



**Ministry Justice and Correctional Services
Republic of South Africa**

**Media Statement
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APPOINTMENT OF MAGISTRATES

Magistrates Courts are at the very coalface of our justice system. It is vital that these courts, which are often the first port of call for the dispensing of justice, are well-capacitated and functioning optimally.

This means having a sufficient number of magistrates in our courts, especially at a time when our courts are having to deal with the impact of the Covid-19 pandemic on a daily basis.

The Minister of Justice and Correctional Services has **made 158 new Magistrates' appointments in vacancies** around the country. The date of assumption of duty will be **1 October 2021** so as to enable the new appointees to give the necessary resignation notices at their current positions, make arrangements to relocate, and so forth.

A fully transformed judiciary is a constitutional imperative. Of the 158 new appointments 104 are African, 23 are Coloured, 8 are Indian and 23 are White. In terms of gender, 88 are female and 70 male.

We have made significant progress in terms of transformation over the last two decades. At the dawn of democracy in 1994 magistrates were part of the public service and were employed by the then Departments of Justice in the various homelands, the TBVC States and the rest of South Africa. An amalgamation process to bring them all under one department was led by the then Minister of Justice, the late Minister Dullah Omar, and in

1998 there were a total of 284 female magistrates (18%) and 567 Black magistrates (37%) countrywide out of a total of 1515 magistrates (including the regional, chief, senior magistrates and Regional Court Presidents).

The new appointments show how far we have come in terms of gender and racial transformation, as there are now 695 African, 143 Indian, 176 Coloured and 388 White persons on the level of Magistrate.

If one includes the regional, senior and chief magistrates, as well as the Regional Court Presidents, to get a view of the magistracy as a whole, 957 are African (50%), 204 are Indian (10,6%), 224 are Coloured (11,7%) and 528 are White (27,6%) out of a total of 1913. A total of 947 are women.

This means that 72,3% of our magistracy are Black and 49,5% are female.

In terms of the Regulations for Judicial Officers in the Lower Courts, 1993, all newly appointment magistrates must, before commencing with the functions of a judicial officer, attend a course by the South African Judicial Education Institute (SAJEI). It is envisaged that this course will take place between during October 2021.

The Magistrates Commission plays an important role in the filling of vacancies of magistrates' posts. The Magistrates Commission is a statutory body established in terms of the Magistrates Act, 1993 and the appointment procedures and processes are set out in the legislation and in accompanying Regulations. In short, the appointment process follows the following steps -

- Vacancies are identified and confirmed against the judicial establishment and funded posts
- Advertisements follow thereafter
- Applications are processed
- Shortlisting is done
- Interviews are held
- Recommendations are made by the Magistrates Commission after the conclusion of the interviews
- The recommendations are submitted to the Minister of Justice for his consideration and appointment.

"I want to commend the Magistrates Commission for their efforts in the enormous tasks of filling these posts. The shortlisting and interviewing of 418 candidates is unprecedented – all the more so given that the Commission had to do so under trying conditions brought about by Covid-19.

The filling of these vacancies is an important step in capacitating our judicial officers and our courts, so as to enable them to deliver justice to all,” said Minister Lamola.

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