugersdorp HoO



Ms Flavia Isola
Pretoria HoO



**Mr Michael
Ramaphosa**
Soshanguve HoO



Mr Mmeli Motsepe
Soweto HoO



**Adv. Elizabeth
Nieuwoudt**
Tembisa HoO



Mr Thami Manaba
Vereeniging HoO

KWAZULU-NATAL PROVINCE



Mr Vela Mdaka
KwaZulu-Natal
Provincial Executive



Ms Nomsa Nkosi
Durban HoO



**Ms Lungile
Magoso**
Empangeni HoO



**Mr Sthembiso
Khumalo**
Ladysmith HoO



**Ms Fathima
Buckus**
Newcastle HoO



**Ms Lynn
Holtshausen**
Pietermaritzburg
HoO



Mr Vis Nair
Pinetown HoO



Mr Roger Jasson
Port Shepstone
HoO



Mr Mandla Ntobela
Umlazi HoO



**Mr Sibuko
Mashaba**
Verulam HoO



**Mr Mbulelo
Makinyane**
Vryheid HoO

LEGAL AID SA CONTACT DETAILS

LIMPOPO/MPUMALANGA PROVINCE



Ms Mpho Kgabi
Limpopo/
Mpumalanga
Provincial Executive



Mr Elton Makhadi
Makhado HoO



Ms Jacobeth Rampa
Middelburg HoO



Ms Onica Maponya
Modimolle HoO



Mr Sipho Ndhlovu
Nelspruit HoO



Mr Thabo Ledwaba
Polokwane HoO



Mr Thomas Madzaga
Thohoyandou HoO



Ms Tsakani Maluleke-Sihlangu
Tzaneen HoO



Mr Evans Mabitsele
Witbank HoO

NORTHERN CAPE/WESTERN CAPE PROVINCE



Ms Nolitha Jali
Northern Cape/
Western Cape
Provincial Executive



Ms Nomawethu Mtebele
Athlone HoO



Ms Ronelle Arendse
Bellville HoO



Ms Netarie Verwey
Caledon HoO



Mr Elroy Machelm
Cape Town HoO



Ms Lerato Maake
Colesberg HoO



Ms Zukiswa Mavuso
George HoO



Mr Motsamai Tlisane
Kimberley HoO



Mr Renaat Bodart
Malmesbury HoO



Mr Shawn Flowers
Stellenbosch HoO



Ms Annemi Duursema-Joubert
Upington HoO



Mr Janus Roothman
Vredendal HoO



Ms Liezel du Toit
Worcester HoO

Residents of Industry House, 5 Davies Street, New Doornfontein, Johannesburg and Others v Minister of Police & Others (18205/2018) [2020] ZAGPJHC 146; 3 All SA 902 (GJ) (29 June 2020)

In this case, the applicants comprise of hundreds of occupants of 11 buildings in the inner city of Johannesburg. The applicants were all subjected to warrantless searches by police, conducted against them personally and in their homes between 30 June 2017 and 3 May 2018. Many of the applicants' homes were raided without a warrant on multiple occasions. The search operations were carried out by officers of the South African Police Service (SAPS) with the assistance of the Department of Home Affairs and officers of the Johannesburg Metropolitan Police Department.

Residents who were unable to produce identity documents were arrested under suspicion of being illegal immigrants and were accused of hijacking buildings. In some instances, the residents were arrested and detained on the basis that they were too dark to be SA citizens. Upon telling the police that they want legal representation, the residents were informed that the police were there to deal with criminals who hijacked buildings, and that lawyers were "irrelevant". Residents were often chased out of their homes and their homes were searched in their absence.

The majority of search operations were authorised by the Gauteng Provincial Commissioner of the SAPS in reliance on section 13(7) of the SAPS Act 68 of 1095. The applicants' contention was that section 13(7) of the SAPS Act is unconstitutional because it permits the warrantless search of a person's home and should be declared invalid on that basis. The applicants also contended that even if section 13(7) stands to be constitutionally valid, the searches to which they were subjected were unlawful and should be reviewed and set aside in terms of the Promotion of Administrative Justice Act 2 of 2000. The applicants also sought to be granted an interdict against similar searches in future and that they be entitled to compensation for the infringement of their constitutional rights by the search operations.

The application was opposed by the Minister of Police, arguing that section 13(7) of the SAPS Act serves a valid purpose in society and any infringement of constitutional rights caused by authorised warrantless search operations is justified. The Minister was also of the view that the decisions made to sanction the searches of each applicant's home and person constituted lawful and administrative action.

On 31 October 2019, the Judge President of the Gauteng Division issued a Directive, in terms of section 14 of the Superior Courts Act 10 of 2013, whereby a full bench was constituted for the purpose of hearing and disposing the issues raised in this matter.

Section 13(7) provides as follows:

"(7)(a) The National or Provincial Commissioner, may where it is reasonable in the circumstances in order to restore public order or to ensure the safety of the public in a particular area, in writing authorise that the particular area or any part thereof be cordoned off.

(b) The written authorisation referred in paragraph (a) shall specify the period, which shall not exceed 24 hours, during which the said area may be cordoned off, the area or part thereof to be cordoned off and the object of the said action.

(c) Upon receipt of the written authorisation referred to in paragraph (a), any member may cordon off the area concerned or part thereof, and may, where it is reasonably necessary in order to achieve the object specified in the written authorisation, without warrant search any person, premises or vehicle, or any receptacle or object of whatever nature, in that area or part thereof and seize any article referred so in section 20 of the Criminal Procedure Act, 1977 (Act 51 of 1977), found by him or her in the possession of such person or in that area or part thereof: Provided that a member executing a search under this paragraph shall, upon demand of any person whose rights are of have been affected by the search or seizure, exhibit to him or her a copy of the written authorisation."

Legal Aid SA applied to be admitted as *amicus* and contended that forcefully entering one's property and throwing the occupant out on the street, demanding an identity document in order to prove that such person is a South African citizen, failing which such person would be detained for days prior to release, is a gross violation of the individual's constitutional right of freedom of movement and can never be condoned. We further contended that search warrants are ordinarily required to accurately describe the property to be searched, the crime being investigated and the items to be seized. The warrant would be required to refer to a specific offence that is suspected to have been committed and identify the items that would be the subject of the search with reasonably clarity. In this case, none of these requirements were adhered to when the blanket authorisation was provided. Many of these searches were conducted at night in total disregard of the imperative in section 21(3)(a) of the Criminal Procedure Act, in that searches at night should be specifically motivated and authorised. Dragging people, including children, from their beds after 2am could only be justified in the most exceptional circumstances. Many people were forced to leave the building and the searches were conducted in their absence, which is totally unacceptable.

In essence, Legal Aid SA contended that section 13(7) of SAPS Act is constitutionally valid, dependent on a strict interpretation in that it requires checks and balances in order to protect its integrity. We also contended that the application of section 13(7) for purposes other than those intended would amount to an abuse of process and to a constitutionally invalid exercise of public power. Legal Aid SA submitted that the operations under consideration were not constitutionally permitted.

The court declared section 13(7)(c) of the SAPS Act constitutionally invalid. The full court held that the order of constitutional invalidity is retrospective. The court held that the order invalidity is suspended for 24 months to afford the legislature an opportunity to cure the invalidity and reviewed and set aside the search and seizures, raids, arrests conducted in the period stated above.

LEGAL AID SA CONTACT DETAILS

3. LEGAL AID SA LOCAL OFFICES AND SATELLITE OFFICES



Table 30a: Legal Aid SA Local Offices

Legal Aid SA Local Office	Head of Office	Physical Address	Telephone Number
EASTERN CAPE PROVINCE			
Aliwal North	Ms Pindiwe Kuzane	67 Somerset Street, Aliwal North, 9750	051 633 2579
Butterworth	Mr Lunga Marenene	ECDC Building, 24 High Street, Butterworth, 4960	047 491 0006
East London	Ms Tobeka Maqwati	33 Fleet Street (Commissioner Street entrance), East London, 5200	043 704 4700
Graaff-Reinet	Ms Sylvia Mlalandle-Magwentshu	64 Church Street, Graaff-Reinet, 6280	049 807 2500
Grahamstown	Ms Imkitha Salman-Beya	69 High Street, Makhanda, 6140	046 622 9350
King Williams Town	Mr Phumlani Dlamkile	Old Mutual Building, 2nd Floor, corner Cathcart & Mclean Streets King Williams Town, 5601	043 604 6600
Mthatha	Mr Mandla Mngaza	PRD Building, 98 Sutherland Street, Mthatha, 5099	047 501 4600
Port Elizabeth	Ms Lynette Franklin	1 Uitenhage Road, North End, Gqeberha, 6001	041 408 2800
Queenstown	Ms Yolundi Ngxola-Tshona	Jeantel Building, Erf 5273, 2-4 Shepstone Road, Komani, 5319	045 807 3500 045 839 3204
Uitenhage	Ms Wongiwe Makhenyane	32-36 Baird Street, Kariega, 6230	041 991 1811
Eastern Cape Provincial Office	Mr Hope Bambiso Provincial Executive	5 Mangold Street, Newtown Park, Gqeberha, 6001	041 363 8863

LEGAL AID SA CONTACT DETAILS

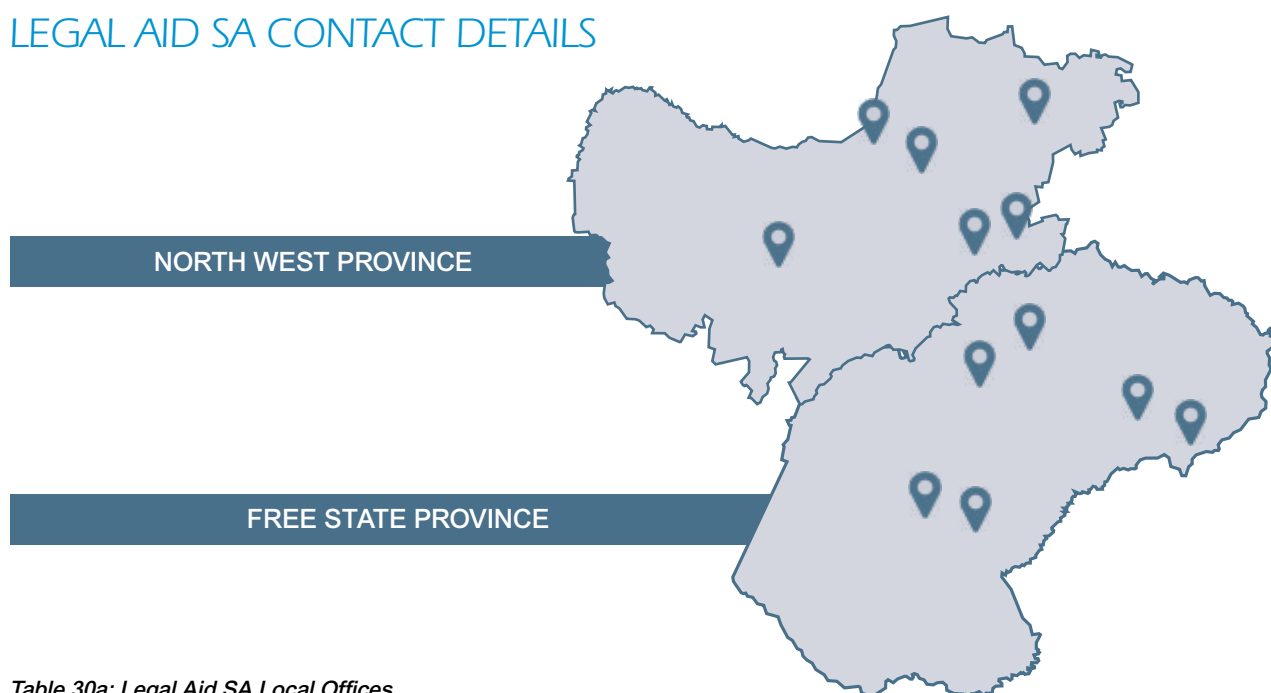


Table 30a: Legal Aid SA Local Offices

Legal Aid SA Local Office	Head of Office	Physical Address	Telephone Number
FREE STATE PROVINCE			
Bethlehem	Mr Wouter de Villiers	24 corner Commissioner & Naude Streets, Bethlehem, 9700	058 303 6824
Bloemfontein	Mr Machini Motloutse	Fedsure Building, 4th Floor, 49 Charlotte Maxeke Street, Bloemfontein, 9301	051 447 9915
Botshabelo	Mr Muziwandile Nhlapo	Re-A-Hola Shopping Complex Shop No.1, Botshabelo, 9781	051 534 4398
Kroonstad	Ms Anele Tshapa	99 Murray Street, Kroonstad, 9501	056 216 4800
Phuthaditjhaba	Mr Tsepo Mosetlhe	FDC Office, Block E, corner Motloutse & Setai Streets, Phuthaditjhaba, 9866	058 713 5000
Welkom	Mr Puseletso Mokoena	Archiquant Building, 8 Heeren Street, Welkom, 9460	057 357 2847
NORTH WEST PROVINCE			
Klerksdorp	Ms Melinda de Kock	19 Bram Fischer Street, Klerksdorp, 2570	018 464 3022 018 462 7020
Lichtenburg	Mr Theriso Mokgwatlheng	25 Bantjes Street, Lichtenburg, 2740	018 632 7600
Mafikeng	Ms Victoria Maelisa Mophulane	Borekelong House, South Wing, Dr James Moroka Drive, Mafikeng, 2735	018 381 1096
Potchefstroom	Mr Moima Phakedi	Royal Building, 2nd Floor, 44 Dr James Moroka Street, Potchefstroom, 2531	018 293 0045
Rustenburg	Ms Charmain Smit	Albach Building, 122 Beyers Naude Drive, Rustenburg, 0299	014 592 3185/6
Vryburg	Mr Aubrey Kunene	71 Vry Street, Vryburg, 8601	053 927 0095/0142/0145
Free State/North West Provincial Office	Mr Tshotlego Makamedi Provincial Executive	Hydro Park Building, 100 Kellner Street, Westdene, Bloemfontein, 9301	051 412 8040/43

LEGAL AID SA CONTACT DETAILS

GAUTENG PROVINCE



Table 30a: Legal Aid SA Local Offices

Legal Aid SA Local Office	Head of Office	Physical Address	Telephone Number
GAUTENG PROVINCE			
Alexandra	Mr Fhimani Tshivhase (Acting)	Ya Rona Building, 1st Floor 89 Watt Avenue, Johannesburg, 2090	011 786 3603
Benoni	Ms Silindile Hlatshwayo	18 Howard Street, Benoni, 1501	011 845 4311
Ga-Rankuwa	Mr Lungelo Mdletshe	Direla Complex, 222 Main Street Zone 15, Ga-Rankuwa Industrial, 0208	012 700 1416
Germiston	Ms Aysha Gani	United House, 2nd & 3rd Floor, 175 Meyer Street, corner Meyer & Library Streets, Germiston, 1401	011 842 7300
Johannesburg	Ms Nokuphiwa Nguqu	56 Main Street, Marshalltown, Johannesburg, 2000	011 870 1480
Krugersdorp	Ms Nelisa Soji	51 Burger Street, Krugersdorp, 1739	011 660 2335
Pretoria	Ms Flavia Isola	Locarno House, 4th Floor, 317 Francis Baard Street, Pretoria, 0001	012 304 0576
Soshanguve	Mr Michael Ramaphosa	Medicos Centre, Stand No. 2093, Block H, Soshanguve, 0152	012 797 2721
Soweto	Mr Mmeli Motsepe	Maponya Mall, Office 403 & 411A, Chris Hani Road, Klipspruit, 1809	011 938 3547
Tembisa	Adv. Elizabeth Nieuwoudt	Tembisa MegaMart Mall, Shop 42, Botswana Road (Olifantsfontein Road), Tswelopelo Section, Tembisa, 1632	011 316 0164
Vereeniging	Mr Thami Manaba	8 Jasmine Mansions, 28 Senator Marks Avenue, Vereeniging, 1938	016 421 3527
Gauteng Provincial Office	Adv. Wilna Lambley Provincial Executive	Selborne Centre, 2nd Floor, 144 Cantonments Road, Lyttelton, Pretoria, 0157	012 664 2921

LEGAL AID SA CONTACT DETAILS

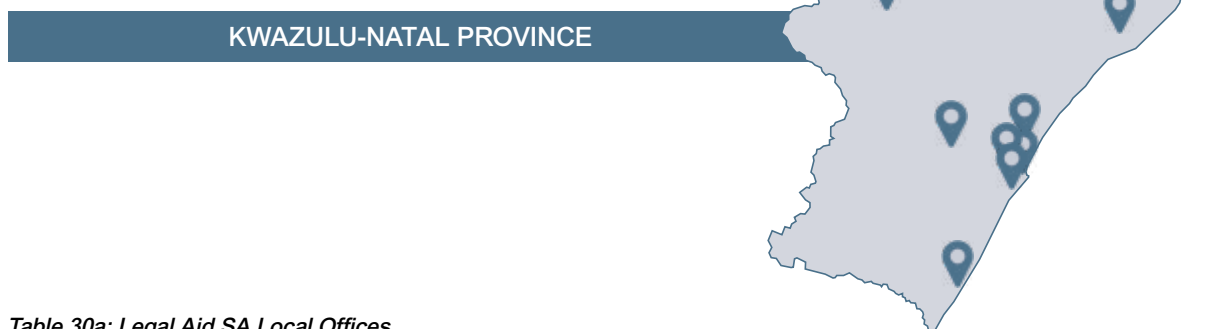


Table 30a: Legal Aid SA Local Offices

Legal Aid SA Local Office	Head of Office	Physical Address	Telephone Number
KWAZULU-NATAL PROVINCE			
Durban	Ms Nomsa Nkosi	The Marine Building, Ground Floor, 22 Dorothy Nyembe Street (formerly Gardiner Street), Durban, 4001	031 304 0100
Empangeni	Ms Lungile Magoso	Mazule House, 7 Maxwell Street, Empangeni, 3008	035 792 4949
Ladysmith	Mr Sthembiso Khumalo	65/67 Queen Street, Ladysmith, 3370	036 638 2500
Newcastle	Ms Fathima Buckus	65 Scott Street, Newcastle, 2940	034 328 7100
Pietermaritzburg	Ms Lynn Holtshausen	187 Hoosen Haffeejee Street, Pietermaritzburg, 3201	033 394 2190
Pinetown	Mr Vis Nair	ABSA Building, 1st Floor, 1 Church Road, Pinetown, 3600	031 719 2700
Port Shepstone	Mr Roger Jasson	MB Centre, 2nd Floor, 49 Aiken Street (opposite ABSA Bank), Port Shepstone, 4240	039 688 9600
Umlazi	Mr Mandla Ntobela	V1332/1333, Ithala Industrial Park, corner Mangosuthu Highway & Road 1902, Umlazi, 4089	031 942 1001
Verulam	Mr Sibuko Mashaba	Ayesha Razak Centre, Suite 1, 1st Floor, 23 Groom Street, Verulam, 4340	032 533 2654
Vryheid	Mr Mbulelo Makinyane	116 Landrost Street, Vryheid, 3100	034 989 8300
KwaZulu-Natal Provincial Office	Mr Vela Mdaka Provincial Executive	Charter House, 7th Floor, corner Crompton & Union Streets, Pinetown, 3600	031 717 8450

LEGAL AID SA CONTACT DETAILS

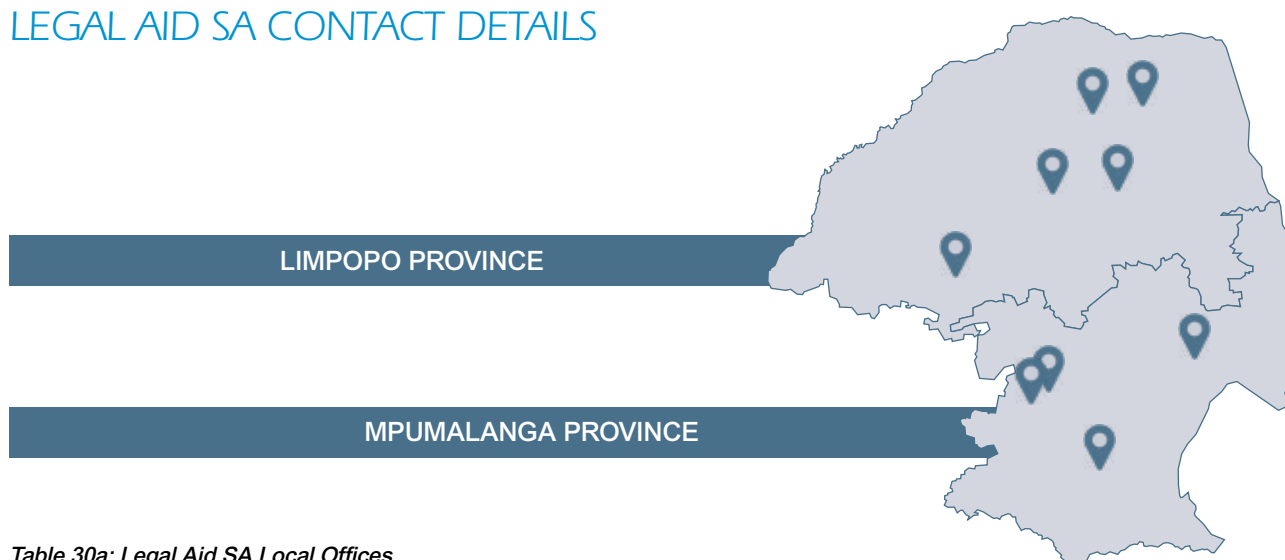


Table 30a: Legal Aid SA Local Offices

Legal Aid SA Local Office	Head of Office	Physical Address	Telephone Number
LIMPOPO PROVINCE			
Makhado	Mr Elton Makhadi	Noor Gardens, corner Krogh & Devenish Streets, Louis Trichardt, 0920	015 519 1100
Modimolle	Ms Onica Maponya	Nyl Sake Sentrum, Shop 8, 95 Nelson Mandela Drive, Modimolle, 0510	014 717 4977
Polokwane	Mr Thabo Ledwaba	Polokwane High Court, 3rd Floor, corner Bodenstein & Biccard Streets, Polokwane, 0700	015 291 2429
Thohoyandou	Mr Thomas Madzaga	Metropolitan Complex, Shop 2, Thohoyandou, 0950	015 962 6206
Tzaneen	Ms Tsakani Maluleke-Sihlangu	Tzaneen Crossing Mall, Office 220 - 237, corner Lydenburg & Skurving Streets, Tzaneen, 0850	015 307 3129
MPUMALANGA PROVINCE			
Ermelo	Ms Shameema Essak (Acting)	14 Joubert Street, Ermelo, 2350	017 819 7291
Middelburg	Ms Jacobeth Rampa	5A Laver Street, Middelburg, 1050	013 243 5964
Nelspruit	Mr Sipho Ndhlovu	Mpumalanga High Court Building, 3rd Floor, East Wing, Samora Machel Drive, Nelspruit, 1200	013 756 4500
Witbank	Mr Evans Mabitsela	17 corner Northey & Botha Streets, Emalahleni, 1035	013 656 5290
Limpopo/Mpumalanga Provincial Office	Ms Mpho Kgabi Provincial Executive	No. 3 Cormar Park Building, Rhodes Drift Avenue, Bendor, Polokwane, 0700	015 296 0117

LEGAL AID SA CONTACT DETAILS

NORTHERN CAPE PROVINCE

WESTERN CAPE PROVINCE

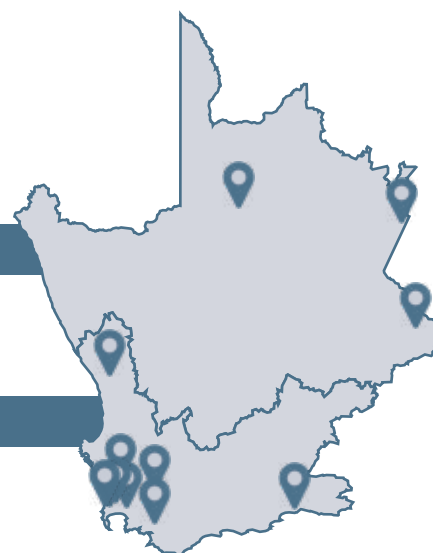


Table 30a: Legal Aid SA Local Offices

Legal Aid SA Local Office	Head of Office	Physical Address	Telephone Number
NORTHERN CAPE PROVINCE			
Colesberg	Ms Lerato Maake	8 Campbell Street, Colesberg, 9795	051 753 2281
Kimberley	Mr Motsamai Tlisane	Pretmax Building, 4 Sydney Street, Kimberley, 8301	053 832 2348
Upington	Ms Annemi Duursema-Joubert	11 Lutz Street, Upington, 8800	054 337 9200
WESTERN CAPE PROVINCE			
Athlone	Ms Nomawethu Mtebele	Melofin Centre, 2nd Floor, Old Klipfontein Road, Athlone, 7764	021 697 5252
Bellville	Ms Ronelle Arendse	Van Der Stel Building, 68 Durban Road, corner Voortrekker & Durban Roads, Bellville, 7535	021 949 3062
Caledon	Ms Netarie Verwey	22 Church Street, Caledon, 7230	028 212 1815
Cape Town	Mr Elroy Machelm	South African Reserve Bank Building, 3rd Floor, 60 St Georges Mall, Cape Town, 8001	021 426 4126
George	Ms Zukiswa Mavuso	Tommy Joubert Building, corner Craddock & Courtenay Streets, George, 6530	044 802 8600
Malmesbury	Mr Renaat Bodart	The Frank Building, 1st Floor, 47 Voortrekker Road, Malmesbury, 7300	022 482 1784
Stellenbosch	Mr Shawn Flowers	Eikestad Mall, Office 201, 2nd Floor, Bird Street, Stellenbosch, 7600	021 882 9221
Vredendal	Mr Janus Roothman	9 Dorp Street, Vredendal, 8160	027 201 1030
Worcester	Ms Liezel du Toit	WC Building, 1st Floor, corner High & Stockenström Streets, Worcester, 6850	023 348 4040
Northern Cape/Western Cape Provincial Office	Ms Nolitha Jali Provincial Executive	Shiraz House, 2nd Floor, Trumali Road, Brandwacht Office Park, Stellenbosch, 7600	021 861 3000

Legal Aid SA funded the Women's Legal Centre (WLC) in the legal challenge for recognition of Muslim marriages in South Africa.

This case made a profound impact on the recognition of Muslim marriages which have not been recognised for over 26 years; the democratic era in South Africa. In 1998, the Legislature recognised polygamous marriages by promulgating the Recognition of Customary Marriages Act 120 of 1998 to protect spouses in those marriages. The Children's Act 38 of 2005 brought significant improvements in the protection of children's rights. Muslim marriages have never been recognised nor regulated by South African law. The views held in the pre-constitutional era by the South African courts reflect a refusal to recognise Muslim marriages, mainly because these marriages were viewed as potentially polygynous, and thus *contra bonos mores*.

From the above background, this matter arises as a result of three matters which were consolidated and heard simultaneously in the Western Cape High Court as they were interrelated on the issues centred around the recognition of Muslim marriages and of patrimonial benefits arising out of those marriages.

During November 2015, the WLC launched a semi-urgent application in the High Court against the President of the Republic of South Africa, the Minister of Justice and Correctional Services, the Minister of Home Affairs, the Speaker of the National Assembly and the Chairperson of the National Council of Provinces. The WLC contended that the State had failed to recognise and regulate marriages solemnised in accordance with the tenets of *Sharia* law and was consequently in breach of sections 7(2), 9(1), 9(2), 9(3), 9(5), 10, 15(1), 15(3), 28(2), 31 and 34 of the Constitution.

The WLC argued that section 7(2) of the Constitution obliged the State to prepare, initiate, introduce and bring into operation legislation recognising Muslim marriages, and that the President and Cabinet had failed to fulfil this obligation. In the alternative, it essentially sought orders declaring the Marriage Act 25 of 1961 and the Divorce Act 70 of 1979, as well as specified provisions thereof, unconstitutional in so far as they fail to recognise and provide for Muslim marriages.

The second matter involves the issue of intestate succession which also affects the spouses in the Muslim marriage. In this application, Mrs F, represented by the WLC, launched an application against Ms B in her capacity as executrix of the estate of the late Mr E (to whom Mrs F had been married according to Islamic rites), the Muslim Judicial Council (MJC), the Master of the High Court, Western Cape and the Minister of Justice.

On 28 March 2008, Mrs F and Mr E concluded a Muslim marriage, which was terminated on 24 August 2009, when Mr E issued a *Talaq* (an Islamic divorce). However, the *Talaq* was subsequently revoked when Mr E and Mrs F resumed intimate marital relations. No further *Talaq* was pronounced before Mr E died on 4 March 2010.

On 8 April 2010, however, Mr E's daughter from an earlier marriage, Ms C, obtained a certificate from the MJC, without Mrs F's knowledge, declaring that the marriage between Mrs F and Mr E had been annulled. On 21 April 2010, Mrs F was appointed as the executor of Mr E's estate. The Master then informed her that Mr E's estate could not be wound up until the dispute with regard to her marital status had been resolved. After meeting with Ms C and the MJC on 7 December 2011, the Master resolved that the Muslim marriage had been validly terminated. On 10 April 2012, Ms B was appointed as the executrix of Mr E's estate and she then proceeded to wind up the estate.

The WLC assisted Mrs F to lodge an objection to Mr E's liquidation and distribution account, but to no avail. In 2013, Mrs F launched an application in the High Court for relief that included:

- (a) the setting aside of the Master's failure to uphold an objection that would have resulted in the recognition of Mrs F as Mr E's spouse for the purposes of the Intestate Succession Act 81 of 1987 and the Maintenance of Surviving Spouses Act 27 of 1990;
- (b) a declaration that Muslim marriages are deemed to be valid marriages in terms of the Marriage Act; in the alternative, for a declaration that the common law definition of marriage be extended to include Muslim marriages; and further in the alternative, an order directing the Minister of Justice to put in place policies and procedures in accordance with the Promotion of Administrative Justice Act 3 of 2000, to regulate the holding of enquiries by the Master into the validity of a Muslim marriage, where persons purporting to be spouses of a Muslim marriage seek to claim benefits from a deceased estate in terms of the provisions of the Intestate Succession Act and the Maintenance of Surviving Spouses Act; and
- (c) declaring that the Minister's failure to implement such policies and procedures to be unlawful and unconstitutional.

The relief claimed in (a) was upheld, declaring that the marriage between Mrs F and Mr E subsisted at the date of the latter's death, and that she be recognised as a 'spouse' for the purposes of the Intestate Succession Act, and as a 'survivor' for purposes of the Maintenance of Surviving Spouses Act. Mrs F thereafter approached the High Court in respect of the remaining issues.

The third matter is one of Mrs E who was a wife in a Muslim marriage, and wanted to preserve her 50% share claim pending the finalisation of the intended divorce action. However, the law which was in existence at the time did not allow her to do so.

Mrs E launched an urgent application for an interdict against Mr E (with whom she had concluded a Muslim marriage in October 1999), the Government Employees Pension Fund (GEPF), the Minister of Justice, the Cabinet of the Republic of South Africa and the MJC. The interdict was to prevent the GEPF from paying out to Mr E 50% of his pension interest, pending an action to be instituted by Mrs E for payment of the pension interest to her. The interdict was granted. Mrs E's claim in the action proceedings was premised on the State's failure to enact legislation recognising and regulating Muslim marriages, based on constitutional principles and on the existence of a universal partnership. The issue of the constitutional claim was separated from the other issues and it was heard in the High Court in a consolidated hearing.

The High Court finding

These matters were consolidated and heard simultaneously at the Western Cape High Court. The full court unanimously

1. declared that the State is obliged by section 7(2) of the Constitution to respect, protect, promote and fulfil the rights in sections 9, 10, 15, 28, 31 and 34 of the Constitution by preparing, initiating, introducing, enacting and bringing into operation, diligently and without delay as required by section 237 of the Constitution, legislation to recognise marriages solemnised in accordance with the tenets of *Sharia* law ('Muslim marriages') as valid marriages and to regulate the consequences of such recognition.
2. declared that the President and the Cabinet have failed to fulfil their respective constitutional obligations as stipulated in paragraph 1 above and such conduct is invalid.

The President and Cabinet together with Parliament are directed to rectify the failure within 24 months of the date of this order as contemplated in paragraph 1 above.

This ruling was confirmed by the Supreme Court of Appeal in a landmark judgment delivered on 18 December 2020.

LEGAL AID SA CONTACT DETAILS

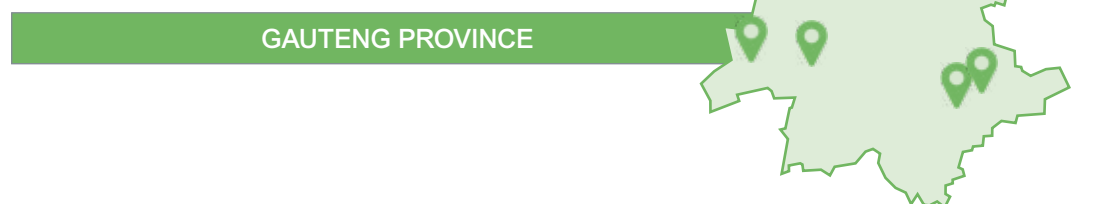


Table 30b: Legal Aid SA Satellite Offices

Legal Aid SA Local Office	Legal Aid SA Satellite Office	Physical Address	Telephone Number
Benoni	Nigel	Kruger and Okes, 23 Kingsway Street, Nigel, 1491	011 814 5159
Soweto	Westonaria	Elizabeth Centre, Shop 3, President Steyn Street, Westonaria, 1779	011 753 2604
Vereeniging	Heidelberg	Eslin Building, Portion 4, 24 Uekerman Street, Heidelberg, 1441	016 341 4430

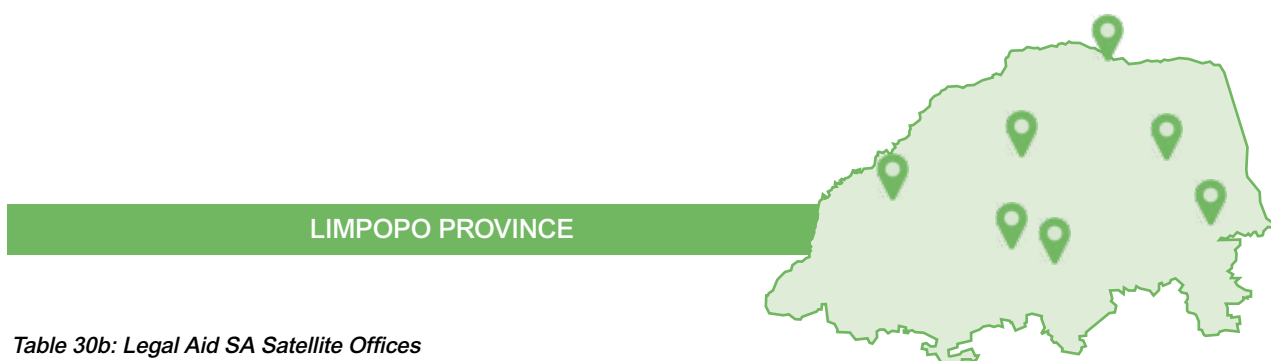


Table 30b: Legal Aid SA Satellite Offices

Legal Aid SA Local Office	Legal Aid SA Satellite Office	Physical Address	Telephone Number
Makhado	Musina	Stand No. 2110, Nkhata Crescent Street, Nancefield Extension 5, Musina, 0900	015 533 1691
Modimolle	Lephalale	5 Herman Street, Lephalale, 0555	014 717 4977
Polokwane	Bochum	Shalas Complex, Block B2, Main Street, Senwabarwana, 0790	015 505 9031/2
	Lebowakgomo	Old Mutual Building, 1st Floor, Lebowakgomo, 0737	015 633 7636
	Mokopane	58 Rabe Street, Rayveen Complex, Mokopane, 0626	015 491 4461
Tzaneen	Giyani	Old Mutual Building, Ground Floor, Giyani Main Road, Giyani, 0826	015 812 3065
	Phalaborwa	Shop No. 4, 32 Wildevey Street, Phalaborwa, 1390	015 781 0960

LEGAL AID SA CONTACT DETAILS

KWAZULU-NATAL PROVINCE

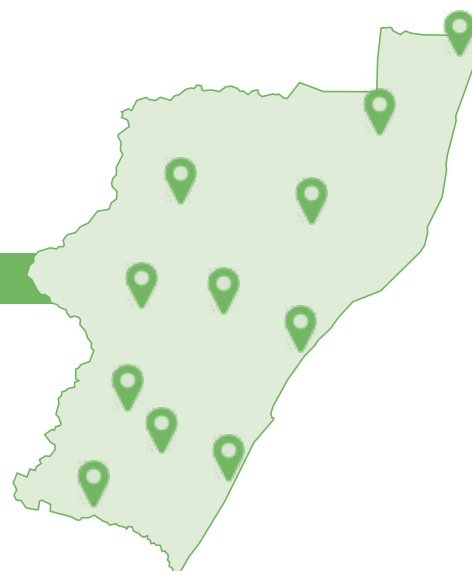


Table 30b: Legal Aid SA Satellite Offices

Legal Aid SA Local Office	Legal Aid SA Satellite Office	Physical Address	Telephone Number
Empangeni	Ingwavuma	Kosibay Hot Chicken Complex, Shop No. 4, Skhemelele, 3973	035 591 0950
	Mkuze	Mkuze Plaza, Shop 22F, Old Main Road Mkuze, 3974	035 573 1655
Ladysmith	Estcourt	Shop No 127, Albert Street, Estcourt, 3310	036 352 1997
Newcastle	Dundee	Unit 13, 56 Smith Street, Dundee, 3000	034 212 4460
Pietermaritzburg	Bulwer	Stavcom Building, Shop 5, Main Road, Bulwer, 3244	039 832 0515/6
	Greytown	Shop No. 1, 40 Bell Street, Greytown, 3250	033 417 2146
Port Shepstone	Ixopo	Shop No. 3, Margaret Street, Ixopo, 3276	039 834 9392
	Kokstad	29 Barker Street, Kokstad, 4700	039 727 5081
Umlazi	Umzinto	Hypersingh Centre, Office A11, corner Court & Textile Roads, Umzinto, 4200	031 942 1001
Verulam	Stanger	Stanger Mall, Suite 1, 55 King Shaka Street, Stanger, 4450	032 551 3740
Vryheid	Ulundi	Fairbreeze Office Park, Princess Magogo Street, Ulundi, 3838	035 870 0832

LEGAL AID SA CONTACT DETAILS

MPUMALANGA PROVINCE



Table 30b: Legal Aid SA Satellite Offices

Legal Aid SA Local Office	Legal Aid SA Satellite Office	Physical Address	Telephone Number
Ermelo	Eerstehoek	88 Main Street, Nhlazatshe G, Elukwatini, 1192	017 883 7931
	Piet Retief	14 Kruger Street, Piet Retief, 2380	017 826 4567
	Standerton	14 Vry Street, Standerton, 2429	017 712 5928
Middelburg	Groblersdal	Eldoland Building, 7 Voortrekker Street, Groblersdal, 0470	013 262 4770/4769
	Siyabuswa	1664 A. Maqhawe Street, Siyabuswa, 0472	013 973 3963
Nelspruit	Burgersfort	Umshanti Building, Suite 2, Ground Floor, 83 Aloe Street, Aloe Ridge West, Burgersfort, 1150	013 231 7058
	Bushbuckridge	Protea Building, R40 Road, Bushbuckridge, 1280	013 799 1832
	Tonga	Stand 77, Tonga View	082 725 0729
Witbank	Kwa-Mhlanga	Erf 538/7, Kwa-Mhlanga, Bankview, 1022	013 947 3379
	Secunda	Old Mutual Building, 2nd Floor, Horwood Street, Secunda Complex, Secunda, 2302	017 634 8532

LEGAL AID SA CONTACT DETAILS



Table 30b: Legal Aid SA Satellite Offices

Legal Aid SA Local Office	Legal Aid SA Satellite Office	Physical Address	Telephone Number
Aliwal North	Sterkspruit	Site 99, Main Street, Sterkspruit, 9762	051 611 0348
Graaff-Reinet	Cradock	Market Square, Adderley Street, Cradock, 5880	048 881 4867
	Somerset East	Visser Centre, 12 Nojoli Street, Somerset East, 5850	042 243 0610
Grahamstown	Fort Beaufort	37 Henrietta Street, Fort Beaufort, 5720	046 645 2270
King Williams Town	Stutterheim	75 Hill Street, Stutterheim, 4930	043 683 2973
Mthatha	Bizana	129 Finn Property, Mayaba Street, Bizana, 4800	039 251 0098
	Lusikisiki	Mlonzi Square, Jacaranda Street, Lusikisiki, 4820	039 253 1442
	Mount Frere	106 Chanca Street, Mount Frere, 4870	039 255 1473
Port Elizabeth	Humansdorp	Tredalux Building, 23 Main Street (at the rear), Humansdorp, 6300	042 295 2794
Queenstown	Elliot	18 Market Street, Elliot, 5460	045 931 1984
Uitenhage	Kirkwood	32B John Street, Kirkwood, 6120	042 230 0713

LEGAL AID SA CONTACT DETAILS

WESTERN CAPE PROVINCE



Table 30b: Legal Aid SA Satellite Offices

Legal Aid SA Local Office	Legal Aid SA Satellite Office	Physical Address	Telephone Number
Athlone	Mitchells Plain	Mitchells Plain Court, Mitchells Plain, 7785	021 370 4220
Caledon	Swellendam	67 Voortrek Street, Swellendam, 6470	028 514 3026
George	Beaufort West	102 Bird Street, Beaufort West, 6970	023 415 1689
	Oudtshoorn	Allied Building, Room 302, 303 & 304, Kerk Street, Oudtshoorn, 6625	044 279 2255
	Riversdale	17 Heidelberg Road, Riversdale, 6670	028 713 4620
Malmesbury	Atlantis	Drosdy Centre, Wesfleur Circle, Atlantis, 7349	021 572 8522
	Vredenburg	Standard Bank Building, 1st Floor, 20 Main Street, Vredenburg, 7380	022 713 1006
Vredendal	Calvinia	20 Hantam Street, Calvinia, 8190	027 341 2240
	Springbok	Sten Centre. Office 4, 17 Van Riebeeck Street, Springbok, 8240	027 718 2449

NORTHERN CAPE PROVINCE



Table 30b: Legal Aid SA Satellite Offices

Legal Aid SA Local Office	Legal Aid SA Satellite Office	Physical Address	Telephone Number
Colesberg	De Aar	47 Church Street, De Aar, 7000	053 631 1950
	Victoria West	14 Church Street, Victoria West, 7070	053 621 0039
Kimberley	Hartswater	Checkers Centre, 5 DF Malan Street, Hartswater, 8570	053 474 0341
Upington	Kuruman	33 Bear Street, Kuruman, 8460	053 712 3782
	Postmasburg	22 Boe Street, Postmasburg, 8420	053 313 3642
	Prieska	37 Main Street, Prieska, 8940	053 353 1184

LEGAL AID SA CONTACT DETAILS

NORTH WEST PROVINCE



Table 30b: Legal Aid SA Satellite Offices

Legal Aid SA Local Office	Legal Aid SA Satellite Office	Physical Address	Telephone Number
Klerksdorp	Wolmaransstad	Kruger Mall, 12 Kruger Street, Wolmaransstad, 2630	018 596 2775
Lichtenburg	Delareyville	49 Government Street, Delareyville, 2770	053 948 1092
Potchefstroom	Carletonville	49 A. van Zyl & Smit Streets, Oberholzer, 2502	018 787 2346

FREE STATE PROVINCE



Table 30b: Legal Aid SA Satellite Offices

Legal Aid SA Local Office	Legal Aid SA Satellite Office	Physical Address	Telephone Number
Bethlehem	Ficksburg	15 Erwee Street, Ficksburg, 9730	051 933 3061
	Frankfort	33 J.J. Hadebe Street, Frankfort, 9830	058 813 1624
Botshabelo	Ladybrand	30 Joubert Street, Ladybrand, 9745	051 924 0350
Phuthaditjhaba	Vrede	18 Rass Street, Vrede, 9835	058 913 3521

The Legal Aid SA Butterworth Local Office assisted a woman who is pregnant by her ex-boyfriend. She gave us instructions to apply for a protection order against his current girlfriend who has been threatening her with violence. Threats included that her child will not be born alive. Our client feared that the life of her unborn child would be taken through an attack on her or through witchcraft. The respondent had also been taking pictures of her. Our practitioner's strategy was to first try and bring the parties together. This was arranged with the respondent's attorneys. Both parties subjected themselves to mediation and reached reconciliation. However, the practitioner still ensured that a final order was also granted, to ensure full protection of our client and their unborn child.

In our mineral rich country, it is no surprise that pickings are to be found in the unlikeliest of places. Our Rustenburg Local Office found this out when representing a client who had picked up a handful of black stones from a scene where a mine truck had overturned. He told his sister about the stones. Four years later, his sister asked him to bring the stones over so she can look at them. On the way to his sister, he was stopped by the police who tried to search him, but he ran away. When they eventually caught up with him, they found the stones in his possession, which turned out to be platinum. In making representations to the State, the legal practitioner offered to show the investigating officer the site of the truck accident. When the police visited the scene with our client, similar stones were found at the site. An agreement has been reached with the State to send our client for adult diversion.

A client of our George Local Office was saved by the complainant, who was also his doctor. He was charged with the attempted murder of his doctor, who had seen him as a patient on the day of the incident. The complainant's statement mentioned that the accused was not violent, but was psychotic at the time of the attack. However, the Director of Public Prosecutions still instructed that he should be prosecuted. The client was sent for mental observation and the panel of psychiatrists found that he was not mentally ill and was fit to stand trial. The complainant testified and confirmed that the accused was a psychiatric patient, receiving medication at her clinic. She confirmed that the accused had been off his medication for some time. According to her evidence, she observed the client, who she was seeing as a patient on the day of the incident, going into a psychotic delusion. She wanted to give him an injection instead of his normal pills. She conceded that he might have thought that he is acting in self-defence by stabbing her with a trowel in the face, acting out the delusion that he was having at the time. He was accordingly found not guilty.

The Legal Aid SA Lichtenburg Local Office represented a client who had been married and divorced, and three minor children were born out of their relationship. Our client is the applicant. She struggled to exercise her right to reasonable access to the minor children since the respondent was granted primary care and residence to them upon dissolution of the marriage. One of the main grounds for the marriage breakdown was that applicant left the Christian religion. The respondent made her life miserable by indoctrinating the children against their mother due to her religious beliefs. He denied her all access to the minor children. An order was made by the court for the appointment of legal representatives for the minor children, and the Potchefstroom Law Clinic was appointed. Settlement negotiations were entered into between the parties where it was concluded that the applicant was discriminated against on the basis of her religion and that the rights and interests of the minor children to their mother were encroached upon. An order granting reasonable access was made in favour of our client and a parenting plan was crafted to be made an order of court.



Independent and within reach.

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