



REPUBLIC OF SOUTH AFRICA
JUDICIAL SERVICE COMMISSION

**SUMMARY OF THE CRITERIA USED BY THE JUDICIAL SERVICE COMMISSION
WHEN CONSIDERING CANDIDATES FOR JUDICIAL APPOINTMENTS**

At its Special Sitting held, in Johannesburg on 10 September 2010, the Judicial Service Commission resolved, after a lengthy debate and a review of the Guidelines that had been adopted in 1998, to publish the criteria used when considering candidates for judicial appointments. This decision is in line with the JSC's principle that the process of judicial appointments should be open and transparent to the public so as to enhance public trust in the judiciary.

The following criteria are used in the interview of candidates, and in the evaluation exercise during the deliberations by the members of the Commission:

Criteria stated in the Constitution

1. Is the particular applicant an appropriately qualified person?
2. Is he or she a fit and proper person, and
3. Would his or her appointment help to reflect the racial and gender composition of South Africa?

Supplementary Criteria

1. Is the proposed appointee a person of integrity?
2. Is the proposed appointee a person with the necessary energy and motivation?
3. Is the proposed appointee a competent person?
 - (a) Technically competent
 - (b) Capacity to give expression to the values of the Constitution
4. Is the proposed appointee an experienced person?
 - (a) Technically experienced
 - (b) Experienced in regard to values and needs of the community
5. Does the proposed appointee possess appropriate potential?

6. Symbolism. What message is given to the community at large by a particular appointment?

Issued by the Judicial Service Commission