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6 June 2019

Dear Member,

**RE: ALLOCATION OF TRIAL DATES I.R.O RAF/ PRASA MATTERS.**

We as the Association is aware of the persistent/ continued problems experienced with and the difficulty in obtaining trial dates, despite the latest practice directive having been introduced.

The Pretoria Attorneys Association appreciates that this is in itself a crisis, and have taken steps to urgently address this with the Judiciary to see to it that adherence is being given to the Practice Directive by the Court personnel.

We can assure that this issue is enjoying attention and we will endeavor to resolve this as a matter of urgency.

Regards,

RUAN STEENKAMP  
EXECUTIVE COMMITTEE MEMBER



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3 June 2019

**TO: THE OFFICE OF THE HONOURABLE  
JUSTICE RAULINGA (ADJP)  
HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA.**

**RE: ALLOCATION OF TRIAL DATES IN RESPECT OF RAF/ PRASA MATTERS.**

1. The Pretoria Attorney's Association is a voluntary association representing the majority of attorneys practicing within the greater Pretoria area. The main purpose of the Association is to provide assistance and support to its members.
2. We accordingly address this correspondence on behalf of concerned practitioners and members of the Pretoria Attorneys Association.
3. The Association has been inundated with requests from practitioners specializing in the area of *Road Accident Fund ("RAF")* and *Passenger Rail Association of South Africa ("PRASA")*, seeking assistance following the escalating problems/ delays in the allocation of trial dates.
4. Numerous Firms and practitioners have indicated to us that they have not been awarded trial dates for their matters since approximately July/ August 2018. This they allege, despite their matters being ready for trial, and after pleadings have closed.
5. From a newspaper article recently published, it would appear as if there is at present a backlog of approximately 6000 applications for trial dates, which need to be processed, and awarded trial dates.
6. Certain of the specific issues raised by the profession is the following:

- That victims are being denied access to Courts;
  - That the costs implication is incomprehensible, considering that medico legal reports become “old/outdated”, which will require unnecessary updated reports at a massive financial cost to the RAF/ PRASA, and taxpayer;
  - That despite a new Practice Directive being issued, Court personnel is not giving effect to the latest Directive, in turn adding additional requirements which does not form part of the Directive.
  - That trial dates are being awarded in the normal course. I.e., no special arrangements/ measures have been put in place to deal with the backlog of applications. There is concern that if additional resources are not made available, or additional matters placed on the roll/ additional dates be made available for 2020, then the backlog will never be eradicated and soon victims will have to wait even longer for a trial date.
7. We as the PAA, appreciate the difficulty which your Lordship is faced with, considering that your Division is the busiest Division in the Republic. We comprehend that there is currently approximately 130 matters on your Lordship’s trial roll, every day, of which 95% is RAF/ PRASA matters.
  8. The Association further value the Judiciary’s determination to introduce a more pragmatic Practice Directive which seeks to resolve many of the issues litigants are currently faced.
  9. A special thanks is extended to the Judiciary for engaging with stakeholders in an effort to find a joint and mutually workable solution to the dilemma we as a profession is faced with, as far as congested trial rolls are concerned.

The PAA further wish to extend support and offer assistance to the Honourable Court in an effort to address the current problems with the allocation of trial dates, and trust that the problem can be resolved shortly.

Yours Faithfully,

  
RUAN STEENKAMP  
EXECUTIVE COMMITTEE MEMBER.