



FOR PROFESSIONALS
SINCE 1941

SA CONSUMERS BECOMING MORE LITIGIOUS - SURVEY

12 August 2015: The latest PPS Legal Professional Confidence Index (PCI), which surveyed almost 400 of South Africa's legal professionals, has revealed that 68% of the respondents believe South African consumers are becoming more litigious. This is a four percentage point increase from the previous quarter.

Macy Seperepere, Manager: Professional Associations at PPS, says the legal professionals surveyed have most likely noted an increase in litigious actions and knowledge among their client base. "It appears that consumers are progressively exercising their rights and taking action when they feel they have been violated."

Commenting on the results, Nic Swart, CEO of the Law Society of South Africa, agreed that a growing number of South Africans are becoming more conscious of their rights, including their right to receive the goods and services they are entitled to. "Consumers are also increasingly aware of their right to sue the state should they not receive proper care and professional services, as has been the case where we have seen various claims made against state hospitals with regards to medical negligence."

The survey also revealed that 69% of the respondents are concerned about the lack of skilled lawyers in the country, up four percentage points from the previous quarter.

Swart explains that there may not necessarily be a lack of skilled lawyers in South Africa, but there is rather a need for legal professionals to keep up to date with new developments in their areas of practice as well as new areas of practice. "The new dispensation (Legal Practice Act, 2014) makes provision for compulsory post-qualification professional development for all legal practitioners and the Law Society of South Africa fully supports this development. This is why the Law Society as an association continuously offers development seminars and workshops," he says.

One concern brought to light in the survey was the standard of education in South Africa. Seperepere says that 96% of the respondents are concerned about the lack of mathematics and science graduates in the country. This is in light of the latest revelation in parliament that only one in four schools in South Africa offers maths in grades 10-12 due to teacher shortages and low pupil enrolment. "In addition, only 26% of the survey respondents believe that the current LLB degree will prepare prospective legal practitioners sufficiently to enter and succeed in the legal profession."

Seperepere also notes that when asked about their confidence about remaining in South Africa for the foreseeable future, the respondents' confidence level declined marginally by three percentage points from the last quarter of 2014 to 73% in this quarter.

“While the results of the survey point to various concerns among legal professionals, the respondents’ confidence in the future of their profession over the next five years hasn’t dropped for the last three quarters. It is very positive to note that these professionals do still have a good level of confidence in the future of the legal industry as these lawyers and advocates contribute valuable skills to the country,” concludes Seperepere.