



JUDICIAL CONDUCT COMMITTEE

Ref no: JSC/253/09/2025

In the matter between:

JAN HENDRIK STEPHANUS VENTER

COMPLAINANT

and

JUDGE COLLEEN COLLIS

RESPONDENT

Date: 11 September 2026

Decision: The appeal is dismissed.

SECTION 18 RULING

THE JUDICIAL CONDUCT COMMITTEE (Jafta J, Saldulker JA and Mabindla-Boqwana JP)

Introduction

[1] This is an appeal against the decision of the Acting Chairperson of the Judicial Conduct Committee (Committee) in terms of which a complaint was dismissed. The complaint was lodged by Mr Jan Hendrik Stephanus Venter (complainant) against Judge Colleen Collis (respondent) of the Gauteng Division of the High Court.

[2] As is required by legislation, the complaint was considered by the Chairperson of the Committee who summarily dismissed it in terms of the relevant provisions of the Judicial Service Commission Act.¹ Those provisions empower complainants who are dissatisfied with the dismissal to appeal to this Committee. Exercising that right, the complainant has filed this appeal.

Legislative background

[3] Complaints against Judges are lodged and processed in terms of the Act which authorises the Chairperson of the Committee at the outset to determine the provisions applicable to a particular complaint.² Having considered this complaint, the Acting Chairperson concluded that the appropriate provision was section 15 of the Act and proceeded to apply this section to the complaint.

[4] Section 15(2) of the Act provides:

¹ 9 of 1994.

² Section 14(2) of the Act provides:

‘When a complaint is lodged with the Chairperson in terms of subsection (1), the Chairperson must deal with the complaint in accordance with section 15, 16 or 17, but in the event of a complaint falling within the parameters of section 15, the Chairperson may designate a Head of Court to deal with the complaint, unless the complaint is against the Head of Court.’

“A complaint must be dismissed if it-

(a) does not fall within the parameters of any of the grounds set out in section 14 (4);

(b) does not comply substantially with the provisions of section 14 (3);

(c) is solely related to the merits of a judgment or order;

(d) is frivolous or lacking in substance; or

(e) is hypothetical”.

[5] Noticeably if any one of the conditions enumerated in this section is found to be present in a complaint, the provision obliges the Chairperson to summarily dismiss that complaint on the basis of that condition. In the present matter, the Acting Chairperson held that the conditions in subsections 15(2)(c) and (d) were present and proceeded, as he was bound, to dismiss the complaint on those grounds. Plainly he concluded that the complaint relates solely to the order striking the complainant’s application off the roll and that the complaint lacked substance.

[6] For a proper evaluation of this decision it is necessary to set out the current complaint.

The complaint

[7] The complainant commenced by describing what occurred at the hearing of his application. He stated:

- ‘4. On 25 September 2025, my urgent application was heard via Microsoft Teams before Collis J.
5. Before any argument, the judge admonished me about my reading glasses being on my head and questioned whether I would “address the court in that

manner.” I experienced this as hostile and dismissive toward me as a lay litigant.

6. The court struck/dismissed my matter on administrative/CaseLines grounds without hearing the merits, despite the defects being curable (two documents could have been uploaded promptly).
7. Immediately after judgment, I applied orally for leave to appeal (Rule 49(1)(b); section 17 of the Superior Courts Act). The Judge refused to hear my application and refused to record either my request or her refusal on the order/minute.
8. A punitive/onerous costs order was made against me as a self-represented litigant, chilling access to justice.’

[8] He proceeded to formulate the grounds of misconduct in these terms:

‘F. MISCONDUCT AND SYSTEMATIC BREACHES (GROUNDS)

17. Refusal to hear or record oral leave to appeal frustrated the pathway contemplated by Rule 49(1)(b) and section 17 of the Superior Courts Act. At minimum, the Court should note the request/refusal on the record.
18. The Code of Judicial Conduct (courtesy, propriety, equality, diligence, fairness) was breached by
 - (a) hostile remarks toward a lay litigant at the outset;
 - (b) over-technical disposal of a curable matter; and
 - (c) failure to ensure a proper record.
19. The Judge’s approach undermined section 34 of the Constitution (access to courts).
20. The punitive/onerous costs order against a lay litigant engaging Constitutional Court guidance and deters access to justice.
21. Systemic/administrative failures (Registrar’s delays on recordings/orders; SCA Registry Flip-flopping on provisional acceptance vs. insisting on a non-

existent leave order) compound the prejudice to lay litigants and require corrective directives.’

[9] The relief he sought was framed as follows:

‘22. As regards Collis J:

22.1 A misconduct finding, or at minimum a formal reprimand with remedial training, for:

- Refusing to hear or record my oral leave application;
- Discourtesy/hostility toward a lay litigant
- Over-formalism that shut out a curable case instead of deciding on the merits.

22.2 A directive that judges must note oral leave request/refusals on the order/minute on the day.

22.3 Guidance on costs that protects self-represented litigants’ access to justice.

23. As regards systemic/administrative issues (for referral by the JSC to the OCJ/Heads of Court/SCA President):

23.1 Pretoria High Court: urgent, standardised protocol for fast-track recordings/transcripts where appeal timelines run; CaseLines remedial protocol obliging accommodation of curable defects for SRLs absent prejudice.

23.2 SCA Registry: clear SOP that where a High Court refuses to hear/record leave, the petition must proceed and be placed immediately before the SCA President for directions without insisting on a non-existent ‘leave order’; consistent written practice for Rule 4 /Rule 6 usage.’

Evaluation

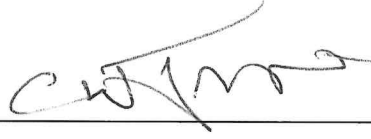
[10] Manifestly the complaint has two components. The first relates to the order issued by the respondent which struck the application off the roll and directed the complainant to pay costs. The second pertains to administrative challenges experienced by the complainant when he sought to appeal against the order. Needless to point out that the second part of the complaint has nothing to do with the conduct of the respondent, except that she declined to entertain an irregular oral application for leave to appeal. Notably this part does not fall under any of the grounds stipulated in section 14(4) of the Act and as such cannot constitute misconduct envisaged in the Act.

[11] What remains for determination is whether the other leg of the complaint falls within the ambit of section 15(2). It is apparent from the complaint that it is about the order striking the complainant's case off the roll and directing him to pay costs. This falls within section 15(2)(c) of the Act.

[12] However, to the extent that the complainant alleged that the respondent was discourteous towards him, the complaint merely mentions that the respondent admonished him for having his reading glasses on his head while addressing the court. This is the sum total of the discourtesy. The Acting Chairperson cannot be faulted for concluding that the complaint lacked substance.

[13] On appeal the complainant argued that, as a lay person he should have been invited to substantiate the complaint. This is not catered for in the Act and if it were done it would have been inconsistent with what section 15(2) requires to be done.

[14] In the circumstances the appeal is dismissed.

A handwritten signature in black ink, appearing to be 'C. J. M.', is written above a horizontal line.

THE JUDICIAL CONDUCT COMMITTEE