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08 September 2020

Media Statement

MEDIA STATEMENT ISSUED BY THE CHIEF JUSTICE REGARDING THE USE OF THE TITLE “JUDGE” BY MR NGWENYA

In a letter dispatched at the instance of Chief Justice Mogoeng Mogoeng, Mr Sipho Jerome Ngwenya was requested to confirm, in writing, that he would actively distance himself from the use of the title Judge or Justice. The clearly stated purpose of the letter was to ensure a common understanding of the use of the title before the issuing of a public statement to clarify the issue.

Mr Ngwenya was appointed as a Judge in 2000 but subsequently resigned from Judgeship. Although he subsequently made at least one attempt to be appointed as a Judge, that attempt was unsuccessful. He cannot therefore project himself in documents or be regarded as a Judge or Honourable Justice. Despite this obvious reality, and as borne out by various documents and based on numerous accounts, Mr Ngwenya holds himself as, has allowed people to regard, address and treat him as a Judge or Justice.

The Chief Justice wishes to inform the public that once a person resigns from Judgeship he or she can no longer be regarded as a Judge. This position differs from that of a retired Judge who retains the right to use the title. It is important for the public to know that unlike serving and retired Judges, the Judicial Service Commission cannot take steps against a person who has resigned as a Judge when such a person is alleged to have done or said something believed to be unethical. Only those who are subject to the authority of the JSC are therefore addressed and treated as Judges.

The risk that flows from leaving anybody to impersonate a Judge is that he or she could harm the judiciary without any adverse consequences.

Ends.

Issued by the Office of the Chief Justice

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