



JUNE 2026 | Q1 ISSUE

THE JUDICIARY

SECOND HIGH-LEVEL MEETING OF WOMEN
JUDICIAL LEADERS OF AFRICA

COMMEMORATING 30 YEARS OF THE
CONSTITUTION

2026 JUDICIARY CONFERENCE

TRIBUTE TO JUSTICE TSHIQI

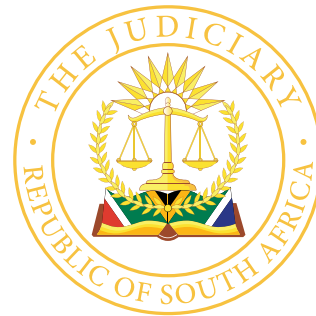


 TheSouthAfricanJudiciary

 @OCJ_RSA

 @OCJ_RSA

 Judiciary RSA



NATIONAL OFFICE ADDRESS:

188 14th Road, Noordwyk
Midrand, 1685



STAY IN TOUCH

+27 (0)10 493 2500
ocjcommunications@judiciary.org.za
www.judiciary.org.za



TABLE OF CONTENTS

- 02. Second High-Level Meeting of Women Judicial Leaders of Africa
- 06. Judicial Wellness
- 07. Commemorating 30 years of the Constitution
- 10. 2026 Judiciary Conference
- 11. Tribute to Justice Tshiqi
- 13. SAJEI Training on judiciary capacity and elections
- 14. Western Cape Division swears in newly appointed Judges
- 15. Labour and Labour Appeal Court Workshop
- 17. Judicial outreach: Office of the Chief Justice hosts University of Limpopo law students
- 18. Brigitte Mabandla Aspirant Women Judges Programme: New Cohort and 2025 Graduates
- 19. SAJEI hosts Workshop for newly appointed Judges
- 20. Tribute to Justices Leonora van der Heever and Johannes Conradie
- 21. Tribute to Justice Achmat Naeem Jappie
- 22. Tribute to Justice Taswell D Papier
- 28. Office of the Chief Justice Gender Desk
- 29. Court Online training equips Legal Practitioners for Land Court proceedings

EDITORIAL STAFF & CONTRIBUTORS

Editor:

Judge President Thoba Poyo Dlwati

Contributors:

Chief Justice Mandisa Maya

Judge Vincent C Saldanha

Judge President Thoba Poyo Dlwati

Newsletter Coordinator:

Ms Lusanda D. Ntuli

Photographers:

Ms Nontuthuzelo Mabusela

Ms Sandra Lioniers

Mr Mfundo Mkhwanazi

Designer:

Ms Nontuthuzelo Mabusela



FROM THE EDITOR

on every generation of judicial officers to uphold, protect and develop the values enshrined in our Constitution.

This quarter also reminded us of the evolving nature of our institution. We proudly welcomed newly appointed judges to various Divisions of the High Court, as well as to the Constitutional Court and the Supreme Court of Appeal, strengthening the Bench with new talent and experience. At the same time, we honoured Justice Zukisa Tshiqi upon her retirement after more than two decades of distinguished judicial service. We also mourned the passing of Justice Achmat Naaime Jappie, former Judge President of the KwaZulu-Natal Division, and Justice Taswell Papier of the Western Cape Division, while paying tribute to the enduring legacies of the late Justices Leonora van der Heever and Johannes Conradie. Their dedication to justice and the rule of law will continue to inspire generations of judicial officers.

Beyond these significant events, this edition highlights the Judiciary's continued investment in judicial excellence and institutional development. You will find updates on the South African Judicial Education Institute's (SAJEI) specialised training initiatives, including programmes on electoral adjudication, support for newly appointed judges, and the Aspirant Women Judges Programme. We also showcase the rollout of Court Online training for legal practitioners in the Land Court, an important step in advancing digital transformation and improving access to justice.

DEAR COLLEAGUES,

It is my pleasure to welcome you to the first quarter edition of the Judiciary Newsletter, reflecting on a period marked by significant milestones, meaningful dialogue, and continued progress across our institution.

The quarter opened with the Judiciary, under the leadership of Chief Justice Mandisa Maya, hosting judicial leaders from across the African continent to Johannesburg for the Second High-Level Meeting of Women Judicial Leaders of Africa. Held under the theme "The Maputo Protocol @ 20: Celebrating Twenty Years of Advancing Women's Rights in Africa Through Judicial Leadership," the gathering provided an important platform to examine the role of constitutional democracies in advancing gender equality while reaffirming the importance of judicial wellness, resilience and leadership.

That spirit of reflection and renewal continued with the commemoration of the 30th Anniversary of the Constitution of the Republic of South Africa at Freedom Park in Pretoria, under the theme "From Struggle to Supremacy." The seminar served as a powerful reminder that constitutional supremacy is not merely a historic achievement, but an enduring commitment that calls

As we prepare for the 2026 Judiciary Conference in Umhlanga, convened under the theme "Towards a Single, Institutionally Independent and Accountable Judiciary," I encourage all colleagues to actively participate in the discussions that will shape the future of our institution. The conference presents an opportunity to reflect on our collective achievements, confront emerging challenges, and strengthen our shared commitment to judicial independence, accountability and service to the people of South Africa.

I trust you will find this edition informative, insightful and reflective of the important work being undertaken across the Judiciary. Thank you for your continued dedication to upholding the Constitution and ensuring that justice remains accessible, fair and impartial for all.

Warm regards,

Judge President Thoba Poyo Dlwati

Judge of the KwaZulu-Natal Division of the High Court



AFRICAN WOMEN JUDICIAL LEADERS ADVANCE DIALOGUE ON CONSTITUTIONAL JUSTICE, EQUALITY AND WELL-BEING

21 - 23 April 2026



Use the QR code to access the
Chief Justice's speech

The South African Judiciary, led by Chief Justice Maya, hosted the Second High-Level Meeting of Women Judicial Leaders of Africa in April 2026. Held under the theme, "The Maputo Protocol @ 20: Consolidating the Jurisprudence of Equality for the Next Generation," the meeting brought together women judicial leaders from across the continent. The gathering provided a platform to share experiences, strengthen collaboration, and advance gender equality through the judiciary. Delegates reflected on the progress made over the past 20 years and explored the way forward. The meeting reaffirmed the judiciary's commitment to equality, justice, and the rule of law. Read more about the highlights from this important continental engagement.

Women judicial leaders from across the continent gathered in Johannesburg from 21 to 23 April 2026 for the 2nd High-Level Meeting of Women Judicial Leaders of Africa, hosted by the South African Judiciary in partnership with the Conference of Constitutional Jurisdictions of Africa (CCJA).

Building on the inaugural meeting held in Libreville, Gabon, in 2023, the conference provided a platform for judicial leaders to strengthen collaboration, share expertise and advance constitutional justice, judicial leadership and gender equality in Africa. The meeting was convened against the backdrop of significant milestones, including the 20th anniversary of the Maputo Protocol, the 30th anniversary of the Constitution of South Africa and its 60th anniversary of the 1956 Women's March.

These milestones reinforced the conference's central objective of advancing women's rights and strengthening gender-responsive jurisprudence across the continent.

Delivering a message of support during the opening session, the Speaker of the National Assembly, Honourable Ms Thoko Didiza, reflected on the progress achieved in advancing women's rights and representation, while emphasising the need to safeguard these gains for future generations.

The Honourable Ms Mmamoloko Kubayi, Minister of Justice and Constitutional Development, underscored the importance of solidarity among women in the Judiciary, encouraging judicial officers to learn from, support and protect one another. She

noted that the conference represented not only a personal journey for women judicial officers, but also a structural intervention aimed at influencing how justice is interpreted and delivered across African societies.

Chief Justice Mandisa Maya delivered the keynote address, highlighting the Maputo Protocol as one of Africa's most progressive legal instruments for the advancement and protection of women's rights. She noted that the Protocol, ratified by 46 countries, continues to shape legal frameworks and promote gender equality throughout the continent.

Supporting this view, Honourable Lady Justice Chafika Bensaoula of the African Court on Human and Peoples' Rights, reflected on the continued implementation of the Maputo Protocol within the framework of the African Union, describing it as a significant catalyst for transforming the rights and lived experiences of women across Africa.

A key focus of the conference was the examination of constitutional jurisprudence and the continued relevance of the Maputo Protocol in advancing women's rights. Delegates explored how constitutional courts and judicial officers can utilise legal instruments to strengthen the protection of women and ensure meaningful access to justice.

The substantive programme commenced with Session 1, titled "From Libreville to Johannesburg: A Reflection on the Resolutions of the 1st Meeting." Justice Moussa Laraba from the Conference of Constitutional Jurisdictions of Africa (CCJA) presented a technical report on progress achieved since the inaugural gathering. He highlighted important developments in implementing resolutions adopted in Libreville and emphasised the role of the CCJA as an institutional catalyst in advancing the participation and influence of women judges in constitutional decision-making and judicial governance.

Session 2, "Adjudicating Violence and Harassment Against Women," focused on strengthening judicial responses to domestic violence, femicide, harassment and other harmful practices. Chaired by President Lúcia da Luz Ribeiro, the session featured contributions from Justice Ourdia Nait Kaci of Algeria, Justice Antonia Guvava of Zimbabwe and Justice Zukisa Tshiqi of South Africa. Discussions examined judicial approaches to interpreting laws and protections relating to violence against women, with reference to Article 4 of the Maputo Protocol. Deliberations culminated in resolutions aimed at enhancing judicial effectiveness in protecting women's rights and ensuring accountability for gender-based violence.

Session 3, "Economic Justice and Women's Empowerment," was chaired by Chief Justice Kudirat Kekere-Ekun of Nigeria. Delegates considered the Judiciary's role in advancing economic justice and promoting women's economic rights. Chief Justice Kekere-Ekun observed that the Maputo Protocol imposes a responsibility on African Judiciaries to translate equality from aspiration into lived reality. Contributions from Vice President Victória Izata, Deputy Chief Justice Elizabeth Gwaunza and Judge Owondault Berre reinforced the importance of judicial decision-making in validating and protecting guaranteed economic rights. The session concluded with resolutions aimed at strengthening inclusive legal frameworks and advancing women's economic empowerment.

During Session 4, "Sustainable Environment Participation and Representation," delegates explored the Judiciary's role in ensuring that women enjoy the right to live in a healthy

environment, as provided for in Article 18 of the Maputo Protocol. Chaired by Justice Naceesay Salla-Wadda, the session featured presentations by Justice Nambitha Dambuza and Justice Mumcy Dlamini. Discussions highlighted the growing intersection between environmental justice, gender equality and human rights, while resolutions emphasised the need for stronger judicial interpretation and enforcement of environmental protections affecting women.

Justice Nonkosi Mhlantla, serving as the chairperson of the Local Organising Committee, provided an overview of proceedings and reflected on key outcomes emerging from the conference sessions. She highlighted the depth of engagement among delegates and the shared commitment to advancing constitutional jurisprudence, gender equality and women's rights throughout Africa.

The conference concluded with an open reflection and discussion session, providing delegates with an opportunity to share experiences, perspectives and practical insights gained throughout the programme. The dialogue reinforced the importance of collaboration, mentorship and collective action in advancing the role of women judicial leaders across the continent.

The 2nd High-Level Meeting of Women Judicial Leaders of Africa reaffirmed the commitment of African Judiciaries to strengthening constitutional justice, promoting gender equality and advancing the rights of women. It also highlighted the growing recognition that judicial excellence is underpinned not only by legal expertise, but by leadership, resilience and the well-being of those entrusted with administering justice.

Below is the keynote address delivered by Chief Justice Mandisa Maya at the opening session of the Meeting on 21 April 2026. ■



Use the QR code to access the Chief Justice's speech





The Second High-Level Meeting of Women Judicial Leaders of Africa, hosted by the South African Judiciary in April 2026 under the theme, "The Maputo Protocol @ 20: Consolidating the Jurisprudence of Equality for the Next Generation."



Chief Justice Mandisa Maya



Speaker of the National Assembly, Hon. Ms Thoko Didiza, MP



Minister of Justice and Constitutional Development Ms Mmamoloko Kubayi, MP



Honourable Lady Justice Chafika Bensaoula



Justice Moussa Laraba



President Lúcia da Luz Ribeiro



Chief Justice Kudirat Kekere-Ekun



Justice Ourdia Nait Kaci



Justice Naceesay Salla-Wadda

JUDICIAL HEALTH AND WELLNESS

At the onset of the Second High-Level Meeting of Women Judicial Leaders of Africa, the first day focused on judicial health and wellness, recognising that effective leadership begins with personal well-being. Under the theme, "Well-being, Resilience and Judicial Leadership," delegates explored the importance of building resilience in judicial environments. Through insightful presentations and discussions, the programme highlighted the links between mental health, financial wellness, and effective judicial leadership. The session encouraged reflection on practical strategies for sustaining personal well-being while serving on the Bench.

Led by Judge Shanaaz Mia, the programme encouraged reflection on the importance of holistic wellness within the Judiciary and examined strategies for sustaining resilience in demanding judicial environments.

A keynote address by Judge Esi Schimming-Chase explored the relationship between mental health, leadership and the judicial burden. Her remarks highlighted the pressures associated with judicial office and the importance of safeguarding mental well-being to ensure effective leadership and decision-making.

The wellness programme further examined the relationship between financial wellness and mental resilience during a session sponsored by the Professional Provident Society (PPS) Insurance. Led by Ms Olisha Pillay, the discussion, titled "Balancing the Bench: How Financial Wellness Sustains Mental Strength in Women Judges," highlighted how financial stability contributes to sound decision-making, mental strength and sustainable judicial leadership. ■



Judge Shanaaz Mia



Judge Esi Schimming-Chase



Ms Olisha Pillay, Professional Provident Society (PPS) Insurance



A focus on judicial well-being, yoga session

A HEALTHY JUDICIARY IS A JUST JUDICIARY



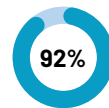
As the judiciary builds towards the International Day for Judicial Well-Being, the Judiciary is called to confront a quiet but structural concern: the wellbeing of the people who sit on the Bench.

In 2023, the United Nations General Assembly designated 25 July as the International Day for Judicial Well-Being, formally recognising judicial wellness as a structural and institutional concern rather than a personal one, directly linked to the quality of justice, judicial independence and public confidence in the courts. International instruments such as the Nauru Declaration on Judicial Well-Being and the UNODC's Global Judicial Integrity Network materials have since reinforced the same message: judicial institutions carry a responsibility to proactively support the physical, mental and psychological health of those who serve on the Bench.

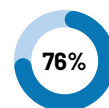
The campaign is timed to build momentum towards SAJEI's Judicial Seminar and Conference on Judicial Health and Wellness in July 2027, a three-day programme bringing judges and magistrates together with clinical psychologists, trauma-informed specialists, medical practitioners and wellness professionals. Whereas the awareness campaign opens the conversation, the Conference will take it further, translating shared experience and professional input into the foundations of a formal Judicial Health and Wellness Policy Framework, so that wellness becomes an embedded institutional practice rather than a once-off intervention.

The message running through both is the same: judicial wellbeing is not a departure from judicial excellence, but a precondition for it. As the campaign puts it plainly – you cannot serve from an empty vessel.

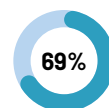
This is not a marginal concern. A 2022 global study by the UN Office on Drugs and Crime found that:



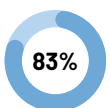
of judges report stress linked to judicial work



lack sufficient time for their own well-being



say mental health remains a taboo topic



feel institutional support is insufficient

Throughout July, we will mark Judicial Wellness Month with a five-week programme of themed engagement, culminating in Global/ International Judicial Wellness Day:

Week 1 – 3 July	Know Your Numbers – preventative health screening & self-knowledge
Week 2 – 10 July	Mind on the Bench – mental health, resilience & occupational stress
Week 3 – 17 July	Body in Motion – physical wellbeing (incl. afternoon yoga session)
Week 4 – 24 July	Community & Peer Support – mentorship and collegiality
Week 5 – 25 July International Judicial Wellness Day	National statement by the Head of the Judicial Health and Wellness Committee, Honourable JP Musi

The Judiciary is also led every Thursday by Judge Mia on a wellness and wholistic journey of YOGA sessions. These are held online and reaffirm the need for the Judiciary to reset. ■



The Wall of Names at the Freedom Park Heritage Site

COMMEMORATING 30 YEARS OF THE CONSTITUTION: JUDICIARY LEADS REFLECTION ON THE CONSTITUTION WITH A COMMEMORATIVE SEMINAR

29 June 2026

South Africa's judiciary, government, and academia gathered at Freedom Park in Pretoria to mark the 30th anniversary of the country's Constitution, under the theme "From Struggle to Supremacy." The seminar, co-hosted by Freedom Park and the South African Judicial Education Institute (SAJEI), drew members of the South African Judiciary, the Eswatini judiciary, government ministers, and academics for a day of speeches, civic reflection, and a wreath-laying ceremony at Freedom Park's wall of names.

The day's programme commenced with a solemn wreath-laying ceremony at Freedom Park's Wall of Names, where Deputy Chief Justice Dunstan Mlambo, former Chief Justice Raymond Zondo, President of the Supreme Court of Appeal Justice M B Molemela, Judge President Segopotje Mphahlele and members of the Judiciary paid tribute to those who sacrificed their lives in the struggle for freedom and democracy. Set against one of South Africa's most significant heritage sites, the ceremony served as a poignant reminder that the Constitution is rooted in the sacrifices of those who fought for justice, equality and human dignity.

Welcoming delegates on behalf of Freedom Park, Council Member Ms Barbara Watson reflected on the enduring significance of the heritage site as a national symbol of remembrance, reconciliation

and healing. She described Freedom Park as a living memorial that honours those who dedicated their lives to the struggle for liberation, noting that its Wall of Names preserves the legacy of freedom fighters from South Africa and beyond, including Cuban soldiers who lost their lives during the Angolan liberation struggle.

Delivering the opening address under the theme "Guardians of Constitutional Democracy: Reflecting on 30 Years of Constitutional Supremacy," Deputy Chief Justice Dunstan Mlambo described the anniversary as both a celebration of constitutional achievement and an opportunity for honest reflection. While highlighting the Judiciary's pivotal role in safeguarding constitutional rights over the past three decades, he acknowledged that the Constitution's promise of dignity, equality and access to justice remains a work in progress.

Drawing on landmark Constitutional Court decisions, including *S v Makwanyane*, which abolished the death penalty, *Government of the Republic of South Africa v Grootboom*, which affirmed the right to adequate housing, and *Minister of Health v Treatment Action Campaign*, which expanded access to life-saving HIV treatment, Deputy Chief Justice Mlambo demonstrated how the courts have consistently held public power accountable while advancing the rights enshrined in the Constitution.



President of the Supreme Court of Appeal Justice M B Molemela at the wreath laying ceremony

Deputy Minister of Justice and Constitutional Development Mr Andries Nel delivered an address on “Strengthening Constitutional Democracy,” reaffirming government’s commitment to constitutional governance and the rule of law. Leading delegates in reciting the Preamble to the Constitution, he echoed Chief Justice Mandisa Maya’s description of the Judiciary as society’s “sentinel” and outlined government’s continued investment in strengthening judicial independence through the phased implementation of judicial self-administration and the establishment of a Judiciary-led court administration system.

The seminar also explored the role of education and civic participation in sustaining constitutional democracy. Professor Somadoda Fikeni, Chairperson of the Public Service Commission, and Professor Isaac Shai presented on “Education, Citizenship and the Democratic State,” emphasising that constitutional democracy requires active participation by citizens rather than passive observance. Professor Fikeni argued that democracy must be continuously practised through accountable governance and active citizenship, while cautioning against the growing disconnect between institutional performance indicators and the lived realities of poverty and inequality.

Professor Shai challenged delegates to consider whether constitutional democracy, in its current form, is sufficient to achieve the transformative aspirations envisioned in the Constitution. Drawing on the scholarship of Achille Mbembe and Ngūgĩ wa Thiong’o, he argued that South Africa must continue to develop a jurisprudence capable of addressing deep structural inequalities while remaining faithful to constitutional values.

Delivering the keynote address under the theme “The Judiciary and the Advancement of Constitutional Democracy in South Africa,” former Chief Justice Raymond Zondo reflected on some of the Judiciary’s most significant constitutional milestones over the past thirty years. He highlighted judgments that protected prisoners’ voting rights, strengthened electoral democracy by allowing independent candidates to contest national elections, and upheld the rule of law in moments of intense political pressure. He reminded delegates that the Judiciary’s unwavering commitment

to constitutional supremacy has often required courage in the face of criticism and intimidation.

The international significance of South Africa’s constitutional jurisprudence was underscored by Justice Phesheya Dlamini, representing the Judiciary of the Kingdom of Eswatini, who conveyed a congratulatory message on behalf of Chief Justice Bheki Maphalala. He praised South Africa’s courts for their contribution to constitutional development across the region, noting that many of the country’s judgments continue to serve as persuasive authority in neighbouring jurisdictions while strengthening regional judicial cooperation.

The commemoration concluded with closing remarks by Justice Nonkosi Mhlantla, who reflected on the rich discussions throughout the day and reaffirmed the collective responsibility of every sector of society to preserve, defend and advance the Constitution.

As South Africa marks three decades since the adoption of its Constitution, the commemoration served not only as a celebration of constitutional democracy but also as a reminder that the Constitution remains a living document. Its continued strength depends on the shared commitment of the Judiciary, government, academia and citizens alike to uphold the values of human dignity, equality, freedom and the rule of law for generations to come. ■



Wreaths laid in remembrance during the commemorative ceremony at Freedom Park, honouring those who sacrificed their lives in the struggle for freedom, democracy and constitutional justice.



Deputy Chief Justice Dunstan Mlambo



Deputy Minister of Justice and Constitutional Development, Mr Andries Nel, MP



Former Chief Justice Raymond Zondo



Justice Nonkosi Mhlantla



Justice Caroline Heaton Nicholls



Judge President Segopotje Mphahlele



Ms Barbara Watson, Freedom Park Council Member



Justice Phesheya Dlamini



Prof Somadoda Fikeni



Professor Isaac Shai



2026 **JUDICIARY** CONFERENCE



**13 – 17
JULY 2026**

Umhlanga, KwaZulu-Natal



TOWARDS A SINGLE, **INSTITUTIONALLY
INDEPENDENT AND ACCOUNTABLE
JUDICIARY**

[#JudiciaryConference2026](https://twitter.com/JudiciaryConference2026)

A DISTINGUISHED CAREER: THE CONSTITUTIONAL COURT BIDS FAREWELL TO JUSTICE TSHIQI



The Constitutional Court held a ceremonial sitting to honour Justice Zukisa Laura Lulama Tshiqi, on 29 May 2026, as she retired from active service on 31 May 2026, after a 21-year judicial career that began in the High Court and culminated in six years on South Africa's apex bench.

Born and raised in Chefana, eNgcobo in the Eastern Cape, Justice Tshiqi's path into law started while she was still a student, working as a legal coordinator for the South African Council of Churches. She went on to do articles at Neluheni Attorneys, worked with the Black Lawyers Association, and run her own firm before being appointed to the High Court bench in 2005. A decade at the Supreme Court of Appeal (SCA) followed, before she joined the Constitutional Court permanently in 2019, only the third Black African woman to have served at the SCA.

Speakers recalled that her mother, wary of a profession isiXhosa speakers call amagqwetha – "those who twist the truth" – had hoped she would become a doctor instead. It was her brother who urged her toward law, telling her she was argumentative enough for it.

Justice Tshiqi authored several decisions that reshaped South African jurisprudence. In *Coughlan v Road Accident Fund*, she held that foster child grants could not be deducted from compensation for loss of support, reasoning that fostering involves love, care, nurturing and discipline that cannot be reduced to money. In *Sithole v Sithole*, she struck down a provision that perpetuated apartheid-era discrimination in matrimonial property law for Black couples. Most recently, in *Van Wyk v Minister of Employment and Labour*, she found that unequal maternity and paternity leave provisions unfairly discriminated on the basis of gender, establishing a shared parental leave framework of four months and ten days.

Deputy Chief Justice Mlambo, presiding over the sitting, described her as a "measured judge" who never treated adjudication as something to be hurried, insisting on testing every judgment against both legal principle and conscience.

Representatives from the legal profession each paid tribute to Justice Tshiqi, with several speakers highlighting that her career is proof that a woman from rural Pondoland could rise to the country's highest court. Advocate Muzi Sikhakhane SC praised her for bringing authenticity rather than "borrowed diction" to the bench, while NDP Advocate Mothibi linked her contribution to broader prosecutorial gains under the constitutional order she helped build.

Minister of Justice and Constitutional Development, Ms Mmamoloko Kubayi, MP noted that, going by her body of judgments alone, Justice Tshiqi had shown an enduring commitment to substantive equality, quoting former Chief Justice Pius Langa's observation that judges must justify their decisions by reference to constitutional values, not mere authority.

Visibly moved, Justice Tshiqi thanked her colleagues across the magistracy, High Court, Supreme Court of Appeal, and Constitutional Court, as well as her children for their patience with her demanding schedule. She paid emotional tribute to her late mother, who raised eight children alone after her husband's death and ensured each one was educated.

A trailblazer and an inspiration, Justice Tshiqi has left an indelible mark on South Africa's jurisprudence. ■



Heads of Court and Members of the Judiciary with Justice Z L Tshiqi



Justice Z L Tshiqi captured with her Children



L-R: Justice N J Kollapen, former Deputy Chief Justice D Moseneke and Justice S Majiedt



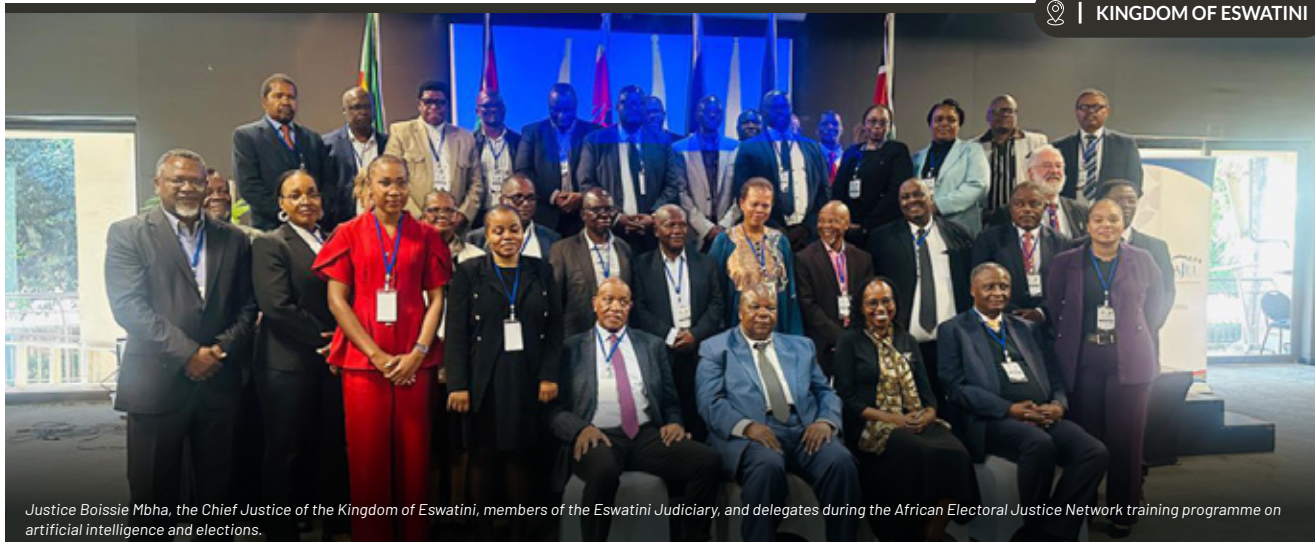
L-R: Justice O L Rogers, Justice R S Mathopo, Justice B Nkabinde and Justice N J Kollapen



L-R: Judge President N Mabindla-Boqwana, Justice Z L Tshiqi, Justice N Mhlantla and Judge President T P Poyo Dlwati



L-R: Judge President N Mabindla-Boqwana, Acting Justice G Nuku, Judge President P Tlaetsi, Judge President S S Mphahlele and Judge President Z Carelse



Justice Boissie Mbha, the Chief Justice of the Kingdom of Eswatini, members of the Eswatini Judiciary, and delegates during the African Electoral Justice Network training programme on artificial intelligence and elections.

SAJEI CONDUCTED TRAINING ON STRENGTHENING JUDICIAL CAPACITY TO MANAGE ELECTION MATTERS

South African Judicial Education Institute, as the secretariat of the African Electoral Justice Network, led by Justice Boissie Mbha conducted a training programme for the Eswatini Judiciary in strengthening judicial capacity to manage election matters, especially those pertaining to Artificial Intelligence and electronic voting. Hosted by the Chief Justice of the Kingdom of Eswatini from 21 to 23 May 2026, the training focused on the toolkit developed by the African Electoral Justice Network on AI and Elections.



Justice B Mbha



WESTERN CAPE DIVISION SWEARS IN NEWLY APPOINTED JUDGES

The Western Cape Division of the High Court on 1 June 2026, held a swearing in ceremony for newly appointed Judges to the Division. Judge R D Barendse, Judge N T Mayosi, Judge P Njokweni, Judge P S Van Zyl and Judge D M Davis were warmly welcomed by the Judges of the Division. Judge President Nolwazi Mabindla-Boqwana in her welcoming speech noted the significance of the day saying that one of the most solemn and affirming moments in the life of a lawyer, is that of joining the bench and being sworn in as a judge. Duly noting that occupying the office of a judge is the pinnacle of any lawyer's career, she went on to add that:

"Today, you are invited to hold the scales themselves.

The judicial oath that you will be taking is brief in its words, but immense in its meaning. We pledge to be faithful to the Republic of South Africa, to uphold and protect the Constitution and the human rights entrenched in it and to administer justice to all persons alike without fear, favour or prejudice and in accordance with the constitution and the law. In those few words lies the full weight of judicial office. Section 165 of the constitution vests judicial authority in the courts. That authority is not personal. It belongs to the institution and through the institution to the people. A judge does not dispense justice in his or her own name. A judge dispenses justice in the name of the Republic in fidelity to the constitutional compact that binds us all, the governed and those in authority alike. The power you will hold is considerable."

Judge Nathan Erasmus gave words of support. He gave insight into each Judges professional journey by narrating their biography.

Deputy Judge President Patricia Goliath addressed the newly appointed Judges on the importance and gravity of the judicial positions they had stepped into saying that "a judge carries the burden of ultimate decision making."

The Deputy Judge President went on to add:

We remain servants of the public, tasked with impartiality, applying the law and upholding the constitution. The privilege of being a judge, advancing human rights, and shaping a fair society under the umbrella of our constitution makes judicial office an indispensable pillar of society and worldwide democracies.

The newly appointed Judges were joined by members of their families who witnessed this momentous occasion, a milestone in their careers. ■



Judge President N Mabindla-Boqwana delivers the welcoming address during the swearing-in ceremony for newly appointed judges of the Western Cape Division of the High Court.



Judge R D Barendse takes the oath of office during the swearing-in ceremony for newly appointed judges of the Western Cape Division of the High Court on



Judge P S van Zyl takes the oath of office during the swearing-in ceremony for newly appointed judges of the Western Cape Division of the High Court



Judge N T Mayosi takes the oath of office during the swearing-in ceremony for newly appointed judges of the Western Cape Division of the High Court

LABOUR AND LABOUR APPEAL COURT WORKSHOP

17 - 19 June 2026

Judges of the Labour Court and Labour Appeal Court gathered in Kempton Park, from 17 to 19 June 2026, for a three-day workshop focused on amendments to the Labour Court Rules, under the leadership of Judge President Edwin Molahlehi.

Beyond the rule changes, the workshop gave judges a forum to discuss operational matters affecting the day-to-day functioning of the courts, including reports on case management and challenges facing the Labour and Labour Appeal Court judiciary.

The workshop opened with Judges examining the proposed amendments to the rules governing Labour Court proceedings, a process aimed at streamlining how disputes are managed and adjudicated. Discussions also covered broader institutional concerns, with judges sharing perspectives on how operational pressures are affecting the courts' work.

On the second day, proceedings were facilitated by Judge André van Niekerk of the Labour and Labour Appeal Court in Johannesburg, who guided judges through the detail of the proposed rule amendments.

The workshop's second day also featured an address from Deputy Chief Justice Dunstan Mlambo, who spoke to attendees on the amendment of the rules. His participation underscored the significance the judiciary places on ensuring the Labour and Labour Appeal Court procedures keep pace with the demands of modern labour dispute resolution.

The outcomes of the workshop are expected to inform how the amended rules are finalised and implemented across the Labour and Labour Appeal Courts going forward. ■



Deputy Chief Justice Dunstan Mlambo, Judge President Edwin Molahlehi, and judges of the Labour Court and Labour Appeal Court during the Labour and Labour Appeal Court Workshop held in Kempton Park



Workshop in session: Judges of the Labour Court and Labour Appeal Court during a session of the Labour and Labour Appeal Court Workshop



Judge E Molahlehi, Judge President of the Labour Court and Labour Appeal Court.



Judge K Allen-Yamen, Judge of the Labour Court.



Judge M T Phephane, Judge of the Labour Court.



Judge P A Van Niekerk, Judge of the Labour Appeal Court.



Judge P Nkutha-Nkontwana, Judge of the Labour Appeal Court.



Judge C Prinsloo, Judge of the Labour Court.



Judge Marisa Naude-Odendaal with first and third year LLB students from the University of Limpopo during their judicial outreach visit to the Polokwane High Court on 29 April 2026.

JUDICIAL OUTREACH: OFFICE OF THE CHIEF JUSTICE HOSTS UNIVERSITY OF LIMPOPO LAW STUDENTS

On 29 April 2026, the Office of the Chief Justice hosted first- and third-year LLB students from the University of Limpopo at the Polokwane High Court as part of its outreach programme. The visit provided students with an opportunity to observe criminal and civil court proceedings and gain practical insight into the administration of justice. The programme concluded with an engaging interaction with Judge Marisa Naude-Odendaal, who shared valuable insights into the role of the judiciary and the legal profession.



Judge Marisa Naude-Odendaal, Judge of the Limpopo Division of the High Court



First- and third-year LLB students from the University of Limpopo during their judicial outreach visit to the Polokwane High Court



Chief Registrar of the Limpopo Division of the High Court, Ms Mokgadi Phaswane



Judge Marisa Naude-Odendaal, Judge of the Limpopo Division of the High Court, shared her journey to the Bench with the students and provided insights into the role and responsibilities of a judge in the courtroom.



President of the Supreme Court of Appeal, Justice M B Molemela, Retired Judge Pillay, graduates of the 2025 Brigitte Mabandla Aspirant Women Judges Programme, and members of the 2026 cohort at the South African Judicial Education Institute (SAJEI)

SAJEI WELCOMES NEW COHORT, GRADUATES 2025 CLASS OF BRIGITTE MABANDLA PROGRAMME

The South African Judicial Education Institute (SAJEI), on 20 April 2026, marked a significant day for judicial transformation, simultaneously welcoming the 2026 cohort of the Brigitte Mabandla Aspirant Women Judges Programme and celebrating the graduation of the 2025 cohort.

Delivering the keynote address, President of the Supreme Court of Appeal Justice M.B. Molemela said the programme equips women with the skills, confidence, and support needed to lead and help shape a more equitable, gender-responsive judiciary.

The day's proceedings also featured addresses from Judge President Legodi and Judge Pillay, who joined in welcoming the incoming cohort and honouring the achievements of those completing the programme.



President of the Supreme Court of Appeal, Justice M B Molemela, Retired Judge President Legodi, SAJEI CEO Dr S Shamase, and graduates of the 2025 Brigitte Mabandla Aspirant Women Judges Programme.



President of the Supreme Court of Appeal, Justice M B Molemela with Lindi Bezuidenhout, a graduate of the 2025 Brigitte Mabandla Aspirant Women Judges Programme.



President of the Supreme Court of Appeal, Justice M B Molemela, Carmen Shereen Parks, a graduate of the 2025 Brigitte Mabandla Aspirant Women Judges Programme, and Retired Judge President Legodi.



Retired Judge President Legodi with Lisle Jo-Ann Mboweni, a graduate of the 2025 Brigitte Mabandla Aspirant Women Judges Programme.



Justice R S Mathopo



Constitutional Court Justice S Mathopo, senior judicial officers and newly appointed judges during the South African Judicial Education Institute (SAJEI) Newly Appointed Judges Workshop.

SAJEI HOSTS WORKSHOP FOR NEWLY APPOINTED JUDGES - 8 APRIL 2026

The South African Judicial Education Institute (SAJEI) welcomed a new cohort of Judges to its Newly Appointed Judges Workshop, a programme bringing together judicial education and peer engagement to strengthen excellence on the bench. Designed to equip delegates with the skills and knowledge needed to adjudicate matters in the High Courts, the workshop also serves as a platform for senior judicial officers to pass on experience and insight to those newly appointed.

Constitutional Court Justice S. Mathopo delivered the opening address, congratulating the new appointees and underscoring that the workshop's purpose is to give senior judicial officers a platform to share valuable insights with their newer colleagues.

The programme featured detailed technical sessions from the bench. Judge A. Millar of the Gauteng Division of the High Court, Pretoria, presented on handling Road Accident Fund matters, highlighting the additional elements required in delictual claims and stressing strict compliance in default judgment proceedings, alongside the need for a pragmatic approach to these cases. Acting Constitutional Court Justice Ingrid Opperman followed with a two-part presentation covering the management of unopposed and opposed motion courts, foreclosures and evictions, and urgent and special motions.



Justice I Opperman



Judge B Neukircher, Judge of the Gauteng Division of the High Court



Judge A Millar, Judge of the Gauteng Division of the High Court

Cape High Court Honors Justices Leonora van der Heever and Johannes Conradie

On 17 June 2026, the Western Cape High Court held a memorial sitting to honour two of its former Judges, Justice Leonora “Lize” van der Heever, who passed away on 20 November 2025, and Justice Johannes Hendrik Conradie, who passed just four days later. The ceremony, attended by the van der Heever and Conradie families alongside justices, advocates, and representatives of the legal profession, followed the court’s tradition of honouring judges who served on the bench even after their elevation to senior courts.

Justice Howie delivered the eulogy for van der Heever, tracing her path from a Bloemfontein clerkship to becoming, in 1969, South Africa’s first woman judge, a position she held alone for 24 years. Alongside raising three daughters, she built a legal career that took her from the Northern Cape to the Cape Provincial Division and ultimately to the Appellate Division in 1992, where she became the first woman permanently appointed as a judge of appeal. Speakers throughout the sitting recalled her sharp, literary judgments, her advocacy for women’s rights, and her enduring contribution to family and criminal law, including her landmark rulings on automatism and sentencing principles.

Justice Brand honoured Justice Conradie, describing him as an exceptional jurist with a sharp mind and a gentle, self-deprecating humour. Born in Johannesburg in 1938, Justice Conradie practiced at the Johannesburg Bar before his appointment to the Cape bench in 1987 and his elevation to the Supreme Court of Appeal in 2002, where he served until 2007. Colleagues remembered his distinctive writing style, his rigorous judgments in labour and tax law, and cases such as his ruling in the trial of Major General Mxolisi Petane (*S v Petane*), which drew on international humanitarian law and later influenced how courts elsewhere approached prisoner-of-war claims.

Representatives from across the legal profession – the Cape Bar, the Black Lawyers Association, the National Prosecuting Authority, Legal Aid South Africa, the National Association of Democratic Lawyers, the National Bar Council, and the South African Women Lawyers Association – paid tribute to both judges. Several speakers emphasised that Justice van der Heever’s appointment opened doors for the generations of women who followed her onto the bench, while others noted that transformation within the profession remains an unfinished project. Justice Conradie was remembered as a judge who combined technical rigor with humanity, willing to treat every person before him, regardless of background, with respect.

Closing the proceedings, Judge President Mabindla-Boqwana thanked the families for traveling from across the country to attend and acknowledged former Chief Justice Sandile Ngcobo’s condolences, noting his close working relationship with Justice Conradie on the Labour Appeal Court. ■



JUSTICE LEONORA
VAN DEN HEEVER



JUSTICE JOHAN H
CONRADIE

A TRIBUTE TO JUSTICE ACHMAT NAEEM JAPPIE

By Judge President of the KwaZulu-Natal Division
of the High Court, Judge T P Poyo Dlwati and the
Judiciary in the province



It is with immense sadness, and at the same time with tinges of fond memories, that we mourn the passing of our friend and colleague, Achmat Naeem Jappie (or Aggie or Japs as his friends called him). He passed away in the early hours of 22 April 2026 in hospital, where he had been confined for the past 10 days or so. His wife, Soraya (Judge S K Hassim of the Pretoria High Court), was at his bedside.

Judge Jappie was born in Port Elizabeth on 21 June 1954. He spent his junior school days there where he attended the Hindu Primary School. When the family relocated to Durban, he spent his high school years at Bechet College from where, in 1972, he matriculated. The pernicious racial classification laws of the day dictated that he would have had to study in the Cape (at UWC) if he wanted to further his education. However, like many others, exploiting a loophole in the regulations, he indicated a desire to study Hindu and Islamic Law (a course not offered at UWC) which permitted him an exemption to read law at the University of Durban Westville. He graduated with his BA (Law) in 1976 and with his LLB in 1978. He served pupillage with Mark Harcourt at the Durban Bar, and practised as an advocate there from 1979. He soon developed a very busy practice. During the tumultuous 1980's he gave much, particularly in the then Eastern Cape and Northern Cape, to defending the countless activists facing political prosecutions. And, through all of this, when the call was made of him, he also gave of his time to serve on the Bar Council.

Judge Jappie was recommended and appointed to the then Natal Provincial Division on 1 May 1998. He took to the bench like the proverbial duck to water. He was efficient in the discharge of his judicial office, polite but firm, and always fair. No one, not counsel nor litigant, left his courtroom feeling hard done by.

While on the bench Judge Jappie gave back to the bar by rendering service on the National Bar Examinations Board. He remained a serving member of the Board past his retirement and until his death.

Judge Jappie was appointed Deputy Judge President on 7 February 2013 and on 1 June 2015 was elevated to the office of Judge President of the Division. As the leader of the Division he presided with an even hand, requiring of his cohort of judges only that they carry their allotted share of the judicial burden, and when they did, he demanded no more. He retired in 2021 after what can only be described as a distinguished career.

Post retirement Judge Jappie continued to serve. As mentioned, he continued on the National Bar Examinations Board. He also continued to serve the judiciary by sitting on boards of enquiry and judicial conduct committees as and when he was asked to.

Judge Jappie is survived by his wife, Judge Soraya Hassim, and as immediate family, his three children from an earlier marriage, Jameel, Nadhir and Aneesa, as well as his sister and father. We extend to them, and the wider family, our sincerest condolences and know that they will have the reserves of strength to carry them through the days and weeks ahead.

When all is said and done, and when anyone asks, it will do well to say that he was a gentleman, a great mentor and an all-round decent human being.

Go well brother Japs! ■



A TRIBUTE ON THE PASSING OF A BROTHER AND COLLEAGUE, **JUSTICE TASWELL D PAPIER**

By Judge V C Saldanha
Judge of the Western Cape Division of the High Court

A tribute by Judge V C Saldanha delivered on 30 April 2026, at the Cape Town Division of the High Court, during a memorial sitting held in honour of Judge Taswell Papier

Judge President Justice Nlwazi Mabindla-Boqwana, Justices of the Constitutional Court and of the Western Cape High Court, Retired Justices, Staff of the Cape High Court, the Director of the Provincial Office of the Public Prosecutor Ms. N. Bell, State Advocates, Legal Practitioners, State Attorneys, members of the Public .

Dear Joy, Roscoe, Kayla, Mrs. and Mr. Papier and sister Beverly and her family, the extended Papier and Barnes families, and everybody else present, thank you for joining us today as we pay tribute to one of the most remarkable judges and colleagues of this Division.

While some things in life may be inevitable, the way a life is lived is not. A few days ago we listened in sheer amazement as Professor Joy Papier, so bravely and eloquently paid tribute to the life of her late husband Justice Papier. She reflected on a life born on the one side of the railway line in Steenberg to his eventual living and passing on the other side of those same rail tracks in Steenberg Estate. She reminisced on their first meeting, at ballroom dance classes, his studies at the University of the Western Cape (UWC) and their sojourn and studies at Harvard University in the USA. She modestly recounted their academic accomplishments and an unrelenting quest for knowledge in studying both here in South Africa and abroad.

Their son Roscoe and daughter Kayler paid moving tributes to their father, his special relationship with each of them, his unconditional love and care for them and their mother. Darryl Newton a lifelong friend from childhood in Steenberg who later practiced for some time as an advocate here in Cape Town and is now legal counsel to the University of Nelson Mandela (UNM) in the Eastern Cape rendered a beautiful tribute to his friend.

He reflected on Justice Papier's obsession as a young boy of the growing orchids and later as a student was equally obsessed with Latin. He recited with both pride and humour the numerous exceptio's and maxims and did so with mischievous aplomb.

A rather strange Roman scholar from Steenberg, he was. We heard from his good friend Professor David Wilken from Harvard University who made a special journey from Cambridge to the Memorial Service about Justice Papier's days at Harvard and the impact of this young student from South Africa that made an indelible impression on not only him but so to the Law Faculty at Harvard.

He remarked how Justice Papier reminded him of the life and work of that celebrated lawyer Thurgood Marshall as a young lawyer and who later became the first black Associate Justice of the US Supreme Court. In honour of Justice Papier and his legacy Professor Wilken announced that he intends naming their annual lecture on Human Rights at Harvard Law School as the Annual Justice Taswell Papier Memorial Lecture on Human Rights. For that, all of us, are truly humbled.

As we age, we do some of the most strangest of things imaginable. We seek to defy the odds of our proverbial bucket lists and reclaim our mortality.

Justice Papier, loved motor cars, besides all else, such as sailing his boats, power tools, computers, the latest in technology, gadgetry, travelling, playing both the piano and the guitar, decent jazz music as well as good and exotic food, lots of sweet stuff and more importantly he just loved his family and friends, but the good judge, like some, also enjoyed a "lekker skinner storie."

A while back he bought a two seater sports car, a Porche 911 Sport. In all my life I had never ridden in one so my good friend cheerfully invited me for a Saturday morning spin around the Cape Peninsula to be followed by breakfast. As I struggled to get into the low laying passenger seat I had literally to crawl into it on both my hands and knees. It was hardly the sight of being cool! Nonetheless, we boldly pulled in our stomachs, turned up the

music on the radio and Justice T revved away. We were feeling really good and I was thrilled at the experience of seeing the world fly by from the open top of a sports car.

As we drove along the ocean in the direction of Cape Point, we royally waved at anyone who dared to stare long enough at us. Way past Simonstown and Seaforth we passed Castle Rock and Partridge Point, I gasped at the awesome sight of the shimmering and dark turquoise waters of Smitswinkel Bay far below us from the steep cliffs of the Cape Point SAN Park that lay ahead of us.

Like a little boy I pointed to beyond the Bordjiesdrif and Buffels Bay lagoons and exclaimed in a loud voice, "Brother! you must surely recall that beach from many, many years ago!" Justice T looked straight ahead as if concentrating on the sharp curves of the road ahead and pretended not to have heard my exclamation.

I recalled, many decades ago in the 80's reading an article in the Cape Times or was it in the Cape Herald of a young lawyer running into the swirling surf to save the life of a drowning young swimmer. In recent days I desperately searched for the article in the newspaper section of the National Library on St Georges Street across the court building. Alas, their records are not digitized as yet. But, I recall reading about how the young lawyer risked his own life in saving the swimmer.

Justice T said nothing and from the corner of my eye I noticed a modest smile cross his face. That young lawyer in the press report was Taswell Papier who risked his own life to save a young swimmer in distress. He however remained silent throughout my recounting of the story. I knew though that his silence was deliberate, almost solemn and a stark reminder of the gravity, the sheer bravery and risk to his own life and that of the swimmer that he quietly treasured in the deep recesses of his mind and memory. I respected that!

Such was, the young Taswell Papier!

So, we drove on, two old men, consumed in the moment of the past then onto Noordhoek for coffee and deep reflections. On an earlier escapade in that two seater, we landed up in Paternoster for a quick lunch of crayfish and gatecrashed afternoon tea and the generous hospitality of Judge Chantel Fortuin and her husband Lloyd on the West Coast. All of which was just meant to be a quick spin around the Peninsula!

Many years ago in one of Justice T's acting stints as a judge in the Cape High Court he presided over a gruesome criminal trial in which several young men stood accused.

Late one fateful night, in the shack settlement at Block SST in Khayelitsha, a 19 year old woman, Ms Sinxolo Mafevuka said to her elder mother and siblings that she was just stepping out to go to one of the communal toilets.

She never returned.

The next morning her lifeless and battered body was found by members of the community in one of the communal toilets.

The young men stood accused before the then Acting Judge Papier for the rape and murder of Sinxolo.

I vividly recall acting Justice Papier returning from an inspection in loco of the scene during the course of the trial. He slumped, emotionally drained in his office chair visibly unsettled by having observed the circumstances in the shack settlement and the communal toilets. We did not nor could we discuss the merits of the case but I sensed a severe and disquieting feeling that Justice Papier had about the matter. It later appeared that despite the best efforts of the state, ably represented by Ms. Andrews, the evidence of the identification of the perpetrators appeared weak and unreliable in light of the lack of proper lighting on the scene.

With a deep sense of regret, acting Justice Papier eventually acquitted all of the accused. Needless to say he was sorely pained at having to do so but he was steadfast about having made the right decision on the facts before him and on the application of the law. We lamented the outcome as it meant that the real killers (if not the accused) were still somewhere out there. But acting Justice Papier as well as I knew that, the real cause of the death of Sinxolo was not only the brutal rape and murder, but in truth, the deplorable and inhumane conditions that she, her elder mother and siblings lived in that one roomed zinc shack with communal toilets, poor lighting, no security and in seething poverty. That we know was and still is the scourge that so many hundreds of thousands of South Africans face in our young Constitutional Democracy.

That remains our collective challenge!

That matter raises for us as judges and legal practitioners the enduring tension between the Law and Justice, a tension so prevalent in the dark days of apartheid and in its courts. We often said Law and Justice, in lay terms, were cousins, but who in apartheid were distant and hardly on speaking terms. That tension, between law and justice was vividly captured by that great lawyer and activist Bram Fischer who during his own trial chose to skip bail and addressed a letter to the presiding judge explaining why he could not, in good conscience, obey nor subject himself to the laws of the apartheid state.

The late Ismail Mohammed, also one of the great jurists and judges of our time, echoed that very tension that Bram faced when in February 1998 as Judge President of the Supreme Court of Appeal he delivered the Bram Fischer Memorial lecture hosted by the Legal Resource Centre on whose board of trustees, Justice Papier later served. Bram Fischer and Justice Mohammed were so very different souls, one a committed communist until his death, ironically, a much sought after and respected commercial lawyer who argued complex commercial matters in courts both here and in the then Privy Council. Bram could, if he so chose have followed in the footsteps of his grandfather Abraham Fischer who ascended to the post of Prime Minister of the then Boer Republic of the Orange Free State or his own father, Percy Fischer that led the judiciary of the Orange Free State as its Judge President.

Bram Fischer however, like so many others, consciously chose a different path. There was certainly nothing inevitable about Bram's life nor its trajectory. Justice Ismael Mohamed on the other hand was steeped in whatever was left of the redemptive principles

of Roman-Dutch law and was strangely enchanted by the Dutch jurist Johannes Voet. Ismail Mohammed was a critical scholar of the classic philosophies of John Stuart Mills, Immanuel Kant, Karl Marx, Descartes et al and was deeply imbued with the writings and poetry of the mystic Rumi, works of Rabindranath Tagore, the philosophy of Muhammad Iqbal and more importantly the teachings of the Holy Qu'ran, as both jurist and judge. Ismael Mohammed has contributed to our young constitutional jurisprudence in the most remarkable and memorable ways.

The irony of course cannot be lost that in earlier years as senior counsel he was forced by law to sit outside on the very steps of the courts in Bloemfontein where he ate his lunch yet, Justice Mohammed shared a deep congruence with Bram Fischer, in recognizing that tension between law, justice and morality, the very tension that Justice Papier faced and so many of us continue to experience on a daily basis, despite the noble promises of our much valued Constitution.

Now however, we are guided by the strong values in the Constitution that enables us to navigate the turbulent waters of our democracy and its challenges. Nonetheless, to make sense of it all, we are all too often drawn back to make sense of the writings and thinking of those, such as Ronald Dworkin on law and that renowned intellectual and economist Amartya Sen in his epic score "The Idea of Justice" at a broader and international level, the haunting yet exciting debates of old between Professors Lon Fuller and Hart remain ever so relevant in today's fractured world.

In later years when Justice Papier was appointed as a permanent judge I had both the privilege and pleasure of sitting with him in a full bench appeal from the Magistrates Court.

Two young men were convicted by the magistrate of stock theft and sentenced to lengthy terms of imprisonment. Their crime, the theft of several sheep from farms in the Citrusdal area. Under cover of darkness they rowed a boat along a river adjacent to farms from where they stole the sheep, tied their feet with string and bundled them into the boat. At a nearby township, dutifully helped by others, they sheared the coats of the sheep and cut up the meat on a pool table at a local tavern. The meat and skins were to be sold cheaply to poor folk in the area and some of it was magnanimously given away for free to the destitute. The two appellants were later pulled over by the police near Hopetown on suspicion, and when their vehicle was searched several neatly stacked packs of lamb chops, ribs, and offal were found stashed in the boot.

We readily confirmed the conviction but both Justice Papier and I agonized about the lengthy terms of imprisonment imposed by the magistrate. The two of them had already served some three or four years in prison while awaiting the outcome of the appeal.

After much consideration and without seeking to minimize the seriousness of the offence and its prevalence, we suspended the remainder of their sentences and they were allowed to be released forthwith, on the basis of time served. As the very unhappy and indignant counsel for the state stood up before the court adjourned, he exclaimed rather whimsically that we, the court, should as he put it "dare think about the choppies for the braai!"

We smiled politely.

So too, was it a memorable occasion, when in practice I sat second chair to Taswell Papier as he represented the family of the late and brave guerilla Ashley Kriel before the Amnesty Committee of the Truth and Reconciliation Commission (the TRC.)

We were instructed to oppose the application for amnesty by that notorious security police officer Jeffery Benzien. Oh! it was such a treat just watching Benzien squirm at the hands of Taswell Papier who shredded him in cross examination. Politely of course! Sadly for the Kriel family, Benzien was granted amnesty for his unlawful conduct, sadly too, we lamented as progressive lawyers of the time, the fact that the judges and magistrates who served under apartheid and in particular those who so enthusiastically upheld its racist laws refused to testify before the TRC. It would though, be remiss not to recognize the brave and unprecedented submission by that wise and well respected jurist, Justice Laurie Ackerman, who later served on the first Constitutional Court, who unreservedly apologized for apartheid as a both white man and as a judge, to his fellow black South Africans.

Since the diagnosis of Justice Papier almost four years ago, judges Hayley Slingers, Mokgoatjie aka "Nape" Dolamo, Matthew Francis and I, frequently met on a Saturday morning over breakfast with Justice Papier at restaurants near to where he lived. Needless to say, breakfast ran into lunch and Joy repeatedly phoned Justice T to return home for his much needed rest and medication.

Justice T, relished the gatherings, we chatted for hours on end about the law, stuff, this and that and a bit of more stuff. Justice T enjoyed the conversations, the stories and the company and he repeatedly expressed how he missed his work on the bench just to make a small difference in the lives of ordinary people. On most other Saturdays, assiduously with his dear brother in law Peter (Joy's brother), Justice T lived out their hobby as "bakkie builders" and attended to the handy work around his house and worked on his most complicated garden irrigation scheme.

Both Judges T and Nape Dolamo ran up huge frequent shopper credits at hardware stores all around town. Justice T loved his garden and he and June (my wife) spent hours chatting and comparing notes on propagating new plants and flowers. Judge Hayley Slingers recently recalled how Justice T always wore happy and colourful socks that reflected his joyful demeanor and that he always shared with us an array of tea bags not just plain old Ceylon and Rooibos tea but a delightful variety to choose from.

She described Justice T as the epitome of selflessness, generosity and kindness. Justice Matthew Francis reminded us of how much Justice T taught us about resilience in life and health and never to just give up too easily. Fight to the end as he did, hard as it was! Justice Francis regales Justice T's sartorial splendour and an impeccable taste that was matched only by his quiet dignity and an infectious personality.

A man who will be remembered as someone who saw the invisible, heard the silenced and never turned away from the weight of another's pain. Justice Dolamo recounted the fact that Justice T greeted and shared a few friendly words with all staff members and addressed directly by their name. Justice Dolamo affectionately known as Mkhulu by his doting granddaughter sadly retires from this Division in a few days from now and will like Justice Papier no doubt be sorely missed by all.

Justice Dolamo particularly enjoyed the wicked and fun use of words by Justice T and his Latin legalese and maxims to illustrate really uninspiring and boring legal points. Ipso facto, prima facie, a fortiori, etc rolled raptously off his tongue like slang on de Cape Flats. I recall how he gleefully invoked the maxim *ex abundante cautela* when insisting that we order a slice of cake, (carrot or cheese) with our late afternoon coffee jaunts lest we arrive home too late for any supper. Retired Justice Rosheni Allie and close friend shared the words of writer Henry Scott Holland, written many centuries ago.

"Death is nothing at all. It does not count. I have only slipped away into the next room. Nothing happened, everything remains exactly as it was. I am and you are you...call me by old familiar names, speak to me in the old familiar name you always used...laugh as we always laughed, play, smile think of me...there is an absolute and unbroken continuity...why should I be out of mind because I am out of sight. I am but waiting for you...somewhere very near...all is well.

Justice Allie shared those profound words in her thoughts on Justice Papier and Joy at this time.

Then, there is Brother Justice Nathan Erasmus, senior judge and colleague, a boyhood friend of Justice Papier. They called one another every morning while driving to the office. For hours they skinned in the traffic. About what? The less said and known, the better I suspect! But Justice Erasmus reminded me that their conversations were mostly about the sharing of food recipes and the growing of flowers. Justice Erasmus is of course the consummate chef but that I suspect, could hardly be said of Justice Papier.

However, every year before the winter rains, they would visit a farm along the West Coast that sold flower bulbs of the indigenous varietal, bokbaai vygie (for those who prefer Latin, *Dorotheanthus Bellidiformis*). They would dutifully plant the bulbs in their own gardens and by August each year a beautiful mélange of colourful vygies would adorn their gardens.

Justice Erasmus also reminded us of all the hard work, planning and furnishing of the Thembalethu Circuit High Court in George that was so passionately spearheaded by Justice Papier.

He was determined to make the first High Court in a township a success. Justice Papier often and with much affection spoke of his friendship with Mr. Charles Mac Donald, a local and veteran attorney with whom he had set up a partnership in practice in the early days in Mitchells Plain and an office on the West Coast.

The two of them literally patrolled the courts all along the West Coast in representing poor communities and young activists. In those days we were dismissively referred to as "the Cape Flats lawyers" by some who practiced across the line and so too by some magistrates and some judges too. In later years Taswell Papier, the acclaimed attorney practiced and served as director in one of the biggest law firms in Cape Town where he excelled in commercial law and administrative justice and was acclaimed with the international award of Global Lawyer of the Year in 2006.

So too, does the ex-Anglican Dean of St Georges Cathedral, the reverend Michael Weeder recount with awe and gratitude the assistance by the young attorney Taswell Papier to the communities of Ashton and Montague and in the courts during the dark days of apartheid. Then again, there is good ol Max Boqwana who when Justice Papier took ill, would at times fly in from Johannesburg to share with Justice T matters of national importance and urgency in the law. Justice T just loved adding his sugar and spice to national dilemmas.

We would spend hours talking about the importance and desperate need of public interest lawyering and the work of the Legal Resources Centre on whose board of trustees Justice T served.

Just mention the topics of Acces to Justice and Pro Bono Lawyering and Taswell Papier would come alive with excitement!

We recalled the many hours spent by the legal staff in his erstwhile firm who together with the late and dear nursing sister Faiza Desai assisted with and represented hundreds of residents from the township of Macassa who suffered severe health consequences as a result of a sulphur fire at the AECL factory in Somerset West.

Through comprehensive questionnaires and health assessments they obtained well considered settlements in each of the civil claims for damages for the affected residents. So too we regaled the appointment of Taswell when still in practice, by the Northern Cape High Court many years ago as a facilitator to assist the various communities of the Richtersveld in resolving the implementation of their historic restitution claim of land laden with rich deposits of diamonds and long running mining operations.

Justice T also served on several boards and trusts and was particularly proud of the work of the Mitchells Plein Bursary Fund that sponsored tertiary education study for young folk in the many townships of the Cape. Together with seasoned activists of the ilk, Mrs Veronica Simmers, Trevor Manuel, former Minister of Finance and committed retired school principals, they changed the trajectory of the lives of so many young people.

We also reminisced with Max on the wild and wonderful days as NADEL lawyers, demanding midnight bail applications for young activists unlawfully and maliciously arrested by apartheid's riot police. We remembered the purple march in central Cape Town in the 80's and the all night bail applications to release the thousands of marchers. The purple people did indeed govern Cape Town for one entire Day and an entire night!

In NADEL and in other progressive lawyer organizations we had a rich and proud heritage of great lawyers and leaders in a pantheon of men and women such as the late Dullah Omar who taught us never to turn any client away on account of not been able to afford the fees, the late Chief Justice Pius Langa who so thoughtfully exclaimed that transformative constitutionalism was the ever constant and force of our young democracy, the torchbearers of old such as Pixley Ka Seme, Duma Nokwe, Nelson Mandela, Oliver Tambo, Robert Sobukwe, the late Justice Yvonne Mokgoro and Justice Albie Sachs that wrote so insightfully of the value of ubuntu in our law, the late Cissy Gool, the first black female advocate at the Cape Bar, Godfrey Mokgonane Pitje, a founding member of the Black Lawyers Association (BLA) who in 1958 as a

young articulated clerk in the law firm Tambo and Mandela Attorneys defied the segregated seating in the Benoni Magistrate's court that set aside seating for white lawyers separate to that of their black counterparts. The then Appellate Division led by Steyn C J in *Rex v Pitje* 1960 (4) 709 AD to its eternal shame upheld the conviction of contempt of court in- facie -curiae (thank you for the Latin, old friend) of Mr Pitje on amongst others; the basis of the courts warped view that there was nothing unreasonable arising from what they regarded as *"the alleged inequality in the treatment of practitioners equally entitled to practice in the magistrates court."*

Then, there is the late Chief Justice Arthur Chaskalson, the first in a democratic South Africa, so too that gladiator in the courts the inimitable George Bizos SC, the retired and celebrated Deputy Chief Justice Dikgang Moseneke, Justices Thole Madala, Kate O'Regan, Edwin Cameron, Lewis Skweyiya, John Didcott and so many more, all of who continue to inspire us and who loom large in our lives as lawyers and judges.

We regaled that legal doyen Professor John Dugard whose scholarly writings on international law and human rights in the darkest day of apartheid was the intellectual beacon for us as young starry-eyed law students. Today, Professor Dugard flanked by a formidable legal team, stand proudly and bravely at the podium at the International Court of Justice (ICJ) in the Hague.

There, they seek to vindicate laws so conscientiously conceptualized in 1946 by two great legal minds, Raphael Lemkin and Herch Lauterprachth. So too, are we inspired by great jurists on the continent such as Chief Justices, Barnabas Albert Samatta of Tanzania and Enoch Dumbutshena of Zimbabwe amongst others and internationally, the renowned Justice Thurgood Marshall, Ruth Bader Ginsberg, Sonia Sotomay (a particular favourite of Justice Papier from his days at Harvard Law School).

There is also Justice Claire L 'Heureux-Dube of Canada on the imperative of having the strong perspectives of women on the bench. Chief Justice Michael Kirby of Australia a strong proponent of judicial ethics and independence and the Chief Justices V R Krishna Iyer and P N Bhagwati of the Indian Supreme Court on the role of public interest lawyering, a humanist approach to fairness and equality and that of judicial activism, all of who, amongst others, will continue to blaze the legal landscape both here and in the rest of the world. In facing the challenges that confront the South African judiciary in the years ahead and more so in the legal profession we remain guided by the ethical foundations of integrity, independence and justice that all these forebears and antecedents of ours so boldly espoused and nurtured. In so doing, we will truly honour the memory of our Brother and colleague, Justice Tasswell Papier.

Our Judge President Mabindla-Boqwana recently reminded us that in mid-January of this year, despite not been in remission, Justice Papier reached out and offered to return to active duty as a judge in the Division and to engage in light work. She was particularly excited by the prospect. Sadly, only a few days later would Justice Papier land up back in hospital for an emergency operation and whereafter he remained in the ICU for in excess of two months.

Like all of us Justice Taswell Papier was human with all its frailties and so too had his fair share of detractors and critics, besides of

course, the many apartheid security police who still fear him. To all of them, we say, Taswell Papier as human, attorney and as judge had the most amazing ability and quality to find the good in any and everyone.

He was at times, loyal to a fault, but remained respectful of all.

So Brother and Judge ,when you eventually cross over to the other side of the River Lethe, seek out the kindred souls of Sinxolo Mafevuka and the many others, extend to all of them our heartfelt apology for our failures in having eradicated the scourge of shack settlements, of communal toilets, rampant crime and poverty.

All of that, remains our enduring challenge!

So Joy, Roscoe, Kayla and family, Such was, the man! the Judge! Taswell Papier our beloved Brother and Colleague...this, was a life fully lived, that by all accounts , was simply not just inevitable!

For now ...he rests...peacefully and safely in the hands of God. ■



Judge N C Erasmus and Judge President N Mabindla-Boqwana reflect on the life and legacy of their brother and colleague, Justice Taswell D Papier.



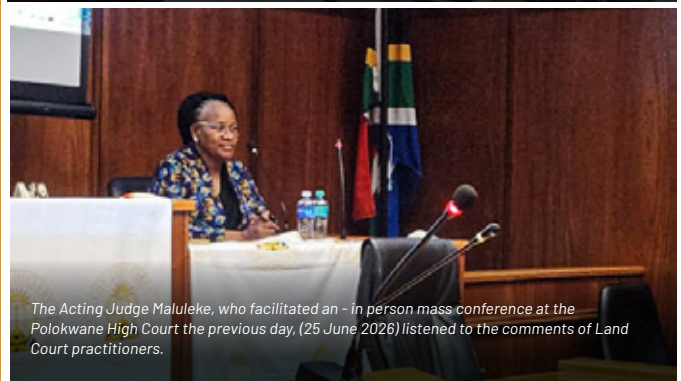
The Court Online training was championed by the Deputy Judge President Cowen and Acting Judge Maluleke who were in Polokwane.

COURT ONLINE TRAINING EQUIPS LEGAL PRACTITIONERS FOR LAND COURT PROCEEDINGS

On 26 June 2026, the Land Court hosted a CourtOnline training session to equip legal practitioners with the knowledge and practical skills needed to effectively use the digital case management platform. The training, championed by Deputy Judge President S Cowen and Acting Judge Maluleke, highlighted the Judiciary's commitment to improving efficiency and access to justice through technology. Participants received hands-on guidance on the platform's features from the Chief Registrar of the Land Court, Mr Maqala, and Registrar Mr Mthembu, while also engaging in discussions on its practical application in Land Court litigation. The strong attendance and positive engagement from members of the legal fraternity reflected broad support for the rollout of CourtOnline and its role in modernising court processes.



The Deputy Judge President Cowen addresses the legal community at the CourtOnline training. Her address emphasized the significant benefit that effective use of the CourtOnline tool would have in Land Court litigation.



The Acting Judge Maluleke, who facilitated an in-person mass conference at the Polokwane High Court the previous day, (25 June 2026) listened to the comments of Land Court practitioners.



Significant turnout and response by members of the legal fraternity to the Court Online roll out and training.



Chief Registrar of the Land Court, Mr Maqala and Registrar Mr Mthembu running legal practitioners through the Court Online platform's features.



Legal practitioners gained valuable technical competence in the use of the CourtOnline tool.

JUDICIAL APPOINTMENTS & RETIREMENTS

JUDICIAL APPOINTMENTS

CONSTITUTIONAL COURT



**Justice N C
Dambuza-Mayosi**

Appointed as Justice of the
Constitutional Court

As of: 01.05.2026



Justice K M Savage

Appointed as Justice of the
Constitutional Court

As of: 01.05.2026

SUPREME
COURT OF APPEAL



Judge T V Norman

Appointed as Justice of the Supreme
Court of Appeal

As of: 15.05.2026



Judge B Vally

Appointed as Justice of the Supreme
Court of Appeal

As of: 15.05.2026



Judge L Windell

Appointed as Justice of the Supreme
Court of Appeal

As of: 01.06.2026

GAUTENG DIVISION OF
THE HIGH COURT



Deputy Judge President A P Ledwaba

Appointed as Judge President of the Gauteng Division of the High Court

As of: 15.05.2026

EASTERN CAPE DIVISION
OF THE HIGH COURT



Ms N Cengani-Mbakaza

Appointed as Judge of the Eastern Cape Division of the High Court, Mthatha

As of: 01.07.2026



Adv S A Collett

Appointed as Judge of the Eastern Cape Division of the High Court, Makhanda

As of: 01.07.2026

EASTERN CAPE DIVISION
OF THE HIGH COURT



Prof N Ntlama-Makhanya

Appointed as Judge of the Eastern Cape Division of the High Court, Makhanda

As of: 01.08.2026

WESTERN CAPE DIVISION
OF THE HIGH COURT



Mr R D Barendse

Appointed as Judge of the Western Cape Division of the High Court

As of: 01.06.2026



Adv D M Davis SC

Appointed as Judge of the Western Cape Division of the High Court

As of: 01.07.2026

WESTERN CAPE DIVISION
OF THE HIGH COURT



Adv N T Mayosi

Appointed as Judge of the Western Cape Division of the High Court

As of: 01.06.2026



Adv P Njokweni

Appointed as Judge of the Western Cape Division of the High Court

As of: 01.06.2026



Adv P S Van Zyl

Appointed as Judge of the Western Cape Division of the High Court

As of: 01.06.2026

JUDICIAL RETIREMENTS



Judge C Williams

Judge of the Northern Cape Division of the High Court

As of 31 March 2026



Judge N Dolamo

Judge of the Western Cape Division of the High Court

As of 05 May 2026



Judge S A M Baqwa

Judge of the Gauteng Division of the High Court

As of 06 May 2026



Justice Z L Tshiqi

Justice of the Constitutional Court

As of 29 May 2026

IN MEMORIAM



Retired Judge President A N Jappie

Former Judge President of the KwaZulu-Natal Division of the High Court
Passed: 22.04.2026



Judge T Papier

Judge of the Western Cape Division of the High Court
Passed: 07.04.2026

NOTES



NATIONAL OFFICE ADDRESS:

188 14th ROAD, NOORDWYK
MIDRAND, 1685



SWITCHBOARD NUMBER

010 493 2500



The South African Judiciary



@OCJ_RSA



@OCJ_RSA



Judiciary RSA



www.judiciary.org.za

