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Author: KAREN SINGH

Frustration at slow progress on rescue plan for Master's Offices

KAREN SINGH
karen.singh@inl.co.za

MORE than a year after the ambitious rescue plan for South Africa's Master's Offices was approved, mounting frustrations among legal practitioners and industry stakeholders highlight the slow progress being made to address long-standing issues.

Approved in November 2023, the rescue plan aimed to tackle backlogs and inefficiencies plaguing the Master's Offices. Its objectives included enhancing digitisation, upgrading technology, boosting human resource capacity, standardising processes, promoting transparency, implementing anti-corruption measures, and fostering public and legal community engagement.

Hussan Goga, chairperson of the Law Society of South Africa (LSSA) Deceased Estates, Trusts and Planning Committee, said the LSSA is concerned with the continued dysfunction at the Master's Offices across the country.

"Despite numerous efforts over the past three months to secure a meeting with the Master's Office, the LSSA has made no progress. This lack of engagement remains a serious concern, as it directly impacts the efficiency and quality of instructions provided to legal practitioners," he said.

He said during the LSSA's annual general meeting in last April, the Acting Chief Master, Kanyane Mathibe, expressed a willingness to collaborate with the LSSA through a proposed pilot project aimed at involving attorneys in assisting with the resolution of persistent backlogs at Master's Offices.

"Regrettably, this proposal has not progressed, and the backlog remains unaddressed. The LSSA remains gravely concerned that, despite numerous interventions and engagements, no tangible progress has been made to address the systemic failures within the Master's Offices. Unless urgent and decisive steps are taken, the current trajectory of decline will be extremely difficult to reverse," said Goga.

Last month, the Portfolio Committee on Justice and Constitutional Development conducted an oversight visit to the office of the Master of the KwaZulu-Natal High Court to assess service delivery and the state of infrastructure.

Committee Chairperson Xola Nqola said a serious fire hazard was found in a room where files were stored.

"It looks like it would be difficult for anyone to find a file in that room, but that is not a major concern. We are worried because there are no fire extinguishers in the room, nor have the smoke alarms in there ever worked.

This is a serious hazard, as they are storing valuable documents," he said.

The committee called for urgent action on the filing system and urged the landlord of the building, the Department of Public Works and Infrastructure, and the Department of Justice and Constitutional Development to find a quick solution.

In addition, with reports about serious IT challenges at this Master's Office, a security breach detected last year, and several more breaches earlier this year, Nqola said the office indicated that having its own server would assist in stopping hackers.

Department of Justice and Constitutional Development spokesperson Terrence Manase said significant progress has been made, particularly in improving turnaround times for issuing appointments in deceased estates, which have been reduced from 21 working days to 15 working days.

"The roll-out of online deceased estate registration across all Master's Offices in December 2023 has also allowed clients to report estates remotely, reducing queues, and improving accessibility."

Additionally, he said stakeholder engagement sessions are now held quarterly to ensure open communication, and magistrates' courts have been designated as service points to further decentralise services.

"To improve transparency and efficiency, QR codes have been introduced on deceased estate appointments, enabling banks to verify appointments without requiring direct communication with the Master's Office."

According to Manase, the department is addressing network connectivity issues through ICT enhancements to ensure stable and efficient service delivery.

"In terms of human resources, a recruitment drive has been launched, and critical vacancies are being filled in a phased manner, balancing the need for improved service delivery with budget constraints."

The department is also taking proactive steps to address backlogs, with Master's Offices conducting assessments to prioritise outstanding matters, he said, adding that some offices have voluntarily worked additional hours to accelerate the resolution of cases.

"Since the implementation of the rescue plan, there has been a notable improvement in service delivery. The ability to report deceased estates online has significantly reduced waiting times, and the availability of magistrates' courts as service points has made services more accessible to the public."