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Media Statement

JUDICIAL SERVICE COMMISSION

The Judicial Service Commission (JSC), sitting without members designated by the National Assembly and National Council of Provinces, considered a report of the Judicial Conduct Tribunal (JCT) established to investigate complaints lodged by Retired Judge President B M Ngoepe against Judges M M Mavundla, FG Preller and JNM Poswa, now retired Judges of the Gauteng Division of the High Court. The complaints were in relation to the three Judges' failure to deliver their reserved judgments within a reasonable period of time.

After considering the report of the JCT, the record of the proceedings and representations submitted in terms of section 20(1)(b) of the Judicial Service Commission Act, 1994, the JSC by way of a majority decision decided to accept the recommendation of the JCT to find the three Judges guilty of misconduct, not amounting to gross misconduct.

Based on such finding, the JSC decided in terms of section 20(5)(b) of the JSC Act, to impose a combination of the remedial steps envisaged in section 17(8)(a) and (b) of the JSC Act. By way of a majority decision, such remedial steps are:

1. An apology to the Judge President;
2. An apology to the litigants involved; and
3. A reprimand.

Annexed please find copies of both the majority and minority decisions of the JSC for your attention.

Ends.

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Issued by the Judicial Service Commission

