

# THE JUDICIARY

JUDICIARY DAY 2025

CHIEF JUSTICE SIGNS MOU IN NAMIBIA

14TH WORLD CONFERENCE OF THE IARMJ

TRIBUTE TO JUSTICE LEONORA VAN DER HEEVER



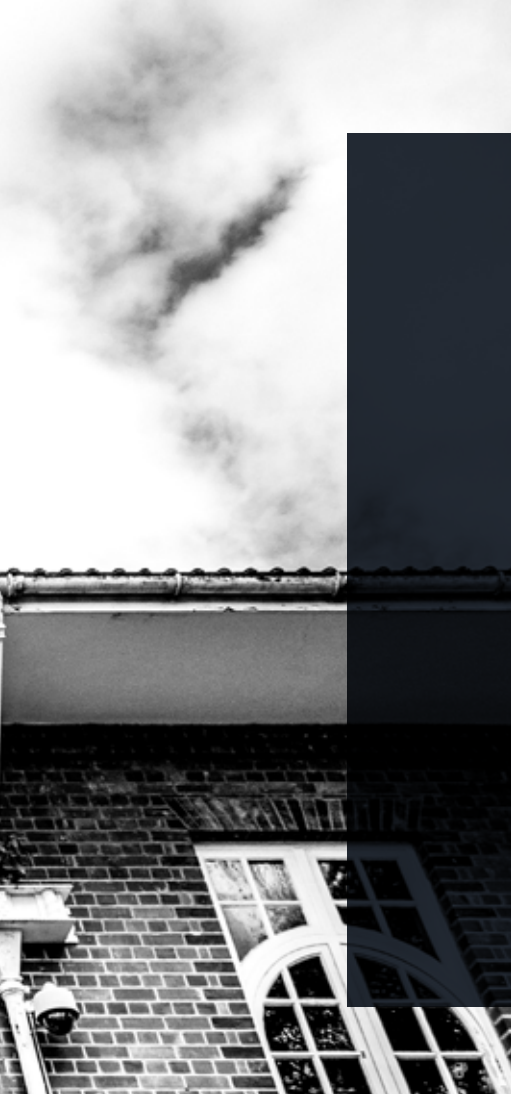
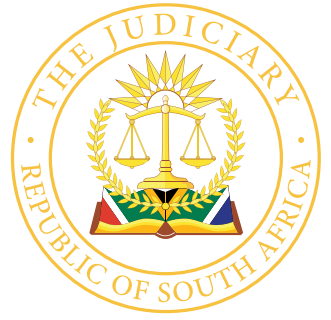


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# FROM THE EDITOR

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important platform through which the Judiciary reaffirms its independence, while demonstrating its accountability to the people of South Africa.

Delivering the keynote address, Chief Justice Mandisa Maya described Judiciary Day as “an important moment of accountability, transparency, and acknowledgement of the rule of law in our democracy,” emphasising that it is a unique occasion on which “the South African Judiciary accounts to the nation on the performance of its judicial functions.”

While the Constitution guarantees the independence of the courts, the Chief Justice underscored that the Judiciary’s accountability is not to Parliament, but directly to the people of South Africa. This accountability, she explained, is expressed through the Annual Judiciary Reports, which are intended to provide “a clear and honest reflection of the challenges, achievements, and ongoing efforts within our courts.”

Presenting the reports for the first time since her appointment as Chief Justice, Justice Maya outlined their scope, covering court performance in the superior and magistrates’ courts, judicial education and training, as well as judicial appointments and retirements. She also addressed broader institutional factors that influence the effective administration of justice.

As the year draws to a close, this edition also serves as a moment of appreciation and reflection. It recognises the contributions made across the institution during 2025 and invites us to pause, take stock and prepare for the year ahead. While challenges remain, the Judiciary enters the new year with renewed resolve to advance its constitutional responsibilities and to continue serving the public with independence, fairness and integrity.

We trust that you will find this edition informative and reflective of the work undertaken across the Judiciary. As we approach the festive season, we extend our sincere appreciation to all colleagues for their continued commitment and wish you a period of rest and renewal. We look forward to engaging with you again in the new year.

Until next time...

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**Judge President Thoba Poyo Dlwati**

Judge of the KwaZulu-Natal Division of the High Court

## DEAR COLLEAGUES,

*It is a pleasure to present to you the December 2025 edition of the Judiciary Newsletter, which brings to a close a year marked by significant institutional engagement, principled leadership and continued commitment to the constitutional mandate of the Judiciary. This edition reflects on key developments that have shaped the work of the courts over the final quarter of the year, while also offering an opportunity for reflection as we approach the end of the last month of the calendar year.*

Among the notable highlights featured in this edition is the official visit by Honourable Chief Justice Mandisa Maya to the Supreme Court of Namibia. During the visit, a Memorandum of Understanding was signed with the Honourable Chief Justice Peter S. Shivute, reinforcing judicial cooperation and strengthening ties between the two Judiciaries. The visit further underscored the Judiciary’s commitment to regional collaboration and shared learning. As part of the programme, Chief Justice Maya delivered a master lecture on Advancing gender representation in the judiciary and the legal profession, a theme of growing importance across jurisdictions. In her address, the Chief Justice emphasised the centrality of gender representation to the advancement of human rights and the strengthening of public confidence in the justice system.

This edition also reflects on the observance of Judiciary Day, a key moment of accountability and transparency within South Africa’s constitutional democracy. Through the presentation of the Annual Judiciary Reports, the Judiciary accounted to the nation on its performance, achievements and challenges across the reporting periods. Judiciary Day remains an





## PRESENTATION OF THE ANNUAL JUDICIARY REPORTS

### Chief Justice Mandisa Maya

Chief Justice of the Republic of South Africa

The Judiciary of South Africa remains steadfast in its ongoing commitment to justice, integrity, and constitutionalism ”



Use the QR code to access the Annual Judiciary Report, 2024/24 and 2024/25 Financial Years

*The South African Judiciary led by Chief Justice Maya hosted the 2025 Presentation of the Annual Judiciary Report for 2023/24 and 2024/25 Financial Years, on 25 November 2025. Annually the South Africa Judiciary accounts to the South African public.*

*Chief Justice Mandisa Maya was joined by the Judicial Accountability Committee, chaired by Deputy Chief Justice Dunstan Mlambo, President of the Supreme Court of Appeal, President Mahube Molemela, Deputy President of the Supreme Court of Appeal, Justice Dumisani Zondi; Judge President Segopotje Mphahlele, and Acting Judge President Aubrey Ledwaba.*

*In her address, Chief Justice Maya highlighted the key performance areas for the Judiciary over the two reporting periods. Below is the address by Chief Justice Maya during Judiciary Day 2025.*

**We gather on this Judiciary Day to mark an important moment of accountability, transparency, and acknowledgement of the rule of law in our democracy. Judiciary Day is a unique occasion during which the South African Judiciary accounts to the nation on the performance of its judicial functions.**

Our Constitution affirms the independence of the courts, which must apply the law impartially and without fear or favour.<sup>1</sup> While many state organs are constitutionally required to account to Parliament, the Judiciary's accountability is to you, the citizens of the Republic of South Africa. This is expressed through our

Annual Judiciary Reports which are presented each year and provide what is intended to be a clear and honest reflection of the challenges, achievements, and ongoing efforts within our courts.

The significance of Judiciary Day lies in its affirmation of the Judiciary's unwavering commitment to uphold justice without prejudice and to maintain the highest standards in the administration of justice. It is a day that embodies our duty to remain open, accountable, and responsive to you, the people we serve.

<sup>1</sup> The Constitution of the Republic of South Africa 1996, section 165(2).

Through this day, we reinforce that the Judiciary stands as an independent guardian of the Constitution, accountable to the law and the citizenry. This culture of openness and reporting is a demonstration of our collective dedication to strengthen trust in the judicial system and ensure that justice is accessible, fair, and effective for all.

This Judiciary Day, as we take stock of the state of South Africa's Judiciary, is a big milestone for me as I present to my country, for the first time as Chief Justice, the Annual Judiciary Reports for the 2023/2024 and 2024/2025 Financial Years.

### Scope of the Annual Judiciary Reports

The scope of the Annual Judiciary Reports (Reports) that I am presenting today, as is customary in relation to these instruments, covers the following matters within the Judiciary's performance of its judicial functions:

- (a) Court performance of the superior and magistrates' courts;
- (b) Judicial education and training; and
- (c) Judicial appointments and retirements

I will then deal with other features that influence the performance of the judiciary, which do not fall within the scope of the Reports, but are nevertheless important. I start by sharing with you some of the important information in the Reports.

### Court performance of the Superior Courts

The Judicial Accountability Committee (JAC), comprising Heads of Court, plays a pivotal role in strengthening judicial performance, ensuring that justice delivery is both effective and transparent. The Annual Judiciary Performance Plan and its associated monitoring report serve as essential instruments to track progress against predefined targets, giving us a clear picture of how the Courts perform.

The purpose of court performance monitoring and reporting is to provide progressive updates on the implementation of the Annual Judiciary Performance Plan with specific reference to monitoring delivery against set quarterly performance targets. The Annual Judiciary Performance Plan, in turn, defines and identifies performance indicators and targets for the various Courts. These performance indicators and targets are measures that allow for the monitoring of performance on one or more aspects of the overall functions and mandate of the Judiciary. Importantly, the Annual Judiciary Performance Plan indicators for the Judiciary as reflected in the Annual Judiciary Report 2020/2021 remain relevant for the two reporting periods under review.

Overall, the Judiciary had 14 performance targets for the consecutive periods. It is heartening that a comparative analysis of the superior courts' performance during this period shows considerable judicial activity and notable progress in several areas alongside the persistent challenges, which require sustained focus.

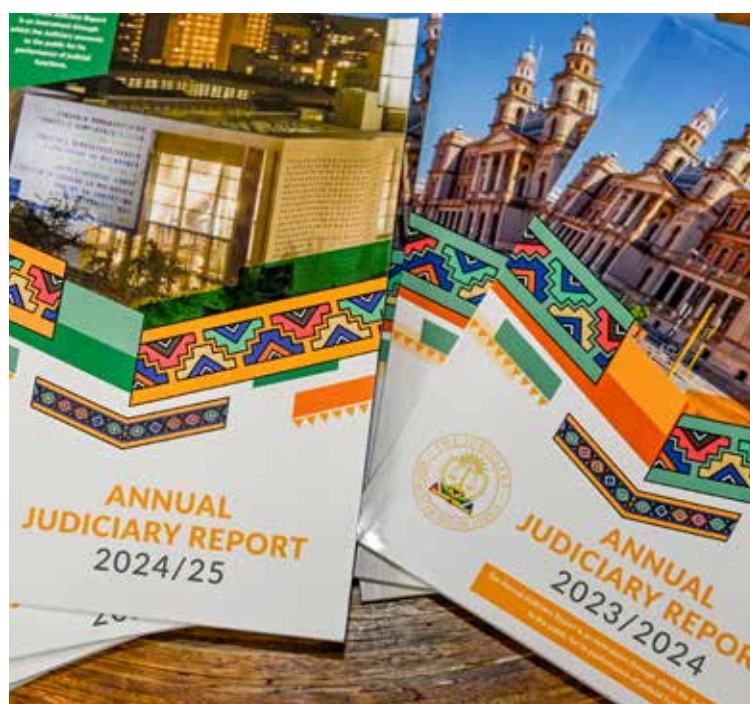
In the 2023/24 Financial Year, the Superior Courts achieved eight of 14 key performance targets, representing a 57% overall achievement rate. The Constitutional Court finalised 66% of the cases on its roll, falling short of the 70% target. The Supreme Court of Appeal completed 74% of its case roll, some points below its 80% goal, while applications for leave to appeal, on the other hand, were finalised at 93%, thus exceeding the 80% target.

The Labour Appeal Court finalised 77% of its enrolled matters, just a small margin under its 80% target, but surpassed the target of 90% in respect of applications for leave to appeal by achieving a 99% finalization rate. The High Court Divisions finalised 66% of the enrolled criminal cases, well below the 75% target. But they far exceeded the targets in respect of mental health applications and civil cases by achieving finalization rates of 98% against a 90% target and 87% against a 64% target, respectively. Notably, criminal case backlogs were reduced by 45%, still 15 points above the 30% target, but a marked improvement shown in the management of judicial efficiency despite other setbacks. The Labour Court and Land Court also exceeded their targets at 60% against a 58% target and 69% against a 60% target, respectively. The Competition Appeal Court and Electoral Court performed strongly, finalising 100% cases against an 85% target and 93% cases against a target of 90%, respectively.

Reserved judgments in all the High Courts were finalised at 69%, just shy of the 70% target.

Transitioning into the 2024/25 Financial Year, the overall court performance showed improvement with nine of the 14 targets achieved (64%). The Constitutional Court slightly exceeded its target of 70% by finalising 71% of its enrolled cases. The Supreme Court of Appeal excelled in its management of applications for leave to appeal by finalising 97% against the 80% benchmark. But the percentage of appeals it finalized dropped to 72%, below its target of 80%. (The Court attributes this drop mainly to external factors such as counsel's availability, request for postponements and requests to supplement papers and join parties.)

The High Court Divisions continued their solid performance in respect of mental health applications by finalising 97% against the targeted 90% benchmark, and 88% of civil cases against the targeted 64% finalisation rate. Notably, criminal case backlog reductions improved further to 43%, two points lower than the previous year (a small improvement but an improvement nonetheless). However, some jurisdictions such as KwaZulu-Natal, Mpumalanga, Eastern Cape, Western Cape, Free State and Gauteng still registered less than ideal targets. The Electoral Court maintained perfect case finalisation rates, thus excelling in its critical role of dispensing electoral justice.



The results were not encouraging in the Labour Courts and the Competition Appeal Court which also fell short of their targets with the Labour Appeal Court finalising 71% of its matters as opposed to the targeted 80%, the Labour Courts finalising 55% of their matters as opposed to the targeted 58%, and the Competition Appeal Court finalising 77% of its case roll as opposed to the 85% target.

The finalization of 71% of the Constitutional Court case roll (387 matters out of a total of 544 matters), a slight improvement, and the excellent results achieved by the Supreme Court of Appeal and Labour Appeal Court in respect of the adjudication of applications for leave to appeal are somewhat heartening. But the national target for the reduction of criminal backlogs and finalization of criminal matters at the High Courts was not met, some of the reported reasons for this being that the cases involved multiple accused, the trials were lengthy, and the matters were complex.

Although the reserved judgment target was met, especially by the appeal courts, there was low finalization rate at the Constitutional Court. And that persists because of structural challenges in the Court. I should mention at this point, to address some of the concerns that have been raised about the performance of the Court, that as at 1 November 2025, judgment in 13 matters had been reserved for longer than 6 months, four of them from 2024:

- CCT 306/22 Zolani Godloza v The State (reserved on 07 March 2024 and delivered on 5 November 2025);
- CCT 175/23 Reynolds Maleka v Timothy Boyce N.O.(reserved on 12 September 2024);
- CCT 296/23 Golden Core v Merafong Municipality (reserved on 7 November 2024); and
- CCT 35/24 EFF v Speaker of National Assembly (reserved on 26 November 2024).

Our Constitution affirms the independence of the courts, which must apply the law impartially and without fear or favour. ”

The main reasons for the non-achievement of reserved judgments targets in the Apex Court are that its schedule is significantly impacted by a heavy flow of high-profile, complex, and urgent matters that fall within its exclusive jurisdiction or ambit of direct access. These cases demand the intense attention of all the Justices, who sit en banc. And as the Apex Court and final arbiter, the matters enrolled in it typically involve extensive records including numerous sets of pleadings and written submissions and a multitude of parties resulting in a substantially greater volume of reading and preparation, compared to other Courts, in matters which often involve novel and intricate legal questions of law, demanding careful reflection, refined legal writing, extensive research and consideration of law sometimes beyond the Republic's borders.

Needless to say, the timely delivery of judgments is a priority for every Judge and every Court, including the Constitutional Court. The Judiciary is acutely aware and concerned that judgments are not always delivered within the prescribed time and that when this occurs, it unfortunately results in uncertainty in the law and

any resultant impatience by litigants and interest groups is fully understandable. We can however assure everyone concerned that every effort is being made to deliver all outstanding judgments expeditiously. And the Constitutional Court, in particular, is engaged in processes to capacitate it, including constitutional amendments which will allow it to adjudicate some matters in smaller panels (such as the Supreme Court of Appeal which, as a direct result of this feature, has a long tradition of successfully dealing with its applications for leave to appeal swiftly and efficiently) and establishing a body of senior lawyers to assist the Court such as other Apex Courts, for example the Supreme Court of Canada, have.

To sum up, over these two Financial Years under review, the Superior Courts have demonstrated commendable progress in handling applications, mental health, civil, and electoral matters, which contributes positively to strengthening the rule of law and engendering public trust. Yet, underperformance in criminal cases and appeals finalisation, backlog management and reserved judgment delivery, as I have pointed out, persist as critical areas needing targeted interventions.

But it is not all hopeless. Despite the challenges, in the 2023/2024 Financial year, the total number of reserved judgments delivered by all Superior Courts increased by 32% from 5368 matters during 2022/2023 to 7062 during 2023/2024. The total number of judgments delivered within three months by all the Superior Courts during this period increased by 27% from 3853 matters to 4880. The figures continued to improve into the 2024/2025 Financial Year as the total number of reserved judgments delivered by all the Superior Courts increased by 8% from 7062 matters during 2023/2024 to 7611 during 2024/2025 and those delivered within three months increased by 12% from 4880 during 2023/2024 to 5441 matters during 2024/2025. (And it is important to note that these thousands of matters, and many more, are adjudicated by less than 250 extremely overburdened and hard-working judges.)

What is critical to point out is that efficient, effective administration of justice and sustained improvement all depend on robust institutional support, meaningful resource allocation, adequate judicial appointments, a safe working environment for all judicial officers, which remain unresolved, and continuous monitoring through bodies such as the Judicial Accountability Committee of the Heads of Court cluster who I laud for their tireless work in keeping a close eye on courts systems and operations to ensure that the judiciary is working. These measures are crucial to ensure that South Africa's courts, all the courts, not only meet but exceed performance expectations, thereby strengthening the foundation of our constitutional democracy.

### **Court performance of the Magistrates' Courts**

#### *Regional Courts Overview*

I turn to the performance of the Magistrates' Courts and start with the Regional Courts which play a crucial role in our justice system, handling serious criminal matters such as murder, rape, robbery with aggravating circumstances, trafficking in persons, and serious commercial crimes, with the competency to impose life imprisonment and a maximum fine of R600 000. These Courts also exercise civil jurisdiction in respect of important family law issues, including divorces and interim custody, and civil cases involving monetary claims ranging from R200,000 to R400,000.

The Regional Courts demonstrated active judicial performance during the 2023/24 Financial Year, utilising a total of 67,705 court days and 207,770 hours. They registered 41,420 new criminal cases

and disposed of 40,709 cases, achieving an average court hour time of 3 hours and 4 minutes a day, below the 4 hours 30 minutes standard. The clearance rate was excellent at 98%, with trials enrolled at 2.42 per day and trials finalised at a rate of 0.29 cases per day. Throughput per case averaged 10 hours and 31 minutes. Compared to the previous year, criminal court days rose by 4%, new cases increased by 11% and court hours increased by 10% while finalised cases slightly decreased by 1%.

Civil court performance took 13,939 court days and almost 28,033 hours. Civil cases finalisation rates totaled 55% for applications and 60% for trials, with average court hours of 2 hours, also below the norm of 4 hours 30 minutes. Enrolled applications and trials per day averaged 1.04 and 2.12 respectively. Year-on-year civil court days and enrolled cases showed modest increases (3% and 2%), while finalised cases remained unchanged.

The significance of Judiciary Day lies in its affirmation of the Judiciary's unwavering commitment to uphold justice without prejudice and to maintain the highest standards in the administration of justice. ”

Key case flow blockages which impacted court efficiency, mainly emanated from the Department of Justice & Constitutional Development (19%), Legal Aid South Africa (14%), prosecution services (13%), and private practitioners (13%). Challenges included court infrastructure issues, equipment faults, stakeholder unavailability, load shedding, adverse weather, and natural disasters.

Judgments were generally handed down within the prescribed three-month norm, with no prolonged reservation periods identified. Overall, the Regional Courts displayed commitment to transparency and judicial accountability, with ongoing efforts to monitor performance and address blockages, aiming to reduce trial delays and avoid lengthy incarcerations for awaiting trial detainees.

During the 2024/25 period, the Regional Courts utilised 65,461 court days and 204,327 court hours. They registered 41,512 new criminal cases and disposed of 40,072 cases. The courts achieved a 97% clearance rate, with an average of 3 hours 7 minutes per court session, which remains below the norm of 4 hours 30 minutes. Cases were enrolled at 2.43 per day and finalised at 0.30 per day, with an average throughput of 10 hours 17 minutes per case.

Compared to the 2023/24 Financial Year, court days decreased by 3%, finalised cases fell by 2%, court hours declined by 2%, and new cases remained constant. Regional variations revealed that the Northern Cape maintained an exceptional finalisation rate of 148%, while Limpopo had a much lower clearance rate of 55%. Gauteng and Western Cape also performed above 100% clearance rates.

In civil court matters, the courts used 12,926 court days and approximately 26,907 hours, with 24,035 applications enrolled and 13,351 finalised. Civil court performance showed 56% of applications and 60% of trials finalized, with average court hours of 2 hours 4 minutes. Year-on-year comparison showed a 7% decrease in court days, a 6% decrease in finalised cases, and a 4% reduction in court hours.

Again, key factors causing case flow blockages included prosecution services (15%), Legal Aid South Africa (15%), private practitioners (13%), accused persons (12%), and witnesses (11%). As previously, challenges involved infrastructure issues, stakeholder unavailability, equipment defects, load shedding, and adverse weather conditions.

Judgments were generally handed down within the required three-month period following hearings, with no significant delays reported. Indications are that the dedicated judicial officers of the Regional Courts remain steadfast in accounting to the public. Efforts to monitor court performance rigorously, alongside proactive measures to address case flow blockages are central to continued progress.

#### *District Courts Overview*

The District Courts are equally vital to our justice delivery system, handling a broad range of criminal cases, with the exception of the most serious offences such as attempted murder, murder, treason, rape, and terrorism. In addition to criminal jurisdiction, the District Courts have exclusive authority over preliminary inquiries under the Child Justice Act and handle civil matters up to R200,000, as well as crucial family law issues such as protection orders, children's courts, and maintenance matters.

Timely delivery of judgments is a priority for every Judge and every Court, including the Constitutional Court. ”

During the 2023/24 Financial Year, the District Courts grappled with ongoing ICT challenges affecting data capturing and court management systems, with criminal case statistics left to the Magistrate's monthly returns, rather than the Integrated Case Management System, for collation and capturing. This led to limitations in reflecting true judicial performance. However, despite these challenges, the courts maintained strong performance indicators.

Key performance highlights included an average of 95% of criminal cases finalised across all Administrative Regions, with significant caseloads handled, such as over 725,000 cases in Gauteng (Johannesburg), thus achieving a 97% finalisation rate. Child Justice preliminary inquiries, which are critical for the protection of children in conflict with the law, were finalized within 30 days at an average rate of 84%. Cape Town, Durban and Pietermaritzburg regions showed particularly high compliance, exceeding 90%.

Maintenance matters were finalized within 90 days at an average rate of 89%, reflecting a commitment to efficiently resolve family maintenance issues. The Eastern Cape B (Mthatha) region led with a 95% finalisation rate.

Challenges impacting case flow included deficiencies in court recording systems, language interpretation services, essential court infrastructure, and persistent load shedding, all affecting case finalisation rates and court operations.

The Department of Justice and Constitutional Development has committed to upgrading court ICT infrastructure by rolling out fibre optic connections and developing improved data capture tools in consultation with judicial officers, which should address the attendant challenges. Additionally, supervision and same-day data entry initiatives to enhance the accuracy and timeliness of statistics, enabling judicial officers to monitor performance more closely are necessary.

Judicial education and training are indispensable tools to maintaining a judiciary that is independent, impartial, dignified, accessible, and effective.”

The District Efficiency and Enhancement Committees and Provincial Efficiency and Enhancement Committees have been working to strengthen stakeholder cooperation to overcome systemic blockages and improve overall court efficiency.

Owing to ongoing ICT challenges within the Department of Justice and Constitutional Development, during the 2024/25 Financial Year, criminal case data in the District Courts continued to be sourced from the Magistrates' monthly Judicial returns (MC 15 tool), which, as pointed out, does not fully reflect judicial performance according to Norms and Standards.

Challenges with capturing data for domestic violence and children's courts remain to date. Nevertheless, data on Child Justice preliminary inquiries and maintenance matters, covering 240 courts, was audited and found reliable, with the department receiving an unqualified audit opinion for the year.

Key performance highlights for 2024/25 include a strong average criminal case finalisation rate of 94% across all Administrative Regions, with the highest caseload in Gauteng (Pretoria) disposing of a staggering 721,615 cases at 97% finalisation.

Child Justice preliminary inquiries were finalised within 30 days at an average of 84%, demonstrating priority toward protecting vulnerable children. Durban and Pietermaritzburg achieved the highest rates at 95%. But Johannesburg lagged behind at 61%.

Maintenance matters were finalised within 90 days at 89% on average, reflecting the commitment to swiftly resolve matters protecting children's interests, with Mthatha leading again, at 91%.

Operational challenges impacting court efficiency included insufficient court recording systems, language interpretation support, laptops, printers, and the effects of persistent power and water outages on court functionality (which, incidentally, affects many courts across the country including the Constitutional Court).

Despite the ICT and infrastructural challenges, the District Courts maintained solid finalisation rates and remain focused on providing timely access to justice through continuous performance monitoring and enhanced stakeholder collaboration.

### Judicial education and training

Judicial education and training are indispensable tools to maintaining a judiciary that is independent, impartial, dignified, accessible, and effective. Continuous professional development equips judicial officers with the necessary knowledge and skills to interpret and apply the law in an evolving legal landscape, ensuring that justice is served fairly and efficiently.

The South African Judicial Education Institute (SAJEI), which was established by the Judicial Education Institute Act of 2008, fulfils this vital role. Since commencing training in 2012, SAJEI has been guided by a Council comprising senior judicial officers (including the Chief Justice, the Deputy Chief Justice and the President of the Supreme Court of Appeal), legal professionals, academics, and representatives from the Executive and traditional leadership. This diverse body ensures that judicial education reflects the values and needs of our constitutional democracy while embracing innovation and inclusivity.

SAJEI's primary functions include developing and providing continuous education and professional training for serving and aspirant judicial officers, conducting research to improve judicial education, and promoting the quality and efficiency of justice delivery. It continues to deliver training for aspiring judicial officers at all three levels of the judiciary in line with section 5(b) of the SAJEI Act. The aim of the programmes is to contribute towards a pool of candidates eligible for appointment to the bench.

Of particular note is SAJEI's commitment to advancing gender transformation through the Aspirant Women Judges Programme. The programme is a flagship initiative that deserves special commendation for its vital role in addressing gender imbalance in South Africa's judiciary. The programme cultivates a capable pool of women ready to take up appointment in the High Court, with 100% of its graduates currently acting in these courts.

Launched in August 2007 and recently re-named in honour of Ambassador Brigitte Mabandla, a former Minister of Justice who, in collaboration with the South African Chapter of the International Association of Women Judges, conceived this brilliant initiative during her tenure in Cabinet. The programme offers intensive training, mentorship, and practical exposure to women magistrates and legal practitioners with at least 12 years of experience.<sup>2</sup> Many of the original graduates have since risen to prominent judicial positions, with some now serving as senior judges, including at the Supreme Court of Appeal. This highlights the programme's success in equipping women with the skills, knowledge, and confidence necessary to serve at the highest levels of the Judiciary. SAJEI's dedicated efforts through this programme are pivotal not only for the promotion of gender equality but also in enhancing the representation, legitimacy, and effectiveness of the South African judicial system.

SAJEI, mindful of the financial constraints facing legal practitioners participating in the programme who must leave their practices and source of income to attend the compulsory training, has actively sought funding to provide a stipend to these candidates, often with difficulty. But, laudably, it has not abandoned the programme. During the 2023/24 Financial Year, 12

<sup>2</sup> SAJEI Call for applications: second women aspirant judges programme

aspirant women judges graduated from the programme. SAJEI is currently in receipt of 104 applications for the upcoming cohort and the interest in the training and positive outcomes continue to grow.

In the periods under review, SAJEI delivered 122 judicial education courses, exceeding its target of 115. The curriculum has been aligned with contemporary legal developments, providing training on pressing issues such as illegal wildlife trafficking, climate change, artificial intelligence, and the use of CHATGPT. Online courses, especially targeted at District Court Magistrates, have expanded access and enriched judicial understanding of complex and emerging topics.

SAJEI also serves an important continental role, among others, supporting the Africa Electoral Justice Network by hosting webinars that build capacity for electoral justice in preparation for elections, thus bolstering democratic processes across Africa.

Despite a slight decrease in participant numbers due to connectivity issues caused by load shedding, over 3,700 delegates attended SAJEI training sessions in both periods under review, including newly appointed judges, magistrates at various levels, aspirant judges, and foreign judicial officers.

SAJEI has published the sixth edition of the Journal which has been accredited by the Department of Higher Education and Training since 2023. The Journal promotes scholarly contributions from the judiciary, legal professionals and academics. Through publications and training, SAJEI has cultivated a culture of continuous professional development.

SAJEI's recently published book of essays, authored by judges, has made a significant contribution to judicial education by providing critical insights, research, and reflections on contemporary judicial challenges and transformation. This publication not only enriches the knowledge base of judicial officers but also fosters dialogue and learning essential for the evolution of a more effective and inclusive judiciary.

Complementing its educational initiatives, SAJEI has been given the crucial responsibility of training judges and magistrates on the newly adopted Sexual Harassment Policy of the South African Judiciary. This training will play an instrumental role in shaping a judiciary that upholds dignity, equality, and accountability, addressing systemic issues of misconduct and fostering a culture of respect and safety within court environments. These efforts underscore SAJEI's pivotal role in strengthening the quality, integrity, and transformation of the South African judicial system.

The Institute's sterling efforts ensure that our Judiciary remains competent, responsive, and equipped to meet the challenges of modern justice administration for all South Africans.

## Judicial Appointments and Retirements

### *Appointments*

It is also important to consider the critical processes of judicial appointments. These processes ensure that our courts are staffed with competent, diverse, and dedicated individuals who uphold the integrity and independence of the Judiciary, thereby sustaining the constitutional promise of justice for all.

This item is discussed fully in the Annual Reports of the Judicial Service Commission (JSC), which were inadvertently omitted from these Reports, but I will briefly discuss the JSC and its activities here too because of their relevance.

In terms of section 174(6) of the Constitution, the President appoints Judges of all Superior Courts based on the advice of the Judicial Service Commission (JSC). The JSC is the constitutional body established in terms of section 178 of the Constitution and tasked with this responsibility. Its primary functions are to:

- (a) interview candidates for appointment as Judges and advise the President as to which candidates to appoint as Judges or, in the case of Judges of the Constitutional Court, to provide the President with a list of candidates from whom the President will make appointments;
- (b) deal with certain complaints against Judges through the Judicial Conduct Committee (JCC) or Judicial Conduct Tribunal (JCT) established in terms of the JSC Act. The Commission deals with matters referred to it by the JCC and also with others that are referred to it by the JCT; and
- (c) advise National Government on any matter relating to the Judiciary or the administration of justice but when it considers any matter except the appointment of a judge, it must sit without the members designated in terms of section 178(1)(h) and (i) of the Constitution.

During the two periods under review, the JSC met on five occasions. These sittings were convened as part of the Commission's bi-annual sittings to receive a briefing from both the Chief Justice and the Minister of Justice and Constitutional Development about matters that affect the courts, to address issues that affect the Judiciary and to interview and recommend candidates for vacancies that arose in the various Superior Courts.

During the 2023/24 Financial Year, 35 vacancies arose in the Superior Courts. The Commission interviewed candidates and advised the President to appoint 24 individuals, all of whom were subsequently appointed. In the 2024/25 Financial Year, 33 vacancies arose in the Superior Courts. The Commission interviewed candidates and advised the President to appoint 27 individuals, all of whom were subsequently appointed. Significant appointments in 2023/24 included Justice Molemela as the President of the Supreme Court of Appeal, to fill the vacancy that arose upon my appointment as the Deputy Chief Justice. In the 2024/25 period I was appointed Chief Justice and Justice Zondi was appointed as the Deputy President of the Supreme Court of Appeal, both appointments effective from 1 September 2024.

It is important to note that the gender demographic of the Judiciary is finally undergoing positive and discernible transformation. In 2023/24, the gender composition of newly appointed Judges comprised 14 females, representing 56% and 11 males representing 44%. Of the 29 Judges appointed in 2024/25 Financial Year, 14 were women (48%) and 15 men (52%). On the race component, the Judiciary comprises 49% African Judges, 31% White Judges, 11% Coloured Judges and 9% Indian Judges with a gender balance close to parity: 51% males and 49% females across Superior Courts, in some courts with the women judges in the majority.

Notably, the Supreme Court of Appeal, stands out as a beacon of gender transformation within South Africa's Judiciary, with a majority of its judges (13 out of 23) 56%, being women - a remarkable achievement that underscores the progress toward greater inclusivity at the highest appellate level. The Constitutional Court, South Africa's apex court, also comprises a diverse bench that, of the nine permanently occupied positions, includes four women Justices (a Coloured woman Justice and three African women Justices) a White male Justice, an Indian male Justice, a Coloured male Justice, and two African male Justices. These demographics reflect a commitment to representation and equality.

In terms of judicial leadership, women hold significant positions across the Judiciary: the Chief Justice who leads the entire Judiciary and the Constitutional Court, for the first time in the history of South Africa, the President of the Supreme Court of Appeal, the Judges President of the KwaZulu-Natal, Mpumalanga and Western Cape Divisions of the High Court, three women out of nine Judge Presidents in the nine provincial divisions of the High Court, and five women Deputy Judges President in the nine High Court divisions. One of the four specialised courts, the Land Court, is led by women in both the Judge President and Deputy Judge President positions. Women occupy six of the nine positions of Regional Court Presidents and 15 out of 19 Chief Magistrates in multiple stations across the country. Collectively, these leadership demographics signify meaningful strides toward a Judiciary that mirrors the nation's demographic composition and advances gender equality at each of its tiers.

Notably, Divisions of the High Court have achieved or exceeded 50% female representation, reflecting ongoing progress in gender transformation. During the 2023/24 Financial Year in the Magistrates Courts, a total of 48 Magistrates were appointed, of which 52% (25 of 48) were black females, 25% (12 of 48) were black males, 8% (4 of 48) were white females and 15% (7 of 48) were white males. The race and gender composition of the Magistrates' Courts establishment is made up of 23% African females (336 of 1 475), 25% African males (366 of 1 475), 13% white females (196 of 1 475) and 13% white males (190 of 1 475).

Complementing its educational initiatives, SAJEL has been given the crucial responsibility of training judges and magistrates on the newly adopted Sexual Harassment Policy of the South African Judiciary. ”

During the 2024/2025 Financial Years, a total of 227 Magistrates were appointed, of which 28% (64 of 227) were African males, 32% (72 of 227) were African females, 3% (7 of 227) were Indian males, 7% (15 of 227) were Indian females, 4% (8 of 227) were Coloured males, 8% (19 of 227) were Coloured females, 7% (16 of 227) were White males and 11% (26 of 227) were White females. The race and gender composition of the Magistrates' Courts establishment is made up of 28% African females (448 of 1,717), 23% African males (402 of 1,717), 12% White females (204 of 1,717) and 11% White males (190 of 1,717).

#### Retirements

Retirements also marked this reporting period significantly, with several Judges and Magistrates discharged from active service, including Judges at the Constitutional Court, the Supreme Court of Appeal, various High Courts, and the Labour Court.

These transitions create opportunities to infuse fresh talent and perspectives into the Judiciary and help it to sustain its dynamism

and responsiveness. But there is a downside when this happens en masse. While retirements mark an inevitable and natural transition within the institution, some Divisions have experienced a significant loss of institutional memory and senior expertise. The KwaZulu-Natal Division, for example, following the Supreme Court of Appeal, has seen the retirement of a number of senior judges in quick succession, which created a sizable gap in critical areas such as commercial law. This presents a challenge in maintaining judicial continuity and underscores the urgency of consistently building a strong pool of competent candidates from which judicial appointments can be made as the need arises. SAJEL's training and mentoring programmes are, therefore, indispensable, as they play a critical role in equipping aspirant judges with the skills and knowledge necessary to fill these voids and ensure the sustained quality and stability of the Judiciary.

The continuous cycle of appointments and retirements, when coupled with dedicated judicial education, strengthens the Judiciary's capacity to uphold constitutional values, administer justice fairly, and maintain public confidence in our courts. It is our collective responsibility to ensure that these processes remain transparent, meritbased, and aligned with our national imperatives of diversity, transformation, and excellence.

#### The Judicial Service Commission related matters

As to the general work of the JSC, as I have mentioned earlier, one of its primary responsibilities is adjudicating certain complaints against Judges through the JCC or JCTs established in terms of the JSC Act.

The JCC consists of the Chief Justice, the Deputy Chief Justice and four other Judges, two of whom must be women, as contemplated in section 8 of the JSC Act.

An overview of the complaints received over the past three years shows a significant increase of complaints each year. For the reporting period 2022/23 Financial Year, 93 complaints were received. Of these, 72 (77%) were resolved and 21 (23%) were carried over to the 2023/24 Financial Year. Of the 21, 14 (67%) were resolved in the 2023/24 Financial Year and seven (33%) were carried over to the 2024/25 Financial Year. Of the seven, none were resolved in the period under review and are pending during the current, 2025/26 Financial Year.

For the previous reporting period, namely the 2023/24 Financial Year, 125 complaints were received. Of these, 70 (56%) were resolved and 55 (44%) were carried over to the 2024/25 Financial Year. Of the 55, six (11%) complaints were resolved and 49 (89%) are carried over to the 2025/26 Financial Year.

For the 2024/25 Financial Year, 132 complaints were received, and 38 (29%) complaints were resolved, whilst 94 (71%) were pending at the end of the current Financial Year and then carried forward to the current Financial Year (2025/26).

The backlog in the complaints process can be attributed to many factors such as the challenges faced by the JCC's composition, in particular the small number of its members. Encouragingly, legislative amendments to increase the number of Judges who serve of the JCC are in progress at the instance of the Chief Justice and the JCC.

Another challenge arises from the JSC Act<sup>3</sup> which requires that when a complaint is lodged, the Chairperson must deal with the

<sup>3</sup> Judicial Service Commission Act 9 of 1994 sec 14(2)

complaint in terms of section 15,16 or 17 of the JSC Act. This has put a lot of pressure on the Chairperson, who is the Chief Justice or the Deputy Chief Justice where the Chairperson has delegated his or her powers or functions as Chairperson to him or her. The challenges faced by the Chairperson or Acting Chairperson are that they are sitting judges of the Constitutional Court and leaders of the Judiciary with many other responsibilities which results in a lot of work for them. The JCC has made further proposals with a view to amending the JSC Act to resolve this issue as well.

The lack of resources in the administrative support to the JCC and JCTs has also contributed immensely to the slow pace of dealing with complaints although the OCJ has made efforts to ensure that the Secretariat is capacitated to provide support to the JCC. Also, the influx of complaints received against acting judges, who are mostly practitioners, has only aggravated the situation as the JCC lacks jurisdiction to entertain complaints brought against them. But the Heads of Court and the JCC are engaging the Legal Practice Council, which has the necessary disciplinary authority in this regard. The complaint processes are also not immune to legal challenges, which, unfortunately, negatively impacts the speed with which the complaints are finalised.

Measures have been put in place to capacitate the JCC with a retired Justice of the Constitutional Court and two retired Justices of the Supreme Court of Appeal. This initiative has improved the efficiency of the JCC and has ensured that complaints are disposed of timeously.

Five JCT's were established by the Chief Justice in terms of section 21 of the JSC Act during the period under review. Noteworthy is that three have finalized their proceedings and produced reports which are in the process of implementation and two are in the final stages of their proceedings.

I wish to take this opportunity to thank my colleagues in the Commission, both in the main structure that the country sees interviewing judicial candidates and the Judicial Conduct Tribunals and the Judicial Conduct Committee for their hard work, which takes place behind the scenes, for which they are not paid and no one sees.

The JSC has worked hard to restore its credibility as a constitutional body, and is committed to enhancing the credibility and efficiency of the judicial appointment processes and adopting a more strategic approach to identifying and recruiting a diverse and talented bench.

### **Extra-judicial contributions**

The Judiciary's role extends far beyond the courtroom, with many members actively contributing to society through a broad range of extra-judicial positions. These roles encompass leadership in judicial education, university administration, law reform bodies, community organisations, professional associations and other civic structures.

Many judges and magistrates serve as trustees, patrons and members of cultural institutions, chairs and members of law reform committees, university chancellors, council members and teachers, leaders in community organizations, authors and, importantly, mentors of the next generation of lawyers and judicial officers. These engagements demonstrate the Judiciary's commitment to fostering justice, education, legal development, and social cohesion beyond strictly adjudicative functions.

This broader societal involvement enriches judicial perspectives, enhances public trust, and reinforces the Judiciary's foundational role in supporting democracy, human rights, and the rule of law in South Africa. It is testament to how judicial officers embody their duty not only as arbiters of legal disputes but also as active, responsible citizens shaping a just and inclusive society. And I thank colleagues who take valuable time out of their busy work diaries to serve their nation in these positions.

### **The Sexual Harassment Policy and Gender Desk**

One of the Judiciary's most significant achievements, despite all the challenges, during the period under review has been the adoption of a revamped South African Judiciary Sexual Harassment Policy on Women's Day, 9 August 2025. This significant milestone has been a long time coming and is a result of a challenging journey of many years towards creating a workplace within the institution in which respect and dignity thrive.

Recognising that the Judiciary is not exempt from experiencing, and perpetrating sexual harassment, the Policy ensures that systems of accountability and protection are put in place to address misconduct and create safer working environments. For many years, voices both within and outside the Judiciary have called for stronger protections against sexual harassment. These calls echoed the broader societal shifts and demands in a South Africa which continues to confront the harmful legacies of inequality, exclusion and exploitation.

The introduction of this Sexual Harassment Policy thus marks a pivotal moment in the history of our judicial system – a tangible, formal step that, according to both anecdotal accounts and objective evidence, acknowledges the lived realities of a number of individuals who work in this institution. It reflects the Judiciary's evolution from a system once (and perhaps still so in some pockets) reluctant to address such matters openly, to one now proactive and transparent in its commitment to justice not only in its rulings but in workplace conduct. This progression resonates deeply with our constitutional values. It affirms the Judiciary's unwavering commitment to the Constitutional values of human dignity, equality, and justice and to lead by example in institutional reforms.

This Policy stands as a clear and unequivocal declaration that sexual harassment, in any form, will not be tolerated in our judicial system. It applies to all judicial officers, permanently appointed and acting, and covers all circumstances, private and public, in which the business of the Judiciary is conducted. Its core principles are guided by a victim-centred approach and they include confidentiality, accountability, nondiscrimination, fairness, support and protection against victimisation and retaliation. The reporting system of the Policy also follows a victim-sensitive approach and is characterized by ensuring that allegations are dealt with seriously, expeditiously, sensitively, and confidentially.

Simultaneously with the launch of the Sexual Harassment Policy, an interim Gender Desk and focal point for the reporting of sexual harassment complaints has been established in the Private Office of the Chief Justice while the Judiciary's supporting arm, the Office of the Chief Justice, assisted by the Department of Justice and Constitutional Development, work towards establishing a fully-fledged Gender Unit in the Office of the Chief Justice. The establishment of the interim Gender Desk is to ensure the immediate implementation and monitoring of the Policy while arrangements are made for a more permanent, fully-fledged

Gender Unit. The location of the interim Gender Desk is at the Constitutional Court in Braamfontein, Johannesburg under the direct supervision of the Chief Justice. This signals a vital shift in how the judiciary responds to these issues, not as isolated Human Resources concerns, but as matters of institutional integrity and judicial ethics envisaged by the Constitution and relevant law.

As required by the Policy, all role players, including the Gender Desk, the Heads of the Superior and Lower Judiciary, the Office of the Chief Justice, the JSC, the Magistrates Commission, and the SAJEL, must within six months of the launch of the Policy submit implementation plans. The implementation plan will play a crucial role in ensuring a streamlined approach to addressing sexual harassment, outlining the practical steps and defining the roles and responsibilities of each role-player. It will include essential aspects such as the administrative systems that will be utilised, the designated liaisons and their duties, the training needs, resource allocation and budget implications.

In compliance with the training requirements set out in the Policy, the SAJEL has commenced a procurement process to acquire a standardised online anti-sexual harassment training course for all members of the Judiciary. This is a project that will require specialised expertise to ensure that the training is meticulously tailored to the Policy and it reflects the unique dynamics of a court environment. In the meantime, the SAJEL has held webinars for all judicial officers in order to enhance awareness and understanding of the Policy and reinforce its implementation throughout the Judiciary. The webinars created a platform for honest dialogue, reflection, education and a call to action for the Judiciary as a guardian of justice. Furthermore, discussions in various individual courts are taking place amongst judicial officers and staff members to enhance the awareness building and encourage the use of strategies to prevent the occurrences of sexual harassment. These engagements have highlighted some important challenges in the implementation of the Policy which will require a collaborative effort in addressing them.

### **Institutional Independence**

An issue of profound significance to the very foundation of our constitutional democracy is the development concerning the institutional independence of the Judiciary. The transformation of the Judiciary has long been a cornerstone of government efforts to fortify constitutional governance. As enshrined in Section 165(4) of our Constitution, organs of State are mandated, through legislative and other measures, to assist and protect the courts to ensure their independence, impartiality, dignity, accessibility, and effectiveness.

Historically, the administration of justice, including judicial governance, was directly controlled by the Minister of Justice under previous constitutions. Post democracy, an era of judiciary-led administration dawned, ushering in institutions such as the Judicial Service Commission, Magistrates Commission, and the Office of the Chief Justice as a national department. This transformation aimed to delink the Judiciary from executive control, assigning the Chief Justice powers to oversee the administration of the Superior Courts.

On 6 June 2025, a historic meeting between the Presidency, including key Ministers and the Chief Justice-led judicial delegation, reaffirmed the shared commitment to building a stronger, more effective justice system rooted firmly in constitutional values. This engagement marked a pivotal milestone in advancing the judiciary-led court administration model and

signaled the Executive's in-principle agreement that reforms are necessary to realise the judiciary's long-cherished aspiration of institutional independence.

The independence envisaged is multifaceted, encompassing individual judicial independence and institutional autonomy characterised by financial security, security of tenure, and administrative independence. Paramount among these is financial independence - enabling the Judiciary to budget for, access, and manage its resources without undue interference.

It is envisaged that the Judiciary shall be empowered through a legislative framework akin to that which governs Parliament's financial management, ensuring robust governance structures and accountability mechanisms. The fine detail of the Institutional Model is being negotiated. But it has been agreed that the transfer of administrative functions from the Department of Justice to the OCJ will occur in two phases, beginning with shared and retained services from 1 April 2026 - covering facilities management, security, court recording technology, transcription, and library services.

A draft Cabinet Memorandum and skeleton Bill have been prepared to operationalise full institutional independence, including establishing a unified Judiciary. The Cabinet has endorsed progressing this legislation via the Justice Ministerial Cluster.

The ongoing discussions and negotiations between the Judiciary and the Executive are set to provide guidance toward judicial institutional independence - an evolution indispensable for safeguarding the rule of law, reinforcing public trust, and ensuring the Judiciary fulfills its constitutional mandate unfettered by external influences.

The Judiciary's role extends far beyond the courtroom, with many members actively contributing to society through a broad range of extra-judicial positions.”

It is incumbent on all of us, as custodians of justice, to embrace this transformation resolutely, for the promise of constitutionalism rests on an independent, impartial, and empowered Judiciary.

### **Closing Remarks**

In closing, it is with deep concern that we acknowledge reports indicating that public confidence in the Judiciary has waned, accompanied by troubling perceptions tarnishing the integrity and honor of this revered institution. Judicial officers are sometimes accused of misconduct and incompetence, claims that strike at the very heart of justice and threaten to erode trust in the rule of law. However, it is important to emphasize that the Judicial Service Commission and the Magistrates Commission respond with the utmost seriousness to charges of impropriety within the judicial ranks. They do not hesitate to investigate complaints brought against judicial officers and take necessary, decisive action against those found guilty - doing so as expeditiously as possible.

This rigorous oversight underscores the Judiciary's commitment to upholding its ethical standards, maintaining accountability, and restoring confidence in an institution fundamental to our democracy and constitutional order.

The Judiciary of South Africa remains steadfast in its ongoing commitment to justice, integrity, and constitutionalism. As recently reaffirmed in the media statements issued by the Office of the Chief Justice, the Judiciary strives to uphold the highest standards of impartiality, independence, and respect for the rule of law, recognizing that these values are essential pillars sustaining our constitutional democracy. It cannot be overemphasized that the courts are guardians of the Constitution and that every judicial officer bears a profound responsibility to exercise their duties with integrity, ensuring that justice is administered fairly and without prejudice.

This commitment extends to fostering a judicial environment that respects human dignity and equality, as evidenced by recent pioneering steps such as the adoption and implementation of the Sexual Harassment Policy. The Judiciary's dedication to continuous improvement, enhanced accountability, and the protection of constitutional rights embodies its promise to serve the people of South Africa with fairness and excellence, ensuring the Constitution's spirit permeates every facet of justice in the land.

In calling for collective action and vigilance in safeguarding judicial independence and public trust, it is imperative to remember that the Constitution places this responsibility squarely on the shoulders of every citizen. Judicial independence is not an abstract ideal but the cornerstone of a functional democracy and the rule of law. Section 165(2) of the Constitution affirmatively states that courts are independent and subject only to the Constitution and the law, which they must apply impartially and without fear, favour, or prejudice. This independence ensures that justice is administered fairly and without undue influence from any person or organ of state. Therefore, the public's role in watching over the Judiciary is vital - not as a source of undermining, but as constructive oversight that holds judicial officers accountable while respecting their necessary autonomy.

Citizens must not hesitate to critique the Judiciary where it is warranted. But they should do so constructively, recognizing that honest scrutiny strengthens rather than weakens our justice system and democracy. By embracing this balanced vigilance, we collectively preserve the integrity of the Judiciary, ensuring it continues to serve as a guardian of freedom, equality, and constitutionalism for all South Africans.

I take this moment to express our collective gratitude to all who have demonstrated unwavering dedication and service to the noble cause of justice. While the Republic and her people confront profound and multifaceted challenges, South Africans have repeatedly exemplified resilience and fortitude in the face of adversity. This enduring spirit of courage fortifies our shared commitment to the grand project of building a prosperous, equitable, inclusive, and just nation - an endeavour that remains imperative and resolute. May we continue to labour steadfastly, in close unity, to secure the promise of our Constitution and the deep aspirations of our people. ■



JUSTICE MML MAYA

The Judiciary of South Africa remains steadfast in its ongoing commitment to justice, integrity, and constitutionalism.”



Watch the full session on the RSA Judiciary YouTube channel: <https://youtube.com/live/w7t0VjqdqQ>

CONSTITUTIONAL COURT, BRAAMFONTEIN



Chief Justice Mandisa Maya joined by the Judicial Accountability Committee, chaired by Deputy Chief Justice D Mlambo, President of the Supreme Court of Appeal, President M B Molemela, Deputy President of the Supreme Court of Appeal, Justice D Zondi; Judge President S S Mphahlele, and Acting Judge President A Ledwaba.



Chief Justice Mandisa Maya



Deputy Chief Justice Dunstan Mlambo



President of the Supreme Court of Appeal, President Mahube Molemela



Deputy President of the Supreme Court of Appeal, Justice Dumisani Zondi



MADRID, SPAIN

## CHIEF JUSTICE MANDISA MAYA ATTENDED THE 6TH CONGRESS OF THE WORLD CONFERENCE ON CONSTITUTIONAL JUSTICE IN MADRID, SPAIN

Chief Justice Mandisa Maya attended the 6th Congress of the World Conference on Constitutional Justice in Madrid, Spain, from 28–31 October 2025. The Congress, held under the theme ‘Human Rights of Future Generations’, featured the Chief Justice presenting a report on the activities and successes of the recent J20 Summit in Johannesburg, South Africa.



Chief Justice Mandisa Maya attended the 6th Congress of the World Conference on Constitutional Justice in Madrid

## CHIEF JUSTICE MAYA VISITS NAMIBIA AS COUNTRIES CEMENT JUDICIAL PARTNERSHIP

Chief Justice Mandisa Maya undertook an official visit to the Supreme Court of Namibia, in early December 2025, where she signed a Memorandum of Understanding (MoU) with her Namibian counterpart, Chief Justice Peter S. Shivute. The MoU strengthened judicial cooperation between the two apex courts and advanced collaboration on matters of mutual interest. During the visit, Chief Justice Maya delivered a master lecture in Windhoek under the theme “Advancing gender

representation in the judiciary and the legal profession.” Chief Justice Shivute, in introducing the lecture, underscored the importance of the theme for both jurisdictions and expressed appreciation to Chief Justice Maya for accepting the invitation to address the Namibian Judiciary. In her lecture, Chief Justice Maya emphasised that meaningful gender representation on the judicial bench was integral to the advancement of human rights and the strengthening of democratic institutions.

WINDHOEK, NAMIBIA



Chief Justice Mandisa Maya and Chief Justice Peter S. Shivute sign a Memorandum of Understanding (MoU)



**CHIEF JUSTICE MANDISA MAYA  
DELIVERED A LECTURE ON THE 31ST  
ANNIVERSARY OF THE HUMAN RIGHTS  
COMMISSION  
2 OCTOBER 2025**

On 02 October 2025, Chief Justice Mandisa Maya delivered a lecture under the theme 'A Human Rights Journey Since 1994 - Why Did We Get Here?', highlighting the Human Rights Commission's pivotal role over the last three decades, in supporting the Constitution and raising awareness on human rights.



*Chief Justice Mandisa Maya delivered a lecture on 'Reflections on 31 Years of Human Rights in South Africa'.*



*Mr Saki Macozoma was one of the panel members*



*Ms Mpho Mbatha*



*Ms Princess Ka-Siboto*



*Prof. Frans Viljoen*



Chief Justice Mandisa Maya, together with members of the National Efficiency Enhancement Committee, following the NEEC meeting in Sandton.

## CHIEF JUSTICE MANDISA MAYA HOSTED THE NATIONAL EFFICIENCY ENHANCEMENT COMMITTEE (NEEC) MEETING IN SANDTON 1 OCTOBER 2025

Chief Justice Mandisa Maya chaired the National Efficiency Enhancement Committee (NEEC) meeting held in Sandton, on 1 October 2025. Established in 2012, the NEEC was created to improve the efficiency and effectiveness of the justice system. The meeting brought together key stakeholders, including the National Prosecuting Authority, the Law Society of South Africa, and several government departments, to assess progress and address systemwide challenges.



Chief Justice Mandisa Maya



President of the Supreme Court of Appeal, President M B Molemela



Judge President L P Tlaetsi, Judge President of the Northern Cape Division of the High Court



Judge President M G Phatudi, Judge President of the Limpopo Division of the High Court



Judge President R D Hendricks, Judge President of the North West Division of the High Court



Judges of the Gauteng Division of the High Court bid farewell and congratulations to Deputy Chief Justice Dunstan Mlambo, following his appointment to the Constitutional Court.

## GAUTENG DIVISION BIDS FAREWELL TO DEPUTY CHIEF JUSTICE DUNSTAN MLAMBO

The Gauteng Division of the High Court hosted a farewell and congratulatory function in honour of Deputy Chief Justice Dunstan Mlambo on 25 October 2025. The event recognised his years of distinguished service as Judge President of the Gauteng Division of the High Court, and celebrates the elevation of Justice Mlambo to Deputy Chief Justice as he takes up the position at the Constitutional Court. Judges of the Division paid tribute to their former Head of Court, acknowledging his impactful leadership and contribution to the Division. In response, the Deputy Chief Justice delivered a heartfelt message of gratitude, acknowledging the dedication, support, and collaboration of fellow Judges and staff throughout his tenure as Judge President of the Gauteng Division of the High Court.



Deputy Chief Justice D Mlambo



Judge S Potterill



Deputy Judge President R Sutherland



Acting Judge President of the Gauteng Division of the High Court, A Ledwaba



# PROTECTING THE INTEGRITY OF REFUGEE AND MIGRATION SYSTEMS

17-21 November 2025

By Judge J D Lekhuleni

Western Cape Division of the High Court

**The theme “Protecting the Integrity of Refugee and Migration Systems” framed the 14th World Conference of the International Association of Refugee and Migration Judges (IARMJ), held in Nairobi, Kenya, from 17–21 November 2025. The conference brought together over 200 judges, scholars, and experts from more than 40 countries to engage in dialogue on safeguarding refugee and migration systems in line with international legal instruments, including the 1951 Refugee Convention, its 1967 Protocol, and the 1969 OAU Refugee Convention.**

The main conference addressed critical challenges such as abuse of asylum systems, human trafficking, migrant smuggling, climate-induced displacement, and the use of artificial intelligence in judicial decision-making. In his opening address, President William Samoei Ruto of Kenya highlighted the unprecedented scale of global displacement, underscoring the importance of the non-refoulement principle, fair procedures, judicial independence, transparency, and compassion in asylum adjudication. He emphasised that integrity in refugee and migration systems depends on strong institutions, skilled personnel, and public trust.

Keynote contributions by Chief Justice Martha Koome of Kenya and senior international stakeholders reinforced the judiciary’s role in upholding human dignity, fairness, and human rights amid growing migration pressures. Speakers emphasised that integrity requires systems that are credible, transparent, humane, and resistant to politicisation, and that no country can manage displacement challenges alone, making regional and international cooperation essential.

The conference featured extensive regional perspectives. Justice Dunstan Mlambo, Deputy Chief Justice of South Africa, addressed mixed migration movements in Africa, highlighting the complex drivers of displacement, including conflict, poverty, governance failures, and climate change. He underscored jurisprudence protecting asylum seekers from deportation under the non-refoulement principle, including key South African Constitutional

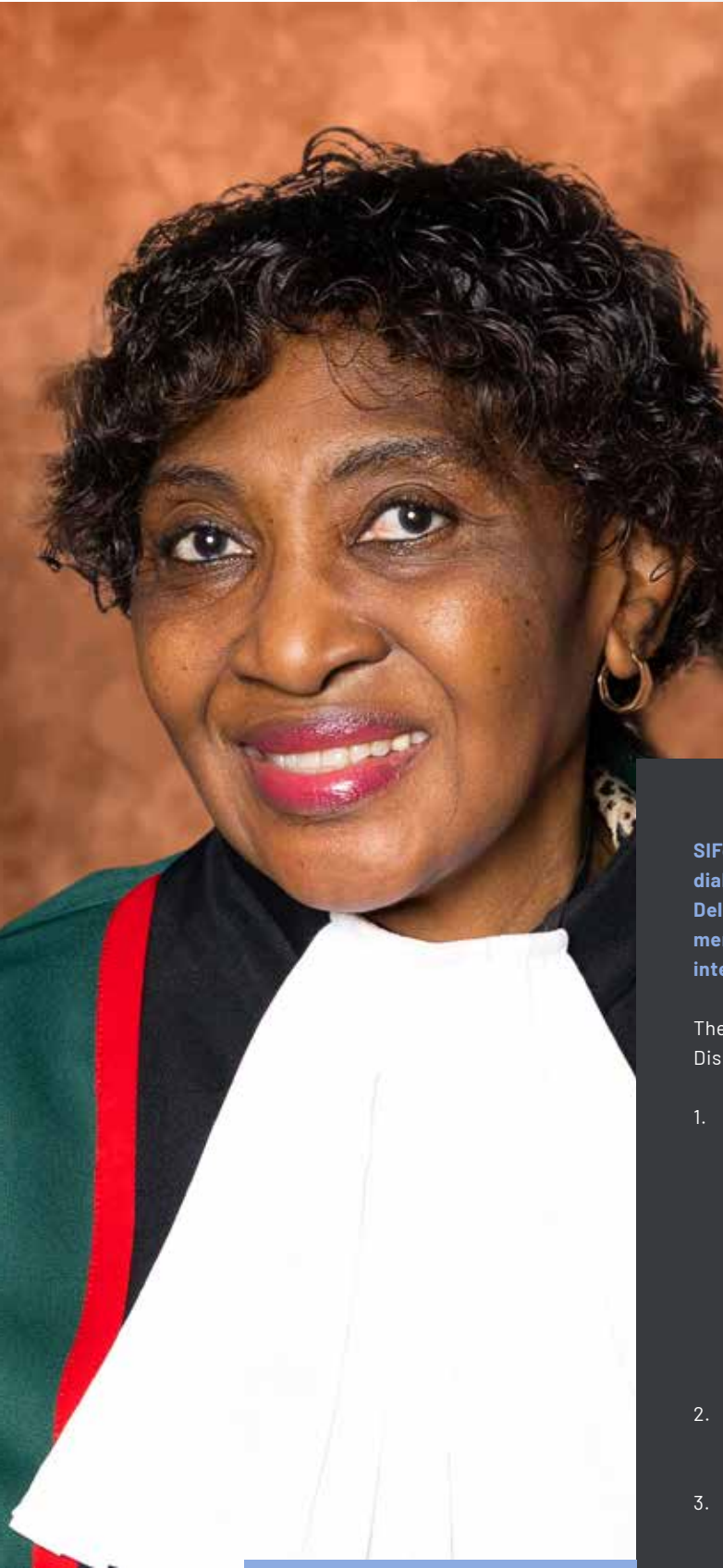
Court decisions, and stressed the need for coordinated, rights-based responses to mixed migration flows.

Delegates from the America, Asia Pacific, and Europe shared comparative jurisprudence and policy responses, including humanitarian and compassionate considerations in refugee decisions, EU asylum reforms under the 2024 Pact on Migration and Asylum, and ethical approaches grounded in compassion, accountability, shared responsibility, and empathy. Discussions consistently reaffirmed that human rights principles must guide refugee and migration systems, even under increasing strain.

The conference also explored substantive issues such as credibility assessments, socio-economic rights of refugees, protection of vulnerable groups including persons with disabilities and LGBTQ refugees, statelessness, and detention conditions. Speakers emphasised trauma-informed decision-making, the benefit of the doubt where appropriate, and the absolute nature of non-refoulement in cases involving risk of torture or inhuman treatment.

The post-conference workshop focused on judicial capacity-building, the rule of law, climate change and disaster displacement, statelessness, and sub-standard detention conditions. Presenters stressed the responsibility of judges and decision-makers to remain informed, impartial, and resilient in upholding the rule of law and international protection standards. The workshop reinforced the importance of continuous professional development to ensure effective access to justice for displaced persons.

In closing, the outgoing IARMJ President, Judge Isaac Lenaola, noted that while the conference had concluded, the work of protecting the integrity of refugee and migration systems must continue through judicial dialogue, shared learning, and principled decision-making. The conference was widely regarded as a success, with South Africa designated to host the African Chapter of the IARMJ in November 2026. ■



## REPORT ON THE SIXTH FULL MEETING OF THE STANDING INTERNATIONAL FORUM OF COMMERCIAL COURTS (SIFOCC) HELD IN NEW DELHI, INDIA

8-9 November 2025

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By Justice Y T Mbatha

SIFOCC's commitment to the principles of cooperation and judicial dialogue between jurisdictions culminated in another meeting in New Delhi, India. This august meeting was attended by representatives of member States from 65 jurisdictions, who reaffirmed the importance of international cooperation and international commercial courts.

The main themes for the conference were: An International Commercial Dispute Resolution - Choice of Jurisdiction and Forum Shopping:

1. Forum choice allows parties in international disputes to select from multiple courts. However, forum shopping may arise from overlapping jurisdictions as international tribunals expand across various jurisdictions. The forum emphasised judicial cooperation and transnational adjudication of commercial matters. In the service of judicial processes, it was recognised that cross-border service should be governed by treaties and comity principles to respect the sovereignty of each country. It is therefore essential that foreign service rules be respected. Judge-to-judge assistance was encouraged.
2. Jurisdictions were encouraged further to adopt measures that permit the taking of remote testimony via audiovisual link, adopting case lines and digital filing.
3. Third Party Litigation Funding - commercial courts were encouraged to allow this form of funding in their jurisdictions as it enhances access to justice.

4. The enforcement of foreign judgments was encouraged as it contributes to the common goal. It gives clients confidence that their decisions can be enforced in SIFoCC member States. SIFoCC members were encouraged to act like signatories to the Hague Convention, which recognises transnational litigation and cooperation. This form of collaboration promotes foreign investment and judicial confidence in the member States.

#### **B. THEME 2: Courts Adapting to Global Changes:**

1. Discussions centred around the uncertainty in ownership and regulation of Digital Assets and Cryptocurrencies. It was recognised that cryptocurrency falls outside the Exchange Control Regulations, thereby necessitating legislative reform in member states.
2. Climate Change and Environmental Protection - a topic which was extensively discussed last year in Qatar, remained relevant in this meeting. The question was whether we should import laws from other countries or develop laws on climate change to be enforced in member States. It was agreed that this is a global issue that should not be addressed under domestic law. Courts were encouraged to enforce compliance with treaties already in place, such as the Paris Agreement obligations.
3. Labour Protection and Modern Slavery: Courts were encouraged to combat the exploitation of labour by foreign and domestic commercial companies through statutory and constitutional instruments.

#### **C. THEME THREE: Artificial Intelligence (AI):**

1. It was recognised that AI's rapid evolution has outpaced legislation. This time around, there was a bit of caution about the extensive use of AI in the courts of law. Though widely used in certain member jurisdictions, the question was whether it could be used in international disputes; whether the commercial sector would accept machine-made decisions; whether a machine should decide on a traffic fine; and whether the parties should decide whether the machine or the judge should adjudicate the matter. The question was where we should draw the line. It was unanimously accepted that a machine cannot be an independent arbiter of the law.
2. Our hosts, the Delhi High Court, informed us that they use AI mainly for legal analysis and research, translation services and for case management. India has 14 indigenous languages, and judgments are delivered in all of them. This has proved to deliver judgments swiftly and cost-effectively. They have developed a legal analysis software AI app that translates judgments from English into all 14 languages. I found this to be innovative. This is what is needed in South Africa. We can also use it to translate the records in preparation for court hearings. We pay a lot of money for such services.
3. A judge in India is encouraged to use AI for legal research, but they must take full personal responsibility for the judgment based on such research. The judge must still make the decision independently, as AI cannot be expected to be 100% accurate. They advocate the use of non-determinative apps for research purposes.
4. These developments are reported to have improved the court's productivity. It was accepted at this meeting that the use of AI apps, not specifically designed for a particular purpose, may pose risks to the administration of justice. Singapore's Chief Justice reported that they were also developing an AI tool for research purposes only. He had reservations about the exclusive use of AI. He opined that full reliance on AI would have a long-term impact on jurisprudence, as it would affect the ability to reason. Reasoning is the most important part of a judgment.

5. It was also accepted that full reliance on AI would negatively impact the development of a young professional. Development of the law would also stagnate as outcomes on judgments would be predictable.
6. France has introduced mandatory AI training for its judges. They use it mostly in uncontested matters. A pre-hearing memo app was being developed. It will generate summaries for the judges. The app will also be used to translate transcripts. This will expedite the hearing of the matters and at the same time save costs for the court.
7. An AI app which can transcribe the witness statement or interview, accompanied by the voice recording of the witness is also being developed by France for the use in their courts.
8. The use of platforms like ChatGPT were found to compromise the right to privacy, as they are unregulated public platforms. Member states were encouraged to develop specific AI apps for the courts.
9. The following resolutions were taken with regard to AI use:
  - (a) Guidelines need to be developed for the use of AI;
  - (b) judicial training is needed in using the tool;
  - (c) members to be aware that AI is not a human being, vigilance is required;
  - (d) members need to identify the boundaries on which AI can be used and where it cannot be used; and
  - (e) that though there is a need to prepare ourselves for the change, we need to preserve the integrity of the courts. Judges need to remain in control of their judgments.
10. It was also interesting to note that Japan, a country known for its technological advances, has not used AI in actual proceedings. They have security concerns. Zambia and Gambia have only used AI in commercial courts only for transcriptions and recordings. Countries like Rwanda reported that they have other challenges, like lack of digital infrastructure, hence they have not yet used AI.

Notably, South Korea is the only country that has developed guidelines on the use of AI. The US has just commenced a pilot project on the use of AI in their courts.

#### **D. Breakout Sessions: Enhancing trust in the judiciary:**

1. It was agreed that public confidence in the judiciary is vital for every constitutional democracy. This was raised against the backdrop of the rise of corruption in certain jurisdictions. This has an indirect impact on the enforcement of foreign judgments.
2. The Bangalore Principles should serve as a guide as they emphasise independence, impartiality and integrity.
3. Member States were encouraged to embrace innovation, digital fluency and cross-border cooperation.
4. SIFoCC will continue to foster judicial exchanges, AI ethics protocols and mentorship networks.

#### **E. The interesting Improvements in the Courts of our host country, India:**

I want to share with you these interesting developments in the Indian courts, which may also assist in dealing with the challenges relating to the backlogs in our Court. They have adopted drastic measures to deal with those challenges.

1. Great strides have been made by the introduction of specific legislation to deal with the enforcement of commercial judgments from over 30 jurisdictions, who are members of SIFoCC. The Multilateral Memorandum on Enforcement of Commercial Judgements for Money Act, was promulgated in 2024. In 2015, the Commercial Courts Act (the CCA) was passed, to meet the pace and complexity of modern commerce and for the adjudication of international commercial disputes.

2. There are great similarities to our substantive and procedural laws, considering that India and South Africa were under British rule for decades. Various amendments were made to the Code of Civil Procedure of 1908, introduced by the British, with the aim of bringing efficiency to the courts.
3. I observed that the commercial court's jurisdiction commences from district courts, with appeals lying to the Commercial Division of the High Court. The high courts also have original jurisdiction. The Commercial Division of the High Court operates separately from the mainstream court.
4. Section 12A of the CCA mandates the pre-institution mediation before filing of a commercial suit, unless urgent relief is sought. This enables litigants to resolve disputes amicably and effectively without resorting to litigation. This measure has drastically reduced the workload of the courts. The pre-institution mediation is mandatory. And that is not the end of the mediation process.
5. Case management commences immediately after the filing of affidavits by the parties. This ensures that the arguments are completed within six months of the institution of the matter. Case management also encompasses disposing of unnecessary issues, which would otherwise prolong the hearings.
6. The most interesting part is that evidence is not taken by a judge. Traditionally, under the 1908 Code, the examination in chief and cross- examination were taken orally before a judge. This led to enormous delays in the adjudication of the matters due to postponements and other challenges.
7. In terms of the recent amendments, examination in chief is filed by way of affidavits and the witness will only appear personally for cross- examination. However, this process still led to delays due to postponements.
8. Instead of the courts recording the cross examination of witnesses, the evidence is adduced before a local commissioner appointed by the court to record the evidence. The commissioners are appointed from the ranks of retired judges and legal practitioners appointed by the court. The whole process, including cross- examination, is recorded in special facilities within the court premises. The record of the proceedings would then be provided to the judicial officer, together with a report from the commissioner. Any objection or question of law raised is recorded and deferred for the adjudication of the judge.
9. The benefits of this procedure are that the judge's time is spent only on the adjudication of the matter and is not wasted in long trials, which are often delayed by unnecessary postponements. This also reduces repeated visits to the courts by the litigants.
10. The Supreme Court of India boasts of 34 judges. India also have 25 high courts serviced by approximately 1100 judges.
11. The New Delhi high court has a Mediation and Conciliation Centre, which deals with matters referred by the court or party initiated in commercial matters. It is manned by 256 mediators. A colleague from India, who made this presentation to us, reported that the introduction of compulsory pre-litigation mediation has been exceptional in reducing an influx of new cases. It is important to note that a judge retains the discretion to refer the matter to mediation at any stage of the proceedings.
12. They have also introduced permanent E- courts for international commercial matters.

These are the interesting issues that I wish to share with you. ■



# TRIBUTE: RETIRED JUSTICE LEONORA VAN DEN HEEVER

By Justice Mandisa Maya  
Chief Justice of the Republic of South Africa

**The Honourable Justice Leonora van den Heever, passed away on 20 November 2025 at the age of 99. She is remembered for her legal acumen and being the first female Judge in South Africa. Chief Justice Mandisa Maya paid tribute to Justice van den Heever in a statement reflecting on her legacy, and historical significance of her appointment to the bench, read the statement below.**

Justice van den Heever's distinguished career stands as a testament to courage and perseverance. As South Africa's first female judge, first appointed in 1969, she shattered a formidable glass ceiling at a time when the bench was the exclusive preserve for male Judges. Later, in 1991, she became the first woman to serve permanently at the Appellate Division which became the Supreme Court of Appeal. Her pioneering presence opened doors for women in the Judiciary law, and her legacy lives on in the many who follow in her footsteps.

Her legal mind was sharp, principled. She rendered judgments of clarity and conviction, moulding legal doctrine with integrity and a sense of justice that transcended the courtroom. Beyond her role in the Judiciary, she was a woman of culture and an author of note. She wrote children's books, short stories, and contributed

significantly to South African literacy life. Her commitments extended also into service on cultural boards, poetry, and the arts. As a symbol of achievement and service, she received numerous honours. Among them, she was awarded an honorary LLD, recognising not only her legal acumen but her unwavering dedication to justice and fairness.

"To her family, we offer our heartfelt condolences. The Judiciary mourns with you and honours her memory. To her former colleagues, the legal fraternity and all whose lives she touched – may we continue to emulate her strength of character and her unshakeable faith in the power of the law to serve society," said Chief Justice Maya.

Justice Leonora Van den Heever leaves behind a legacy that is both enduring and transformational. She reminds us that courage and conviction can reshape institutions and open pathways where none existed before. Though she has passed from this world, her spirit endures in the very fabric of our courts.

May she rest in peace, and may her life continue to inspire our judicial service and pursuit of justice. ■



## LAND COURT HOSTS A DELEGATION FROM COLOMBIA

Judge President Zeenat Carelse hosted a delegation from the Colombian Ministry of Agriculture and Rural Development, on 10 October 2025. The purpose of the meeting was to discuss Land Court legislation, and prospects for future collaboration and exchanges. During the visit, Judge President Carelse spoke about the various issues of importance, including the newly introduced Court Online System, which provides law firms and litigants the opportunity to file documents online.



Judge President Z Carelse of the Land Court



Land Court Judge, Judge L Flatela



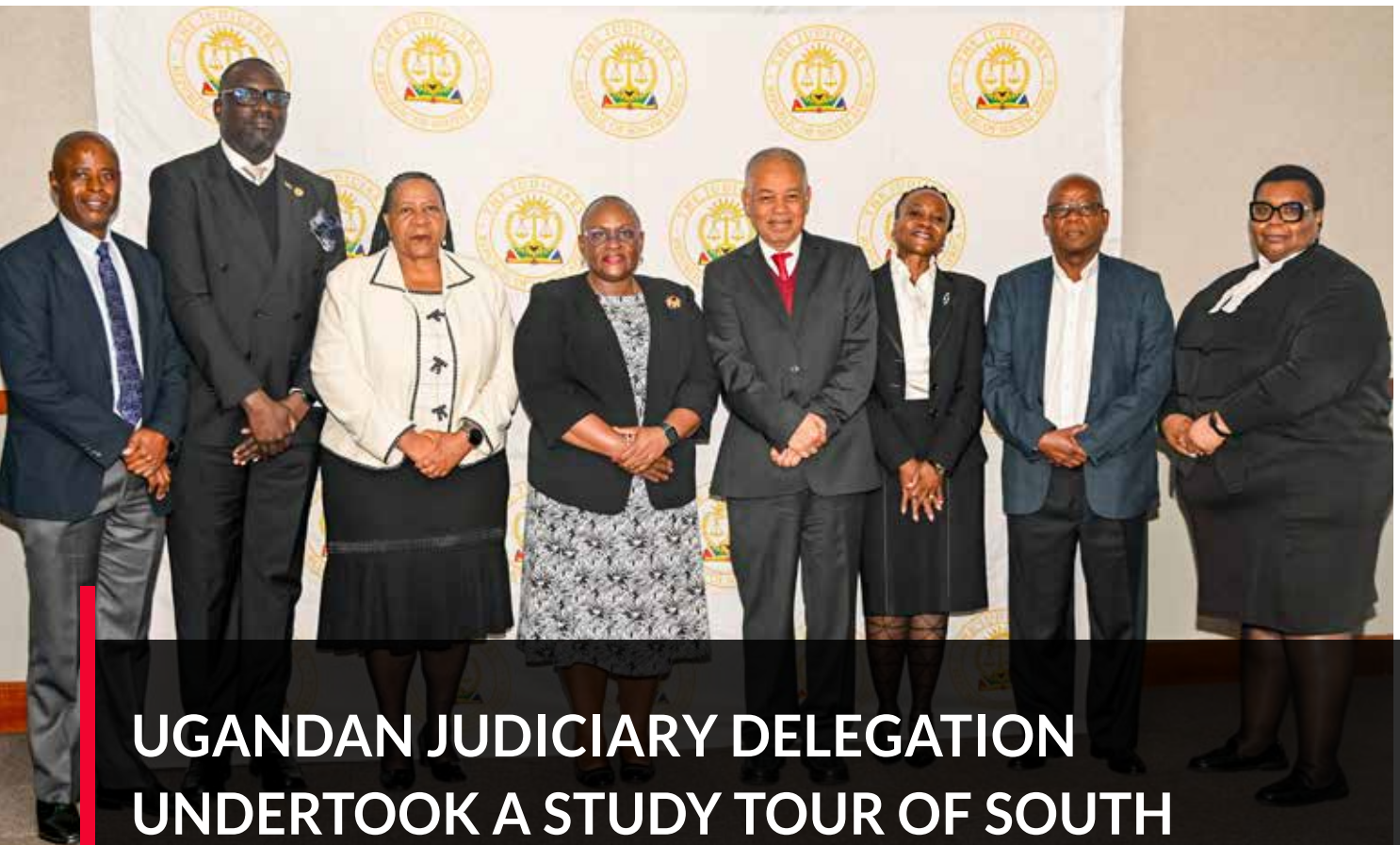
Mr Nelson Andrés Concha Villarreal, Deputy Head of Mission at the Embassy of Colombia in South Africa, and Ms Itayosara Rojas, Advisor for Environmental and International Affairs, engaged with Judges on land reform in South Africa.



Ms Rojas discussed Colombia's land reform ambitions.



Mr Victor Maqala, Registrar of the Land Court, gave the Colombian envoy a tour of the Land Court.



## UGANDAN JUDICIARY DELEGATION UNDERTOOK A STUDY TOUR OF SOUTH AFRICAN LABOUR COURTS

The Office of the Judge President of the Labour and Labour Appeal Court hosted a high-level delegation from the Judiciary of the Republic of Uganda during the visit to South Africa, from 10 to 15 November 2025. This visit forms part of Uganda's judicial reform programme aimed at strengthening its Industrial Court and improving labour justice administration.

The delegation, led by Hon. Lady Justice Jane Francis Abodo, Principal Judge of Uganda, engaged with key South African institutions, including the Commission for Conciliation, Mediation and Arbitration (CCMA), the Labour Court, and the Labour Appeal Court.

The study tour focused on:

- Observing court proceedings and case management practices
- Learning about technology integration in labour dispute resolution
- Sharing best practices in judicial administration

This initiative underscores the commitment of both judiciaries to fostering collaboration and promoting justice through knowledge-sharing.

During the delegation's two-day visit at the Labour and Labour Appeal Court in Johannesburg, from 11-12 November 2025, a meeting was held with Judge President E Molahlehi, retired Judge President Waglay and Judges of the Court. During this exchange the delegation focused on Labour Court processes and also observed a Labour Court hearing. ■

LABOUR AND LABOUR APPEAL COURT, BRAAMFONTEIN



Judge President E Molahlehi of the Labour and Labour Appeal Court



Justice Jane Francis Abodo, Principal Judge of Uganda



Head Judge L L T Mugisha



Acting Deputy Judge President M B Mahalelo, Acting Deputy Judge President of the Labour and Labour Appeal Court



Retired Judge President B Waglay of the Labour and Labour Appeal Court



Justice A W Musana



## JP MOLAHLEHI HOSTS CHINESE DELEGATION

Judge President E Molahlehi of the Labour and Labour Appeal Court hosted a delegation from the High People's Court of Fujian Province, China. The visit aimed to promote mutual understanding and deepen the friendship between the respective judicial institutions.



Judge President E Molahlehi of the Labour and Labour Appeal Court



Vice President Judge Yang Wuneng



Judge Chen Min

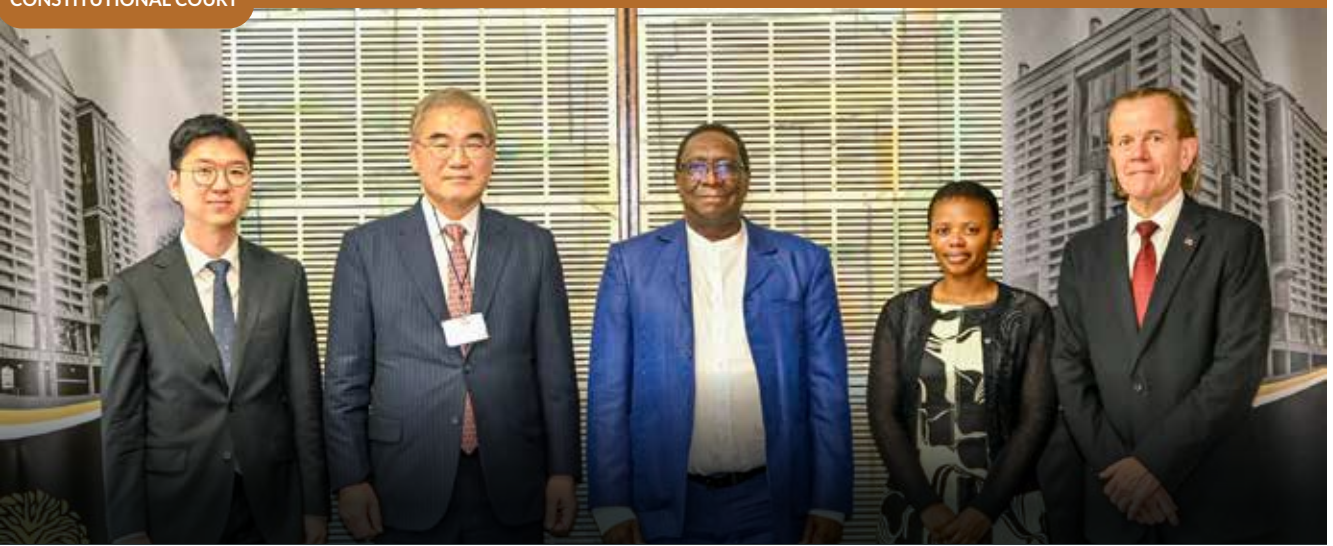


Vice President Judge Wu Yuanxiang



In discussion: The Labour Court judiciary and the delegation from the High People's Court of Fujian Province, China.

CONSTITUTIONAL COURT



## SOUTH AFRICAN JUDICIARY HOSTS DELEGATION FROM THE CONSTITUTIONAL COURT OF THE REPUBLIC OF SOUTH KOREA

The South African Judiciary recently hosted a delegation from the Constitutional Court of the Republic of South Korea led by Justice Cho Hanchang. On 9 December 2025, the delegation met with Deputy Chief Justice Dunstan Mlambo for a courtesy visit at the Constitutional Court in Braamfontein. The engagements facilitated dialogue on South Africa's constitutional framework, including the adjudication of constitutional matters.



Deputy Chief Justice Dunstan Mlambo



Justice Cho Hanchang, Constitutional Court of the Republic of Korea



Justice Cho Hanchang of the Constitutional Court of the Republic of Korea, pictured with Deputy Chief Justice Dunstan Mlambo.



Deputy Chief Justice Dunstan Mlambo gives Justice Cho Hanchang of the Constitutional Court of the Republic of South Korea a guided tour of the Constitutional Court.



Deputy Chief Justice Dunstan Mlambo and Justice Cho Hanchang of the Constitutional Court of the Republic of South Korea exchange a farewell handshake at the conclusion of the courtesy visit at the Constitutional Court.

WESTERN CAPE DIVISION OF THE HIGH COURT



### JUDICIAL EXCHANGE PROGRAMME STRENGTHENS TIES BETWEEN SOUTH AFRICA AND THE REPUBLIC OF SOUTH KOREA

On 11 December 2025, Judge President Nolwazi Mabindla-Boqwana also hosted Justice Hanchang and his delegation at the Western Cape Division of the High Court in Cape Town. The visits formed part of a broader judicial exchange programme aimed at strengthening institutional relations and promoting comparative judicial learning between the two countries.



Judge President Nolwazi Mabindla-Boqwana and Justice Cho Hanchang of the Constitutional Court of the Republic of South Korea exchange gifts during a courtesy visit at the Western Cape Division of the High Court.



Judge President Nolwazi Mabindla-Boqwana displays a commemorative gift received from Justice Cho Hanchang during the courtesy visit in Cape Town.



## MBOMBELA HIGH COURT LAUNCHED CHILD WITNESS ROOM TO STRENGTHEN PROTECTION OF VULNERABLE WITNESSES



The Child Witness Room is a waiting area meant for children who are waiting to testify in court.

**The Judge President of the Mpumalanga Division of the High Court, Judge President SS Mphahlele, together with the Mpumalanga Superior Court Judiciary, and justice cluster stakeholders, officially launched a new Child Witness Room and an SOS room at the Mbombela High Court, on 26 November 2025. This signals an important step in improving the way in which child victims and witnesses interact with the criminal justice system.**

Filled with bright colours, child friendly imagery and toys, the Child Witness Room has been designed as a safe, comforting, and child-friendly space for young witnesses awaiting their turn to testify. The facility includes an SOS room equipped with camera technology, enabling children to give evidence without having to face an accused person directly. This approach aims to reduce trauma, intimidation, and emotional distress for child witnesses.

The launch attracted senior stakeholders across the justice sector, all of whom expressed strong support for the initiative. The Acting Director of Public Prosecutions in Mpumalanga, Adv S. Ntuli, and Adv T. Ramathikithi, Provincial Head for the Department of Justice and Constitutional Development, commended the Judiciary's commitment to prioritising the needs of child victims and survivors of gender-based violence.

A message of support was also delivered by Advocate D. Pick, Deputy Chairperson of the Legal Practice Council in Mpumalanga, affirming the profession's endorsement of measures that protect vulnerable witnesses.

Representing the South African Police Service, Sergeant Mokoena highlighted the importance of the new facility in safeguarding children's wellbeing during legal proceedings. Mrs C. Mhlabane from the Department of Social Development welcomed the initiative, noting that it strengthens the collective responsibility to protect children within the justice system.

The launch coincides with the national commemoration of the 16 Days of Activism for No Violence Against Women and Children, underscoring the Judiciary's ongoing commitment to supporting vulnerable groups. ■

MPUMALANGA DIVISION OF THE HIGH COURT, MBOMBELA



The Judge President of the Mpumalanga Division of the High Court, Judge President SS Mphahlele, together with justice cluster stakeholders during the launch.



Judge President S S Mphahlele officially launched a new Child Witness Room, providing a safe and supportive environment for children participating in court proceedings.



Deputy Judge President of the Mpumalanga Division of the High Court, T V Ratshibvumo



Acting Director of Public Prosecutions in Mpumalanga, Advocate S Ntuli



Advocate T Ramathikithi, Provincial Head for the Department of Justice and Constitutional Development in Mpumalanga



Mrs C Mhlabane, representative from the Department of Social Development (DSD)



The Deputy Director of the Legal Practice Council (LPC) in Mpumalanga, Advocate D Pick, delivered a message of support on behalf of the LPC.

# MORE COURTS GO DIGITAL

*In the third quarter of the 2025/26 financial year, the Judiciary expanded its Court Online System to the Free State and North West High Court Divisions, marking significant progress in modernising South Africa's justice system. The launch events included engagements with judicial officials and court staff, underscoring the Judiciary's commitment to enhancing digital efficiency, improving case management, and strengthening access to justice across the country.*

## COURT ONLINE LAUNCH: FREE STATE DIVISION OF THE HIGH COURT

On 8 October 2025, the Free State Division of the High Court in Bloemfontein officially launched and began the operational use of the Court Online System, marking a significant step towards digital transformation in the administration of justice.



## COURT ONLINE LAUNCH: NORTH WEST DIVISION OF THE HIGH COURT

On 29 October 2025, the North West Division of the High Court in Mahikeng officially launched and began using the Court Online System. This milestone represents a key advancement in the Judiciary's ongoing efforts to modernise and digitise court operations.



Judge President R D Hendricks of the North West Division of the High Court



Acting Deputy Judge President A Petersen of the North West Division of the High Court



# JUDICIAL APPOINTMENTS & RETIREMENTS

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## JUDICIAL APPOINTMENTS

### FREE STATE DIVISION OF THE HIGH COURT



**Adv D Greyling-Coetzer**

Appointed as Judge of the Free State  
Division of the High Court

As of: 01.12.2025

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### GAUTENG DIVISION OF THE HIGH COURT



**Judge D Mahosi**

Appointed as Judge of the Gauteng  
Division of the High Court,  
Johannesburg

As of: 01.12.2025

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**Mr K L M Manamela**

Appointed as Judge of the Gauteng  
Division of the High Court, Pretoria

As of: 01.01.2026

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## GAUTENG DIVISION OF THE HIGH COURT



**Ms N G M Mazibuko**

Appointed as Judge of the Gauteng Division of the High Court, Pretoria  
As of: 01.01.2026



**Adv R J A Moultrie SC**

Appointed as Judge of the Gauteng Division of the High Court, Johannesburg  
As of: 01.01.2026



**Adv P A Van Niekerk SC**

Appointed as Judge of the Gauteng Division of the High Court, Pretoria  
As of: 01.01.2026



**Adv S M Wentzel**

Appointed as Judge of the Gauteng Division of the High Court, Johannesburg  
As of: 01.01.2026

## KWAZULU-NATAL DIVISION OF THE HIGH COURT



**Mr S D Hlatshwayo**

Appointed as Judge of the KwaZulu-Natal Division of the High Court  
As of: 01.12.2025



**Adv R R Nirghin**

Appointed as Judge of the KwaZulu-Natal Division of the High Court  
As of: 01.12.2025



**Adv M B Pitman**

Appointed as Judge of the KwaZulu-Natal Division of the High Court  
As of: 01.12.2025



**Ms N Sipunzi**

Appointed as Judge of the KwaZulu-Natal Division of the High Court  
As of: 01.12.2025

### KWAZULU-NATAL DIVISION OF THE HIGH COURT



**Judge N T Y Siwendu**

Appointed as Judge of the KwaZulu-Natal Division of the High Court  
As of: 01.12.2025

### LIMPOPO DIVISION OF THE HIGH COURT



**Ms K L Pillay**

Appointed as Judge of the Limpopo Division of the High Court  
As of: 01.01.2026

### MPUMALANGA DIVISION OF THE HIGH COURT



**Advocate K F Phahlamohlaka**

Appointed as Judge of the Mpumalanga Division of the High Court  
As of: 01.12.2025

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## JUDICIAL RETIREMENTS



**Judge S R Balton**

KwaZulu-Natal Division of the High Court,  
Durban

Discharged: 27.10.2025

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**Judge R Allie**

Western Cape Division of the High Court

Discharged: 27.10.2025

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## IN MEMORIAM



**Retired Judge T T  
Spoelstra**

Gauteng Division, Pretoria

Passed: 03.10.2025

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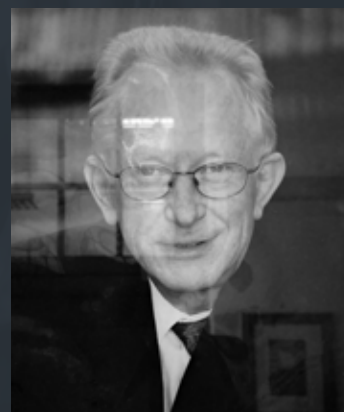


**Retired Judge L van Der  
Heever**

Supreme Court of Appeal

Passed: 20.11.2025

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**Retired Judge J H Conradie**

Supreme Court of Appeal

Passed: 24.11.2025

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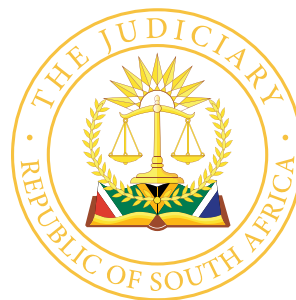












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