

# Legal Services Ombud office welcomes Legal Practice Act promulgation

The promulgation of sections of the Legal Practice Act on appeals processes emanating from Legal Practice Council decisions against legal professionals is an innovative step forward in ensuring that these appeals are dealt with fairly.



Image source: Andriy Popov – [123RF.com](https://www.123RF.com)

This is according to Legal Services Ombud, Judge Sirai Desai, who was briefing the media on Tuesday, 13 June 2023.

The promulgation operationalises how appeals panels will be appointed.

“Many of the convictions or acquittals of attorneys by the Legal Practice Council are in limbo because ... there is no appeals process in operation. But the promulgation of sections of the Act two weeks ago makes it possible now for appeals to be heard.

“The appeals ...[are now] heard by a tribunal that consists not simply of an attorney and an advocate but it is innovative in a sense that it includes a lay person. The lay person comes from a roster which we set up. It is an important innovation ...

because it gives a fairer outcome to the issue that arises but it also democratises the legal process and subjects legal attorneys to the democratic will of the people,” he said.



## Cabinet approves draft code to transform legal sector

11 Jul 2022



Judge Desai says the calibre of the people who have applied to be on the roster has been high.

“We have several professors on the roll, we have several medical doctors, social workers [and] psychologists who have applied to be lay assessors. I can understand that we may need people of that calibre because some of the decisions are complex.

“It’s also a safeguard that the drafters of the legislation had in mind in that lawyers don’t just protect their kith and kin, that the work that lawyers do is subject also to some process outside of the profession. That’s an advance,” he said.

## The Legal Ombud

The Ombud’s office has the power to investigate complaints, alleged maladministration, within the ambit of the Legal Practices Act, against legal practitioners.



## Judge Desai appointed as legal services ombud

22 Dec 2020



Desai said in this regard, the office must become wholly independent.

“The offices of the Legal Ombud is intended to be an independent office...independent of government and independent of the Department of Justice. We are currently reliant upon the Department of Justice for our funding but in the course of the next twelve months, we hope to be entirely independent and be funded by the Department of Finance.

“We have to do that because the Act emphasises that the work that we do should be independent from state intervention and state authority,” he said.

For more, visit: <https://www.bizcommunity.com>