



JUDICIAL SERVICE COMMISSION

JUDICIAL SERVICE COMMISSION'S DECISIONS ON COMPLAINTS INVOLVING JUDGE MAKHUBELE OF THE GAUTENG DIVISION OF THE HIGH COURT AND JUDGE PARKER OF THE WESTERN CAPE DIVISION OF THE HIGH COURT MEDIA STATEMENT

The Judicial Service Commission (JSC), at its virtual meeting held on 09 October 2020, considered a complaint lodged by #Unite Behind against Judge T A N Makhubele of the Gauteng Division of the High Court, as well as complaints lodged by ten Judges of the Western Cape Division of the High Court and the Cape Bar Council against Judge M K Parker of the Western Cape Division of the High Court.

In respect of Judge Makhubele, the JSC having considered the complaint, the submissions made by the parties and the recommendation made by the Judicial Conduct Committee (JCC), resolved to adopt the JCC's recommendation and requested, in terms of section 19 of the Judicial Service Commission Act, 1994 (JSC Act), the Chief Justice to appoint a Judicial Conduct Tribunal (Tribunal) to investigate and report on the complaint.

As required by section 19(4) of the JSC Act, the JSC will inform the President that it has requested the Chief Justice to appoint a Tribunal. Furthermore, the JSC will advise the President that it would be desirable for the President to suspend Judge Makhubele in terms of section 177(3) of the Constitution pending the finalization of the complaint.

With regard to Judge Parker, the JSC having considered the complaints, the submissions made by the parties and the recommendation made by the JCC, resolved to adopt the JCC's recommendation and requested, in terms of section 19 of the JSC Act, the Chief Justice to appoint a Tribunal to investigate and report on the complaints.

The JSC will, in terms of section 19(4) of the JSC Act, inform the President that it has requested the Chief Justice to appoint a Tribunal. Furthermore, the JSC will advise the President that it would be desirable for the President to suspend Judge Parker in terms of section 177(3) of the Constitution pending the finalization of the complaints.

The Tribunals will be established in due course.

Issued by the Judicial Service Commission

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14 October 2020