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MEDIA STATEMENT BY ACTING CHIEF JUSTICE R M M ZONDO: RETIREMENT OF JUSTICE SISI KHAMPEPE AND JUSTICE CHRIS JAFTA

Monday, the 11th October 2021, marked the retirement of Justice Sisi Khampepe and Justice Chris Jafta of the Constitutional Court.

Justice Sisi Khampepe

After a trailblazing legal career spanning over 40 years, Justice Khampepe retired on 11 October 2021.

Justice Khampepe was born in Soweto, Johannesburg. After obtaining her B.Proc from the University of Zululand, she travelled abroad to further her education through postgraduate studies. She graduated with an LLM degree from Harvard University in the United States of America, and then served articles at Bowman Gilfillan. She later started her own practice under the name SV Khampepe Attorneys, one of the few Black labour law firms in the country at the time. Her main area of practice, for which she was renowned, was the defence of workers against unjust laws and unfair employment practices.

Throughout her career, Justice Khampepe served in a number of positions of note. In 1995, she was appointed by President Nelson Mandela as one of the Commissioners of the Truth and Reconciliation Commission. In 2004 President Thabo Mbeki appointed her together with Justice Moseneke to oversee the Zimbabwean elections. In February 2006 the Secretary-General of the Commonwealth, Hon Donald C McKinnon, seconded her as a member of the Commonwealth Observer Group to the Presidential and Parliamentary Elections in Uganda. From 2005 to 2006, she chaired a Commission of Enquiry that came to be known as the Khampepe Commission. The Commission looked into the mandate and location of the Directorate of Special Operations, commonly known as the Scorpions. She was also the Vice Chairperson of the National Council of Correctional Services from 2005 to April 2010.



Justice Khampepe's judicial career commenced with her appointment as a Judge of the Gauteng Division of the High Court in December 2000. She later served as Acting Deputy Judge President of the Labour Appeal Court and Labour Court. Her elevation to the apex court of the Republic, the Constitutional Court, took effect in October 2009. On two occasions since her appointment as a Justice of the Constitutional Court, she has served as the Acting Deputy Chief Justice of the Republic.

Justice Khampepe's time on the bench of the Constitutional Court is marked and celebrated as a period during which she eloquently developed jurisprudence on the rights of women and children, and other vulnerable members of society. She will also be remembered for her judicial bravery and unflinching fidelity to the rule of law. Her last two well known judgments related to the work of the State Capture Commission of Inquiry and strengthened the rule of law and the principle of equality before the law. She is celebrated by her colleagues and the legal community as a jurist of vast intellect, uncompromising integrity and inimitable style. She led and followed with grace, kindness and diligence. Her quiet yet fierce strength will be sorely missed, but remembered with gratitude and admiration.

After decades of bountiful contributions to South African law and society, Justice Khampepe is to enjoy her well-earned retirement with her loving husband and family.

The Acting Chief Justice Ray Zondo had this to say on Justice Khampepe's retirement:

“On behalf of my colleagues in the Constitutional Court and the Judiciary as a whole, I wish to express our deep appreciation to Justice Khampepe for her selfless service to the people of South Africa, for her commitment to the rule of law, the independence of the judiciary, for her role in strengthening our constitutional democracy during her term of office as a Justice of the Constitutional Court and for her immense contribution to our jurisprudence. I wish Justice Khampepe everything of the best during her well-deserved retirement.”



Justice Chris Jafta

Monday, the 11th October 2021, also marked the end of Justice Chris Jafta's term of office as a Justice of the Constitutional Court. This marked the end of 12 years of service as a Justice of the Constitutional Court.

Justice Jafta obtained his B Juris and LLB degrees from the University of Transkei (now Walter Sisulu University) in 1983 and 1987 respectively. Justice Jafta started his career as a court interpreter in 1983. He was appointed as a District Court Public Prosecutor at the beginning of 1984. He worked in that capacity until December 1985 when his authority to prosecute was withdrawn by the Attorney-General at the instance of the apartheid Government Security Police and he was demoted to the position of an Administrative Clerk. This occurred after he had rejected instructions from the Security Police on how he should conduct prosecutions in some cases. He was briefly detained and subjected to an intense interrogation by the Security Police. In July 1986 he was appointed as a Magistrate. In February 1988 he resigned and joined Mbuqe and Mbuqe, a firm of attorneys, as a candidate attorney. In August 1988 he resigned to join the University of Transkei as a lecturer. There, he taught Commercial Law and Constitutional Law. In 1992 he did pupillage at the Johannesburg Bar.

Justice Jafta commenced practice as an advocate in Mthatha in January 1993. His practice focused mainly on labour and constitutional matters. In 1997 Justice Jafta was appointed as an Acting Judge of the High Court (Transkei Division) for four months. In January 1999 he became an Acting Judge of the same Division until November 1999 when he was appointed as a Judge of that Division on a permanent basis. In June 2001 Justice Jafta was appointed as the Acting Judge President of the Transkei Division of the High Court until June 2003. In 2003 he was appointed as an Acting Judge of Appeal in the Labour Appeal Court until June 2004. From June to October 2004 he was an Acting Judge of Appeal in the Supreme Court of Appeal in Bloemfontein. In November 2004 he was appointed as a Judge of Appeal in that court.

In October 2009 Justice Jafta was appointed as a Justice of the Constitutional Court in which capacity he served until Monday the 11th October 2021. For some time Justice Jafta served as a member of the Council of the South African Judicial Education Institute (SAJEI). Justice Jafta has made a huge contribution to this country's jurisprudence.



The Acting Chief Justice Ray Zondo had this to say on Justice Jafta's retirement:

“On behalf of my Colleagues in the Constitutional Court and the Judiciary as a whole I thank Justice Jafta for his contribution to the development of our law, for the service he rendered in various courts of our country and for his contribution to the promotion and protection of the independence of the Judiciary. I wish him everything of the best during his retirement.”

Ends.

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