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MEDIA STATEMENT

Judicial Service Commission

JUDICIAL SERVICE COMMISSION'S DECISIONS ON COMPLAINTS INVOLVING JUDGES MAUMELA AND MNGQIBISA-THUSI OF THE GAUTENG DIVISION OF THE HIGH COURT

At its meetings on 26 January and 20 April 2023, Judicial Service Commission (JSC) considered the reports of the Judicial Conduct Committee relating to the complaints against Judges Maumela and Mngqibisa-Thusi of the Gauteng Division of the High Court relating to failure to deliver numerous reserved judgments. The JSC decided that the failure to deliver the reserved judgments, if established, will *prima facie* indicate incapacity, gross incompetence or gross misconduct on the part of the Judges, taking into account the extent of the delay and the prejudice suffered by the parties. The JSC has decided to request, in terms of section 19 of the Judicial Service Commission Act, 1994 (JSC Act), that the Chief Justice appoint a Judicial Conduct Tribunal (Tribunal) to consider the complaints and will, in terms of section 19(4) of the JSC Act, advise the President of its decision. Due to the seriousness of the complaints, the JSC has also decided to advise the President that it is desirable that Judges Maumela and Mngqibisa-Thusi be placed on suspension pending the outcome of the Tribunal processes with certain conditions, including that the Judges must, during the period of suspension, finalise all matters that are presently before them.

Issued by the Judicial Service Commission

Adv M S Baloyi

28 April 2023

