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RESPONSE TO THE ARTICLE WRITTEN BY ADV G BREYTENBACH, MP, ON THE STATE OF THE GAUTENG DIVISION OF THE HIGH COURT, PRETORIA

***Note:** Please attribute this statement to the Judge President of the Gauteng Division of the High Court, Judge President D Mlambo.*

The article published on 8 April 2024 on the Democratic Alliance’s website, which relates to visits undertaken by Adv. Glynnis Breytenbach, MP, and Janho Engelbrecht, MP, to the Pretoria Magistrate’s Court, and the Gauteng Division of the High Court, Pretoria, on 5 April 2024, refers.

In the article, titled “Oversight exposes Pretoria Courts’ dysfunction”, Adv Breytenbach makes various allegations in relation to the Pretoria High Court. It should first be noted that the said oversight visit, regrettably took place without affording the Judge President of the Gauteng Division of the High Court, Judge Dunstan Mlambo, the courtesy of a request or notice of intention to visit the Court, as is customarily done by members of the National Assembly.

The article states that the courtrooms in the Pretoria High Court were “standing empty and unused”, and mischievously and incorrectly portrays this as a waste of important resources “in light of the growing delays and backlogs in countless criminal and civil matters still pending before our courts”. What Adv Breytenbach fails to mention in the article is that the courts are currently in recess and there are no matters scheduled to sit during this time, save for some Criminal Trials, presided over by Acting Judges. The recess period began on 1 April 2024 and will end on 15 April 2024.



Adv Breytenbach also plays to the gallery by generalising the matter of court backlogs and suggesting that the courts she saw “standing empty could easily be used to reverse backlogs” in the courts in general. As an advocate, she should know better than most how the justice system and the courts function and avoid the oversimplification of matters as noted in her statement, which creates false perceptions. It is irresponsible for a person of her stature to mislead members of the public by presenting incomplete information as well as constructing narratives that are not supported by true facts with regards to the functioning of the justice system.

Judge President Mlambo invites Adv Breytenbach and Mr Engelbrecht to return to the court during term, to witness the court in full operation. This will enable them to present a fair report.

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