



THE JUDICIARY

JUDICIARY CONFERENCE 2026

CHIEF JUSTICE'S EVENTS

JUDICIARY BRICS CONFERENCE

JUDICIAL OUTREACH

WOMEN'S MONTH JUDICIAL OUTREACH



 TheSouthAfricanJudiciary

 @OCJ_RSA

 @OCJ_RSA

 Judiciary RSA



NATIONAL OFFICE ADDRESS:

188 14th Road, Noordwyk
Midrand, 1685



STAY IN TOUCH

+27 (0)10 493 2500

ocj-communications@judiciary.org.za

www.judiciary.org.za



TABLE OF CONTENTS

- 02.** Judiciary Conference 2026
- 13.** Chief Justice's Events
- 15.** Judiciary BRICS Conference
- 18.** Tanzanian delegation undertakes judicial benchmarking visit in South Africa
- 20.** Land Court Stakeholder Engagement Sessions
- 22.** Land court engages stakeholders on progress in LAMOSA matters
- 24.** In Memoriam: Judiciary mourns the passing of Justice F E Mokgohloa
- 29.** In Memoriam: Judiciary Mourns the Passing of retired Judge N F Kgomo
- 31.** Judiciary pays tribute to Justice L Ackermann
- 34.** Judiciary Remembers retired Judge President A Jappie
- 39.** Judicial Outreach
- 41.** Women's Month Judicial Outreach
- 45.** Womanity
- 53.** From policy to protection: SAC-IAWJ conference sharpens focus on ending gender-based violence
- 56.** High Court Divisions participate in Moot Courts
- 57.** SAJEI refresher conference strengthens judicial learning and engagement
- 59.** Judge Mfenyana reflects on ethics and the legal profession
- 60.** Advertorial Sexual Harassment Course
- 61.** Judicial Achievements
- 62.** Judicial Retirements & Bereavements

EDITORIAL STAFF & CONTRIBUTORS

Editor:

Judge President Thoba Poyo Dlwati

Contributors:

Chief Justice Mandisa Maya

President M B Molemela

Acting Deputy President W Hughes

Justice E Cameron

Judge President M G Phatudi

Retired Judge R A K Vahed

Newsletter Coordinator:

Ms Lusanda D. Ntuli

Photographers:

Ms Nontuthuzelo Mabusela

Ms Sandra Lioners

Mr Mfundo Mkhwanazi

Designer:

Ms Nontuthuzelo Mabusela



FROM THE EDITOR

DEAR COLLEAGUES,

This edition of The Judiciary reflects both the forward-looking work of the Judiciary and a period of profound loss within the judicial community.

At the centre of this edition is the 2026 Judiciary Conference, convened under the theme “Towards a Single, Institutionally Independent and Accountable Judiciary.” The Conference brought together judicial officers, judicial leaders from across the continent and key stakeholders to take stock of progress since 2023 and to consider the practical steps required to advance institutional independence, effective judicial governance and accountability. Discussions traversed critical issues including judicial administration, sustainable resourcing, ethics and discipline, emerging technologies and the preservation of public confidence in the justice system.

Importantly, the Conference moved beyond reflection towards implementation. Its deliberations and resolutions reaffirmed the Judiciary’s collective responsibility to strengthen the institutions that support judicial independence while ensuring accountability and responsiveness to the people it serves.

This edition also pauses to honour members of the Judiciary whose passing has left a deep sense of loss. We remember retired Judge President Achmat Naeem Jappie, whose leadership, humility and service to the Judiciary and legal profession left a lasting legacy; Justice Fikile Eunice Mokgohloa, whose distinguished judicial career was marked by diligence, independence and commitment to the administration of justice; and retired Judge Nare Frans Kgomo, whose decades of public service reflected a lifelong commitment to justice; as well as, a memorial court sitting in honour of Justice Laurie Ackermann, a founding Justice of the Constitutional Court whose contribution to constitutional jurisprudence remains enduring.

Their passing reminds us that institutions are shaped not only by structures and policies, but also by the people who serve them. Their contributions to the law, the administration of justice and the development of those who came after them form part of the institutional memory and legacy of the South African Judiciary.

As we reflect on those who have served before us and on the work that lies ahead, this edition captures a Judiciary that continues to evolve while remaining anchored in the constitutional values of independence, accountability, integrity and service.

Judge President Thoba Poyo Dlwati

Judge of the KwaZulu-Natal Division of the High Court



2026 JUDICIARY CONFERENCE: ADVANCING THE VISION OF A SINGLE, INSTITUTIONALLY INDEPENDENT AND ACCOUNTABLE JUDICIARY

The South African Judiciary convened its 2026 Judiciary Conference in Umhlanga, KwaZulu-Natal, from 13 to 16 July 2026, bringing together judicial officers, judicial leaders from across the African continent and key stakeholders to deliberate on the future of the Judiciary. Held under the theme “Towards a Single, Institutionally Independent and Accountable Judiciary,” the Conference provided an opportunity to assess progress made since the 2023 Judiciary Conference, address outstanding institutional challenges and identify practical measures to strengthen the administration of justice.

The Conference marked an important stage in the Judiciary's continuing efforts to realise its vision of institutional independence, effective judicial governance and accountability. Over four days, delegates engaged on matters central to the Judiciary's constitutional mandate, including judicial administration, sustainable resourcing, ethical leadership, judicial discipline and the responsible use of emerging technologies.

The Conference commenced with a Gala Dinner on 13 July 2026, officially opened by Judge President Thoba Poyo-Dlwati of the KwaZulu-Natal Division of the High Court, who served as Programme Director. In her opening remarks, Judge President Poyo-Dlwati reflected on the Conference theme, emphasising that judicial independence extends beyond independent judicial decision-making and requires strong institutions, accountability and public confidence.

The Mayor of eThekweni Municipality, Councillor C Xaba, welcomed delegates, acknowledging the Judiciary's contribution to upholding justice and emphasising the importance of maintaining an appropriate balance between judicial independence and accountability.

Minister of Justice and Constitutional Development, Ms Mmamoloko Kubayi, delivered a message of support, acknowledging the Judiciary's commitment to advancing institutional independence and accountability.

Setting the tone for institutional reform

Delivering the Gala Dinner keynote address, Deputy Chief Justice Dunstan Mlambo reflected on the progress made since the 2023 Judiciary Conference. He emphasised that meaningful institutional reform must uphold human dignity, strengthen the rule of law and build institutions capable of effectively serving the public. He further highlighted that the vision of a single Judiciary had progressed beyond policy resolutions and entered the implementation phase.

Justice Wendy Hughes delivered the closing remarks, thanking delegates and emphasising the responsibility of ensuring that the Conference proceeded with purpose.

Taking stock of progress

The formal proceedings commenced on 14 July 2026, with Chief Justice Mandisa Maya delivering the opening keynote address. The Chief Justice called on delegates to engage constructively on the measures required to achieve a single, institutionally independent and accountable Judiciary.

The first plenary session, facilitated by Justice Leona Theron, focused on governance and accountability within an institutionally independent Judiciary. Justice Charles Zulu of Zambia shared regional perspectives on how judicial councils and plenary bodies can support unified judicial governance and accountability.

The session provided an opportunity to assess South Africa's progress towards achieving a single Judiciary. Regional Court President Modibedi Djaje presented an update on developments since the 2023 Conference, including the vision of transferring the administration of Magistrates' Courts from the Department of Justice and Constitutional Development to the Office of the Chief Justice.

Judge President Nolwazi Mabindla-Boqwana of the Western Cape Division of the High Court reflected on progress towards institutional independence, while Minister Kubayi outlined government's roadmap towards a Judiciary-led court administration.

These engagements placed particular emphasis on translating the commitments of the 2023 Conference into practical institutional arrangements.

Strengthening judicial independence and accountability

The subsequent plenary sessions examined the institutional foundations necessary to support an independent and effective Judiciary.

Under the theme Resourcing as a Constitutional Safeguard of Independence, the Conference programme addressed judicial remuneration, benefits, pensions, conditions of service and the development of adequate judicial support capacity. Discussions focused on establishing sustainable arrangements that support judicial officers in effectively discharging their constitutional responsibilities.

Ethical leadership and judicial accountability were equally prominent. The programme brought together perspectives from South Africa and the region to consider judicial conduct, timely delivery of judgments, judicial discipline and the importance of maintaining public confidence in the justice system.

Deputy Chief Justice Mlambo's presentation on harmonising the Code of Judicial Conduct and the Norms and Standards formed part of discussions on strengthening ethical governance.

The programme also included contributions from Justice Halima Saldulker on judicial discipline and Chief Magistrate Yoliswa Sidlova on ethics and discipline within the Magistracy.

On 15 July, delegates participated in dedicated commissions focusing on judicial resourcing and harmonising the Code of Judicial Conduct with the Norms and Standards. The outcomes of these deliberations were considered during subsequent plenary sessions, facilitated by Justice S Majiedt and Justice Jody Kollapen, respectively.

The Judiciary in a changing world

The final day turned attention to the Judiciary's preparedness to respond to emerging technological and institutional challenges.

A plenary session on The Judiciary in the Digital Era examined the opportunities and implications of Artificial Intelligence (AI) in judicial systems. The programme included regional perspectives from Justice Zannah of Nigeria, together with discussions led by Acting Judge President Takalani Ratshibvumo and Judge Masipa on the development of the South African Judiciary's AI policy.

The Conference also examined the challenges facing judicial institutions in an increasingly complex social and political environment.

In a panel discussion chaired by Judge President Tlaetsi, Justice Nambitha Dambuza, Justice Leonie Windell and Justice Isaac Lenaola of the Supreme Court of Kenya considered how courts can safeguard judicial independence and uphold accountability amid populism, public mistrust and attempts to undermine the legitimacy of judicial institutions.

Justice Lenaola's contribution provided an international perspective on the challenges facing judicial institutions and the importance of maintaining the rule of law and public confidence in the administration of justice.

From deliberations to resolutions

The Conference culminated in a session dedicated to the consideration and adoption of resolutions, co-facilitated by Constitutional Court Justice Rammaka Mathopo and Judge President Cagney Musi of the Free State Division of the High Court. The session provided an opportunity for delegates to consolidate the outcomes of the plenary discussions and commission deliberations and to agree on measures to advance the vision of a single, institutionally independent and accountable Judiciary.

The Conference also provided an opportunity to strengthen relationships with judicial counterparts from across the African continent.

The 2026 Judiciary Conference reaffirmed the importance of sustained engagement, institutional cooperation and collective responsibility in strengthening South Africa's judicial system. Building on the commitments made in 2023, the gathering focused attention on the practical measures required to advance institutional independence while maintaining accountability and public confidence.

The Chief Justice's keynote opening address and the resolutions adopted at the 2026 Judiciary Conference can be found below. ■

JUDICIARY CONFERENCE 2026

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

13 July 2026

The Judiciary cannot discharge its mandate properly if the administration of courts is controlled in ways that compromise its ability to plan, prioritise, implement and account. ”

It is a singular honour to open this 2026 Judiciary Conference hosted by the South African Judiciary (Judiciary) under the theme “Towards a Single, Institutionally Independent, and Accountable Judiciary”; a carefully chosen topic which speaks to a critical constitutional project that this Judiciary has been pursuing painstakingly well over a decade to secure full independence and a governance model that matches the constitutional text and the demands of our democracy to achieve that goal.

We meet at an extremely difficult moment, beset with challenges that require us to speak frankly about where we are, where we have fallen short and what we need to do to enhance and safeguard our ability to execute our constitutional mandate. The Judiciary has travelled a long road since the advent of constitutional democracy in the country. It has been called upon to adjudicate difficult questions in the life of our nation. It has had to interpret and apply a transformative Constitution in conditions of deep inequality, political contestation, social distress and institutional strain. For the most part, it has courageously done so with fidelity to the Constitution and the law.

But dispensing justice depends on much more than the grit and constitutional fidelity of judicial officers. It demands the existence of a spectrum of requirements, chief of which are that judicial officers are properly supported to decide cases expeditiously and without undue interference; and that the Judiciary is independent not only in doctrine, but in its daily institutional life and has the infrastructure, the resources and ability to manage its own affairs fully and without interference. Importantly, the courts must be accessible to the people they are meant to serve in terms of language, affordability and physical proximity. And we, as judicial officers, must hold ourselves to standards



that bolster public confidence in the Judiciary. This Conference will assess whether these pre-conditions exist and, if not, how they must be achieved.

The 2023 Judiciary Conference adopted resolutions under the theme: "Towards a single, effective and fully independent judiciary". Those resolutions were direct and practical. They reaffirmed the need for a single Judiciary and called for the migration of the lower courts to the Office of the Chief Justice without undue delay. They recommitted the Judiciary to the urgent achievement of full institutional independence, including a Judiciary-led court administration model, financial autonomy and operational independence. They identified the need to accelerate information and communication technology, court online systems and digitisation. They called³ for court-based mediation and alternative dispute resolution. They recognised the importance of accountability and thus proposed the review of the Judicial Code of Conduct and the Norms and Standards, judicial remuneration and benefits, security, libraries, ICT services, infrastructure, facilities and future conferences every two to three years.

These resolutions defined what is required for the Judiciary to perform its constitutional function effectively. As we gather again two and a half years later, the burning question is whether we have moved them from ink on paper to implementation. This Conference is, therefore, a working session that must take stock of what has been achieved since 2023; address delays in achieving the set goals, if any; identify obstacles, if any; refine the proposals where necessary; and produce refresher resolutions that are not only principled, but capable of expeditious implementation.

The South African Constitution

The Constitution of the Republic of South Africa vests the judicial authority of the Republic in the courts. It provides that the courts are independent and subject only to the Constitution and the law, which they must apply impartially and without fear, favour or prejudice. It obliges organs of state to assist and protect the courts to ensure their independence, impartiality, dignity, accessibility and effectiveness.

As we have consistently pointed out over the years, this constitutional guarantee has yet to be realised fully because the South African judiciary enjoys only adjudicative independence and institutional independence remains an unfulfilled goal. And judicial officers carry the heavy burden of case adjudication and operate in a system whose governance and resourcing and their conditions of service are not aligned with the single judicial authority contemplated by our constitution.

This is the anomaly we must address and have resolved. We have a constitution that establishes judicial authority as one authority. Yet, in practice, the administration of the superior courts and the magistracy remains fragmented. We speak of one Judiciary when, in reality, our systems do not yet operate as such. We speak of independence, but many aspects that impact the institutional life of the courts still sit elsewhere. We speak of accountability, but accountability becomes difficult where authority is divided, where responsibility is dispersed, and where institutional arrangements obscure who must act when systems fail.

The project of a single, institutionally independent and accountable Judiciary is therefore not a project of status. It is a project of constitutional functionality. It is not about the comfort of judicial officers. It is about the people of South Africa. It is about the litigant who waits for a trial date. It is about the accused person whose liberty is at stake. It is about the child whose maintenance

claim must be adjudicated. It is about the small business waiting for a commercial dispute to be resolved. It is about the community that needs clarity on their rights to land, housing and services or administrative justice. It is about every person who comes to court because the Constitution promises that their legal dispute will be resolved by an independent and impartial tribunal, and that rights will have practical meaning. And they must rely on the resolution of their disputes by courts which are cracking under the strain of failing infrastructure, inadequate translation services, limited or no research support at all, digital systems that do not function, inadequate security, records that cannot be accessed with efficiency, and administrative authority that is divided in ways that render accountability unclear.

Needless to say, if courts cannot function effectively, the vindication of rights is delayed, rights are weakened and public confidence in the courts is compromised and the rule of law is weakened.

The single Judiciary as a practical imperative

A single Judiciary means more than ceremonial unity. It signifies a court system that is governed coherently, resourced rationally, administered efficiently and held to similar standards. It means that the Superior Courts and the Magistracy are not treated as parallel systems but constitute two hierarchical branches of one judicial system.

The Magistrates' Courts are the courts through which most South Africans experience justice, the coalface of justice, where criminal justice is dispensed and family law, maintenance, domestic violence and eviction cases, minor civil claims and many daily legal struggles are resolved for ordinary citizens.

If the Magistracy is institutionally separated from the governance vision of the Judiciary, then the promise of a single Judiciary is incomplete. The 2023 resolutions recognised this and rallied for action necessary to establish a single Judiciary, which would include the migration of Regional and District Magistrates' Courts to the Office of the Chief Justice.

In July 2026, we must measure the progress of the implementation of this goal as a structured and collective voice, mindful that we are pursuing the same cause – to secure our independence and solidify our unity – and be mindful that reform of this magnitude is enormously complex. It requires enabling legislation, careful budgetary arrangements, administrative redesign, human resource planning, transitional mechanisms and cooperation between the arms of state. It requires immense care. But that said, complexity cannot become an excuse for indefinite postponement. We must determine feasible time frames that will allow a successful amalgamation in the foreseeable future. Where the Constitution points in a particular direction, institutions must organise themselves to move in that direction and so we must.

The Conference programme invites us to learn from our neighbours who have walked the path that we have charted for ourselves. It is a tremendous honour to share the experiences of sister judiciaries on the African continent on critical subjects such as, how judicial councils, plenary bodies and system-wide governance structures can support unified leadership and accountability. Whilst comparative experience should not be imported uncritically as each constitutional system has its own history, text, politics and institutional architecture, comparative learning can help us ask better questions that will enable us to identify challenges in advance.

How do we design governance structures that include all levels of the Judiciary? How do we ensure that judicial leadership is not isolated from the realities of the busiest courts? How do we protect decisional independence while creating credible institutional accountability? How do we ensure that administration serves adjudication and does not dominate it? How do we create systems where decisions are made transparently, implemented efficiently and reviewed honestly?

It cannot be overstated that the goal of the contemplated unification is not centralisation for its own sake but coherence taking into account that a single Judiciary must not mean a distant bureaucracy. It must mean a system in which authority is clear, responsibility is traceable, norms and standards are shared and local realities are acknowledged. It must mean leadership that stays in touch with the courts to understand their conditions and is strong enough to act where those conditions undermine justice.

Institutional independence and the separation of powers

Regarding the call for institutional independence, it must be reiterated that it is not a claim that the Judiciary should operate outside the Constitution's system of checks and balances, insulated from scrutiny and a state within the State entitled to unlimited resources. It is a claim rooted in the separation of powers about the conditions necessary for courts to perform their constitutional function and ensure their independence, impartiality, dignity, accessibility and effectiveness.

The Judiciary cannot discharge its mandate properly if the administration of courts is controlled in ways that compromise its ability to plan, prioritise, implement and account. Financial and operational dependence may not always appear as direct interference. It may appear as delayed procurement, uncertain staffing, inadequate security, poor maintenance, fragmented ICT systems, lack of control over infrastructure, or an inability to direct resources where judicial need is greatest. These may look like administrative problems but, in truth, they are constitutional infractions.

We must, therefore, continue the work of a Judiciary-led court administration model along the lines already delineated by the Judiciary itself. The 2023 resolutions noted with disappointment that the Judiciary's proposals for such a model had not received the urgent and favourable response they deserved. But I am pleased to report that since then, there has been positive progress made in our efforts to achieve independence for the Judiciary. The watershed pronouncement by the President of the Republic, Mr Ramaphosa, in June 2025, which committed the Executive to taking the necessary steps towards the realisation of judicial independence, provides renewed hope that the Judiciary will finally take its rightful place as an equal arm of the State, able to exercise its powers, fully independent of the Executive.

After numerous engagements with the Executive, a phased approach was agreed upon to achieve full institutional independence for the Judiciary. Phase 1 involves the transfer of shared and retained services relating to the Superior Courts from the Department of Justice and Constitutional Development (the DoJ) to the Office of the Chief Justice (the OCJ) which was completed on 01 April 2026. A Memorandum of Understanding was concluded by the Acting Accounting Officers of both Departments to give effect to the transfer of services and funding was allocated by the National Treasury to the OCJ. Phase 2 entails the development and promotion of legislation aimed at fulfilling the constitutional imperative of full institutional independence of the Judiciary including the creation of a single Judiciary.

Regarding the progress of this legislative process, the DoJ has indicated that the process will only commence this month, July 2026, for submission of a draft Bill to Cabinet in Quarter 4 (January – March 2027) of the financial year 2026/2027. The Bill in question will only be tabled in Parliament in the fiscal year 2027/2028 for enactment.

The commitment to judicial independence, and the concomitant actions being taken by the Executive, working with the Judiciary to realise this goal, demonstrate that judicial independence is not a privilege of Judges, but a safeguard for our democracy and the rule of law. The pressing task now, which has unfortunately hit a snag, is to agree on the institutional model and its precise terms to build the institutional, administrative, and financial systems that will give full effect to this independence.

This Conference must approach this critical matter with resolve and clarity and articulate the path forward – firm up the terms of the Judiciary's working document that has been furnished to the Executive and ensure that the Judiciary contributes to the envisaged enabling legislation; identify the necessary transitional arrangements, functions to be transferred and the necessary budgetary architecture, past, present and future; and determine how accountability will be ensured once authority is placed where it constitutionally belongs.

We must remind ourselves that institutional independence also requires rigorous and disciplined internal governance. An institution that seeks autonomy must be able to govern itself credibly. It must account for its use of public resources, set sensible priorities, measure its performance, respond to complaints, treat judicial officers and personnel fairly, protect court users, manage risk and communicate responsibly with the public. The to-do list is long and requires the highest level of maturity and painstaking care to fulfil.

Accountability as the companion of independence

Allied with this independence is the requirement of accountability to the public the Judiciary serves which may be seen by some as a threat to judicial independence. It can indeed become a threat if it is used to punish unpopular decisions, pressure judicial officers, or intrude upon adjudicative discretion. But, in reality, accountability is not the enemy of independence but the very condition that helps independence gain public trust.

The Judiciary does not derive its authority from popularity. Courts must sometimes, and in this challenging era, more often than not, make decisions that are unpopular. They must sometimes enforce rights and obligations against majoritarian sentiment. They must sometimes invalidate conduct by powerful actors. They must sometimes protect the vulnerable when public opinion is indifferent or even hostile. Judicial independence exists precisely because courts must make its decisions according to the Constitution and the law and not applause.

But it does not follow that the Judiciary may be indifferent to public confidence, which is different to public approval. Public confidence means that even those who disagree with a judgment are able to discern and believe that the court acted in accordance with the Constitution and the law, that reasons were given, that the adjudicative process was fair, that the judicial officer was impartial, and that the institution is committed to integrity. This is why the ethical foundations of the Judiciary are central to this Conference. Timeous delivery of judgments, clear reasons and proper courtroom demeanour are not administrative niceties. They are expressions of judicial ethics.

The 2023 resolutions called for a review of the Judicial Code of Conduct, with special reference to timeframes for the delivery of judgments, and for the Norms and Standards for the Performance of Judicial Functions to be reviewed so that timeframes are realistic and take account of the special circumstances of appellate courts.¹ I am happy to report that this important task, initiated early this year by an established Judicial Conduct and Norms & Standards Review Committee, is currently underway with the active participation of relevant internal and external stakeholders.

It is important to point out that the Code and the Norms do different work. The Code expresses the ethical duties of judicial office: independence, impartiality, integrity, propriety, equality, competence and diligence. The Norms and Standards guide the institutional performance of judicial functions: case flow management, judgment delivery, court sitting times, reserved judgments and the responsibilities of heads of court. Where they overlap, especially on delay, the system must be clear and fair.

Not every delay is misconduct. Some matters are complex. Some records are voluminous. Some courts operate under extraordinary workload pressures. Some delays reflect systemic failures in support, not personal indifference. But it is equally true that repeated and unjustified delay cannot be normalised. A mature system must be able to distinguish between the need for support, the need for corrective management and the need for disciplinary process. It must be fair to both the judicial officers and the litigants. It must protect independence and protect the public.

Judicial ethics also demand that we build an institution that strongly protects not only its own integrity, but also the dignity and safety of its office-bearers and those who have close dealings with the judicial system. Ethics remain a cornerstone of judicial service and guide the conduct, integrity and accountability essential to the administration of public trust. Thus, the ongoing revision of the norms and standards and the creation of policies that bolster the Code of Judicial Conduct are critical. A recent example is the Judiciary's adoption of a comprehensive Sexual Harassment Policy in August 2025. Since its inception, the South African Judiciary did not have a sexual harassment policy. The reason for this may have been that the issue was not previously given the institutional attention it deserves because it was accepted that the existing conduct rules were sufficient, which was not the case.

“Our task is to build a vital ecosystem of judicial governance in which these elements support one another.

Our judicial system cannot credibly insist on dignity, equality and freedom for its citizens if it has no adequate means to censor humiliation, intimidation, coercion and sexual harassment within its institution. Addressing sexual harassment in the Judiciary is, therefore, at the very core of the notion of justice.

This Policy is a clear institutional declaration of zero tolerance for sexual harassment by, or against, members of the South African Judiciary and its introduction 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 aligns with the constitutional values of dignity, equality, and justice and sets standards of conduct and mechanisms to address this misconduct firmly and transparently.

The Policy's implementation includes online training and webinars spearheaded by the South African Judicial Education Institute (the SAJEI) as the statutory vehicle for judicial development and training in South Africa. In compliance with the training requirements set out in the Policy, the SAJEI has developed, through extensive consultations with members of the Judiciary, relevant stakeholders and experts, a comprehensive and standardised online anti-sexual harassment training course for all members of the South African Judiciary. The training course, which is meticulously tailored to the Policy and reflects the unique dynamics of a court environment, is ready to be implemented nationally.

During the development of the training course, the SAJEI held webinars for all judicial officers 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. These engagements have highlighted some important challenges in the implementation of the Policy which will require a collaborative effort in addressing them.

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 DoJ, works 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 being 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.

This Conference must, therefore, help us develop a coherent relationship between ethics, performance and discipline. It must help us build an independent judicial remuneration framework. It must consider if the role of the Judicial Conduct Committee is still fit for purpose, and the application of appropriate reforms for the Magistracy. It must help us build a system that is not slow, opaque or uneven, because delayed and unbalanced accountability also erodes confidence.

Resourcing as a constitutional safeguard of independence

Our second major theme is resourcing as a constitutional safeguard of independence. This is a vital formulation which makes clear that resources are not a matter of convenience but part of the architecture of the delivery of justice.

Judicial independence cannot be separated from the material conditions in which judicial work is performed. A court without adequate staff cannot function efficiently. A judge without

¹2023 Judges Conference Resolutions page 4.

research support may struggle to meet the demands of complex litigation and produce a judgment within reasonable time. A magistrate facing an overwhelming case roll without adequate administrative assistance is placed in a position where the aspiration of timely justice becomes extremely difficult. A court without safety facilities undermines the dignity and security of court users and judicial officers alike. A digital system that is unreliable will frustrate rather than advance access to justice.

The question is not simply whether the Judiciary needs more money. All public institutions operate within fiscal constraints. The question is whether the resourcing of courts is understood as a constitutional obligation and whether the Judiciary has sufficient institutional control to plan, prioritise and account for the resources required to fulfil its mandate. The 2023 resolutions identified several matters requiring urgent attention in this regard – judicial remuneration and benefits, pensions and conditions of service, the possible establishment of a Judiciary Salary and Benefits Committee, the position of magistrates under existing pension arrangements, medical aid questions, security, library services, ICT services, infrastructure and facilities. These are not isolated technical matters. They shape whether judicial office is secure, dignified and sustainable.

Judicial remuneration is not a private benefit. It is a public safeguard. The Constitution protects judicial officers not because they are personally more important than other public servants, but because the independence of their office serves the public. If remuneration and benefits are eroded in real terms, if the framework is uncertain or inappropriate, or if conditions of service do not reflect the responsibilities and restrictions of judicial office, the institution is weakened. Recruitment, retention, morale and independence are all affected.

Similarly, research capacity and administrative support are not nice-to-have luxuries. They affect the quality of decision-making. They help reduce delay. They support consistency. They allow judicial officers to focus on adjudication rather than administrative burdens. In a legal system of growing complexity, where constitutional, statutory, customary, commercial and technological questions increasingly intersect, the Judiciary must be properly equipped to reason well and decide efficiently. The same is true of personal well-being. Judicial office carries heavy burdens. Judicial officers are required to absorb conflict, trauma, intellectual pressure, moral responsibility and public criticism. They must do so with restraint. They cannot explain themselves outside their judgments. They cannot campaign for sympathy. If we fail to attend to our wellness, security and workload in a focused, institutional way, we risk treating resilience as an individual virtue when it should also be an institutional responsibility.

I do not suggest that we dilute standards but that we create conditions in which high standards can be met. Accountability without resourcing is unfair. Resourcing without accountability is unsustainable. The constitutional task is to hold both together.

The digital era and the future of justice

We must also contend with the demands of the digital era. Courts across the world are dealing with digital filing, online hearings, electronic records, automated systems, data analytics and artificial intelligence (AI). Encouragingly, African justice systems are also experimenting with technology in ways that will support access, efficiency and innovation.² We must learn from these

developments but proceed with constitutional discipline.

Judiciary's effectiveness and efficiency depend on robust modernisation, particularly through digital transformation which enables it to manage escalating caseloads and enhance accessibility. Entrenching digitization in the courts and enhancing training for judicial officers and staff are priorities for sustained efficiency and public trust.

We have seen that technology can improve justice. It can reduce physical barriers to access, assist with case management, help manage records, support research, improve communication with court users, reduce unnecessary travel and delay and help courts operate more efficiently especially in a country such as ours where distance, cost and inequality often make access to justice difficult.

The silver lining of the devastating COVID-19 pandemic and the resulting lockdown restrictions was that it compelled the South African Judiciary to embrace the digital era to prevent the disruption of the administration of justice and make justice more accessible. The Gauteng Division of the High Court, under then Judge President Mlambo's stewardship, led us in the successful adoption and implementation of the CaseLines system for the electronic filing and management of cases and the Court Online System which is today used across all Superior Courts. This digital case and evidence management system, which has been positively received by court users, provides a platform for litigants to file their papers electronically and affords Judges the ability to manage court evidence with ease and expeditiously online. I take this opportunity to implore the leadership of the courts in which this system has been launched to take active steps to entrench and advance its use.

That said, we cannot overlook that technology can also reproduce inequality, especially in the lower courts where technical challenges persist. A digital court system that assumes stable internet, digital literacy, access to devices and language proficiency may improve access for some while excluding others. A system that is not properly secured may compromise confidentiality. A system procured without adequate institutional control may create dependency on external vendors. A system imposed without judicial input may fail to serve sound and efficient adjudication.

AI raises even sharper questions, universally. While it may assist with research, translation, document organisation, transcription, scheduling and administrative analysis, it must never replace judicial judgment. A judgment is not the product of a machine. It is an exercise of constitutional responsibility by a human decision-maker who has heard the parties, weighed the evidence on the basis of the relevant law, given reasons for their decision and, importantly, has accepted accountability therefor.

Any AI policy we may adopt for the South African Judiciary must, of necessity, as has been done elsewhere, be subject to human oversight, confidentiality and data protection, fairness and non-discrimination, transparency and reliability. The ability of the Judiciary to control its own systems, understand their risks and prevent improper influence is imperative. We regularly read reports and ourselves experience in the course of our work AI's dangerous capacity to fabricate authority, the so-called AI hallucinations, its potential to reflect bias, obscure uncertainty whilst creating a false sense of confidence.³ AI has shown its easy ability to tempt users to outsource their judgment, research or reasoning in ways

² African Union Development Agency, *Harnessing Digital Innovations to Revolutionise Justice Systems in Africa*.

³ University of Leeds *Strengths and Weaknesses of Gen AI*

that are incompatible with judicial office. For the courts, these risks directly impact the integrity of the adjudicative process.

That said, however, judicial officers must not yield to fear. AI is still a valuable resource with proper governance measures in place. These would include defining permissible uses, prohibited uses and basic safeguards, training judicial officers and staff in the use of the system, protecting confidential information, and ensuring that the systems used in the courts are subject to proper evaluation. We must understand the technology before allowing it to shape the administration of justice.

It is important to mention a scourge of the digital era, the boon called social media, which has changed the public environment in which courts operate – mischaracterisation of court judgments, subjecting of judicial officers to malicious attacks and spreading false information about them, drawing courts into misleading political narratives they did not create. Courts and judicial officers are now vulnerable to deliberate campaigns of distortion which have the effect of weakening public trust in the judicial system because ordinary members of the public accept the false information as true.

But while the Judiciary may not enter public and political contests as our authority lies in reasoned judgments, restraint and fidelity to the constitution and the law, restraint does not mean institutional silence in the face of misinformation about the functioning and role of the courts. We must strive to communicate and explain court processes more clearly, write court judgments in simple, easy to understand language without oversimplifying their substance, of course, support judicial officers who come under unwarranted attack and defend the judicial institution from gratuitous criticism. A confident Judiciary on the right side of the law does not fear constructive criticism. But it must challenge criticism that seeks to delegitimise it.

Rationalisation of the High Courts

Another important aspect of judicial reform is the rationalisation of courts which is currently underway in our country. As most of us may be aware, the DoJ initiated the implementation of the Report of the Committee on the Rationalisation of Areas Under the Jurisdiction of the Divisions of the High Court of South Africa and Judicial Establishments of the Divisions of the High Court of South Africa. This rationalisation process seeks to review and update court jurisdictions, and to establish equitable judicial posts across South Africa's nine provinces in order to improve universal access to justice. The Minister of Justice will probably deal with the results of this critical process when she addresses us later and I will leave it to her to elaborate on it.

The African judicial conversation

As I have said, this Conference is enriched by the participation of distinguished jurists from our region and the rest of the continent. This is very important because the South African Judiciary is part of the wider African community of constitutional jurisdictions and its judicial discussions about constitutionalism, judicial independence and accountability, access to justice and the future of courts.

Across the continent and, indeed, globally, judiciaries in democracies face similar pressures from resource constraints, political contestation, public impatience with delays, the need for ethical accountability, technological disruption and the challenge of protecting independence while remaining responsive to the

people. We can learn from one another's successes and challenges – for example, in respect of matters such as how judicial councils operate; how courts manage digitisation; how ethical systems are designed and sustained; how the judiciary can respond effectively to public attacks.

From resolutions to implementation

The phrase "from resolution to reality" appears in the programme of this Conference. It is a phrase aptly intended to exhort us into action. We hope that this Conference will provide us with an opportunity to build consensus and finetune our to-do list. But, importantly, we must leave here with more than statements of principle as we did in 2023. We must close this Conference with clearly defined priorities, timelines, responsible structures and mechanisms for reporting back in the short term. If a resolution requires legislation, we must pertinently say so. If it requires engagement with the Executive, we must identify who will lead that engagement and by when. If it requires internal judicial action, we must assign that responsibility within our structures. If it requires budgetary planning, we must align it with the relevant cycles. If it requires further research, we must commission it and set a date for completion.

The 2023 resolutions provide a useful accountability framework I described earlier – the creation of a single, institutionally independent Judiciary, buttress ICT and digitisation, mediation, bolster accountability measures, review of the Code and Norms, review of the remuneration and benefits, strengthen security measures, enhance libraries facilities and infrastructure and hold regular conferences. This week's programme sharpens and reorganises these issues into four interdependent themes: governance and accountability in an institutionally independent Judiciary; resourcing as a constitutional safeguard of independence; ethical foundations of an independent and accountable Judiciary; and the Judiciary in the digital era.

These themes are not separate compartments. Governance without resources is ineffective. Resources without ethical accountability will not command public confidence. Digital transformation without institutional independence may create new dependency. Accountability without clarity on authority will remain uneven. A Judiciary that does not include the Magistracy will remain divided and weaken judicial authority. Institutional independence without public trust will be imperilled.

Our task is to build a vital ecosystem of judicial governance in which these elements support one another.

The role of judicial leadership

This Conference also speaks to judicial leadership. As we well know, leadership in the Judiciary is not the same as leadership in political or corporate life and other spheres of economic and community activity. Judicial leadership must be exercised with collegiality, restraint, legality and respect for decisional independence. Heads of Court are first among equals. They do not tell judges and magistrates how to decide the cases serving before them. Judicial leaders do not manage adjudication as though it were an administrative output. They do not decide the conditions of their colleagues' employment and act on the authority of mandates given by their colleagues.

But judicial leadership is not passive. It requires the setting of standards, identifying and confronting hurdles and shortcomings head on, and giving direction on their resolution, supporting

colleagues and protecting the vulnerable members of the institution, engaging other arms of state firmly and respectfully where necessary, ensuring that court users are not forgotten in internal debates, communicating the needs of the Judiciary without appearing self-interested and making hard decisions about resources, conduct, performance and reform.

Leadership also requires unity. Unity does not mean uniformity of opinion. Judges and magistrates as discrete groups, judges among themselves and magistrates among themselves will sometimes disagree about the best means to achieve common goals. That is to be expected and is healthy especially in a diverse institution comprising independent minded members. But once we have expressed our differing views and deliberated on them robustly but respectfully, we must be able to act with institutional coherence, in unison. Fragmentation weakens reform. If we speak in many directions on matters that require collective action, we weaken our hand and make it easier for necessary reforms to be deferred.

It must be acknowledged at the same time that unity must include the lived realities of all courts. The Constitutional Court, the Supreme Court of Appeal, the High Courts, the Labour and Labour Appeal Courts, the Land Court, the Electoral Court, the Competition Appeal Court, the Magistrates' Courts and other judicial forums do not experience institutional challenges in the same way. A credible governance model must accommodate their differences. The voice of the busiest court, the rural court, the under-resourced court and the specialised court must shape the single Judiciary we build.

The people at the centre

We must remind ourselves that it is possible in a conference of this nature to speak in institutional language for several days and forget the person for whom the institution exists. We must avoid that lapse.

The Constitution does not protect courts as monuments. It protects courts because people need justice. The independence of the Judiciary is not a privilege. It is a guarantee to the public that the powerful and the powerless stand before the law on equal terms. The accountability of the Judiciary is a duty owed to the people in whose name judicial authority is exercised.

When we speak about court administration, we are speaking about whether a court file is available on the hearing date of the matter, whether a matter is enrolled expeditiously once ripe for hearing, whether a witness is heard, whether a vulnerable person is treated with dignity, whether reasons are delivered within a reasonable period, whether an appeal record is prepared, whether a court order can be enforced. When we speak about digitisation, we are speaking about whether technology helps or hinders the person seeking justice. When we speak about remuneration and benefits, we are speaking about whether the judges' tenure and the associated of the judicial office remains secure, independent and attractive to persons of integrity and ability. When we speak about ethics, we are speaking about whether the public can trust the person who adjudicates their cases.

The measure of this Conference will, therefore, not be the loftiness of our resolutions. It will be whether those resolutions improve the administration of justice and provide means of their expeditious implementation.

A call to constitutional seriousness

Colleagues, the Judiciary occupies a critical and demanding place in our constitutional democracy. We must be independent but not isolated. We must be accountable but not intimidated. We must be efficient and transparent, but not careless. We must be responsive to society but not governed by public opinion. We must be open to innovation but ensure safeguards against possible pitfalls. We must be united but be sensitive to and address difference.

Ours is extremely difficult and often thankless work. But the difficulty of the work is precisely why judicial office exists. Our Constitution was not written for easy times. It was written to guide a wounded society still healing from centuries of injustice, still struggling with inequality and deep poverty, buffeted by threatening winds of corruption and instability and battling to build state institutions worthy of trust that will ensure the establishment of the democratic and open society in which government, clean government, based on the will of the people, that every citizen is equally protected by the law, the quality of life of all citizens is improved and the potential of each one of them is freed, as envisaged in our Constitution. The Judiciary must be one of those institutions and this Conference must produce resolutions of constitutional design and institutional discipline that are capable of practical and ready implementation.

To our colleagues from sister jurisdictions, we welcome your wisdom and experience. To the Minister of Justice and Constitutional Development, Minister Kubayi, your team, and other representatives of the Executive, we extend our hand for principled cooperation. Judicial independence does not require hostility between arms of state. It requires clarity, respect and constitutional fidelity which you have consistently shown in the past year as we have navigated the tough path towards the vision of the judiciary contemplated by the Constitution. To the members of the legal profession and civil society, we recognise and appreciate the role you tirelessly play in strengthening the justice system and holding state institutions to account. To my colleagues, the members of the Judiciary, I ask that we approach these proceedings with openness, a sense of responsibility and courage.

The journey towards a single, institutionally independent and accountable Judiciary started well over a decade ago and has been undertaken by successive judicial leaders, judges, magistrates, administrators and reformers. Our task is to advance the blueprint they left us and ensure that it becomes reality.

Conclusion

As I said earlier, in 2023, the South African Judiciary resolved that its conferences should be held every two to three years. We are here because the institution understood that we must gather regularly to reflect, account and renew its commitments. That is a sensible and very necessary practice as we have a lot of work to do.

I hope that this Conference will be remembered as the moment we moved with greater urgency from aspiration to architecture and implementation, and from implementation to measurable improvement in the lives of those who seek justice in our courts.

May we build a Judiciary that dispenses justice and is accountable in the exercise of the authority entrusted to it by the Constitution and the people of the Republic of South Africa. ■



Deputy Chief Justice Dunstan Mlambo with Judge President Thoba P Poyo-Dlwati, Honourable Justice Charles Zulu, Honourable Justice Isaac Lenaola, The Honourable Judge Thomas Masuku, Honourable Justice Kashim Zannah



Deputy Chief Justice Dunstan Mlambo



Minister of Justice and Constitutional Development, Ms Mmamoloko Kubayi, MP



Constitutional Court Justice Jody Kollapen



Constitutional Court Justice Steven Majiedt



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



Honourable Justice Kashim Zannah of Nigeria



Honourable Justice Charles Zulu of Zambia



Honourable Justice Isaac Lenaola of the Supreme Court of Kenya



The Honourable Judge Thomas Masuku of Namibia



2026 JUDICIARY CONFERENCE

Towards A Single, **Institutionally Independent**
And **Accountable Judiciary**



13 – 17 JULY 2026

DURBAN, KWAZULU-NATAL



CONFERENCE RESOLUTIONS ADOPTED

The **2026 Judiciary Conference** adopted resolutions that will guide the continued advancement of a **single, institutionally independent and accountable Judiciary**.
The resolutions focus on the following key priority areas:

1

INSTITUTIONAL INDEPENDENCE AND JUDICIAL ACCOUNTABILITY

Advancing the implementation of a single Judiciary through strengthened institutional independence, governance and accountability.



2

RESOURCING AS A CONSTITUTIONAL SAFEGUARD OF INDEPENDENCE

Strengthening the Judiciary through sustainable funding, improved conditions of service and enhanced institutional capacity.



3

CODE OF JUDICIAL CONDUCT AND NORMS AND STANDARDS

Promoting ethical leadership, accountability and consistency through the harmonisation of the Code of Judicial Conduct and the Norms and Standards.



4

JUDICIAL APPOINTMENTS, ETHICS AND DISCIPLINE

Enhancing judicial appointments, discipline and ethical governance to strengthen public confidence in the Judiciary.



5

INFORMATION COMMUNICATION TECHNOLOGY, DIGITISATION AND ARTIFICIAL INTELLIGENCE

Accelerating digital transformation, modernising court systems and guiding the responsible use of Artificial Intelligence to improve access to justice.



6

JUDICIAL WELLNESS

Recognising judicial wellness as a strategic institutional priority through preventative, supportive and sustainable wellness programmes.



View the resolutions adopted during
the 2026 Judiciary Conference.



#JudiciaryConference2026

CHIEF JUSTICE'S EVENTS

CHIEF JUSTICE IN NORTHERN KWAZULU-NATAL FOR AN OVERSIGHT VISIT

Chief Justice Mandisa Maya recently conducted oversight visits to the Mbazwana and Ingwavuma Magistrates Courts in northern KwaZulu-Natal, as part of the ongoing programme of provincial oversight visits aimed at strengthening the administration of justice and assessing conditions at courts across the country.

The Chief Justice was hosted by the Judge President of the KwaZulu-Natal Division of the High Court, Judge President Thoba Poyo-Dlwati, during the visits to the two courts.

At the Ingwavuma Magistrates Court, Chief Justice Maya and Judge President Poyo-Dlwati were joined by representatives of the Magistracy, the Department of Justice and Constitutional Development, the National Prosecuting Authority, Legal Aid South Africa and the Office of the Chief Justice.

The oversight visit provided an opportunity for the Chief Justice and the delegation to engage directly with court officials and key stakeholders on the functioning of the court and the administration of justice within the district. A stakeholder meeting formed part of the programme, allowing participating institutions to provide an overview of the current state of affairs and to discuss matters affecting the delivery of justice and services to court users.

The engagements at Mbazwana and Ingwavuma Magistrates Courts also enabled the Chief Justice to gain first-hand insight into operational circumstances at courts serving communities in northern KwaZulu-Natal.

The visit forms part of the Chief Justice's continuing oversight programme across the provinces, through which the leadership of the Judiciary engages with judicial officers, court officials and stakeholders on matters affecting the effective functioning of the courts.

Chief Justice Maya concluded the visit to northern KwaZulu-Natal following productive engagements at both courts, reaffirming the importance of cooperation among stakeholders in supporting the effective and accessible administration of justice. ■



L-R: Mr Dehaloo, Judge President T P Poyo Dlwati, Chief Justice Mandisa Maya and Mr A Maharaj, the Acting Regional Court President for KwaZulu-Natal.



L-R: Chief Justice Mandisa Maya, Mr T Ngcobo Head of Office in the Ingwavuma Magistrate Court and Judge President T P Poyo Dlwati.



Judge President T Poyo-Dlwati leading the oversight visit at the Mbazwana Magistrates Court.



The delegation at Ingwavuma Magistrates Court.

CHIEF JUSTICE'S EVENTS



Chief Justice Mandisa Maya pictured with Justice Brian Murray of the Supreme Court of Ireland



Chief Justice Mandisa Maya

CHIEF JUSTICE MAYA HOSTED JUSTICE BRIAN MURRAY FROM IRELAND

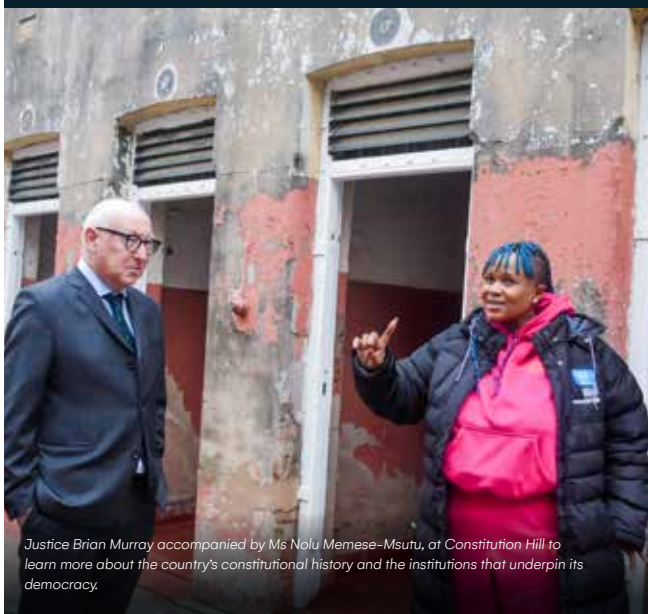
On 18 September 2026, Chief Justice Mandisa Maya hosted Justice Brian Murray of the Supreme Court of Ireland for a bilateral meeting at the Constitutional Court, providing an opportunity for the exchange of legal knowledge, experiences and best practices between the South African and Irish judiciaries. The engagement also served to strengthen institutional relations and encourage continued dialogue between the two judiciaries. Justice Murray concluded his visit with a tour of the Constitution Hill precinct, gaining further insight into South Africa's constitutional history and the significance of the site in the country's democratic journey. ■



Justice Brian Murray of the Supreme Court of Ireland



Justice Brian Murray of the Supreme Court of Ireland tours the Constitution Hill precinct, gaining insight into South Africa's constitutional history and the significance of the site in the country's democratic journey.



Justice Brian Murray accompanied by Ms Nalu Memese-Msutu, at Constitution Hill to learn more about the country's constitutional history and the institutions that underpin its democracy.



Justice Brian Murray of the Supreme Court of Ireland visits the Constitutional Court as part of his engagement with the South African Judiciary.



5th BRICS CHIEF JUSTICES' FORUM

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

5 September 2026
New Delhi, India

The 5th BRICS Chief Justices' Forum (the Forum) opened in New Delhi, India, on 5 September 2026. Chief Justices and Presidents of Supreme Courts from BRICS member and partner countries were invited to the event. Justice Mahube Molemela, President of the Supreme Court of Appeal of South Africa, was nominated by Chief Justice Mandisa Maya to attend the event. All the BRICS Member States were represented at the 5th BRICS Chief Justices' Forum, and delegations from some participating Partner States were also present.

The visit provided an important opportunity for the South African Judiciary to participate in a high-level judicial dialogue with the highest judicial institutions of BRICS member and partner countries, while strengthening bilateral judicial relations with India. Justice Surya Kant, the Chief Justice of India, presided over the opening ceremony and the Forum on 5 and 6 September 2026. President Molemela attended the opening ceremony and was one of the delegates who participated in a bilateral engagement with Chief Justice Surya Kant.

A substantial portion of the bilateral discussion focused on Artificial Intelligence (AI) and its application within the judiciary, as President Molemela had already indicated in writing that she would welcome a discussion on (i) whether the Judiciary of India has created its own artificial intelligence data and (ii)

the extent to which the Indian Judiciary implements artificial intelligence. Chief Justice Kant explained that the Indian Judiciary accelerated digitalisation during the COVID-19 pandemic era to ensure continuity of justice services. However, the Indian Judiciary's implementation of AI is limited to improving access to justice and supporting administrative efficiency, while safeguards are being developed to address misuse and cyber threats. Chief Justice Kant further indicated that the Indian Judiciary planned to use AI to facilitate the translation of judgments into additional Indian languages. He stated that the Indian Judiciary does not use AI to summarise court records or draft judgments. He stressed that despite the known advantages of closed databases with local Large Language Models (LLMs) configured to search only restricted internal repositories, a closed database of sources is only as good as its curation. He emphasised that judgment writing cannot be outsourced to an algorithm, regardless of how controlled the database may be. He stated that the ethical and legal duty to verify accuracy remained a Judge's exclusive

responsibility. He emphasised that judgment writing remained a Judge's exclusive responsibility.

The Indian Judiciary's digital infrastructure was also discussed during the bilateral meeting, including its e-Courts platform, the e-Court India application and the National Judicial Data Grid (NJDG). These developments were particularly relevant to the South African Judiciary, given ongoing efforts to strengthen its digital justice and responsibly adopt emerging technologies. An invitation was extended to all the delegates to visit the National Judicial Museum and Archive, the Court Building, and the Supreme Court of India's Case Command Centre (War Room). These engagements provided useful insight into the institutional history, administration, and technological infrastructure of the Indian Judiciary. Chief Justice Kant indicated a willingness to explore structured cooperation in all aspects of judicial technology (court technology and IT skills) and to assist the South African Judiciary with IT training at no cost.

As regards the formal programme of the 2026 Forum, four substantive themes were to be addressed, namely Mediation as a Strategic Mechanism for Resolving International Commercial Disputes in a Globalised Economy (Session 1); Cross-Border Enforcement of Foreign Arbitral Awards: Challenges and Prospects for Procedural Harmonisation (Session 2); Artificial Intelligence, Digital Innovation and the Future of Judicial Administration (Session 3); and Judicial Leadership in Ecological Governance and the Advancement of Sustainable Energy Systems (Session 4). President Molemela participated in Session 4 and delivered a paper titled Judicial Leadership in Ecological Governance and the Advancement of Sustainable Energy Systems. President Molemela's participation placed the South African Judiciary directly within the Forum's substantive deliberations on the judiciary's role in responding to environmental and sustainable development challenges. President Molemela stated that the South African Judiciary's engagement with section 24 of the Constitution illustrates a maturing constitutional environmental jurisprudence that has moved from articulating broad principles of sustainable development to enforcing concrete, substantive obligations on the State regarding air quality, climate impact assessment, and public participation in energy infrastructure decisions.

President Molemela briefly discussed several judgments of the Constitutional Court and the Supreme Court of Appeal. She concluded that the three themes emerging from those judgments are the following. First, South African courts have consistently refused to treat environmental review as a formality; they have underscored the importance of inclusive public participation as a non-negotiable component of lawful decision-making. In this regard, administrative decision-makers have been shown the importance of sincerely engaging with the evidence regarding the environmental impacts of development, rather than merely following a procedural checklist. Second, South African courts have repeatedly affirmed the enforceability of positive

environmental obligations under environmental authorisations, thereby demonstrating the judiciary's willingness to compel systemic regulatory action by the Executive where sustained inaction perpetuates a proven constitutional violation. Third, the South African Judiciary has shown itself willing to intervene directly by reviewing environmental authorisations for major energy infrastructure and enforcing the conditions under which those authorisations were issued.

President Molemela's participation placed the South African Judiciary directly within the Forum's substantive deliberations on the judiciary's role in responding to environmental and sustainable development challenges. ”

President Molemela's observation was that the judgments of South African courts generally confirm that the courts do not play the role of passive arbiters after the fact, but as active guardians, ensuring that the transition to sustainable energy systems is conducted lawfully, transparently, and with due regard to both present and future generations in accordance with constitutional imperatives. She posited that given that section 39(1)(c) of our Constitution explicitly empowers South African courts to consider foreign law when interpreting the Bill of Rights, 'South Africa was unlikely to object to proposals from the Forum calling for the creation of collaborative platforms to share court judgments and align judicial technologies. She opined that such platforms could create a powerful symbiosis that would modernise and strengthen the respective legal systems.

In her closing remarks, President Molemela stated that the insightful engagement at the 5th BRICS Chief Justices' Forum served as a reminder that despite differences in our legal systems and institutional contexts, our judiciaries confront common challenges. She noted that the Forum's four themes addressed issues that increasingly transcend national borders, ranging from the use of mediation and other mechanisms to resolve international commercial disputes, to the enforcement of foreign arbitral awards; from artificial intelligence and digital innovation to the future of judicial administration; and from ecological governance to sustainable energy systems. Not only did such conversations affirm the importance of judicial cooperation, but they also underscored various jurisdictions' shared responsibility to ensure that innovation strengthens,

¹South Africa is a common-law jurisdiction. Considering foreign judgments from other jurisdictions and using judgments from other common law countries provides a framework for reasoning but never guarantees an identical legal outcome. Local constitutional text will always filter foreign law.

rather than diminishes, the values of justice, independence, accountability and access to justice. She expressed the hope that the relationships strengthened at the Forum would continue to support practical cooperation, the exchange of judicial knowledge and the advancement of the rule of law.

President Molemela stated that from her point of view, the visit produced several strategic outcomes for the South African Judiciary, including: strengthened institutional relations between the South African and Indian Judiciaries; a concrete opportunity for cooperation and capacity-building in AI and judicial technology, including possible training through the National Judicial Academy of India; and insight into the need for early organisational preparations and the necessary budgetary ring-fencing of funds in order to host a successful BRICS Chief Justices' Forum in the future.

Sharing her perspective on the value of attending international conferences of this nature, President Molemela stated that the Forum demonstrated the value of sustained participation by the South African Judiciary in multilateral judicial platforms. Such participation enables the Judiciary to share South African constitutional and judicial experience, learn from comparable jurisdictions, and build institutional relationships that can support cooperation beyond the formalities of the Forum itself. ■





TANZANIAN DELEGATION UNDERTAKES JUDICIAL BENCHMARKING VISIT IN SOUTH AFRICA

A delegation from the Judiciary of Tanzania undertook a judicial benchmarking visit in South Africa from 8 to 10 September 2026, as part of efforts to strengthen cooperation and promote the exchange of judicial knowledge and experience between the two countries. The delegation visited the Labour and Labour Appeal Court and Constitutional Court, in Braamfontein.

The delegation was led by Hon. Justice Yose Joseph Mlyalimba, Judge of the Court of Appeal of Tanzania, and hosted by Judge President Edwin Molahlehi of the Labour and Labour Appeal Court.

During the visit, the delegation engaged with the South African Judiciary on labour court procedures, case flow management and the adjudication of labour disputes. The programme also included a tour of the Labour and Labour Appeal Court in Johannesburg, as well as an opportunity to observe Labour Court proceedings.

A key focus of the benchmarking visit was the use of technology in court administration. The delegation received demonstrations of the Judiciary's digital platforms and systems, including Electronic Filing and Court Online System.

Discussions also provided an opportunity for the two judiciaries to share challenges, experiences and best practices in labour adjudication and court administration.

The engagements enabled the delegation to gain insight into how digital systems can support more efficient court processes and improve access to justice, while also creating a platform for mutual learning on the effective management of labour-related matters.

As part of the broader benchmarking programme, the Tanzanian delegation also visited the Constitutional Court on 10 September 2026, where they toured the Court Library and the Constitution Hill prison precinct. The visit provided additional insight into South Africa's constitutional history and judicial institutions.

The benchmarking visit further strengthened relations between the South African and Tanzanian judiciaries and reaffirmed the value of continued knowledge-sharing and institutional cooperation. ■



Constitutional Court Justices with the visiting Tanzanian delegation at the Constitutional Court in Braamfontein.



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



Hon. Justice Yose Joseph Mpyalimba, Judge of the Court of Appeal of Tanzania.



Judicial Exchange: The visiting delegation received a briefing on the South African Labour and Labour Appeal Court.



Judge M P N Nkutha-Nkontwana of the Labour Court and Labour Appeal Court.



The Judges of the Labour and Labour Appeal Court with members of the Tanzanian delegation in Braamfontein.



Acting Court Administrator Ms Joyce Daniel Mulungu of the Court of Appeal of Tanzania.



Judge President Z Carelse, Judge of the Land Court

LAND COURT CONDUCTS STAKEHOLDER ENGAGEMENTS

The Land Court of South Africa convened stakeholder engagements sessions on 21 August 2026 in Polokwane and another on 18 September 2026 at the Walter Sisulu University in Mthatha, bringing together representatives from government, the legal profession, academia, civil society and affected communities to engage on key issues relating to land restitution, land reform and access to justice.

The engagement formed part of the Land Court's ongoing national initiative to strengthen stakeholder collaboration, improve the administration of land-related matters and create opportunities for constructive dialogue on challenges affecting the land justice system.

Judge President Z Carelse highlighted the Land Court's focus on reducing case backlogs and outlined the Court's strategic operational approach to matters arising from the LAMOSA judgment. The session also provided an opportunity for stakeholders to receive feedback on initiatives aimed at improving efficiency, transparency and the management of land-related disputes.

Representatives from the Office of the Surveyor-General, the Office of the Valuer-General, Legal Aid South Africa, the Office of the State Attorney, private legal practitioners, land activists, traditional leadership, civil society and members of the public attended the engagements. Discussions focused on land reform and restitution, case backlogs, implementation of key court judgments, land surveying and boundary disputes, property valuation, labour tenant claims, access to legal representation, challenges in the referral and management of land matters, socio-economic development, and the procedural difficulties experienced by restitution claimants. ■





Judges of the Land Court, led by Judge President Z Carelse, met with key stakeholders at the Land Court in Randburg to consider progress on matters arising from the 14th Land Access Movement of South Africa (LAMOSA) Report.

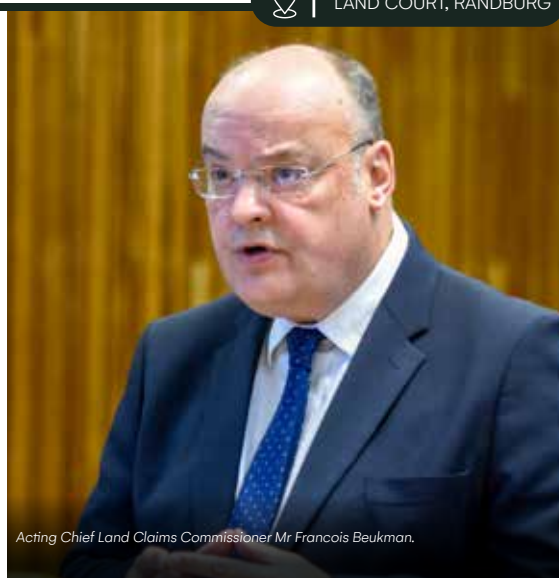
The engagement brought together the Land Court, the Commission on Restitution of Land Rights and the Department of Land Reform and Rural Development to assess progress in the management of land restitution matters and to reflect on measures aimed at improving the resolution of longstanding claims.

The Commission presented an overview of active matters before the Court, including statistical information on the existing caseload and interventions introduced to address the backlog of old order claims. Provincial representatives further provided insight into the nature and complexity of claims in their respective regions, with particular focus on predominantly rural matters and the operational challenges affecting their progression.

The engagement provided an important platform for the Court and key stakeholders to assess implementation progress, identify persistent challenges and strengthen coordination in the management of land restitution matters. It also reinforced the importance of continued institutional cooperation in advancing the efficient resolution of land claims and improving access to land justice. ■



Judge President Z Carelse, Judge of the Land Court.



Acting Chief Land Claims Commissioner Mr Francois Beukman.



Mr Zanozyko Peter, National Director: Legal, at the Commission on Restitution of Land Rights.



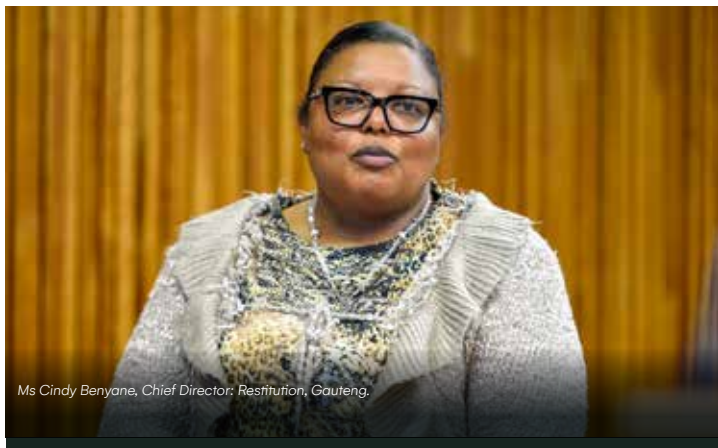
Ms Laetitia Janssen, Head: Legal, Eastern Cape.



Dr Wayne Alexander, Chief Director: Restitution, Western Cape.



Mr Sifiso Ndlovu, Director: Legal, KwaZulu-Natal.



Ms Cindy Benyane, Chief Director: Restitution, Gauteng.



Ms Mangalane Du Toit, Chief Director: Restitution, Northern Cape.



JUDICIARY MOURNS THE PASSING OF JUSTICE MOKGOHLOA

The Judiciary mourned the passing of Justice Fikile Eunice Mokgohloa, Justice of the Supreme Court of Appeal, following a long illness. Justice Mokgohloa leaves behind a distinguished judicial legacy shaped by intellectual rigour, independence, diligence and a deep commitment to the administration of justice. Her career spanned private legal practice, service in the KwaZulu-Natal and Limpopo Divisions of the High Court, where she later served as Deputy Judge President, and ultimately the Supreme Court of Appeal, to which she was appointed in 2019. During her years on the Bench, she contributed to a wide range of important legal matters and also served in an acting capacity as Deputy President of the SCA in 2024.

Chief Justice Mandisa Maya described Justice Mokgohloa as a valued colleague and accomplished jurist whose judicial record forms part of her enduring contribution to South African law.

These reflections were later deepened in the eulogy delivered by the Chief Justice, during her funeral on 29 August 2026, in which she paid tribute not only to Justice Mokgohloa's judicial contribution, but also to the person behind the robes and the lasting impact she had on those who knew and served alongside her. Colleagues, friends and family paid tribute to her legacy during the funeral service, these included President Mahube Molemela and Deputy President Dumisani Zondi, Constitutional Court Justice Nambitha Dambuza, KwaZulu-Natal Division Judge President Thoba Poyo-Dlwati, retired Judges President Justice Ephraim Makgoba and Justice Frans Kgomo, and Gauteng Division Judge Tshifhiwa Maumela. ■

EULOGY DELIVERED BY THE CHIEF JUSTICE, MANDISA MAYA, AT THE FUNERAL SERVICE OF JUSTICE MOKGOHLOA

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

I stand before you this morning not only as the Chief Justice of the Republic of South Africa representing the Judiciary. I stand here as a colleague and a sister, one of the many people who had the utmost privilege of knowing Justice Fikile Eunice Mokgohloa.

Umthi omkhulu uwile – the Baobab tree has fallen and there are no words to describe the extent of the loss South Africa and her Judiciary have suffered. And of course, her beloved family, her sons Mohau and Thato. But we must search for the words and pick at this deep wound because that is the only way we can make some sense of this irreplaceable loss, deal somewhat with the pain and bid her farewell.

Justice Mokgohloa was a jurist of formidable ability, a hard-working, loyal and disciplined servant of her people.

Death has cruelly robbed us, her colleagues, of a precious fellow traveller with whom we shared the unusual life that comes with being a judge – the long, exhausting and often lonely hours, the ceaseless difficult questions, the mountains of court records, and the heavy burden of knowing that behind every matter placed before a court are human beings whose lives can be profoundly changed, sometimes for the worse, by the court's decision. And for our small community as the Judiciary, this loss is deeply personal and devastating.



There are many ways to describe a good judge. We ascribe to them independence of mind, integrity, intellectual ability, diligence, impartiality, humility, courage and fidelity to the Constitution.”

Justice Mokgohloa belonged to the rarefied generation of judicial officers who carry with them an extraordinary breadth of experience from her long years in practice, in the magistrates' courts and as judge who rose to the highest echelons of the Judiciary both as a jurist and as a leader. This, an African woman who came from the humblest of origins as many in our cohort do. And because of that very background, which gave her precious insight into the lived realities of the communities that come before our courts, she excelled at her job.

And as we mourn her, we remember her for the legacy she leaves behind, the people she influenced, the high standard of work ethic and integrity she established and the example that offers to those who must continue the work. We remember her as she lived: with dignity, discipline, intellectual purpose, and a deep sense of responsibility to the law and society for which the law exists to serve.

The jurist: rigorous, practical and principled

There are many ways to describe a good judge. We ascribe to them independence of mind, integrity, intellectual ability, diligence, impartiality, humility, courage and fidelity to the Constitution. As President Molemela correctly pointed out earlier, Justice Mokgohloa possessed all these qualities. And to that list I would add fastidiousness, forthrightness and a seriousness of purpose. Justice Mokgohloa took her work seriously and applied to it the highest standards. She was as demanding of those who appeared in her court. She did not accept the excuse that something could not be done simply because it was difficult.

She exhibited these sterling qualities long before she reached the Supreme Court of Appeal. And because of those qualities when I approached her Judge President in the Limpopo Division of the High Court, Judge Makgoba, where she was already a Deputy Judge President, to ask for her release to act as a judge at the Supreme Court of Appeal, I was met with great resistance and had to repeatedly beg Judge President Makgoba who made it very clear that she was his pillar of strength in that Division. And I recall that during her acting stint at the Supreme Court of Appeal, she was busy dealing with various housekeeping such as maintenance issues with the Department of Public Works among other responsibilities for her court back home. I suspect that Judge President Makgoba foresaw that she would not return to the high court once he let her go, which is exactly what happened.

In an early interview before the Judicial Service Commission, Justice Mokgohloa identified listening as one of her strengths. She also candidly admitted that she could become irritated when people failed to do what was required of them, particularly where the efficient running of her court was concerned. To my mind, that admission revealed a deep sense of responsibility and a stern work ethic.

For Justice Mokgohloa, the administration of justice was

a constitutional responsibility. And this is amply reflected in her judicial record. Her numerous judgments, always delivered expeditiously, are described as clear, concise, logically structured and persuasive. They identified the material facts, isolated the issues in dispute, applied the relevant principles, engaged the authorities and articulated the reasoning in a crisp, simple manner that can be understood by anyone who reads them. That is a rare skill.

Her contribution to our jurisprudence spans constitutional and administrative law, traditional leadership, criminal justice, commercial law, shipping law, and the whole gamut of cases that are adjudicated by the Supreme Court of Appeal.

Justice Mokgohloa's approach reflected an important feature about constitutional adjudication: our courts are called upon to apply a Constitution that recognises the diversity of South African society. ”

Interestingly, there were particular aspects of her jurisprudence that reveal something about her judicial philosophy. One such matter concerned access to information held by a public body. In *V & V Consulting v Umlazi Local Municipality*, she confronted conduct by a municipality that had failed to respond to a request for information relating to a road rehabilitation project. The matter could have been treated as a narrow procedural dispute. She did not and rightly understood access to information as part of the architecture of constitutional accountability. She recognised that citizens' entitlement to information held by public bodies is not largesse granted by those in authority. It is a constitutional right, subject only to lawful limitations.

A judge who understood people

There is another dimension of Justice Mokgohloa's work that deserves particular mention. She did not judge in a vacuum. Her cases touched the lives of people whose circumstances were sometimes far removed from the world in which legal arguments are formulated. In matters involving religious and cultural rights, she engaged with the changing legal landscape of South Africa's constitutional order. In a matter concerning a Muslim marriage, *M v J*, she confronted the question of whether a woman could be denied relief simply because her marriage was solemnised according to Islamic

law and not registered under the Marriage Act. She found that a wife cannot be precluded from obtaining relief in terms of the Marriage Act by virtue of her Muslim marriage, irrespective of whether or not the respondent pronounced talaq.

Justice Mokgohloa's approach reflected an important feature about constitutional adjudication: our courts are called upon to apply a Constitution that recognises the diversity of South African society. She understood that judicial authority carries with it a responsibility to develop people and paid due regard to that imperative.

The woman behind the robes

All that said, Justice Mokgohloa was not merely a judge. Indeed, every judicial officer is more than a judicial figure. Behind the robes is a human being with a history, relationships, hopes and aspirations, disappointments, humour, fatigue, courage and vulnerability and all that makes us human. Justice Mokgohloa was no exception. She was a mother, a grandmother, a daughter, an aunt, a neighbour, a friend, a woman of Faith, who also laughed, loved, worried, encouraged and lived a normal life outside the formal dignity of judicial office; a loved one whose absence will now be felt in the quietest and most unexpected moments.

This, an African woman who came from the humblest of origins as many in our cohort do. ”

And we are here to remember, to celebrate that multilayered woman, to comfort her loved ones for whom no institutional tribute can fill the void she leaves, and no eulogy, however carefully written, can capture everything that could be said about her.

A message to the family: your grief is shared

We want to assure you that the Judiciary she served so excellently, stands with you because she was a part of our institutional family too. We acknowledge the private cost of her public life that you carried. The work of a judge, especially one at appellate level who is always carrying tons of appeal records to be read even during family holidays in preparation for case hearings and judgment writing is extremely demanding and of necessity follows one home. Our families know this sacrifice in ways that institutions sometimes forget and the public we serve are completely oblivious to. And so today, as we honour Justice Mokgohloa, we also honour her family and friends who stood behind her, supporting her while she served the nation, accepted the rigorous demands of her work and waited for her during

her absences from home; those who supported her through difficult days and nursed her during her long battle with devastating illness.

We hope that in the days, weeks, months and years ahead, you will draw some comfort from knowing that her life had immense value and meaning far beyond the walls of your home; for her country which she served with honour and distinction; that her colleagues at the Supreme Court of Appeal and elsewhere will draw strength from her invaluable contribution to the pursuit of justice and all their warm memories of her.

A final farewell

Fikile, sisi, today we bid you a final goodbye with great sorrow. We hoped for more time to learn from and with you, more conversations about life and the law, more years of service and collegiality, more years of friendship and sisterhood. We will miss your warm voice and laughter, your sharp wit and your smart ways. But we must not be selfish. You ran a magnificent race and taught us all you could about integrity, self-discipline, resilience, bravery, patriotism, service and grace. Thank you. You fought long and hard, with incredible courage and strength. We are very proud of you and we promise to continue your work and ensure that your beautiful legacy endures through the ages.

May you rest now. Robala ka Kgotso. ■



Chief Justice Mandisa Maya



Minister of Justice and Constitutional Development, Ms Mmamoloko Kubayi, MP



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



Justice D. Zondi, Acting President of the Supreme Court of Appeal



Constitutional Court Justice N. Dambuzi



Retired Judge T. Maumela



Justice F. Kgoma, former Judge President of the Northern Cape Division of the High Court



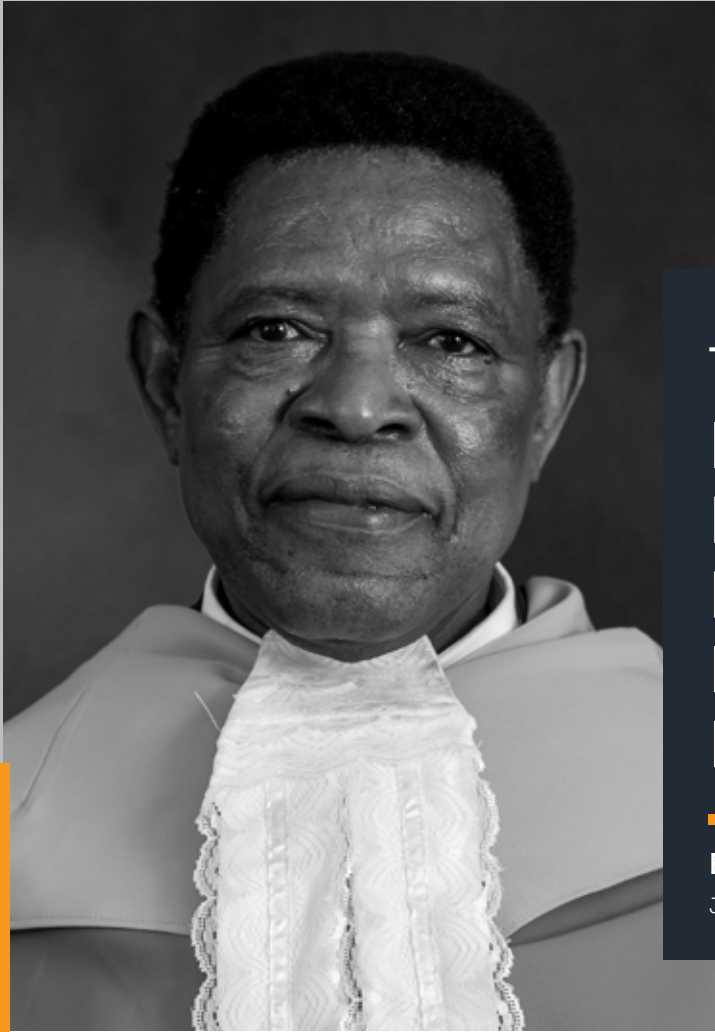
Former Judge President of the Limpopo Division of the High Court, Justice E. Makgoba



Judge President T. Poyo-Dlwati of the KwaZulu-Natal Division of the High Court



Mourners gathered to bid farewell to Justice Fikile Eunice Mokgohloa.



THE JUDICIARY MOURNS THE PASSING OF RETIRED JUDGE NARE FRANS KGOMO

By Judge President M G Phatudi

Judge of the Limpopo Division of the High Court

The Judiciary has mourned the passing of retired Judge Nare Frans Kgomo, formerly of the Limpopo Division of the High Court, whose distinguished career reflected a lifelong commitment to justice and public service. Born on 13 November 1950, Judge Kgomo served in various roles within the justice system, including as a Public Prosecutor, Sheriff/Messenger of the Court, court interpreter, clerk of the court and Magistrate, before entering legal practice and later being appointed to the Bench. He joined the Gauteng Division of the High Court in 2008 and was subsequently appointed to the Limpopo Division in 2016, where he served until his discharge from active service in 2022. Chief Justice Mandisa Maya, on behalf of the Judiciary, extended heartfelt condolences to the Kgomo family, his friends, former colleagues and all those whose lives he touched, while remembering his significant contribution to the administration of justice and many years of dedicated public service. He was laid to rest on 26 September 2026 in Polokwane, Limpopo.

Below is a tribute by Judge President MG Phatudi, Limpopo Division of the High Court, during the memorial service held on 23 September 2026 in Polokwane.

I greet you all, with a heavy heart, indeed saddened at the loss, we, as the Judiciary had suffered, consequent upon the departure from this world of Judge Emeritus Nare Frans Kgomo.

When news of the passing of Nkhumishe, as he was affectionately known, were delivered to me by Justice Makgoba on the morning of Friday, 18th September, it came as a shock and utter disbelief because it was not long that he was assigned to re-construct a pending criminal appeal matter from this past Monday, the 21st September, in the Limpopo

Local Division, Thohoyandou, sitting at Waterval District Court. Little did we know that God has had His own plans about the ultimate destiny of Judge Kgomo's foreordained course in life.

While in active service, Judge Kgomo was known for his robust work ethics, dedication, and commitment to serving his people. This observation is underscored, in the main, by the fact that he was always ready and available to serve and disseminate justice to our people in all walks of life.

It is therefore, notably true, as it often said, that "heavy is the

head that wears the crown". Judge Kgomo's life in the Judiciary indeed exemplified the adage that "a tall tree catches much wind".

It is for that reason that the characterisation itself epitomizes the life and times of Judge Kgomo, like a tall tree that grows higher up above others, cannot accurately be measured, up until it has been brought down to the ground after being felled.

For anyone to match Judge Kgomo's immense and illustrious appreciation of the legal principles he was known to aptly apply in our courts, one, therefore, needed deep roots to survive the wind. Meaning, if you want to grow high, grow deep in character, humility, and principles. That, is who Judge Kgomo was.

Manager of the Programme, in this sombre assemblage today, we pay homage to an accomplished servant of justice.

Nkhumishe, began his arduous journey in the legal sphere in 1974, first, as a Court Interpreter in the Department of Justice, later served as a Clerk of the Court, Sheriff/Messenger of the Court, and Public Prosecutor, before being appointed a District Court Magistrate for six (6) years.

He subsequently left the civil service, to serve Articles of Clerkship in the law firm Makgoba Attorneys, and in later years he was admitted as a partner trading in the name and style Makgoba & Kgomo, and in due course, the law firm became known as Makgoba, Kgomo and Makgaleng (MKM) Attorneys.

This chapter of his private practice endured for approximately 18 consecutive years, until he was elevated to the Bench in May 2008, where he was stationed at the Gauteng Local Division, Johannesburg as a Judge.

When the Limpopo Division of the High Court was established back in 2016 under the stewardship of Judge President Emeritus EM Makgoba, Judge Kgomo and a few of his colleagues who were then appointed to the Gauteng Division of the High Court, as Judges, on own volition, offered to be transferred to the Limpopo Division of the High Court, with their seats rooted in Thohoyandou, a Local Division of the Limpopo Division of the High Court.

Judge Kgomo and his colleagues, therefore, became the pioneers propagating access to justice for all, thus, stimulating institutional growth. He did this with uttermost distinction, until he went into retirement from active service at the close of September 2022, drawing the curtain of 14 years dispensing justice on the High Court Bench, not discounting of course almost five (5) decades serving the administration of justice in various capacities.

The Judiciary will remember Judge Kgomo for his enduring commitment to public service. We, in this Division, shall remember him, in particular, as one of the luminaries among jurists of our time who bequeathed a legacy that will forever

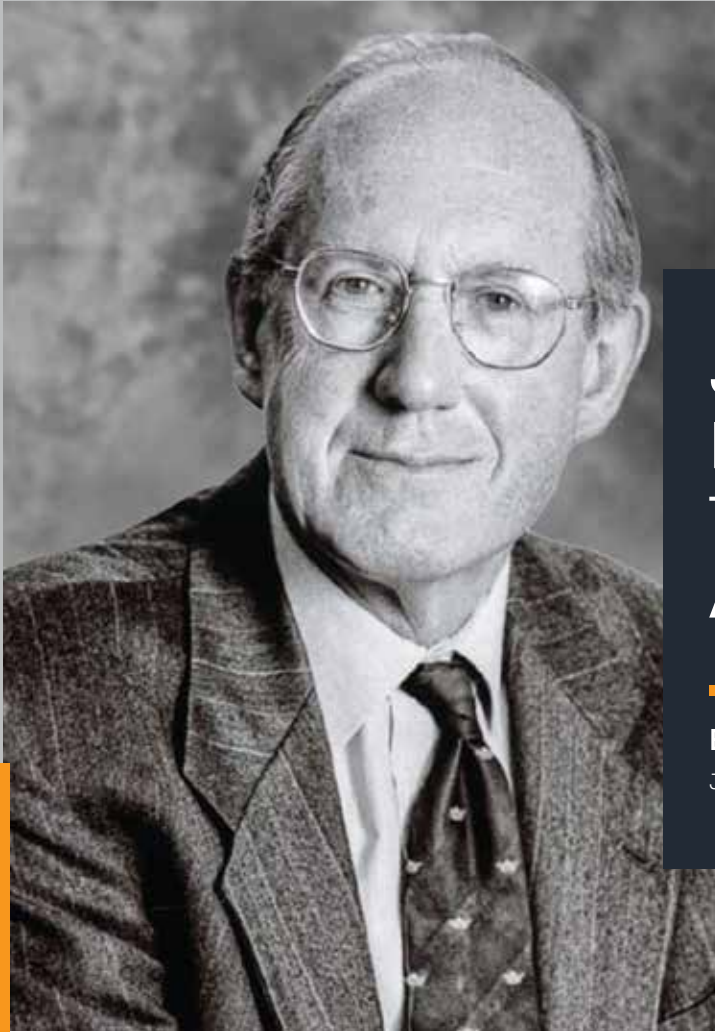
remain embedded in our sub-consciences' minds to eternity.

On behalf of the Judiciary here and elsewhere, and the people of Limpopo, I would like to express our deepest gratitude for the life dedicated to serve justice, and humanity, and above all, thank the family of Judge Kgomo for borrowing him to us to share our life with this eminent jurist in this age and time.

To the family, his children, grandchildren and extended family, colleagues and friends, may you find comfort in knowing that his legacy shall forever live even if he is no more. Having endured excruciating pain, discomfort and anguish, we can now be content with the fact that he has extricated himself out of tribulations and tempest.

May his Soul abide in peace to eternity.

A moya wa Nkhumishe o robale ka Kgotso. ■



JUDICIARY PAYS TRIBUTE TO JUSTICE ACKERMANN

By Justice E Cameron

Justice of the Constitutional Court

On 12 August 2026, the Western Cape Division of the High Court in Cape Town held a memorial sitting in honour of the late Justice Lourens Wepener Hugo "Laurie" Ackermann, one of the founding Justices of South Africa's Constitutional Court. Presided over by Judge President Nolwazi Mabindla-Boqwana, the sitting brought together members of the Judiciary, the legal profession, family and friends to reflect on a life of distinguished service to the law and a judicial legacy deeply associated with constitutionalism, human dignity and human rights. Justice Ackermann was one of the eleven judges appointed to the inaugural Constitutional Court in 1994 and, over a judicial and academic career spanning several decades, made an enduring contribution to the development of South Africa's constitutional jurisprudence.

Opening the proceedings, Judge President Mabindla-Boqwana offered words of comfort and support to Justice Ackermann's family and reflected on the significance of honouring a jurist whose career was marked by principle, intellectual rigour and independence of thought. The memorial sitting provided an opportunity for colleagues and representatives of the legal profession to remember not only Justice Ackermann's contribution from the Bench, but also his influence as a teacher, scholar and mentor. His commitment to human dignity and his willingness to act according to his convictions were recurring themes in the tributes, with the legal profession recalling a judge whose jurisprudence enriched South African law and whose work had a lasting impact on the lives of many.

Below is a tribute by retired Constitutional Court Justice, Justice Edwin Cameron during the memorial sitting held on 12 August 2026.

In preparing for this tribute, it once again dawned on me, the enormity of Judge Ackermann's contribution to the legal landscape in South Africa in practising but more importantly through his elevation to the bench.

Though his formative years was spent at the Pretoria Bar from 1958 until he took silk in 1975, he inevitably was appointed to the High Court in 1980 until 1987 when he requested permission from the then State President P. W Botha to retire from the bench, which was refused and which ultimately lead to Judge Ackerman's resignation in the same year.

On the face of it one could not be faulted for thinking that this decision could have amounted to career suicide however as many, including Judge Madlanga have observed, Judge Ackermann resigned from his judgeship because his conscience could no longer allow him to continue applying Apartheid laws.

In responding to whether his resignation in 1987 was the work of activism or the work of a political activist, he responded as follows:

"I don't like the word judicial activism, because in certain connotations it means acting outside the law. I resigned from the bench because I regarded my oath of office not something that could be fiddled with. I took an oath to uphold the law, it's the law inter alia passed by the government. I couldn't pretend that my oath of office was to uphold some supernatural role. I might have been wrong, but that's my approach and I resigned because I don't feel that one could do any more in terms of the oath of office".

His resignation must not have been easy, more especially forfeiting retirement benefits, but knowing what we do now about the trajectory of Judge Ackermann's career and the impact he would make in advancing the Constitutional imperative, one does understand the motivation behind the decision.

Pursuant to this he took up a position as the first H.F. Oppenheimer Human Rights Chair at the Stellenbosch University. This paved the way for Judge Ackermann to pursue his quest of eradicating injustice and oppression. It was thus only fitting that in 1989 as part of a group of Constitutional lawyers, he participated in discussions about a future South African constitution with the exiled ANC.

Following appointments to the Lesotho Court of Appeal and the postindependence Namibian Supreme Court, Judge Ackermann accepted reappointment in 1993 to the South African Supreme Court, then the Cape of Good Hope Provincial Division and ultimately in August 1994 to the bench of the first Constitutional Court which he occupied until his retirement in 2004.

Considering Judge Ackermann's deep respect for the rule of law and his unwavering integrity it was not surprising that he was

specifically handpicked by former President Nelson Mandela to serve as a judge on the first Constitutional Court bench.

It was a befitting acknowledgement which has allowed Judge Ackermann to play a pivotal role in shaping our Post Apartheid legal system. He remained a passionate advocate for human rights and admired for his role in developing jurisprudence in South Africa.

As such he could express himself through penning significant judgments such as:

1. *National Coalition for Gay and Lesbian Equality v Minister of Justice [1998]. Judgment delivered on 9 October 1998.*

The Constitutional court found that the common law offence of sodomy, and its inclusion as a crime in the Sexual Offences Act, violated the rights of gay men to equality, dignity and privacy. The so-called offences were thus found to be unconstitutional and invalid.

Another landmark judgment by the Constitutional court involving the pen of Judge Ackermann:

2. *Carmichele v Minister of Safety and Security and Minister of Justice [2001]. Judgment delivered on 16 August 2001.*

The court established that the State can be held civilly liable for damages when police and prosecutors negligently fail in their constitutional duty to protect individuals from violent crime.

Such were his judgments, not only legal determinations but crafted from a place of deep appreciation and understanding of the human condition and an empathic approach to justice.

We will forever be indebted to Judge Ackermann for serving his country with distinction and dedication. He has been and will remain a beacon of hope owing to his tireless commitment to the rule of law with particular focus on human dignity as a constitutional value.

I call upon all of us to draw inspiration, courage and commitment from the legacy of Justice Ackermann. ■



The Western Cape Division of the High Court paid tribute to Justice Laurie Ackermann.



Judge President N P Mabindla-Boqwana, Judge of the Western Cape Division of the High Court.



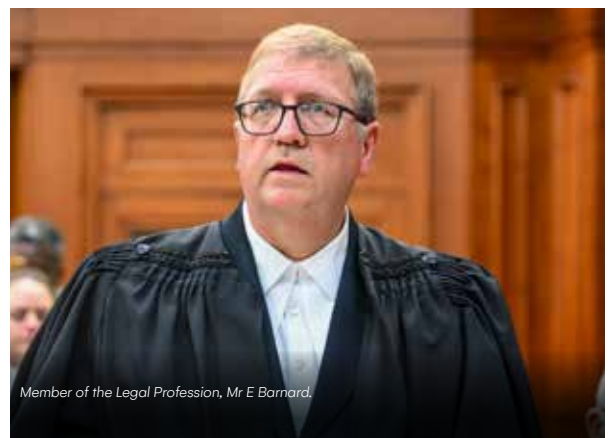
Justice E Cameron



Member of the Legal Profession, Adv D Jacobs SC.



Member of the Legal Profession, Adv J De Waal SC.



Member of the Legal Profession, Mr E Barnard.



Member of the Legal Profession, Mr E MacHelm.



JUDICIARY PAYS TRIBUTE TO FORMER JUDGE PRESIDENT ACHMAT NAEEM JAPPIE

By Judge R A K Vahed

Retired judge of the KwaZulu-Natal Division of the High Court

Members of the Judiciary, the legal profession and government gathered at the KwaZulu-Natal Division of the High Court in Pietermaritzburg on 13 July 2026 for a memorial court sitting in honour of the late former Judge President Achmat Naeem Jappie. The sitting provided an opportunity to reflect on his distinguished judicial career, leadership and contribution to the administration of justice. Among those who paid tribute were Deputy Chief Justice Dunstan Mlambo, Judge President Thoba Poyo-Dlwati and Deputy Minister of Justice and Constitutional Development Andries Nel.

Delivering a tribute on behalf of the Heads of Court, Deputy Chief Justice Mlambo extended his deepest condolences to the Jappie family, thanking them for sharing him with South Africa. He remembered Judge Jappie as a voice of reason who contributed positively to the Judiciary. Judge President Poyo-Dlwati reflected on his kindness and honourable leadership, while Deputy Minister Nel described him as a gentleman and mentor who ensured that every litigant was heard. Colleagues from the Bench and representatives of the National Prosecuting Authority also reflected on his humility, professionalism, commitment to courtroom decorum and contributions to judicial discipline.

The memorial sitting brought together representatives of the Legal Practice Council, KwaZulu-Natal Society of Advocates, Advocates for Transformation, Black Lawyers Association, National Association of Democratic Lawyers, South African Women Lawyers Association and Legal Aid South Africa. Their tributes reflected on Judge Jappie's contribution to the legal profession, including improvements in court efficiency during his tenure as Judge President. On behalf of KwaZulu Natal Division of the High Court Judges, retired Judge Vahed described the passing of Judge Jappie as a loss to the legal fraternity, reflecting on his contributions during his time on the bench, including in Judicial Conduct Tribunals, his full tribute can be read below.

Achmat Naeem Jappie — advocate, judge, mentor, and quiet champion of justice —, was my friend, a friendship that dates back in excess of half a century. And although I have asked to be forgiven for my failure to observe protocol, I will recognise another of my friends today, a friendship that dates back in excess of a quarter of a century — Judge Soraya Hassim, She was his wife, his friend, his companion, and is sadly now his widow. In what follows I intend, as he would have had it, to refer to him as Japs or Aggie (as I always did), to refer to her simply as Soraya, as I know she would want.

My brief today is not to speak of my friendships with Aggie and Soraya, but it is owing to those friendships that the Judge President has chosen not to deliver this piece herself (as was her right) but, instead, to bestow on me the singular honour of speaking to you on behalf of the KwaZulu-Natal Bench.

Aggie died at a Durban hospital on 22 April 2026 after a short illness. Writing recently of Leonora van den Heever, judge of the then Appellate Division of the Supreme Court, Justice Johan Kriegler said that readers would note, and I quote:

“might have noticed one or other of the flurry of tributes published [about her]. The number, breadth and particularly the tenor of these laudatory utterances were remarkable. Fulsome statements on behalf of the legal profession and all three branches of government vied with one another in singing her praises and enumerating her outstanding personal attributes and professional qualities. Undoubtedly the accolades and adulatory eulogies were sincerely meant.”

That observation, friends, could sit just as comfortably about the many pieces written and published about Aggie. Because many have said so much, what I say here today unavoidably draws sometimes deliberately, and sometimes unknowingly from all that has gone before.

Japs was 2 months shy of his 72nd birthday. He served on the Bench for nearly three decades and left behind a legacy defined not by fanfare, but by fairness, integrity, and an unshakeable commitment to the rule of law.

As has been said, he was born in Port Elizabeth (now Gqeberha) on 21 June 1954. Aggie spent his early years there at the Hindu Primary School before his family relocated to Durban. He completed his schooling (as did his cousin, Judge President Carelse, who is with us today) at Bechet College in Durban, matriculating in 1972. As has also been said in our earlier statement and by the Deputy Minister today, the racial laws of the apartheid era dictated that he would have had to study in the Cape were it not for a fortuitous loophole: by expressing a wish to study Hindu and Islamic Law — a course not offered at the University of the Western Cape — he secured an exemption to read law at the University of Durban-Westville. He graduated with a BA (Law) in 1976 and an LLB in 1978.

He served his pupillage under Mark Harcourt at the Durban

Bar and was admitted as an advocate in 1979. He quickly developed a busy practice. During the turbulent 1980s, as has been said, he devoted considerable energy to defending political activists facing prosecution, particularly in the Eastern Cape and Northern Cape, reflecting the moral convictions that would define his entire career. He also gave of his time to serve on the Bar Council.

Japs was appointed to this Division, the then Natal Provincial Division, on 1 May 1998. He arrived at a formative moment in South Africa’s democratic transition. He took to judicial life with natural ease — efficient, polite but firm, and always fair. As we have said, those who appeared before him recall that no one, whether counsel or litigant, left his courtroom feeling hard done by.

His path took him through the Labour Appeal Court, where he developed a flair for clear reasoning in technically demanding disputes, and in early 2015 he served as an Acting Justice of the Constitutional Court. Chief Justice Mandisa Maya described him as someone who *“earned the respect of colleagues, legal practitioners, and court users alike for his integrity and deep knowledge of the law.”*

He was appointed Deputy Judge President of this Division on 7 February 2013 and elevated to the high office of Judge President of the KwaZulu-Natal Division of the High Court on 1 June 2015. As has been said, the division then was defined as much by administrative strain as by legal complexity. As judge president he treated the machinery of the court as inseparable from justice itself. He pressed for better resourcing, flagged systemic failures with candour — famously noting at his JSC interview that windows in the Durban High Court had not been cleaned in fifteen years — and supported efforts to diversify the Bench. His guiding principle was that the court had to work before it could be improved.

Writing in the Daily Maverick, Herman Lategan noted that for nearly three decades on the Bench Aggie was a stabilising presence, a judge whose labour was built through work that was careful, unshowy and exact. In a judiciary sometimes pulled into public noise, he seemed to prefer the margins to the centre. He spoke from the bench in a zen-like manner, expected precision from those who appeared before him, and had little patience for performance disguised as argument. A case, for him, was not a stage.

When he came to the Bench in 1998, it was at a moment when the legal order was still learning how to navigate its post-apartheid shape. Contemporaries describe him as wary of easy legal certainty, and alert to the way doctrine could harden into injustice when applied without reflection.

As has been said his path took him through the Labour Appeal Court, where he developed a reputation for clear reasoning in disputes that often turned on technical detail, and later to acting appointments in the Constitutional Court in 2015. Even there he remained conscious of the limits of judicial

power. When later that year he became judge president of the KwaZulu-Natal High Court he led from the front. Those of us who worked under him knew that and saw that on a daily basis.

Japs retired in 2021, leaving as he had worked — without ceremony. Knowing my friend as I do, he would not have wanted today. But we do this for us, for the Division and for the country — as much as we do this for him and for Soraya.

We proudly claimed Aggie as one of us and that he was us and we were him. But, as was proper, we shared him with the people of this Province and the people of this Country.

Retirement brought no withdrawal from public service. He continued to serve the Bar on the National Bar Examinations Board, a role he had performed since his time on the Bench, and remained a member until his death. He also served as Chairperson of Judicial Conduct Tribunals when called upon, most notably presiding over findings of gross misconduct in matters involving two judges who will for today remain nameless. Through these interventions, he demonstrated that judicial accountability was not simply an institutional obligation but a personal conviction.

Those who knew Achmat Jappie beyond the courtroom speak of a man of rare humility. Attorney Zain Fakroodeen of this province described him as “a humble soul who did not have any airs and graces” despite his high office. He was known to quietly give free legal guidance to ordinary community members, and would on occasion refer elderly women in need to colleagues with a personal message that they should be helped. Attorney Ravi Moodley, who appeared before him over many years, recalled that Jappie was “very much a down-to-earth person” — someone whose guidance was readily given, and from whom one felt entirely at ease in seeking it. And Attorney Aslam Mayat noted that Japs, like other previously disadvantaged advocates who came of age during apartheid, brought a humanist approach to the KwaZulu-Natal Bench after the advent of democracy — providing justice above legal technicalities, guided by the constitutional values of ubuntu. He was serious in argument and exacting about preparation, yet never without humour: those close to him remember his laughter, both loud and quiet, as part of who he was.

President Cyril Ramaphosa paid tribute, saying that during his 28 years on the Bench, Aggie had entrenched the rule of law and ensured that it protected the interests and dignity of those who deserved relief. Chief Justice Mandisa Maya described him as a jurist who served South Africa with “honour and integrity.” Minister of Justice Mmamoloko Kubayi called on the judiciary to emulate his dedication and work ethic saying that he “exemplified discipline, fairness, and an unwavering commitment to justice.”

Parliament’s Presiding Officers, Speaker Thoko Didiza and Chairperson Refilwe Mtshweni-Tsipane, said his passing was “a profound loss not only to the Judiciary and legal profession, but to the broader constitutional project of South Africa.” Shabir

Chohan, Chairman of the Association of Muslim Lawyers and Accountants, described Japs as a man who served the legal fraternity with absolute distinction and was “a proponent of human rights.”

I turn now to ask your leave to go off-brief. Now I want to say a few words of personal tribute and many more on Soraya’s behalf.

I telephoned Aggie on the Friday morning of 17 April. I telephoned him to inform him that our mutual friend and mutual mentor, Mark Harcourt was gravely ill in hospital. (Mark died a week after Aggie). That was only part of why I wanted to speak with him. The other reason was that Soraya was very concerned about him. She chatted with me the night before saying that she was worried that Aggie was not telling her as to how ill he in truth was. During our telephone call he told me that he had an appointment with his cardiologist that very afternoon. He knew that he was not at all well. He arrived for his appointment with a hospital bag packed, fully expecting to be admitted to hospital.

I saw him in hospital on the next afternoon, the Saturday. As I walked into his ICU room his greeting was typical. “Hey Vahed, what are you doing here?” He never called me Rashid, as with everyone, it was surnames only. We chatted for a short while and when I took my leave of him, I indicated that I would return on the Sunday. No he insisted, don’t drive in, “...Soraya’s coming tomorrow he said”. And so it was that we agreed that we would see each other during the week to come. I did ... he did not!

During that difficult short week Soraya was his constant companion. She was at his side when he died during the early hours of Wednesday morning. During one of our quiet moments at the hospital she showed me a poem she was reading on her telephone. She said to me that if anyone enquired, that poem encapsulated her every emotion about Aggie and his passing. I intend reading it now. You may hear my voice, the words are definitely those of W H Auden, the feelings then, and frequently still now, are Soraya’s alone:

“Stop all the clocks, cut off the telephone, Prevent the dog from barking with a juicy bone, Silence the pianos and with muffled drum Bring out the coffin, let the mourners come. Let aeroplanes circle moaning overhead Scribbling on the sky the message He Is Dead, Put crepe bows round the white necks of the public doves, Let the traffic policemen wear black cotton gloves. He was my North, my South, my East and West, My working week and my Sunday rest, My noon, my midnight, my talk, my song; I thought that love would last for ever: I was wrong. The stars are not wanted now: put out every one; Pack up the moon and dismantle the sun; Pour away the ocean and sweep up the wood; For nothing now can ever come to any good.”

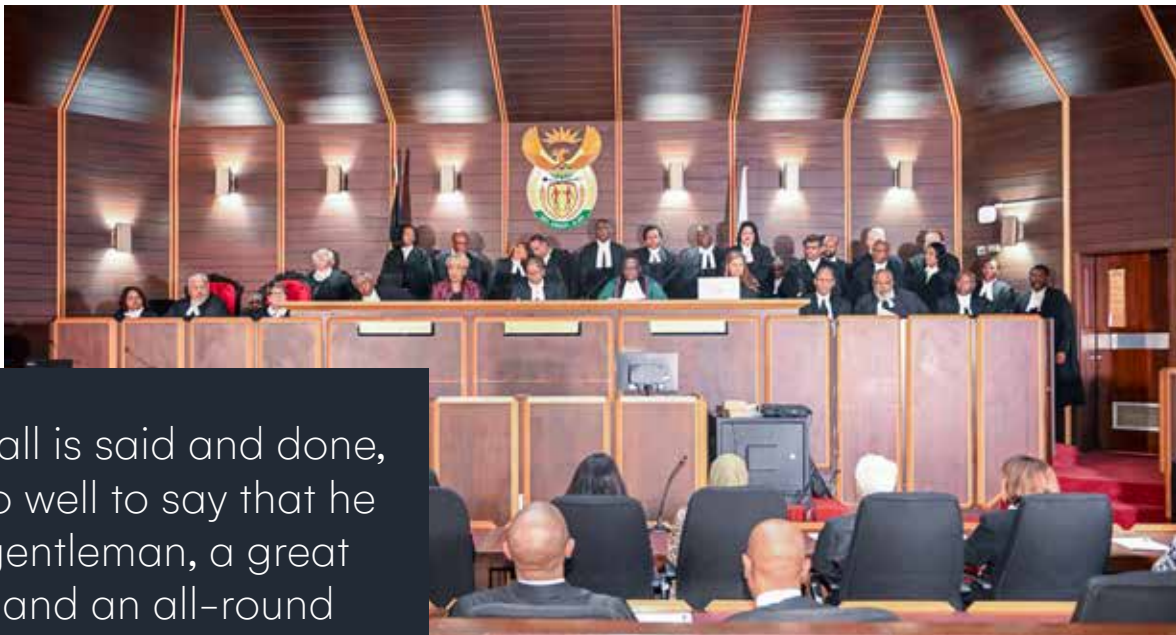
Japs is survived by Soraya Hassim, his three children from an earlier marriage — Jameel, Nadhir and Aneesa — his sister who is present here today, and his 93 year old father whom we

all call Pops, who could not make it here today. And, of course, by the wider Jappie and Hassim families.

On behalf of the Judge President, the Deputy Judge President and all the judges of this division, on active duty, not so active and those inactive, I extend our continued heartfelt condolences to them all and to Aggie's wider family and friends.

It is fitting that I conclude with recalling what we said in our written tribute shortly after his death.

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



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



Deputy Chief Justice D Mlambo.



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



Constitutional Court Justice L Theron.



Judge President of the KwaZulu-Natal Division of the High Court, Judge T P Poyo Dlwati.



Deputy Judge President of the KwaZulu-Natal Division of the High Court, Judge Z P Nkosi.



Judge President of the Land Court, Judge Z Carelse.



Retired Judge President V Tshabalala



Retired Judge R A K Vahed delivered a tribute on behalf of the Judges of the KwaZulu-Natal Division of the High Court.



Advocate T G Madonsela SC delivered a tribute on behalf of Advocates for Transformation.



National Prosecuting Authority, Advocate E Harrison.



Advocate M Moerane SC delivered a tribute on behalf of the KwaZulu-Natal Society of Advocates.



Advocate C M Mlaba spoke on behalf of the Legal Practice Council.



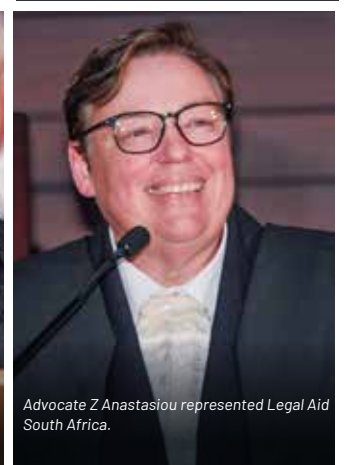
The Black Lawyers Association was represented by Advocate J Thobela-Mkhulisi.



Mrs S Maharaj paid tribute to Judge President Jappie on behalf of the National Association of Democratic Lawyers.



Mrs C Naicker represented the South African Women Lawyers Association (SAWLA).



Advocate Z Anastasiou represented Legal Aid South Africa.

JUDICIAL OUTREACH: JUDICIARY INSPIRES FUTURE LEGAL PROFESSIONALS THROUGH MANDELA MONTH CAREER DAY PROGRAMME



As part of Nelson Mandela Month commemorations, the Office of the Chief Justice (OCJ), in partnership with the Department of Justice and Constitutional Development (DoJ&CD), participated in a series of Career Day engagements at institutions of higher learning across the country. Held under the theme “The Constitution at 30: Preserving Nelson Mandela’s Legacy of Equality and Justice,” the initiative provided law students with an opportunity to engage with members of the Judiciary and other legal professionals, explore career opportunities and gain valuable insights into the legal profession.

The Judiciary was represented by several Judges during the programme, beginning with Judge Lister Nuku of the Western Cape Division of the High Court, who participated in the Career Day hosted at Stellenbosch University on 20 July 2026. On 23 July 2026, Judge Siphokazi Jikela of the KwaZulu-Natal

Division of the High Court, Pietermaritzburg, addressed law students at the University of KwaZulu-Natal on behalf of the Judiciary. The engagements provided an opportunity to share judicial experiences, offer career guidance and encourage aspiring legal practitioners to consider the diverse career paths available within the justice system.

The programme continued at Rosebank International College on 31 July 2026, where Judge Sandiswa Mfenyana of the Gauteng Division of the High Court engaged with law students on the importance of integrity, discipline and ethical conduct in the legal profession. She emphasised that legal practitioners have a responsibility to protect the rights and dignity of the people they serve. Through these engagements, the Judiciary contributed to the development of aspiring legal professionals while reinforcing the constitutional values of equality and justice that underpin Nelson Mandela’s legacy. ■

STELLENBOSCH UNIVERSITY OUTREACH



Judge L. Nuku, Judge of the Western Cape Division
of the High Court



Photo credit: Lwandile Ngaxa | DoJ&CD

KWAZULU-NATAL HIGH COURT OUTREACH



Judge S Jikela of the KwaZulu-Natal Division of the High Court, Pietermaritzburg



Discussion panel during the outreach event.

ROSEBANK INTERNATIONAL COLLEGE OUTREACH



Judge S Mlonyana of the Gauteng Division of the High Court addressing students during the outreach event in Braamfontein.



Acting Deputy President of the Supreme Court of Appeal, Justice Wendy Hughes

“LET’S NOT SETTLE FOR CRUMBS”: ACTING DEPUTY PRESIDENT WENDY HUGHES INSPIRES YOUNG WOMEN IN LAW

Court A of the Supreme Court of Appeal (SCA) became a space for reflection, encouragement and mentorship during Women’s Month when Acting Deputy President Wendy Hughes engaged female law students from the University of the Free State on their aspirations and future within the legal profession. The engagement followed a guided tour of the SCA Library and Archives, giving the students an opportunity not only to experience the workings of the Court, but also to hear first-hand from a senior member of the Judiciary about the journey towards a career in law.

Drawing on her own experiences, Acting Deputy President Hughes spoke candidly about the challenges that can accompany legal studies and professional life. She encouraged the students to develop perseverance and resilience, reminding them that moments of uncertainty should not derail their ambitions. She also urged them to remain connected to the passion that initially drew them to the law and to allow that sense of purpose to sustain them through difficult periods.

A central theme of her address was the importance of refusing to allow one’s circumstances or background to determine one’s future. Reflecting on her own journey, Acting Deputy President Hughes encouraged the students to believe in their potential, set clear goals and look beyond obtaining an LLB degree towards the contribution they could ultimately make to the administration of justice. She further cautioned against measuring their progress against that of others, encouraging each student to develop her own path and identity within the profession.

Her message carried particular significance during Women’s month. Turning to the place of women in the legal profession and the Judiciary, she encouraged the students not to underestimate their abilities or allow the expectations of others to limit their aspirations. “Let’s not settle for crumbs,” she told them. “We are equal to our male counterparts.” The message was one of confidence and equality, encouraging the young women to recognise that they belong in every professional space to which they aspire.

Acting Deputy President Hughes also emphasised that success in law extends beyond academic achievement. Professionalism, ethical conduct, integrity and respect for the profession, she said, remain fundamental to building a meaningful legal career. She encouraged the students to embrace continuous learning and preparation as essential disciplines throughout their professional lives.

The engagement offered the students an opportunity to see the legal profession not only as a career, but as a space in which they can contribute to justice and help shape its future. As they left the Supreme Court of Appeal, the message from Acting Deputy President Hughes was clear: where they begin does not determine where they can ultimately go. With perseverance, preparation, integrity and belief in their own abilities, the young women who visited Court A could one day return to the very spaces they had come to observe not as visitors, but as members of the profession and, perhaps, the Judiciary itself. ■



Students



Ms Zowa Ntaka, Registrar at the Supreme Court of Appeal



Students were taken for a tour of the SCA Library.



Young minds: the annual Women's Day outreach aims to inspire and inform female student about the Superior Courts and judicial work.



Students were shown many of the historical artifacts that add to the historical significance of the court.



Acting Deputy President Hughes with the female students from University of the Free State.



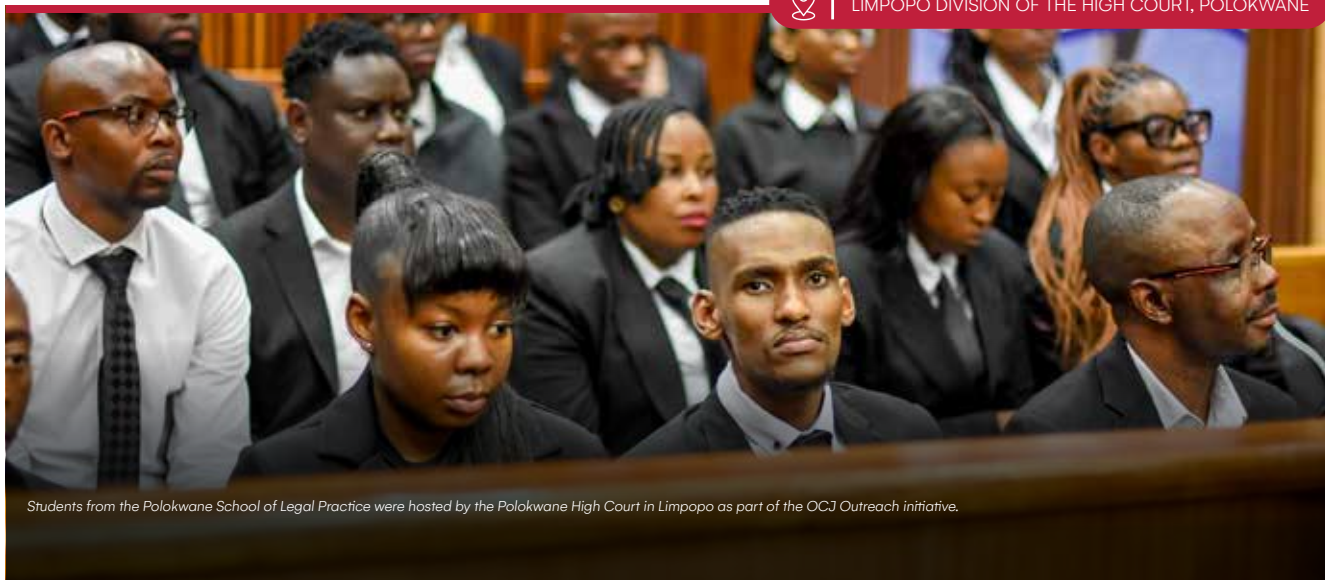
The Polokwane High Court hosted students from the Polokwane School of Legal Practice on 11 August 2026, providing them with an opportunity to gain first-hand insight into the work of the Judiciary and the legal profession. The engagement formed part of the Court's Women's Month programme and created a platform for students to interact directly with members of the Bench on both the practical and ethical dimensions of legal practice.

Judge President Phatudi addressed the students on the rules of court, ethical conduct and broader aspects of judicial work, offering practical perspectives on the responsibilities carried by judicial officers and legal practitioners. The session also allowed students to engage the Judge President directly through questions and discussion, deepening their understanding of court processes and professional expectations.

As part of the Women's Month commemoration, Judges Naude-Odendaal, Pillay and Ngobeni engaged the students on a range of topics drawn from their judicial experience. Their discussions included urgent court applications, criminal court proceedings and civil trials, providing the students with practical insight into different areas of court work and the demands of practice before the courts.

POLOKWANE HIGH COURT HOSTS STUDENTS FOR WOMEN'S MONTH ENGAGEMENT

The engagement also gave the students an opportunity to hear from women serving on the Bench about their professional journeys and experiences in law. Through these interactions, the visit combined legal education, mentorship and exposure to judicial practice, while encouraging the next generation of legal practitioners to approach the profession with preparation, integrity and a strong understanding of their responsibilities within the justice system. ■



Students from the Polokwane School of Legal Practice were hosted by the Polokwane High Court in Limpopo as part of the OCJ Outreach initiative.



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



Judge M Naudé-Odendaal, Judge of the Limpopo Division of the High Court.



Judge K L Pillay, Judge of the Limpopo Division of the High Court.



Judge J T Ngobeni, Judge of the Limpopo Division of the High Court.



Judge President G Phatudi together with Judge G C Muller, posing with students from the Polokwane School of Legal Practice.



WOMANITY WOMEN IN UNITY

As part of Women's Month commemorations, the Office of the Chief Justice, in collaboration with Womanity — Women in Unity, hosted a four-part radio series celebrating women in the Judiciary. Hosted by Dr Amaleya Goneos-Malka, the weekly gender-based talk programme provides a platform for women to share their experiences and stories of achievement, resilience and leadership. The series featured three South African women judges who reflected on their journeys to the Bench, their experiences in the Judiciary and the lessons they have gained along the way.

Their stories offer inspiration to women in South Africa and across the diaspora, while highlighting the diverse paths and contributions of women in the legal profession. The following pages feature excerpts from the radio interviews with Judge Sandiswa Mfenyana of the North West Division of the High Court, Judge Fayeeza Kathree-Setiloane of the Supreme Court of Appeal, and Judge Khosi Hadebe of the KwaZulu-Natal High Court.

Use the QR Code provided to access the full interviews.

JUDGE SANDISWA MFENYANA

NORTH WEST DIVISION OF THE HIGH COURT

INTERVIEW AIRED: 14 AUGUST 2026



DR. MALKA

Judge Mfenyana, your career has taken you through some fascinating and perhaps unconventional chapters of the legal profession. Can you take us back to the beginning about what first sparked your interest in law, and what did you imagine your career would look like when you started studying?

JUDGE MFENYANA

I was 12 years old when the thought first came. So, my dad was an English teacher, and we lived in a village. As an English teacher, you use all the methods that you have in a rural village area for education. So, he was going to show *The Merchant of Venice*, which was the prescribed work for that year; he was going to show it to the senior students who were doing that work in English. So, he took me with him, and we watched the play, and I was so fascinated, I was so intrigued when Portia pretended to be the lawyer, Balthazar, and got Antonio out of trouble, because there was this agreement between Antonio and Shylock, the moneylender. So Antonio, I don't know if you have read the book or you have heard about it, so Antonio borrows money from Shylock, who is a moneylender, and Antonio says, when my ships come back I will pay you, and there was a clause in there that he was going to get a pound of flesh, but where Portia comes in is that now the ships are not back and Shylock wants his pound of flesh and Portia says, no, hang on, you can have your pound of flesh all you want, but there is no provision in the agreement that you spill blood. So, get your pound of flesh, so long as you don't spill one drop of blood, and the rest is history. That was the end of that, and Antonio was released from liability, and I thought, I am a 12-year-old; I thought lawyers are such smart people. So, I quizzed my dad about this all the way home, and he gave me the answers that he did, and that was that, even though later on there were other possibilities, like being a quantity surveyor, but being a lawyer prevailed because it never really left me. So, I anticipated that I would have this very fulfilling profession, that I was going to be this smart person that everybody was going to consider me to be smart, because lawyers are smart people, and I thought that I was going to be an important person. Boy, was I mistaken, because being a lawyer is anything but important. You are not important as of yourself, to yourself, but your importance comes in the way that you assist other people.

[Link to full interview on YouTube >>](#)



DR. MALKA

And starting off, you worked in Legal Aid, then you were in the South African Human Rights Commission, the Law Society, the Intelligence environment, private practice, and now ultimately the Judiciary. Would you say that this diversity was deliberately planned?

JUDGE MFENYANA

No, I wouldn't. It's doors that opened. What was important for me was that I was ready for when they opened, but if you look at that trajectory, the common thread in all of them, perhaps except for the work in Intelligence, is that I was placed in the service of people of the most vulnerable. That is the common thread that runs through all of them, and it is not surprising, when I consider my upbringing as well, that I was, from an early age, exposed to assisting people, even though I didn't perhaps recognize it as such, as something that was going to be of value to me later on and something that would prevail throughout my life.

DR. MALKA

And then fast-tracking through Legal Aid and the South African Human Rights Commission, you then took, I think, what can only be described as a leap of faith in 2009 and you established Mfenyana Attorneys, developing a practice which had a strong commercial, administrative, aviation and energy law component. Firstly, what made you decide that you were ready to go out on your own, rather than continue on with an established firm?

JUDGE MFENYANA

It was indeed a leap of faith. So, when I left Intelligence, I had intended to take a six-month sabbatical to figure out and map out this practice that I was about to establish, and it was only a month into that sabbatical when I got a call from an acquaintance who knew that I was a lawyer, and he had a contractual dispute and what started as casual legal advice ended up being my first instruction. So, through a friend who had a legal practice at the time, I did this matter with her, and that was the start of Mfenyana Attorneys and in a short time, I then dusted my robes and registered Mfenyana Attorneys, and the rest is history.

DR. MALKA

In the other scenarios, though, you were receiving a pay cheque from someone else. In this scenario, this is where you are making your own money; you are responsible for the sustainability of the business, strategically and financially; what does it take to do that? Because you are literally owning your own firm, and you also have challenges of establishing yourself, and sometimes the industry that you're in, as law, has been traditionally male-dominated.

JUDGE MFENYANA

It's a tall order. It really was a tall order, not only financially and emotionally, as a mother, it means less time with your children, and as a black woman you have to show not only that you're qualified, but also that you can do it to match your male counterparts, or if not better, because everybody is sceptical. What can this woman do? If you are a black woman, it's a double whammy. So, I think that is where your upbringing and what you have been told comes in handy. So, I was raised to believe that there was nothing I couldn't do; I think also because of the child I was, always asking why, always asking questions.

DR. MALKA

Thinking about what you've said as almost tips for our listeners, irrespective of what industry they go into; one, self-belief seems incredibly important. Two, faith - setting your own wins, because everyone's got a different definition of what success is. Thinking about your future trajectory and growth, and then I think there's that wonderful mesh of trust and credibility in the fact that you retained all your clients.

JUDGE MFENYANA

Yes, that was my goal and I achieved it, because I just gave it my all, and in some instances, I would think to myself, I am not even an expert in what I am doing, but I can find it. That is what is important about the law; you need to know where to find the law. So, retention was very important to me.

DR. MALKA

You spoke about being a black woman in a white male-dominated profession. Looking back over your career, what types of obstacles have you encountered, specifically being a woman, and then what did you learn to navigate those barriers so that our future young ladies can learn from your lessons?

JUDGE MFENYANA

Well, there were quite a number of obstacles, as you may imagine. That being black means that you're not capable, and perhaps there may have been some justification to it in the sense that the question is, where did you learn it? How could you know something that you have no reference point for? So, in some of the matters that I did, I remember a white colleague saying to me, and this was a senior white male colleague, you write like a man. That is what he told me, and a lot of the time, as attorneys, you're sitting in your offices, you're churning out this correspondence to each other until you meet, and when you meet and they see this tiny black woman who doesn't look like the person who wrote the letter that they wrote, and so the interest is oh, where did you go to school, and the assumption is that you probably went to an all-white school, you speak so well, you write so well, and all of that, forgetting that there are so many components to a person and there's so much that goes into the making of a person, let alone a lawyer. So, of course, it is a skewed view that is born out of illogical thinking and perceptions, and as I said, it's historical.

DR. MALKA

Fasttracking to where you are today, your journey to the bench wasn't a straight line. You experienced an unsuccessful judicial interview before ultimately being appointed in 2023, and the reason I'm raising this is from a point of view of proving resilience and overcoming rejection and trying again. So, if you could just share with young women, or older women, who've experienced professional setbacks and are possibly questioning whether they belong at the table, what would you say to them?

JUDGE MFENYANA

Well, any woman who believes that they belong at the judges' table belongs there. So, I don't know if you are aware, I didn't have one unsuccessful JSC interview; I had two unsuccessful JSC interviews, but the first JSC interview still makes me smile; it was my best interview. It was my best, even better than the interview that ultimately led me to the bench, and I think the reason is that my success was ultimately a combination of all these experiences. So, I lost, and it was a good loss, and I did not once consider it to have been a rejection. It was also a matter of timing as well,

and I considered it not to have been my time, but it was a great experience which led to the success that I had in 2023.

DR. MALKA

And whilst we're talking about women's acknowledgement, this year we celebrate Women's Day under the theme of Empowered Women Empower the Nation. After your career, which has seen you move across multiple legal worlds and ultimately led to you taking your place on the bench, what does an empowered woman mean to you, and what do you think women in positions of influence need to do to ensure that successful opportunities are created for the women coming behind them?

JUDGE MFENYANA

An empowered woman to me is a woman who pours into others without fearing that they're going to run empty. That woman knows that knowledge shared is not knowledge lost, that it's multiplied, and it's not just a cliché; I have seen it happen. I've seen it with me, with the women who poured into me, who continue to pour into me. Women who continue to mentor me. I have had mentors who identified me as their mentee. I've had mentors that I've gone to, and I have said there is something about you that wants me to spend more time with you and learn from you, and perhaps at some point when my time comes, I'll be able to achieve even half of the things that you have achieved just by learning from you. So, empowered women are giving women because every person has got something to give.

DR. MALKA

And lastly, please can you share a few words of inspiration that you'd like to pass on to girls and women who are listening to us?

JUDGE MFENYANA

To the young and not-so-young girls and women that are listening, what I would like to say to them is that you need to find someone who believes in you. There is no such thing as a self-made person. Each person is a product of people who have poured into them. Look beyond your circumstances; look beyond even your surroundings. As I said, I lived in a small village where most of the people were not educated, and if you look at your surroundings, you probably could see yourself as being a teacher in that school, perhaps as a principal like my dad was at the school. Look beyond your borders, beyond even the borders of the country. Find mentors, find people who will mentor you, because sometimes it's not easy for other people to have people who believe in them. If you do not have people who believe in you in your surroundings, go find them. Maybe somebody you see on TV, it may be somebody you see at school, approach them, find mentors; it's invaluable. ■

JUSTICE FAYEEZA KATHREE- SETILOANE

SUPREME COURT OF APPEAL

INTERVIEW AIRED: 21 AUGUST 2026



DR. MALKA

Thinking back in time, you obtained your LLB degree from the University of Natal in Durban in 1991. Thereafter, a masters in law from Georgetown University Law School, Washington DC, the USA, as a Fulbright Scholar in 1993, and when I think about this period, it was upheaval. South Africa was in the middle of negotiating its new democracy, undergoing enormous political and social transformation. So, I wanted to ask you, did the context of the country at that time influence you to pursue law, or were there other factors that motivated you?

JUDGE KATHREE-SETILOANE

No, I think it was very much what I grew up in, and it was apartheid. I was a drama student, you know, English majors, politics, drama, all of those things, and I didn't think about law, but towards the end of my drama degree I started getting involved with the Trade Union Movement and student organizations at the university. Well, of course, before that, student organizations at the university, we became very involved with workers' rights at the University of Natal and belonged to a student organization that basically organized around workers and what their rights were in the context of our university settings. I suppose being an activist in my local community as well, I was always drawn to public interest law; I was always drawn to human rights law, and I think that kind of, by default, took me into the law route, and that's how I began with my LLB degree. While doing the LLB degree, I got very involved with the Centre for Social Legal Studies, assisting with editing on their Human Rights Law Book; I worked on a part-time basis as a labour law researcher. So, all of those things impacted what I was going to do after my degree and basically follow a public interest route and career path.

[Link to full interview on YouTube >>](#)



DR. MALKA

And just as a little digression, and I ask this because having had the opportunity to study overseas and be immersed in a different culture, I thought it was a really invaluable experience for me; if you could just share a little about your views of if someone is given that opportunity, whether they should take it or not?

JUDGE KATHREE-SETILOANE

Oh, absolutely, absolutely. If you are given that opportunity, please take it. If you are not given the opportunity, find a way of creating that opportunity. It was one of the most growing and developmental experiences for me. It broadened my perspective on life; it broadened me intellectually, and it broadened me socially. My confidence levels were increased fivefold.

DR. MALKA

Could you share with us what types of obstacles you've encountered due to being a woman, and also, how you navigated those spaces, particularly where the traditional image of someone in the law probably didn't look like you.

JUDGE KATHREE-SETILOANE

Yes, prior to being a judge I was at the Johannesburg Bar where I practised as an advocate, I wrote an article, and it was a short article in the magazine called The Advocate, and I said there that when I arrived at the Bar in 1995, this was the first time I felt discriminated against as a woman, because I think we were so involved with race discrimination throughout my existence as a young person, the struggle that we fought was race, race, race all the way, and so you never looked to yourself to see how, as a woman, you were being discriminated and I think the first time I had to actually look at that was when I was earning for myself, and how did the legal world perceive me as a young lawyer. At the Constitutional Court as a young clerk, because I was part of the first cohort of clerks, I didn't feel discriminated against at all. We were all young lawyers; we were all treated equally, and we were not competing for resources there at all. I am now a practicing advocate, and I've got to now earn for myself, and now I suddenly start competing. I don't just compete with my other colleagues around me, young colleagues that had just joined the Bar, but I compete with senior colleagues; I compete with my mentors at the Bar; I compete with what we called in the old days, a pupil master. You were all in competition with each other, and that's when it became that the discrimination actually felt so real and, in your face, because as a woman, you were struggling basically. You were struggling to pick up briefs, and you were fully reliant and fully dependent on attorneys to give you this work. So, women in those days were actually pigeonholed into doing family law. I had nothing against it, and I had great admiration for my colleagues that did family law work, women that came in before me, women that were there with me, but I basically decided at that point that I am not going to allow myself to be pigeonholed. I need to achieve something; this is the kind of work I want to do, and even if it means struggling through this, I am going to do it.

DR. MALKA

How did you do the breakthroughs?

JUDGE KATHREE-SETILOANE

It was hard. I think you just work hard, you just show that what you produce is excellent, that you have the requisite skills, that you have the confidence. The judges were vicious in those days and if you were a young woman they wanted to test you. The first time

I appeared in the Constitutional Court, for instance, I was being tested. You could see basically, you are a young clerk in this court; now let's see if you have the ability to do this. When I appeared for the first time in the Supreme Court of Appeal, you had a bench of five men. You could actually see how they were trying to test you, and then you emerge from that feeling, ah, I did that. So, its confidence, it's preparation.

DR. MALKA

And given the breadth of your experiences, are there a couple of cases that have stayed with you because of their impact on a particular area in your life or field?

JUDGE KATHREE-SETILOANE

Yes, I mean I think the one would be the two abortion cases which challenged the constitutionality of the Termination of Pregnancy Act. The other one was, and I think insofar as my contribution to transformation and the change of law goes and this constitutional project that we're all involved in our country, I think would be the Same Sex Marriages Act, sorry, the creation of the Civil Union Act, and prior to that, the challenge to the constitutionality of the Marriage Act, and I was involved in that challenge for about four or five years of my time at the Bar. We went from the High Court to the Supreme Court of Appeal, to the Constitutional Court. So, that was one of the cases that will always stay with me and what we achieved there for the dignity of gay and lesbian, well, LGBTQ people.

DR. MALKA

From your perspective, what do you see an empowered woman looking like, beyond having a job, a title, or occupying a position of authority?

JUDGE KATHREE-SETILOANE

I think the lessons from the last few years are important for us as young, empowered women leaders, and I call us women leaders because whether you're starting off as a young lawyer or whether you're at the level of Constitutional Court, you are a leader, and I think it's so important to have clean, ethical, non-corrupt leadership, and to give that to the judiciary. We can all be leaders, but we have to ensure that we have integrity, that we are honest, that we mete out the law in a way that is fair, without fear and without favour, but importantly, and I take all of these lessons from everything that's been happening recently in society, is ethical leadership. You have got to remain uncorrupted, and that is so important, and you have got to bring your intellect into whatever you do; that is so important. So, you've got to be leaders, and you've got to also be intellectual leaders of the judiciary for the future. ■

JUDGE KHOSI HADEBE

KWAZULU-NATAL DIVISION OF THE HIGH
COURT

INTERVIEW AIRED: 28 AUGUST 2026



DR. MALKA

Judge Hadebe, your legal journey began way back in 1979 as a court clerk and interpreter, and then you progressed through roles, including prosecutor, legal planner, and magistrate, before becoming a High Court Judge. Looking back, what was the original spark that drew you to the law?

JUDGE HADEBE

In fact, I had already done my first year in 1978, but there were no funds in 1979. Because we had a radio, and there was some kind of court scene programme that would go on.

DR. MALKA

What would you say have been some of the experiences on your journey that have changed the way you saw yourself and also your possibilities?

JUDGE HADEBE

It has been a long, long journey, but I think I have seen the transformation happening in my lifetime. Looking back at our first year at university, we were a class of over three hundred and something, and I think it was in the nature of things at the time; we had this young lecturer. So, he would say, what's wrong with this class? Why are there so many females? What's wrong with nursing? What's wrong with social work? And we're like, this is where we want to be, but true to his attitude, come next semester, there was half of the class remaining, but it has been a long journey since then. As you can see, women are thriving in the law field and in all other fields, but the start was a bit rocky, because it was like you're not supposed to be here, what are you doing here, but women had to prove that we are here because we're qualified to be here and we will do what we are here for, and hopefully we have managed, at this age, to do that.

[Link to full interview on YouTube >>](#)



DR. MALKA

I think for a lot of people going into a field, so you had your spark ignited by listening to radio, *The Verdict*, etcetera, and that was your spark to go into law, and maybe other people had similar sparks, but then you come face-to-face with a lecturer who is supposed to be encouraging you and actually he is saying you don't belong here. In your experience, and using your experience for other people so that they can persevere, what made you stick it out and say, no, I do belong here and I am taking it all the way?

JUDGE HADEBE

I think in those years, because I went to the University of Zululand, although one did not have much, we had newspapers like *Ilanga*, I do not know if they still publish it, but we were a very militant youth. We were militant, and those attitudes, even without the constitution, we did not stand for those attitudes. I mean, the then Ongoye, that is how it was referred to, it had militant youths, and we were prepared to defy those attitudes, because there were too many injustices. So, you wouldn't have gone into the legal field where you saw that, if I were to finish this degree, I can make a difference in my own society where I come from, whichever way, whether as a prosecutor, whether I go the private route. So, we were determined to finalise our degrees, even under those circumstances, and I think that was the main push, because the closer we got to 1994, the harder it became in the country. I mean, at every turn, and contrary to what was meant to happen.

DR. MALKA

The law can be much more than people obeying and following rules and procedures, but it is also an instrument for protecting dignity, equality, and freedom. South Africa has introduced significant legal and policy reforms which are aimed at strengthening protection against gender-based violence, as well as advancing gender equality, such as the National Council on Gender Based Violence and Femicide Act and the Domestic Violence Amendment Act. From your perspective as a judge who obviously sits with the law every day, where have we made meaningful progress?

JUDGE HADEBE

I think we have enough - well it can never be enough, but South Africa has good laws to protect women. It is the people who must put them into effect, and having prosecuted again, I think the country has come a long way, because you remember, previously, even though there were some laws, but the awareness about what people could do in a case of rape, in a case of child molestation, in the case of violence at home and the like, you know, the attitude would sometimes regrettably be, but you are married, you protect your household and what have you, but I think with the awareness growing, especially with women, and people knowing exactly that the law is there to protect them, I think a lot has changed and we see from the rate of reported cases.

DR. MALKA

Now, looking at legitimate cases, when I was preparing for this interview, I read about the *S vs Ndlovu* gang rape case that you presided over with two other judges, and it really sent shivers through me, and then I was reading about other studies, for instance there was an HSR study in 2024 which indicated that over 35% of women have experienced physical and/or sexual violence. In your judgment in the *Ndlovu* matter, you reflected on the profound implications of sexual violence for women's dignity, bodily autonomy, and sense of safety. Without going into the traumatic details of the case, how important is it for our justice

system to understand the gendered realities surrounding violence against women, and how can judges ensure that the experiences of female victims are properly understood within the law?

JUDGE HADEBE

It resides with us as the custodians, so to say, of the law, to take it in our journey of being on the bench, to listen, to be patient, and to get to the basics of the matter, because referring to *Ndlovu*, firstly it shows that it was an offense of control, absolute control that corrupted that young man, and if you look at the socio-economic circumstances of the victim in that matter, it is what most women and young girls have to deal with, where somebody can just come and kick the door, and you know what happened to *Ndlovu*. So, we have people residing in settlements where there is no alarm, there are no cameras, and there is a child-headed house, there is a woman-headed house, so they know that they are sitting ducks. So, I will come back to my point, that if I had my way, in those areas, for instance, like your settlements where there are shacks, where there is always a child that will be abused, I would have a satellite police station; I would have a safety home.

DR. MALKA

Coming back to the bench, you've been a judge for a good few years; how has your understanding of what it means to be a judge evolved over time, and what qualities do you believe are essential for women who occupy positions of authority like this?

JUDGE HADEBE

I think a judge must be upright. I believe that the standard of a judge must be very high, but we will always be human beings, and human beings are not infallible. How I walk in front of society that I judge, must be what they would expect of a judge. They will be able to trust me and say if I go to that judge's court, I will find fairness. Women must be resilient, and fortunately we have come this far, and there has been a lot of changes where you see, let me allow myself to say African women on the bench, because I believe, talking for myself now, coming from the background of the magistracy, I was not wanted on the High Court Bench. Not because anyone had a personal dislike for me, but I think there was a threat that I may lower the standards, but I think we have come to a place where we have proved that women can be judges, they can be good judges, they can deliver judgments that will assist other women coming after them to say that it may have seemed impossible when the record was there. ■

FROM POLICY TO PROTECTION: SAC-IAWJ CONFERENCE SHARPENS FOCUS ON ENDING GENDER-BASED VIOLENCE

SAC-IAWJ ANNUAL GENERAL CONFERENCE

7 to 9 August 2026

University of the Free State, Bloemfontein

The South African Chapter of the International Association of Women Judges (SAC-IAWJ) convened its 2026 Annual General Conference at the University of the Free State in Bloemfontein from 7 to 9 August 2026, bringing together judicial officers, government representatives, academics, legal practitioners and civil society stakeholders around one of South Africa's most persistent challenges: gender-based violence and femicide. Held under the theme *"From Policy to Protection: Advancing Accountability, Justice, and Systemic Reform to End Gender-Based Violence in South Africa,"* the conference created a platform to examine the gap between progressive laws and policies and the lived experiences of those they are intended to protect.

The gathering took place during a significant year for both the Association and the country. SAC-IAWJ marked 22 years since its establishment, while South Africa commemorated 30 years of constitutional democracy and the 70th anniversary of the historic 1956 Women's March to the Union Buildings. Welcoming delegates, SAC-IAWJ President, Judge President Segopotje Mphahlele, called for meaningful engagement on translating policy into tangible protection. She also reflected on the Association's growth and acknowledged the appointment of women to leadership positions within the Superior Courts, while reaffirming SAC-IAWJ's role in creating opportunities for women judicial officers to learn, develop and support one another.

The conference theme was reinforced by contributions from judicial and institutional leaders. Judge President Cagney Musi of the Free State Division of the High Court observed that the focus on moving "from policy to protection" reflected the work that remained to be done in addressing gender-based violence and femicide. Deputy Minister of Justice and Constitutional Development Andries Nel similarly situated the discussions within South Africa's constitutional and human rights framework, while University of the Free State Vice-Chancellor and Principal Professor, Hester Klopper emphasised that the true measure of the conference would lie in what followed the discussions and whether protection was experienced in practice.



The South African Chapter of the International Association of Women Judges convened its 2026 Annual General Conference during August, in Bloemfontein.

Across the programme, speakers interrogated different dimensions of gender-based violence and the institutional responses required to address them. Advocate Laverene Accom examined the secondary victimisation of rape survivors, including constitutional obligations, institutional shortcomings and possible pathways to reform. Professor Tameshnie Deane considered institutional accountability for gender-based violence and femicide within higher education, focusing on constitutional duties, systemic harm and implementation gaps. Ms Bella Phore presented research on structural gender-based violence and femicide in relation to women miners, while Ms Anneke Meerkotter of the Southern Africa Litigation Centre explored legal pluralism and intimate partner violence through experiences from Malawi and South Africa.

The programme also broadened the conversation beyond the courtroom. Ms Yvette Hardie of ASSITEJ South Africa showcased theatre and performing arts materials designed to promote and protect children's rights, illustrating the value of education and creative interventions in strengthening awareness and prevention. At the Gala Dinner, Professor Serges Kamga, Dean of the Faculty of Law at the University of the Free State, reflected on the contribution of women in the Judiciary to the fight against gender-based violence, while Free State Premier MaQueen Letsoha-Mathae acknowledged the Judiciary's role in confronting the scourge.

Alongside the substantive programme, the conference placed emphasis on the well-being of judicial officers. Delegates participated in a wellness walk around the University of the Free State precinct as part of judicial wellness initiatives supporting their physical and mental well-being.

The three-day gathering ultimately underscored that addressing gender-based violence requires more than the existence of sound policy and legislation. Through dialogue on accountability, institutional practice, judicial responses, research and community interventions, the conference focused attention on the need to ensure that constitutional protections translate into meaningful and effective protection for those who need them most.





Judge President of the Free State Division of the High Court, Judge Cogney Musi



Judge Shanaaz Mia



Deputy Judge President T Djafe, of the North West Division of the High Court



Judge M D Lenyai



Ms Bella Phore



Professor Tameshnie Deane, of the University of the Free State

JUTA MOCK TRIAL COMPETITION | NORTH WEST DIVISION

The North West Division of the High Court hosted students from the North-West University (NWU) for the Juta Mock Trial Competition. The competition took place from 21-24 August 2026, bringing together students from NWU's Potchefstroom, Mahikeng and Vanderbijlpark campuses, with the participating students putting their advocacy, legal knowledge and courtroom skills to the test. The final round took place at the North West Division of the High Court, where the proceedings were presided over by Deputy Judge President Tebogo Djaje, alongside Judge André Petersen, Judge Andrew Reddy and Acting Judge Moolman Wessels.



The North West Division of the High Court hosted the JUTA Mock Trial Competition in August with students from North-West University (NWU).



The Competition included students from the campuses of the North-West University (NWU).



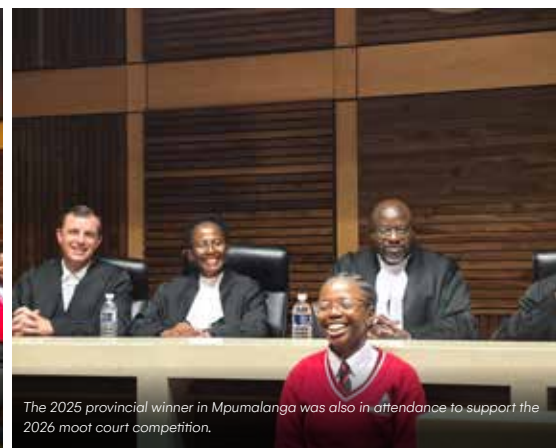
The 2026 Mpumalanga High School Moot Court Competition took place at the Mbombela High Court in August 2026.

MPUMALANGA DIVISION HOSTS HIGH SCHOOL MOOT COURT COMPETITION

The High School Moot Court Competition in Mpumalanga took place on 22 August 2026, at the Mbombela High Court. Acting Judge President Ratshibvumo together with Judges Mankge and Acting Judges Mangena, Fourie and Cloete presided over the competition.



The competition provides an opportunity for students to develop practical skills, and inspire them to pursue legal careers.



The 2025 provincial winner in Mpumalanga was also in attendance to support the 2026 moot court competition.



SAJEI REFRESHER CONFERENCE STRENGTHENS JUDICIAL LEARNING AND ENGAGEMENT



The South African Judicial Education Institute (SAJEI) hosted the Criminal and Civil Refresher Conference for Regional Court Magistrates from 17 to 21 August 2026, providing an important platform for judicial officers to engage on developments in criminal and civil law, exchange practical insights and reflect on issues affecting the effective administration of justice.

A key feature of the programme was a presentation by Deputy Chief Justice Dunstan Mlambo on “A Single Judiciary: Judicial Accountability, Ethics, Norms and Standards.” His address focused on the relationship between judicial independence, accountability and ethical conduct, emphasising the importance of protecting the Judiciary from improper influence while maintaining the standards necessary to preserve the integrity of the justice system.

On day three, Justice S Majiedt of the Constitutional Court addressed delegates on “VVC v JRM: Aligning Matrimonial Property Customary Law with Constitutional Principles.” The presentation provided a platform for discussion on the application of constitutional principles within customary law.

The conference also turned its attention to the growing influence of technology on judicial work. Acting Judge President Takalani Ratshibvumo of the Mpumalanga Division of the High Court delivered a presentation on the impact of Artificial Intelligence (AI) in judicial writing, on day four of the conference. The session explored how AI may assist judicial officers in research and the preparation of judicial work, while stressing the importance of responsible and ethical use. During the ensuing discussion, delegates considered the use of AI in legal research and shared experiences with various AI-enabled search tools.

Through the week-long programme, the conference combined legal development, ethical reflection and emerging technological issues, reinforcing SAJEI’s role in supporting continuous judicial education and creating opportunities for judicial officers to learn from one another and strengthen the administration of justice.



Deputy Chief Justice D Mlambo



Justice S Majiedt of the Constitutional Court



Regional Court President J Wessels



Attendees at the conference.



Acting Judge President of the Mpumalanga Division of the High Court, Judge T Ratshibvumo



Regional Court President M Djaqe



Judge of the North West Division of the High Court, Judge A Petersen



Attendees at the conference.



JUDGE MFENYANA REFLECTS ON ETHICS AND THE LEGAL PROFESSION

As the legal profession continues to evolve, questions of ethics, accountability and professional responsibility remain central to the administration of justice. These themes came into sharp focus at the Rosebank International Faculty of Law Research Symposium, held on 8 September 2026, where Judge S Mfenyana delivered the keynote address.

Addressing academics, legal professionals and participants at the symposium, Judge Mfenyana shared reflections on the importance of legal ethics and professional responsibility in an increasingly complex and changing legal environment. Her address highlighted the enduring responsibility of legal practitioners to uphold ethical standards, even as the profession adapts to new challenges, technologies and ways of working.

The keynote set the tone for meaningful discussion on the evolving role of the legal profession and the responsibilities that accompany legal practice. It also provided an opportunity to reflect on the importance of integrity, accountability and ethical conduct in maintaining public confidence in the justice system.

Through engagements of this nature, members of the Judiciary continue to contribute to broader conversations about the development of the law and the standards that should guide the legal profession in a changing society.



Judge Sandiswa Mfenyana



Dr. Rufaro Mavunga, Dean of the Faculty of Law at Rosebank International College.



LAUNCH OF THE ANTI-SEXUAL HARASSMENT ONLINE COURSE



A compulsory online course
for permanent and acting
Judicial Officers.

Together, let us build a Judiciary
that is safe, respectful and free
from sexual harassment.



**RESPECT.
DIGNITY.
SAFETY.
JUSTICE.**



**KNOW YOUR
RIGHTS**



**PREVENT
HARASSMENT**



SPEAK UP



**REPORT
IT**



DEPUTY JUDGE PRESIDENT DJAJE OPENS NEW LAW CLINIC BUILDING AT NWU

On 30 July 2026, Deputy Judge President Tebogo Djaje, of the North West Division of the High Court, officially opened the new Law Clinic Building at North-West University (NWU). Having served as the University's first supervising attorney at the Law Clinic in 2000, she was invited to officiate at the opening ceremony, marking a significant full-circle moment in her professional journey and her longstanding association with the institution.





JUDICIAL RETIREMENTS & BEREAVEMENTS

JUDICIAL RETIREMENTS

SUPREME COURT OF
APPEAL



Justice S P Mothle

Justice of the Supreme Court of Appeal
As of 24 July 2026

IN MEMORIAM



Retired Judge E Bertelsman

Judge of the Gauteng Division of the
High Court
Passed: 31.07.2026



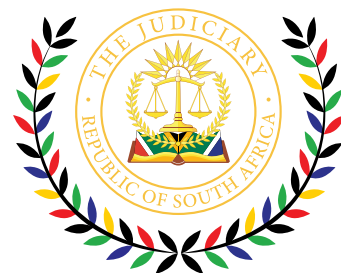
Justice F E Mokgohloa

Justice of the Supreme Court of Appeal
Passed: 19.08.2026



Retired Judge N F Kgomo

Judge of the Limpopo Division of the
High Court
Passed: 18.09.2026



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

