



THE ASSOCIATION FOR THE PROTECTION OF ROAD ACCIDENT VICTIMS

A VOLUNTARY ASSOCIATION NOT FOR GAIN INCORPORATED IN TERMS OF THE COMMON LAW

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The Minister of Transport

Honourable Barbara Creecy

31 July 2024: Minister correspondence E-mail: TransportMinistry@dot.gov.za

Chief of Staff E-mail: borothon@dot.gov.za

ROAD ACCIDENT FUND (RAF)

ANALYSIS OF PROBLEMS & PROPOSAL ON SOLUTIONS/ACTION PLAN

Dear Minister Creecy,

1. Your Budget Vote Speech on 15 July 2024 to the National Assembly refers.
2. You referred to the development of efficient and integrated transport systems by creating a framework of sustainable policies and regulations, and implementable models to support government strategies for socio-economic development. This is in order to (1) facilitate a successful economy, and (2) address the disconnect between this vision and the realities of our transport system (not operating as either an effective economic facilitator or as a much-needed social service).

3. This communication seeks to achieve the following four key issues –
 - 3.1. To offer our support to the Department of Transport and the Ministry to achieve the objectives as set out in the Budget Vote on the 15th of July 2024, with special reference to the Road Accident Fund.
 - 3.2. To share with you a decade of our RAF related research,
 - 3.3. To discuss the short- and long-term solutions to assist the RAF to become a Centre of Excellence again,
 - 3.4. To offer information on our interaction with the 5th, 6th and 7th Administration Portfolio Committees of Transport, on these very issues.

4. The Association for the Protection of Road Accident Victims ("APRAV") was established in June 2014 and is a not-for-profit human rights organisation, focussing solely on road users and crash victims. We have been very active in following all activities and developments relating to the Department of Transport and the RAF, in the Portfolio Committee on Transport since 2014. Our strategic focus is to protect the constitutional rights of road users and crash victims, to support sensible and sustainable change to the RAF, and to coordinate and facilitate strategic issues in the medico-legal industry. You have met two of our key members (Mr. Gert Nel and Mr. Ngoako Mohlaloga) that were present at the first sitting of the PCOT and appointment of the new Chairperson on the 9th of July 2024.

5. We are interested to highlight the key strategic issues we have encountered over the years as to allow you easy and insightful access to the most relevant information. Further, to establish a constructive dialogue with your Ministry, the relevant Department(s) and the RAF; and it is with this as a background we make following summary comments –
 - 5.1 On 22 October 2022; APRAV were invited to make a presentation to the 6th Administration Portfolio Committee on Transport, on solutions to assist the RAF and to contribute to sensible and sustainable cost saving changes to this Agency.

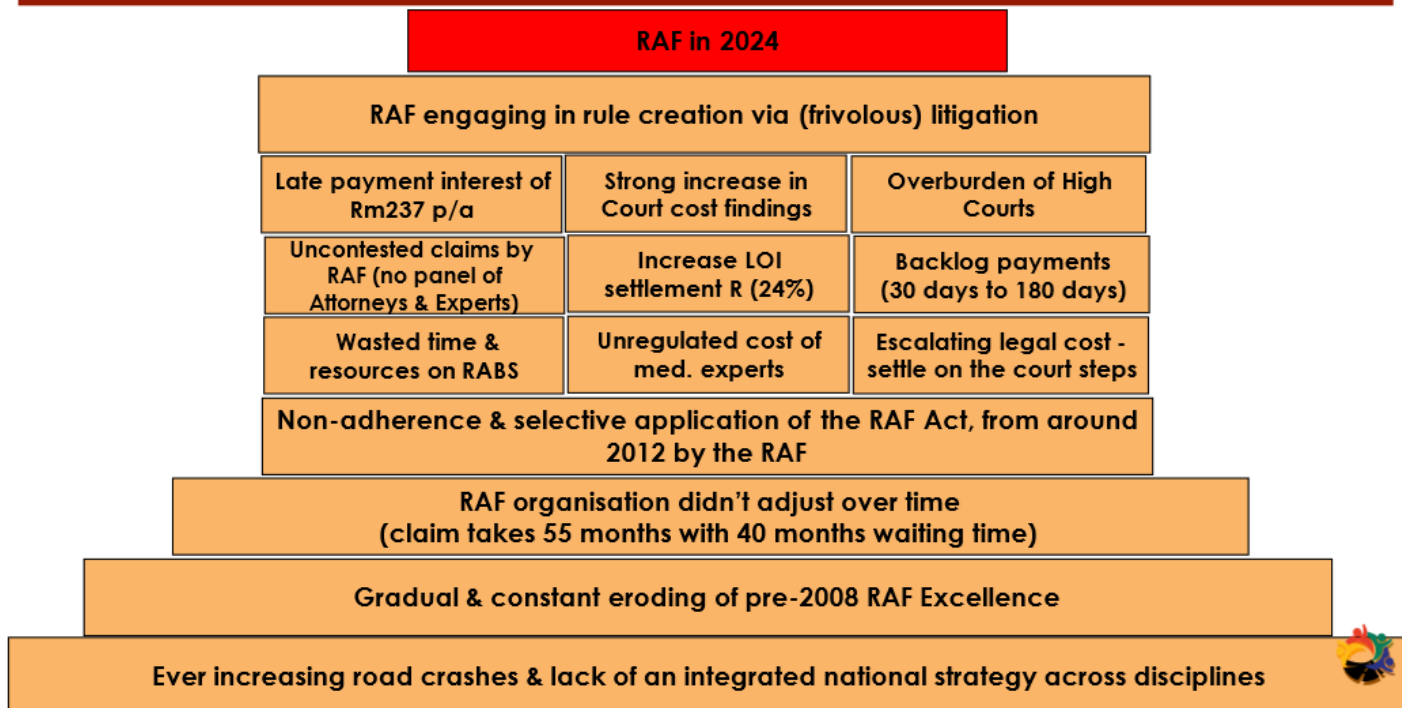
 - 5.2 We take the liberty of including two slides from the presentation that addresses some of the current problems and possible action plan to address same. The full presentation is attached as "Annexure A" and invite you to visit (<https://m.youtube.com/watch?v=VI13XAvQ2IM>) for the full video recorded version, from minute 33.

5.3 We are very confident that around Rm400 can be saved per month (around Rb4,8 p/annum) without infringing on any constitutional rights or the current levels of benefits available to all road users. The presentation also highlights on the RAF in numbers, the relevant key South African realities and some cost saving examples.

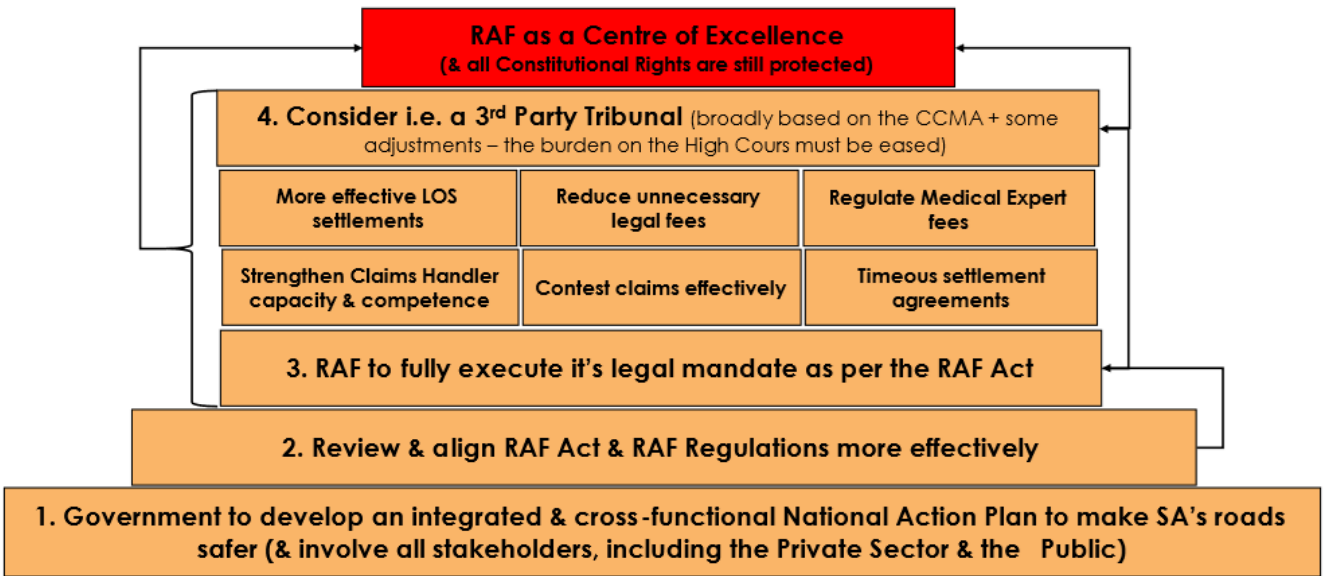
5.4 The basis of the presentation was the collaboration of APRAV’s work in the Medico-legal Industry over the past decade, as well as a three-year National Solutions Task Team led by Emeritus Professor Hennie Klopper, across all relevant disciplines involved in the execution/administration of the RAF Act. All the research and detailed proposals are available and at your request (including a framework to establish a RAF Specialist Tribunal, to reduce the increasingly growing pressure on the High Court Rolls across the major High Court Divisions due to the sheer number of RAF claims).

5.5 To assist you in understanding the statistics underpinning the RAF, we attach hereto “Annexure B” (an updated 2024 summary of selected statistics gleaned from RAF Annual Reports by Professor Hennie Klopper entitled “RAF: Key Figures”).

HOW DID THE RAF GET INTO THIS POSITION? (summary)



WHAT ARE THE SOLUTIONS?



6 We are looking forward to a fruitful engagement with you with the hope that we can assist you to achieve your vision for “Transport”.

We appreciate the fact that you must be extremely busy and respectfully submit that we believe, if given the opportunity to present on these and other issues of concern APRAV can definitely make a significant and swift positive contribution to sustainable and equitable change .

Yours sincerely

Pieter de Bruyn
Chairperson



Note (1): APRAV provided comment to the Director-general on 27 September 2023 on the ROAD Accident Amendment Bill 2023

Note (2): APRAV requested acces to information on 27 March 2024 in terms of the PAIA Act.