

[All about The AAC](#)  
[Private representation](#)  
[Site map](#)

Need a lawyer? Private representation see [Attorneys.co.za](http://Attorneys.co.za)

Free legal advice see [Legal Aid Board](#)

In some cases, people who misuse substances find themselves on the wrong side of the law owing to crimes committed under compulsion of certain substances or other addictions. Involvement in these cases is not optional. I have assisted hundreds of addicts with criminal problems where I have even represented them to public prosecutors, social workers and probation officers. Whilst I have achieved success in diverting all of them away from serving prison sentences, I do not recommend ever, that offenders or families of offenders, represent themselves.

A thorough knowledge of the law is needed as well as strong faith in God and a very good criminal defence lawyer. However in most cases, offenders are not able to defend themselves and so are dependent on Legal Aid in this country. Before an offender is asked to plead, they are advised by the courts to seek their services if they cannot afford the services of a private attorney. I have seen some choose to defend themselves. In some cases, the presiding judge and public prosecutor have actually assisted them with their defence and been acquitted. In other cases however, I have witnessed disastrous consequences.

In all cases, I have seen that honesty is the best policy. Judges and public prosecutors deal with liars all day long. They can spot a lie from a thousand paces. Its their job to separate truth from

lies and most do it extremely well. The purpose of a sentence is to force or facilitate the mind or the way a person thinks, to think differently. When they can see that an offender is honest, remorseful, is taking responsibility for their actions and accepts the consequences, mercy is given. However, liars and those who blame others or don't take responsibility show that they are still thinking the same way. They are seen as a danger to themselves and others and the maximum sentence is given.

There is also an order to court proceedings which must be followed. I learned as I went along. But I wouldn't recommend this method. An experienced lawyer knows what and when to say anything in court and they also know the law. Rather enlist their services. Legal Aid workers tend to show up on the day that the offender is to appear and in many cases are unprepared and inexperienced. They have not even met the person whom which they are to represent or even questioned them beforehand. This has worked in the favour of the guilty party as sometimes judges do not tolerate this kind of practice. In other cases, it has cost the offender dearly.

I have also seen extremely guilty and bad people go free because of the same practice by public prosecutors. There are good ones out there who do care for the people whom they serve. May you find them. The point I'm trying to make is that you should be prepared. Equip yourself with the necessary knowledge you need to ensure that things go your way. Sit in on a few mornings in a court room. Just ask at reception or ask to speak to a prosecutor who will point you in the direction of court room that deals with drug crimes. Also, I have provided some applicable legislation for you to research. You'll need to go and look them up yourself. This can be done quite easily by clicking on the link and searching for them. If you don't know how to use the internet, find someone who does. The different acts are listed below.

#### **Applicable Legislation**

- [S.A. Government general info](#)

- [Basic Condition of Employment Act Amended, 2002 \(Act No.10 of 2002\)](#)

- [Child Care Act as amended, 1983 \(Act No. 74 of 1983\)](#)

-

[Child Justice Bill 2003](#)

• [Correctional Service Amendment Act, 1992 \(Act No.122 of 1992\)](#)

• [Domestic Violence Act, \(Act No. 116 of 1998\)](#)

• [Drug Trafficking Act, 1992 \(Act No.140 of 1992\)](#)

• [Employment and Equity Act](#)

• [Heath Act, 1977 \(Act No. 63 of 1977\)](#)

• [Health Professional Act, 1974 \(Act No. 56 of 1974\)](#)

• [Labour Relations Act, \(Act No.66 of 1995\)](#)

• [Medicine and Related Substance Control Act Amended, 2002 \(Act No. 59 of 2002\)](#)

• [Mental Health Care Act, 2002 \(Act No. 17 of 2002\)](#)

• [Non Profit Organizations Act, 1997 \(Act No. 71 of 1997\)](#)

