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Author: Zelda Venter

'TARNISHED IMAGE'

RAF's Collins Letsoalo stands firm on allegations against legal fraternity

ZELDA VENTER
zelda.venter@inl.co.za

ROAD Accident Fund (RAF) CEO Collins Letsoalo stands accused of tarnishing the image of the legal profession.

He, in turn, accused the Legal Practice Council of being a "gentlemen and ladies club that protects instead of regulating lawyers".

At the weekend, the president of the Law Society of South Africa Eunice Masipa said: "It is of concern that these unfortunate statements by Mr Letsoalo tarnish the image of the profession and undermine the integrity of the Legal Practice Council."

Her comments were sparked by a radio and television interview held earlier this month with Letsoalo, in which he spoke about the role of the Legal Practice Council in disciplining legal practitioners and ridding the profession of "corrupt and thieving lawyers".

Masipa said Letsoalo had made several "sweeping and unfounded" statements pertaining to the Legal Practice Council.

"He, among other statements, claimed that more 9 000 lawyers had been referred to the Legal Practice Council following complaints relating to the RAF. Most of these legal practitioners have allegedly been accused of swindling their clients of the RAF's payouts."

Masipa said Letsoalo's allegations in respect of duplicate payments made to legal practitioners were also an incorrect manifestation of the facts.

"These outrageous and misleading claims have since been refuted by the Legal Practice Council, which asserted



ROAD Accident Fund CEO Collins Letsoalo. | File

that only 13 complaints were received directly from the RAF. Of these, eight are still ongoing and the others have been finalised. The RAF is regularly updated on developments," she said.

Masipa said duplicate payments occurred because of a system error at the RAF. She said the 102 firms initially reported as having been paid twice, 99% paid back the duplicate payments made to them or had not receive any duplicated payout. The remaining 13 firms were taken through the Legal Practice Council's disciplinary processes.

Masipa called on Letsoalo to "address the inaccuracies".

In hitting back, Letsoalo said he had never mentioned that he had reported 9 000 complaints to the Legal Practice Council. The number had come from those who interviewed him.

He said that in both interviews, he had been asked to comment about the important role the Legal Practice

Council should take in disciplining corrupt legal practitioners.

"I stand by my statement that self-regulation does not work and that the Legal Practice Council has not served as a watchdog, but as gentlemen and ladies club that protects instead of regulating lawyers."

Letsoalo said the RAF had reported 102 law firms for mismanagement of trust accounts and abuse of sheriff processes. Most of the law firms had paid back the money and some had signed acknowledgements of debt.

"Not a single one of these law firms has been charged or sanctioned by the Legal Practice Council, notwithstanding the strong evidence against the law firms."

Letsoalo said it was explained to Scopa that the RAF had a payment system which dictated that when a claims offer was accepted, whether by settlement or court order.

"As a result, an attorney would attach the RAF bank account by way of writs of execution served by the sheriff, causing it to effect payment in terms of the writs upon the 180 days lapsing."

He said the same claim would be paid again (because it had been claimed on the RAF's internal system), thus constituting a duplicate payment.

In accusing the Legal Practice Council of trying to protect its own, he said that due to duplicate payments, R1.2 billion had been swindled through abuse of payment.

Letsoalo said that even Gauteng Judge President Dunstan Mlambo had challenged the legal fraternity about their role in what he termed "the RAF gravy train", with "lawyers leading the pack in stealing from the RAF".

