

## **THE ANNUAL REPORT OF KINGSLEY MAKHUPARETSA**

### **RAMARUMO**

- I take this opportunity of thanking the membership of this association in putting their trust in me since 2010 and elected me to serve them in this executive committee.
- It has been a productive (7) seven years of learning from my peers and colleagues on the executive committee and I will cherish this period of my career with glee.
- This year is my last as a member of this executive committee; of this association and also as an attorney as I embark on my new journey as a pupil of the bar in 2018.
- I have the full confidence in my colleagues to steer this association to great heights notwithstanding the incumbent Practical Legal Act and all of its challenges and our profession is in good hands.
- Lastly I would like to extend my gratitude to the executive committee for electing me as their Vice – Chairperson for this calendar year and hope that I had done my best to contribute positively to the objectives of the association.
- Under the stewardship of our current Chairperson, Mr Tiaan Joubert, we convened our first Bosberaad which was held at Irene Country Club in January 2017 where we strategized about the future of the association, and it was a successful event , and the association should continue strategizing and planning well in advance for the future.
- I also had the pleasure of being appointed to represent the association on the PEEC [Provincial Efficiency Enhancement Committee] chaired by Judge President Duston Mlambo and which comprised of all stakeholders in the judiciary and law enforcement sectors including but not limited to the justice

department, correctional services department, police department, judiciary, national prosecutions authority and our organised profession, to discuss all relevant issues challenging the justice system in the province.

- Having said above, I will now report on the three (3) sub-committees that I was responsible for in this calendar year namely the Small Claims Court, the Magistrate Court as well as the Labour Law Sub- Committees.

## 1. SMALL CLAIMS COURT

- As reported in my last annual report of 2016, this sub-committee is not as active as it should be and hopefully that should be a positive indication that everything is all right with few incidences to raise our eyebrows.
- The issues of importance is that practitioners from our profession should seriously make themselves available as commissioners because there has been an increased referrals and participation of the public at this court and capacity if not addressed timeously might lead to failure to render quality legal services to the majority of the populace.
- The department of justice has requested willing and interested practitioners to liaise with our courts for direction on how to access information about this court including how to apply to be commissioners.
- It must further be made aware that assisting as commissioners contribute towards one's pro bono work as it is recorded with the Law Society of the Northern Provinces.
- The Small Claims Advisory Board chaired by Mr Van Ransburg is a special unit within the justice department set-up to take control of the Small Claims Court from appointing of commissioners, regulating the time period for attendance at court and everything else related with this court and I advise that the association

should have a more closer relationship with this board for the benefit of the profession.

## 2. LABOUR LAW SUB - COMMITTEE

- The CCMA has secured their own building which was occupied sometimes in January 2017 called the CCMA Towers at corner Pretorius and Sisulu (formerly Prinsloo) Streets in Pretoria.
- The Labour Court on the other hand has created a “ Pre- Enrolment Roll” which is the brainchild of Judge Van Niekerk and which has made the enrolment and adjudication of matters run smoother as all matters which are deemed ripe for hearing whether opposed or unopposed will firstly have to be enrolled on the pre- enrolment roll for the court to determine if it is indeed ripe to be heard, and is so , then a date for hearing is set- down in Court with the Registrar , and if not ready, then the court will issue a directive to the parties.
- This innovation has been very successful as there is little congestion of matters to be enrolled and practitioners are able to enrol their matters timeously, and secure earlier dates.
- Labour Lawyers through SASLAW (South African Society of Labour Law) established the ALLS [African Labour Law Society] which is chaired by Professor Stefan Van Eck of the Pretoria University Mercantile Law Faculty, and its inaugural AGM was held in Sun City on the 08<sup>th</sup> September 2017 and it was a resounding success.
- SASLAW also held a (2) two days Annual Conference at the same venue and date which was attended by all stakeholders and my suggestion in that the association must make it its priority to collaborate with SASLAW closely to exchange ideas and increase their respective membership through collaborations.

- It is also of importance that the association strengthens its relationship with the CCMA and I am of the learned view that an increased presence of the association at the CCMA will be pivotal as we need to align this association with interest groups of like.

### 3. MAGISTRATE COURT SUB – COMMITTEE.

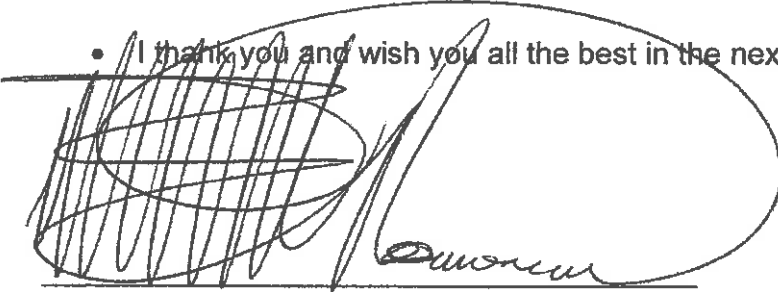
- I believe that it is important to highlight the following figures in order for the association to plan ahead and maximizing its membership as there is a huge pool of untapped practitioners which should ideally be the association's members.
- As of end of September 2017 the following numbers bears reference.
  1. We have **12 252** practising attorneys in the Gauteng Province.
  2. We have **4 212** practising attorneys in the Tshwane Metropolitan City.
  3. And of this number only **1 650** practising attorneys are the association's active members.
- In as much as our is a voluntary association, the majority of practising attorneys in this metropole should ideally be our members, moreover that the Law Society of the Northern Provinces [LSNP] will be faced out in the next year or two, and this association should create a home for all practising attorneys in its jurisdiction.
- The relationship between our association and the Pretoria Judiciary and justice department operating from the Pretoria Magistrate Court has been cemented for some time and we are continuously invited to important stakeholders forums like the case flow management meetings, engagement with the Chief

Magistrate as well as the Head of the Civil Section of the Court and also continuous engagements with the Court Manager.

- All other challenges of the court inclusive of defaults judgment , motion and trial courts, section 65 and debts reviews , issues pertaining to conduct of the court`s staff , adherence of the practice directive, pre- trial conference amongst other issues have been attended to timeously.
- The association must insist on smooth and timeous communication with the courts, be aggressively engaged to speedy up queries and concerns but also be innovative in coming with practical solutions as we know well about the red tape involved with state departments.
- The major concern is the issue of court files which are in an offsite storage and are kept there pending a high court challenge by the department of justice to release them whilst still engaged with the service provider over an outstanding account which the department is still to settle.
- This impasse has affected how our members exercise their mandate from clients as there is little that we can do to proceed with a matter in one's event where the Court file with all of its original documents are kept as a lien over the outstanding debt by the department . This matter needs to be resolved with expediency.
- We have been advised that the renovations to the burnt building will be finalised around April 2018 and we have been promised a much bigger office space, which will assist us in making the association more visible and to render quality services to its members and the public at large.
- This is also an opportune moment for the association to maximise its profitability and have a better control and management of the pigeon holes. I foresee exciting times ahead indeed.

- I believe that this association is invaluable to its members and that an improved operations with a strategic partnership with the court, both its administrative wing and judiciary will bode well with the association's objectives.

- I thank you and wish you all the best in the next years.



VICE –CHAIRPERSON

KINGSLEY MAKHUPARETSA RAMARUMO