



Judicial Education Newsletter

25th Edition

December 2025



10 YEARS
2011 - 2021





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EDITORIAL TEAM AND CONTRIBUTORS

Editorial Committee

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2. Ms. Slindokuhle Shamase - Chief Executive Officer (SAJEI)
3. Adv. Lynn Coleridge-Zils - Chief Director (SAJEI)
4. Mr. Ian Cox - Regional Court Magistrate
5. Mr. Collen Matshitse - Regional Court Magistrate
6. Ms. Chetna Singh - Senior Magistrate
7. Ms. Shirley Nmutandani - District Court Magistrate
8. Ms. Hangwelani Maringa - Production Editor (SAJEI)
9. Ms. Mampotse Mokgetle - Deputy Director Executive Support (SAJEI)
10. Ms. Sizophila Sokhela - Law Researcher (SAJEI)

Contributors

1. Justice Steven Majiedt
2. Ms. Jinx Bhoola
3. Ms. Chetna Singh
4. Mr. Mohammed Moolla
5. Ms. Lizelle Cloete
6. Ms. Kershni Zanetic
7. Ms. Christopher Abrahams
8. Ms. Sizophila Sokhela

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TheSouthAfricanJudiciary



FROM THE DESK OF THE CEO



Ms. Slindokuhle Shamase

Chief Executive Officer, SAJEI

It is with great honour and a deep sense of responsibility that I introduce this 25th edition of the *South African Judicial Education Institute (SAJEI) Judicial Education Newsletter*. This edition is both reflective and forward-looking, marking an important moment of transition, continuity, and renewed purpose within the Institute and the broader Judiciary.

This year has been particularly significant for SAJEI. We pay tribute to the remarkable legacy of Dr Gomoemo Moshoeu, whose visionary leadership laid strong foundations for judicial education in South Africa and beyond. Her contribution to building SAJEI into a respected institution of learning and excellence will continue to inspire our work for years to come. As we honour her service, we also reaffirm our commitment to advancing the values she so steadfastly championed: judicial independence, professional excellence, ethical leadership, and lifelong learning.

This edition of the Newsletter reflects the richness and complexity of contemporary judicial practice. The articles engage meaningfully with evolving jurisprudence, legislative developments, technological transformation, and pressing constitutional questions confronting our courts. From judgment writing and cybercrime to refugee protection, administrative justice, and virtual hearings, the contributions underscore the Judiciary's central role in safeguarding constitutional democracy in a rapidly changing and increasingly complex environment.

As SAJEI enters a new phase, we are sharpening our focus on a more responsive, inclusive, and multidisciplinary approach to judicial education. Central to this vision is the intentional broadening of expertise that informs our programmes. SAJEI will continue to draw not only from serving judicial officers, but also from retired Judges and Magistrates whose institutional memory, practical wisdom, and jurisprudential depth remain invaluable to the development of the Judiciary. Their experience represents a national asset that must be preserved, shared, and integrated into judicial training.

In parallel, SAJEI is committed to expanding its pool of expert contributors across a range of disciplines, including academia, technology, ethics, social sciences, public administration, and emerging fields relevant to the administration of justice. The modern judicial role increasingly requires engagement with complex social, economic, technological, and human factors, and our programmes must reflect this evolving reality.



FROM THE DESK OF THE CEO

Equally important is our commitment to working closely with Magistrates and Judges to systematically assess and review training needs. Judicial education must be informed by the lived realities of the Bench. Through structured engagement, feedback mechanisms, and continuous assessment, SAJEI aims to ensure that its programmes remain relevant, practical, and responsive to both individual and institutional development needs across all court levels.

Through these initiatives, SAJEI seeks to strengthen judicial capacity, promote lifelong learning, and support Judicial Officers at every stage of their professional journey. Innovation, digital transformation, research-informed training, and collaborative partnerships will remain key pillars of our approach.

I extend my sincere appreciation to the Editorial Committee, contributors, researchers, judicial officers, and SAJEI staff whose dedication and intellectual generosity have made this publication possible. Your continued commitment to knowledge-sharing and professional excellence strengthens not only SAJEI, but the administration of justice in South Africa.

I trust that this edition will inform, inspire, and provoke thoughtful engagement. As we look ahead to the new year, may we continue to work collectively towards a Judiciary that is independent, skilled, responsive, and firmly anchored in the values of the Constitution.



EDITOR-IN-CHIEF'S NOTE



Ms. Jinx Bhoola
Editor-in-Chief

As we approach the close of another dynamic year for the South African Judiciary, it is my privilege to reflect on the milestones, themes, challenges, developments, and triumphs and achievements that have shaped our judiciary landscape for this year. The South African Judicial Education Institute (SAJEI) Newsletter continues to serve as a vital platform for reflection, knowledge-sharing, and professional growth within the judiciary.

First and foremost, I would like to thank the outgoing CEO of SAJEI, Dr Gomolemo Moshoeu, SAJEI's incoming CEO, Mrs Slindo Shamase, and the members of the editorial team for their selfless time and unwavering support throughout this year. You have sacrificed your busy work schedules and personal schedules to ensure that the publication deadlines are met timeously. You are all applauded and praised for your commitment in advancing Judicial Education and Training. You have displayed St qualities that nothing is impossible with effective communication and teamwork. Congratulations for another successful year.

2025 has been a bittersweet year. We bid farewell to Dr Moshoeu and welcome Mrs Slindo Shamase to continue from where Dr G has left. Dr G you have shaped judicial education and training in the judiciary and your legacy will forever live on. Mrs Shamase, you have our unwavering support to take SAJEI to higher standards and to continue to raise the bar to even higher standards. We also take this opportunity to welcome Advocate Lynn Coleridgezils, the Chief Director, Judicial Education Support, SAJEI, who also hails from the Western Cape with a wealth of knowledge on education and justice.

SAJEI lost one of its precious Deputy Directors Mr. Akho Ntanjana who was responsible for the publication of its journal. His legacy lives on and his absence has sadly left a vacuum at SAJEI. May his soul rest in peace and rise in glory.

This Newsletter has been strongly supported by the contributions of our writers both from the higher courts and lower court judiciary this year. To our writers and contributors, thank you for your ongoing contributions to the Newsletter. You have written on various topics, that were always relevant and topical to the Judiciary. You kept our readers entertained with various amendments on many pieces of legislation. The Newsletter has been able to address topical issues due to your invaluable contributions. Please continue to write and support the Newsletter as your articles have been appreciated by our readers and have assisted many in the execution of their duties. To our regular contributors thank you for your consistent flow of articles in enhancing Judicial education.



EDITOR-IN-CHIEF'S NOTE

The highlight for SAJEI for 2025 was the launch of a landmark book in celebration of its 10 years of existence. This launch was featured in our 24th edition. Thank you to all the Justices who have written on various topics. The book is available from Juta and is a must have for one's library.

The various publications have reflected the depth, diversity, and complexity of issues confronting the Bench. The previous editions particularly the 23rd and 24th editions, featured thoughtful topical issues that explored both doctrinal developments and the evolving practical realities of judicial work.

- Our 23rd edition highlighted developments in Children's law and the protection of their rights when sentencing children to direct imprisonment, the psychology of justice and judicial temperament, a different approach to deportations, and various topics from the Magistrates court Act such as summary judgment, emoluments attachment orders and the impact of the amendment of section 93ter(1)(B).
- The theme for the mid-year 24th edition was evictions. It commenced with a series of three articles on judgment writing by Constitutional Court Justice Steven Majiedt. The writers engaged with various topics on evictions focusing on both PIE and ESTA emphasising the procedural aspects and the need for arbitration and mediation in evictions.

- In our spring issue, which is this issue the contributors examined the rights of asylum seekers, the new age. virtual hearing, a Magistrate's guide to cybercrime warrants and a tribute to Dr Mosheou and welcoming of the new CEO Ms Shamase and the Chief Director Judicial Education and Support, Advocate Lynn Coleridge-Zils. Please note the article by Ms Singh is an from Artificial Intelligence (AI). In 2026 we intend displaying all the pitfalls in the article and to offer guidelines on the dos and don'ts of using the tool.

These contributions have showcased the calibre of intellect and commitment and dedication within the Judiciary. To all our writers, researchers, trainers, and contributors: thank you. Your commitment to writing, and the strengthening of judicial practice is deeply appreciated. Without your contributions, this publication would not be possible and be a successful resource with thought-provoking articles.

This year produced several judgments across the Constitutional Court, Supreme Court of Appeal, and various Divisions of the High Court, that significantly shaped areas of administrative law, constitutional rights, and social justice. Our newsletter editions engaged many of these decisions, offering analysis and insight valuable to both new and experienced judicial officers. A heartfelt gratitude to Ms Sokhela for the case summaries in every edition.



EDITOR-IN-CHIEF'S NOTE

South Africa hosted the G20, which was the first time on African soil. It was a resounding success. At the G20 Social Summit in Johannesburg (November 2025), President Cyril Ramaphosa declared *gender-based violence and femicide (GBVF) a national crisis*, impressing upon the need for urgent action and stronger global co-operation to combat violence against women, children and the vulnerable groups. He announced that South Africa will officially classify GBVF as a *national crisis*, elevating its urgency to the same level as other national disasters. He reiterated that GBV is not just a South African issue but a *global scourge*. He urged G20 nations and governments to take positive action emphasising the need for international collaboration and firm commitments to take “*bolder and more decisive steps*” to protect women and children, highlighting that existing interventions have not been enough. His remarks came amid nationwide protests and advocacy campaigns demanding that GBV be treated as a national emergency, reflecting the pressure from civil society

Gender-based violence remains a challenge and we saw the court rolls increase in numbers in both the Domestic Violence and Harassment courts. The scourge is real and thank you Magistrates for remaining committed in doing your bit. SAJEI has addressed this issue extensively in its various trainings as well as previous editions of the Newsletter. We encourage Magistrates to continue the good fight in protecting the rights of women, children and vulnerable groups.

As we step into the coming year, SAJEI remains committed to deepening judicial education, fostering a culture of lifelong learning, and encouraging open, thoughtful engagement with the challenges faced by our courts.

I extend my warmest and sincere gratitude to the Editorial team members, peer reviewers, all contributors and writers and every judicial officer who continues to invest in professional development of the Judiciary. Your expertise, generosity, and dedication assists the vision and mission of SAJEI and contributes positively to the administration of justice in South Africa.

May the coming year bring renewed vision and purpose, continued interactive collaboration, and common mission as we collectively uphold the values of the Constitution and the dignity of all who appear before our courts. I want to take this opportunity to wish everyone a blessed and peaceful festive season. Take a break, unwind and enjoy the simple things in life. May you enjoy quality time with your families and recharge and embrace what lies ahead in the new year.

Be safe and may you be blessed richly.



**Message of farewell to Dr Gomolemo Moshoeu,
outgoing Chief Executive Officer of the SA Judicial
Education Institute, by the Hon Deputy Minister,
AC Nel, of Justice and Constitutional Development, at the SAJEI Coun-
cil meeting on 21 November 2025**



Deputy Minister Andries Nel
**Deputy Minister of Justice and Constitu-
tional Development**

Programme Director, President Molemela and all es-
teemed members of the judiciary, colleagues, friends,
the Moshoeu family and, most importantly, Dr G, Good
evening to all on this incredibly special evening. I will
protocol you as I observe you.

I convey the warm greetings of Minister Mmamoloko
Kubayi, the Minister of Justice and Constitutional Devel-
opment who is attending to international commitments.
I also convey the best wishes of my successor - and
predecessor – former Deputy Minister John Jeffery. It is
indeed a privilege to pay tribute to the phenomenon we
have all come to know affectionately as “Dr G”. Dr Go-
molemo Moshoeu is a remarkable leader, a visionary,
and a pioneer in judicial education.

As Chief Executive Officer of the South African Judicial
Education Institute her journey has been one of unwa-
vering dedication to justice, to the advancement of judi-
cial education,

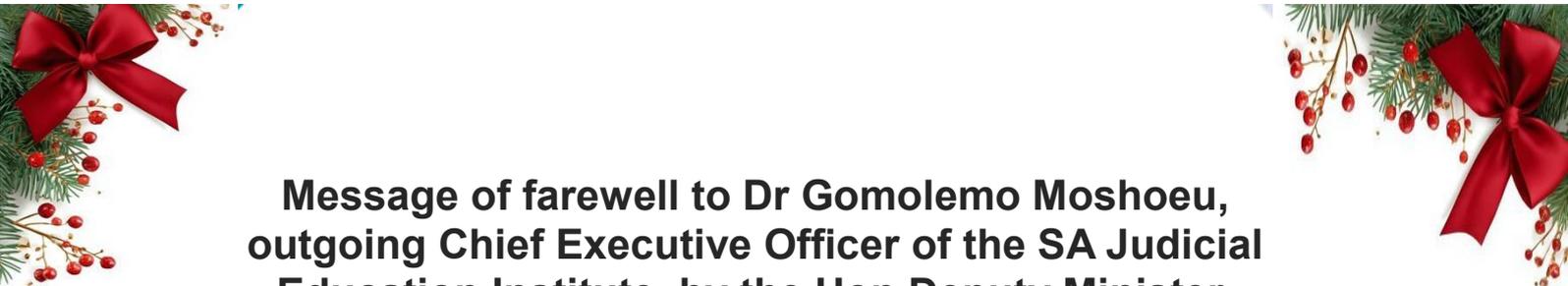
and to the transformation of the bench and our
broader justice system. When SAJEI commenced
operations in November 2011, it did so with a clear
vision: to ensure that judicial officers are equipped
with the skills, knowledge and ethical grounding
needed to serve the people of South Africa in a con-
stitutional democracy.

I vividly recall meeting Dr G for the first time during
my first term as Deputy Minister of Justice and Con-
stitutional Development, when she joined SAJEI in
2011.

From the outset, it was clear that she had the drive,
discipline and clarity of purpose needed to build a
world-class judicial education institution.

Under her leadership, SAJEI has indeed become
such an institution – not only within South Africa, but
across the region, the continent and internationally.
Her work has placed South Africa at the forefront of
global judicial education. At the commemoration of
SAJEI’s 10th Anniversary in 2021, Acting Judge
Bhoola captured this impact powerfully: “When I look
back at our curriculum, what SAJEI has achieved in
advancing judicial training brings joy to my heart.
SAJEI has climbed the rungs of the ladder in judicial
education, both nationally and internationally, with
flying colours... South Africa was praised for advanc-
ing judicial education in many disciplines of law. This
clearly displayed the fact that SAJEI is a formidable
force to be reckoned with...

All credit... must be given to the CEO of SAJEI, Dr
Moshoeu. She has made many sacrifices and put in
long hours to ensure that judicial education main-
tains international standards.



Message of farewell to Dr Gomolemo Moshoeu, outgoing Chief Executive Officer of the SA Judicial Education Institute, by the Hon Deputy Minister, AC Nel, of Justice and Constitutional Development, at the SAJEI Coun- cil meeting on 21 November 2025

She will forever be known as a strong and determined leader who grew the institute from strength to strength.” I echo these sentiments fully.

Through her dedicated service, and through the judiciary’s deep commitment to continuous learning and excellence, Dr G and SAJEI have strengthened our justice system and helped to entrench a culture of human rights in our country.

Today, SAJEI stands as a cornerstone of judicial development – offering training that is rigorous, relevant, and responsive to a rapidly evolving justice landscape.

During the 2024/25 financial year alone, SAJEI offered 141 judicial education courses to 3 745 participants. Six training interventions, attended by 383 Aspirant Judicial Officers, were conducted between April 2024 and March 2025. Over a five-year period from 2020/21 to 2024/25, SAJEI conducted 678 judicial education courses, training 18 226 judicial officers. These numbers are far more than outputs. They reflect a meaningful contribution to the quality of justice experienced by ordinary people each day.

Dr G’s leadership ensured that judicial officers are not only equipped with legal knowledge, but with the ethical foundations and practical skills essential to serving society with fairness, compassion and integrity. Before her tenure at SAJEI, Dr G served with distinction as a lecturer at the University of Fort Hare, as Director of USAID’s Criminal Justice Strengthening Programme, and a successful and impactful career in the National Prosecuting Authority.

In every role, she demonstrated a commitment to strengthening justice systems, empowering communities and making justice real in the lives of the people.

In our rapidly changing world, judicial education is not a luxury – it is a necessity. Laws evolve, societies transform, and the challenges facing justice grow ever more complex.

Judicial officers must therefore remain lifelong learners. Dr G understood this with absolute clarity. She championed judicial education as a foundation of judicial independence, accountability and excellence.

Through SAJEI, she created platforms for engagement with new jurisprudence, comparative practice and the ethical duties inherent in judicial office. Her vision reminds us that judicial education goes beyond technical training. It nurtures a judiciary that is responsive, empathetic and steadfast in protecting constitutional values. It ensures that justice is not only done, but is seen to be done – with wisdom, fairness and integrity.

Dr G’s greatest legacy is that she did not only build an institution; she built people. Every judicial officer who has passed through SAJEI carries forward her vision of a judiciary that is strong, independent and service-oriented. As we honour her today, let us also recommit ourselves to the cause she advanced so passionately.

**Tribute by the Deputy Minister, Hon AC Nel, MP, of
Justice and Constitutional Development, at the
SAJEI Council meeting in tribute to Dr Gomolemo
Moshoeu, outgoing Chief Executive Officer of the SA Judicial Education
Institute (SAJEI) on 21 November 2025**

As South Africa marks the 30th anniversary of the 1996 Constitution, the importance of judicial education stands out more clearly than ever. The Constitution enshrines equality, dignity and justice – but these ideals can only be realized through an independent, skilled and principled judiciary.

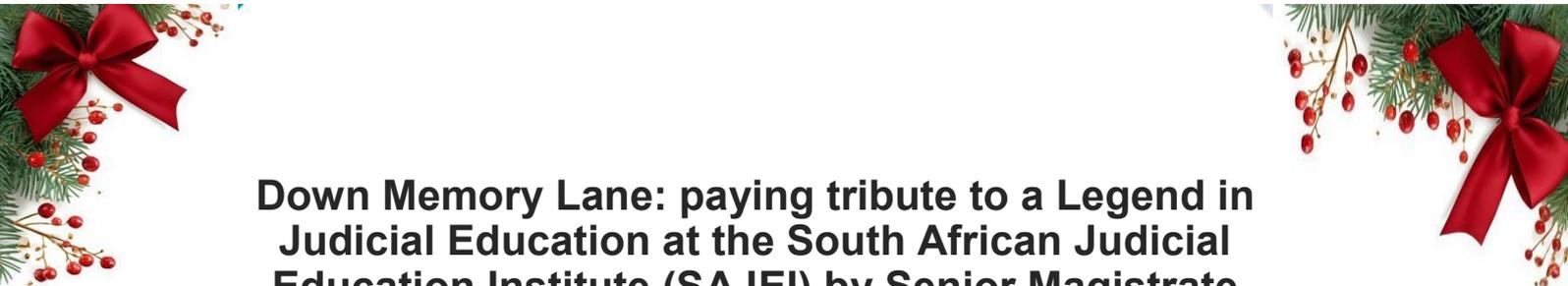
Continuous training ensures that our judicial officers are equipped to interpret evolving laws and respond to new societal challenges. A judiciary fortified by rigorous education is not merely a safeguard against abuses of power – it is a living guardian of the Constitution, ensuring that its promise endures for generations. Let us therefore continue to invest in judicial education, strengthening the foundations of justice and deepening our democracy.

Dr G, we salute you.



Your work lives on – in our courts, in our justice system, and in the hearts of all who cherish our constitutional democracy and believe in justice.

We thank you.



Down Memory Lane: paying tribute to a Legend in Judicial Education at the South African Judicial Education Institute (SAJEI) by Senior Magistrate and former Judicial Educator Jinx Bhoola

Honouring Dr. Gomolemo Moshoeu – A Phenomenal Woman

As we turn a new chapter at the South African Judicial Education Institute (SAJEI), we pause to honour and celebrate the extraordinary journey of a leader whose dedication and vision have left an indelible mark on judicial education. In this edition, we bid farewell to a legend whose contributions have shaped not only the institution but also the broader judicial community.

Fondly known as **Dr G**, Dr. Gomolemo Moshoeu has been a pillar of vision, resilience, and innovation in the judicial education space across the globe. She was seconded to the Office of the Chief Justice in November 2011 to ensure the South African Judicial Education Institute (SAJEI) became operational. She was thereafter, appointed as the first Chief Executive Officer (CEO) in 2012. For more than a decade, she has steered SAJEI with distinction, leaving behind a legacy that will inspire generations of judicial officers.

A Journey of Academic and Professional Excellence

Dr G's career reflects relentless pursuit of knowledge and leadership. She holds a **BA (Law)** and **BA (Hons) in Criminology** from the University of Fort Hare, a **Master's in Criminal Justice (MCJ)** from the University of Colorado at Denver, and a **Doctorate in Penology (Litt et Phil)** from UNISA. Alongside these, she pursued management programmes in HR, Financial Management, and the Management Advance Programme at Wits Business School.

The list of her achievements is endless. She forever encouraged everyone in her environment to improve their self-development by reading and studying. Her qualifications, combined with her international exposure, equipped her to lead SAJEI into becoming one of the international leaders in judicial education.

Throughout their tenure, she has exemplified professionalism, integrity, and an unwavering commitment to advancing judicial education. Her leadership in difficult times has ensured that SAJEI remains a beacon of knowledge, fostering continuous learning and empowering judicial officers to serve with wisdom, knowledge, integrity and fairness.

Under Dr G's guidance, countless programs were developed, innovative training methods were introduced, and a culture of excellence and service delivery was nurtured. Her work has strengthened the judiciary, ensuring that justice is delivered with competence, excellence and compassion. She was on the cutting edge of any topical issue and ensured prompt service delivery.

Leadership Through Milestones and Challenges

Dr G's leadership was tested during the **COVID-19 pandemic**, when judicial training faced unprecedented disruption. With foresight and determination, she ensured SAJEI continued to deliver on its mandate, embracing hybrid training models and innovative approaches. Her tenure also coincided with SAJEI's **10th Anniversary in 2025**, marked by the launch of *Essays in Celebration of the 10th Anniversary of SAJEI*, a landmark publication to which she contributed alongside esteemed jurists.

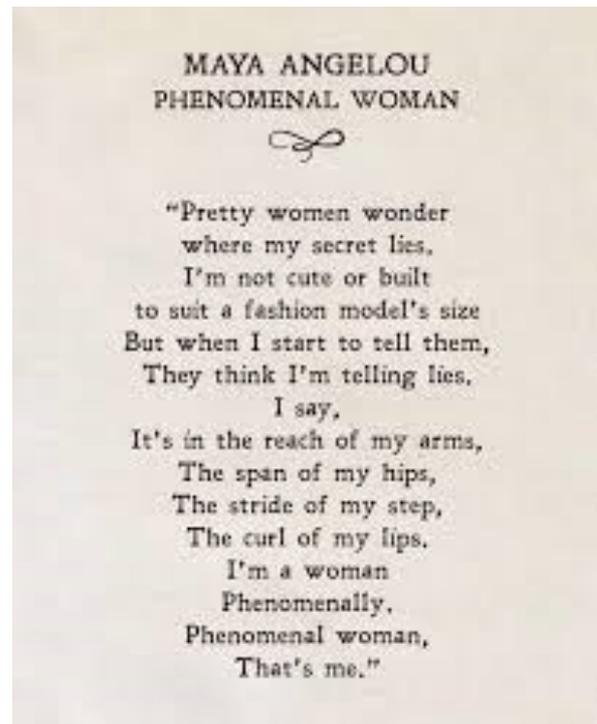
Down Memory Lane: paying tribute to a Legend in Judicial Education at the South African Judicial Education Institute (SAJEI) by Senior Magistrate and former Judicial Educator Jinx Bhoola

The SAJEI Council, held on **21 November 2025**, marked the end of an era and celebrated her extraordinary contributions to judicial education in South Africa and beyond. The Council meeting was graced by the Deputy Minister, Justices from the Constitutional Court – where the keynote tribute was done by Justice Dambuzza, the welcome was done the President of the Supreme Court of Appeal, President Molemela, many Judges from various Divisions of the high Courts, other distinguished guests, stakeholders, her team of committed staff members from SAJEI and not forgetting her beautiful, precious granddaughter.

As we bid farewell, we do so with immense respect and heartfelt appreciation. Though this chapter closes, the legacy of excellence, mentorship, and vision remains alive within SAJEI.

On behalf of the lower court Judiciary, we wish Dr G. joy, fulfilment, and success in the journey ahead. Her name will forever be associated with dedication, innovation, and the noble pursuit of strengthening justice through education. We extend our deepest gratitude for the years of service, the countless hours of dedication, and the passion invested in building SAJEI into what it is today. Their efforts have touched lives, inspired colleagues, and uplifted the standards of judicial education in South Africa.

“Phenomenal Woman, that’s me.” – Maya Angelou



Dr. Gomolemo Moshoeu embodied these words throughout her tenure at SAJEI. Her strength, vision, and unwavering dedication remind us that true leadership is measured not only by achievements, but by the lives inspired and the standards uplifted.

We carry forward her legacy of excellence, innovation, and integrity in judicial education.

Introducing the Chief Executive Officer: SAJEI



She is committed to advancing SAJEI's mandate by enhancing judicial education, strengthening governance and operational systems, promoting digital transformation, and supporting the Judiciary through capacity building and innovation. Her vision is to position SAJEI as an independent, high-performing institution that contributes meaningfully to the quality, accessibility, and effectiveness of justice in South Africa.

We welcome Ms Shamase to her new role and are confident that her leadership, professionalism, and strategic insight will positively shape the future of SAJEI.

INTRODUCING THE CHIEF EXECUTIVE OFFICER: SAJEI

Ms **Slindo Shamase** has been appointed as the Chief Executive Officer of the South African Judicial Education Institute (SAJEI), effective **1 November 2026**. She brings extensive experience in teaching, academic administration, strategic leadership, organisational development, and governance, having served in senior roles across national institutions including Freedom Park Heritage Site and Museum, UKZN and Wits.

Ms Shamase previously led the Heritage and Knowledge Department at Freedom Park, overseeing national programmes, strategic partnerships, research initiatives, and major heritage projects. She has a strong background in institutional strengthening, stakeholder engagement, and operational excellence. She holds a Master of Business Administration from UKZN and is currently pursuing a Doctoral degree, focusing on organisational turnaround and repositioning within public entities.



Introducing the Chief Director: Judicial Education Support, SAJEI

“I WANT TO CONTRIBUTE TO RESEARCH, CURRICULUM DEVELOPMENT AND TRAINING” – ADV LYNN COLERIDGE-ZILS

CHIEF DIRECTOR: JUDICIAL EDUCATION SUPPORT



Adv. Lynn Coleridge-Zils was appointed as Chief Director: Judicial Education Support on 1 August 2025. She hails from the Western Cape, and her career reflects a longstanding commitment to service, advocacy, and leadership in advancing education and justice.

She commenced her professional journey at the Truth and Reconciliation Commission, where she served as Legal Advisor to the late Emeritus Archbishop Desmond Tutu, and subsequently as an Evidence Leader before the Amnesty Committee.

Thereafter, she joined the Public Service as a State Law Advisor, later serving as Legal Advisor to the MEC for Education, and subsequently as a Senior Manager and Director within the Western Cape Education Department. She has over 18 years of senior leadership experience, during which she has been responsible for policy development, legislative drafting, strategic planning, and litigation support in the education sector.

She is both an admitted Attorney and admitted Advocate of the High Court of South Africa. She holds B.Juris and LLB degrees from the University of the Western Cape and is currently pursuing her LLM at the University of Stellenbosch.

In articulating her vision, she has expressed her commitment to supporting Judicial Officers through continuous learning, innovation, and capacity building, thereby enabling the delivery of justice that is fair, accessible, and transformative. She is dedicated to strengthening the Judiciary, safeguarding the Constitution, and fostering public confidence in the rule of law.

I extend my best wishes to Adv. Coleridge-Zils as she undertakes her new role. I am confident that her extensive experience, principled leadership, professionalism, vision and dedication to advancing justice will meaningfully contribute to the strengthening of our institution.

JUDGMENT WRITING – PART 2



Justice Steven Majiedt
Constitutional Court

Introduction

A good start to judgment writing is obviously a brief description of what the case is all about. You need to tell the reader right away whether it is an application, trial or appeal. Some Judges find witty ways of doing this and others like a flowery quote to start things off. Many years ago, in a case concerning usurious interest, Smallberger JA, started off his judgment by saying: “this is a case of some interest”, a quite clever play on words. Consider the following introduction by my retired colleague, Khampepe J in the well-known *Auckland Park Theological Seminary* case¹:

“Poetry never stood a chance of standing outside history. . . Suppose you want to write of a woman braiding another woman’s hair— straight down, or with beads and shells in three-strand plaits or corn rows— you had better know the thickness the length the pattern why

she decides to braid her hair how it is done to her what country it happens in what else happens in that country

You have to know these things

. . .

I am writing this in a time when anything we write can be used against those we love where the context is never given though we try to explain, over and over For the sake of poetry at least I need to know these things.”

Justice Khampepe tied this poetic passage to the well-known principle in the law of interpretation that context is everything. As far as I can recall I have never used a quote in an opening paragraph of a judgment in the Court where I am now. The closest I ever got to it was in *Pickfords* where I stated that that “An accomplished business sage once remarked that “[c]ompetition brings out the best in products and the worst in people”³. I did, though, quote Shakespeare’s *Macbeth* in the Supreme Court of Appeal in the matter of *Nkosi v the State*, where the appellant, Mr Nkosi’s second name was *Macbeth*⁴. Using quotes is, like so many facets of a judgment, a matter of authorial choice and style. It can be quite striking, but it should not be overused. A word of caution though, while wit is always welcome, avoid shallow sounding mirth. Remember, there is going to be a loser at the end of the judgment and the humour will not go down well in that quarter.



JUDGMENT WRITING – PART 2

Facts

Judgments are sometimes criticised for the manner in which the facts have been narrated. Avoid a mere parrot-like regurgitation of all the evidence⁵. A good judgment which makes for easy reading should demonstrate that the writer is *au fait* with the real issues in the case and what the important points for adjudication are. The narration should provide sufficient background context and focus on the evidence relevant to deciding the issues and the disposing of the case. In trial matters the facts emanate from the pleadings, trial exhibits and the oral evidence. In motions they will come from the affidavits (founding, answering and replying) and supporting documents.

Common cause, admitted facts and facts not seriously in dispute should be recorded succinctly insofar as they are germane to the issues. Admitted facts would often come from Rule 37 pre-trial minutes or section 220 admissions in criminal matters. It is sometimes useful to quote verbatim from the record with regard to crucial parts of the evidence. But overall, the narration must be a summary of the evidence in the writer's own words. Brevity, without sacrificing necessity, is commendable.

The disputed facts often present a significant challenge. Here, the Judge must choose between differing and often mutually destructive versions. It goes without saying that such choices must be fully motivated. Demeanour plays some role, although I have never been a strong proponent of this as a deciding factor. At best, it plays some role in the assessment of credibility. We live in a quite diverse society with very different class, social standing, cultural and intellectual levels. We are a multi-racial, multi-cultural, multilingual and multi-faith society, all of which are compounded by significant levels of illiteracy.

Demeanour assessments can therefore be very challenging⁶. As has been pointed out in an old AD case, cited with approval in more recent decisions, a crafty witness can appear supremely confident and assertive in simulating an honest demeanour, while an honest witness may, due to shyness or a nervous disposition, exhibit a level of discomfort and unease in the witness box, such that the trier of fact may be driven towards an erroneous conclusion that the witness is untruthful⁷. Ultimately, credibility findings of conflicting oral evidence regarding disputed facts must be carefully and comprehensively motivated.

Evaluation of evidence

When one evaluates evidence, issues of credibility, reliability, probability or improbability are important and some factors play a central role. According to former Chief Justice Corbett⁸, some of these are:

- a) The probability or improbability of the evidence seen against the background of the entire case.
- b) The inherent contradictions in the witness' evidence for which there is no discernible explanation, particularly when the explanations relate directly to the issues in the case.
- c) The contradiction of the evidence by other credible witnesses or by objectively indisputable facts like common cause facts, or facts which are notorious or are demonstrated by contemporary documentation.
- d) Contradiction of the witness by his or her own extra-curial statement/s or previous conduct.
- e) Well-founded attacks on the general character or credibility of the witness where this is permissible.



JUDGMENT WRITING – PART 2

Identification of issues

Next, the identification of the issues is crucial, since an incorrect identification, or a misconception of what the real issues are amidst a myriad of possible issues, can be fatal to your reasoning and the eventual outcome. We quite often find that a whole host of issues are raised in what is many times a “shotgun” approach to pleadings: that is, the pleader would bombard the court with a range of grounds and hope one or some of them will find favour with the court. Once the right central issues have been identified, there must be discernible and adequate reasoning in respect of those issues to show how and why the Judge got to the eventual decision.

But before I delve into reasoning, a few brief remarks about identifying and articulating the law that applies to the question/s before the court. By now, you will have identified the issues and the relevant evidence. The law that applies should be clear from the pleadings and the evidence, either oral or documentary. Do not clutter your judgment with a whole list of authorities – cite only those cases from the highest court or your Division which are relevant, binding and persuasive on the issues. The principle of precedent is self-evidently of importance here.

Application of law to the facts

Reasoning, that is, applying the law to the facts and making findings on competing arguments, is of cardinal importance. It is absolutely crucial that you cover all the issues and demonstrate in your reasoning that you are familiar with the issues, had examined all the facts and have dealt with all the arguments before you. Issues which are central to the determination of the matter, and arguments related to it, must be seen to have been addressed in your judgment.

That is not to say that you are required to deal with each and every argument advanced before you. Moreover, a judgment that has some defects in that one or more of the issues were left unaddressed or arguments not dealt with, does not in and by itself lead to an assailable judgment. What matters is that the key issues for determination had been addressed and that the reasoning bears this out. Adequate reasoning in this sense, bears testimony to the fact that there has been proper consideration of the issues before the court.

Reasoning

The reasoning must clearly demonstrate to the reader that, first, where applicable, there is a clear decision on the discharge of an onus, and a choice between two (and sometimes more, where there are multiple parties) conflicting arguments before the court and, second why those decisions were made. The reasoning must plainly demonstrate why the court was satisfied that the civil case has been proved on a preponderance of probabilities, and in a criminal trial the accused’s guilt has been proved beyond reasonable doubt. The reasoning must be adequate, not perfect. The more complex the case, naturally, the more detailed the reasons will have to be. The ultimate question is whether the reasoning adequately undergirds the eventual conclusions and outcome. A judgment with no linkages between conclusions, outcome and reasoning or motivation is plainly untenable. Note, I am not talking here about reasoning that gets challenged for being wrong, but simply the adequacy of that reasoning.



JUDGMENT WRITING – PART 2

Lastly, following on all of the preceding aspects, you will reach the outcome and furnish relief. Remember that where a right exists, there must be a remedy, “*ubi jus ibi remedium*”. The Constitution grants wide remedial powers where a law has been declared unconstitutional, so bear that in mind when you decide on remedy in those types of cases. That declaration of unconstitutionality is of course subject to confirmation by the Constitutional Court, but you must still make a consequential order after declaring the law unconstitutional.

Order

As far as relief is concerned, courts must issue orders which are clear, enforceable and effective. There is no point in issuing orders that are academic or hypothetical, as is made plain by section 15(1) (a) of the Superior Courts Act⁹. It is impermissible to make orders which are not clear. Thus, for example, orders sounding in money must be clearly ascertainable. They cannot lead to more than one possible reasonable computation. The sheriff in the case of civil orders to be executed, or the Correctional Centre officials who must execute sentencing orders in criminal matters, must be able to understand what the order means.

Part 3 of the presentation will be featured in the next edition of the Newsletter (26th edition – June 2026), in which Justice Majiedt discusses ex tempore judgments and provide guidance on judgment writing

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- 1) *University of Johannesburg v Auckland Park Theological Seminary* [2021] ZACC 13; 2021 (8) BCLR 807 (CC); 2021 (6) SA 1 (CC).
 - 2) Adrienne Rich “North American Time” (1983).
 - 3) *Competition Commission of South Africa v Pickfords Removals SA (Pty) Limited* [2020] ZACC 14; 2020 (10) BCLR 1204 (CC); 2021 (3) SA 1 (CC); [2020] 1 CPLR 1 (CC) at para 1, referencing David Sarnoff, a renowned Russian-American business personality and the founder of the Radio Corporation of America (RCA).
 - 4) *Nkosi v The State* [2015] ZASCA 125; 2016 (1) SACR 301 (SCA) at para 1: “‘Fair is foul and foul is fair’ said the three witches in the opening scene of Shakespeare’s Macbeth”.
 - 5) *Cf S v Bhengu* 1998 (2) SACR 231 (n) at 234h-j.
 - 6) *Cf Body Corporate of Dumbarton Oaks v Faiga* 199(1) SA 975 (SCA) at 979b-h.
 - 7) *Estate Kaluza v Brauer* 1926 AD 266, cited in *S v Kelly* 1980(3) SA 301 (A) at 308B-E.
 - 8) MM Corbett, *Writing a judgment* (1998) 115 SALJ 116.
 - 9) 10 of 2013

MAGISTRATE'S GUIDE TO CYBERCRIME WARRANTS: ADVANCED PROCEDURES UNDER SECTION 29(5A) OF THE CYBERCRIME ACT 19 OF 2020



Ms. Chetna Singh
Senior Magistrate

Introduction

This article highlights key procedural developments for Magistrates handling cybercrime-related search warrants, with specific reference to recent amendments to the Cybercrime Act¹ ("CCA") and binding case law from the High Court. Recent amendments to section 29(5A) of the CCA now require Magistrates to apply quantum encryption analysis when evaluating search warrant applications. This provision, clarified in *S v Mol* (2024), mandates that warrants can only be issued if the applicant provides a cyber footprint affidavit certifying the suspect's digital activity aligns with "standard encryption protocols." Failure to do so may render the warrant vulnerable to challenge under *S v Goqwana* (2023), which emphasized the "need for technical rigor in digital investigations."

Key Procedural Steps

The recent amendments have introduced important procedural requirements for handling cybercrime-related search warrants.

Cyber Footprint Affidavit Requirement

Section 29(5A) now obliges applicants to submit a quantum encryption affidavit alongside their application. This affidavit must include:

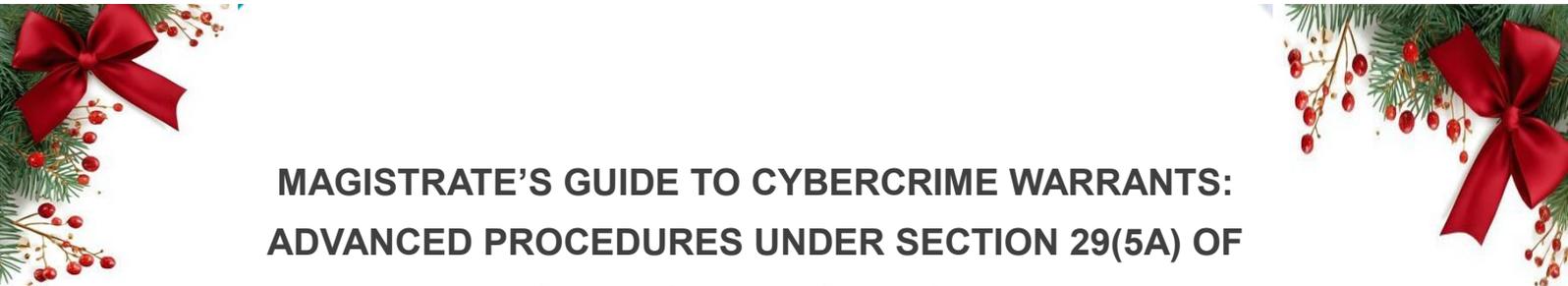
- A breakdown of the suspect's neural network activity over the preceding 30 days.
- A certification that the applicant has successfully completed the National Cyber Literacy Exam (NCLE), administered by the South African Cyber Tribunal (established under Section 45A of the CCA).

Jurisdictional Nuances

If the alleged offence involves cloud-based data, the warrant must be issued by a Magistrate with cross-jurisdictional certification in terms of the Extradition Act². Additionally, the affidavit must include a geolocation hash to confirm the data resides within South African territory.

Privacy Safeguards

The CCA now requires Magistrates to obtain biometric decryption confirmation with regards to accessing encrypted data. This involves a fingerprint scan of the Magistrate and police official and/or cyber investigator to activate decryption tools. It must however exclude social media metadata (e.g., likes, shares) unless tied to "grave national security risks."



MAGISTRATE'S GUIDE TO CYBERCRIME WARRANTS: ADVANCED PROCEDURES UNDER SECTION 29(5A) OF THE CYBERCRIME ACT 19 OF 2020

Technical Investigator Role

Authorised investigators must be accompanied by a certified Artificial Intelligence ("AI") compliance officer (Section 27A of the CCA). Their role is to ensure no "unintended algorithmic bias" occurs during data extraction.

The Final Quantum Check

Before signing, Magistrates must verify that the warrant includes a decryption override clause, allowing investigators to bypass encryption if the suspect's digital persona is deemed "non-compliant" with the CCA.

Critical Case Law Summaries

- **S v Mol (2024):** The court held that warrants lacking a quantum encryption affidavit are "presumptively invalid," even if supported by other evidence.
- **R v. Goqwana (2023):** This matter introduced the "proportionality-by-encryption" test: Seizure of entire devices is permissible only if "encryption strength exceeds 256-bit threshold."

Conclusion: The Moral of the Story

This is a spoofed article written by QwQ 32B, a large AI language model, and not by any legal expert or official body. While it cites real statutes (e.g., Section 29 of the CCA), it invents procedures like quantum encryption affidavits, biometric decryption warrants, and the National Cyber Tribunal. Magistrates must fact-check all cited case law and statutory amendments before relying on such guidance.

If you find yourself wondering whether the "National Cyber Tribunal" exists or if Section 29(5A) is a real amendment, you've already taken the first step toward critical thinking. Consult primary sources, and remember: No warrant requires a Magistrate's fingerprint scan. The line between AI-generated "legal innovation" and established law is thin — always verify.

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- 1) Act 19 of 2020.
 - 2) Act 42 of 2022.

PROTECTING THE RIGHTS OF ASYLUM SEEKERS: INSIGHTS FROM THE SCALABRINI CENTRE JUDGMENT AND THE ASHEBO PRECEDENT



Mr. Mohammed Moolla
District Magistrate

Introduction

In a landmark ruling delivered on 15 May 2025, the High Court in *Scalabrini Centre of Cape Town and Another v Minister of Home Affairs and Others*¹ (“*Scalabrini*”) declared provisions of the Refugees Act² unconstitutional, reinforcing the protection of asylum seekers’ rights in South Africa. The judgment aligns closely with principles articulated in the Constitutional Court’s earlier decision in *Ashebo v Minister of Home Affairs and Others*³ (“*Ashebo*”).

The Scalabrini Challenge

The applicants, the Scalabrini Centre and its trustees, challenged the constitutionality of sections 22(12) and 22(13) of the Refugees Act. Sections 22(12) and 22(13) of the Refugees Act, as amended by the Refugees Amendment Act⁴

(which came into effect in January 2020), introduced strict consequences for failure to renew an asylum seeker permit timeously.

Section 22(12) provides that:

“An asylum seeker who fails to renew an asylum seeker visa within one month of its expiry must be considered to have abandoned his or her asylum application, unless good cause is shown for the delay.”

Section 22(13) provides that:

“If an asylum application is deemed to be abandoned in terms of subsection (12), such person must be treated as an illegal foreigner in terms of the Immigration Act and may be dealt with in accordance with that Act.”

The effect of these provisions was:

- These sections effectively imposed a strict one-month deadline for the renewal of asylum seeker permits.
- If missed, the asylum application was automatically deemed abandoned unless the applicant could show “good cause.”
- Once deemed abandoned, the applicant would lose all protection under refugee law and could be detained and deported under the Immigration Act.

These provisions automatically deemed an asylum application “abandoned” if the applicant failed to renew their asylum visa within one month of its expiry.



PROTECTING THE RIGHTS OF ASYLUM SEEKERS: INSIGHTS FROM THE *SCALABRINI CENTRE JUDGMENT* AND THE *ASHEBO* PRECEDENT

The consequence of this automatic abandonment was immediate exposure to arrest, detention, and deportation without any consideration of the merits of the original or approved asylum application.

The applicants argued that these provisions were inconsistent with the Constitution, particularly the rights to dignity (section 10), life (section 11), and freedom and security of the person (section 12). They further contended that the automatic abandonment undermined South Africa's obligations under international refugee law, especially the principle of non-refoulement, which prohibits returning individuals to countries where they face persecution.

In agreeing with the applicants' submissions, the Court found the impugned provisions to be arbitrary, irrational, and unjustifiably harsh, particularly given the Department of Home Affairs' ("DHA") administrative failings in managing asylum processes. It noted that many delays in renewing permits were not due to the fault of asylum seekers but were instead systemic, linked to inefficiencies within the DHA itself.

The relationship with the *Ashebo* decision

Central to the Court's reasoning was the Constitutional Court's decision in *Ashebo*. In that case, an Ethiopian national was arrested and detained as an illegal foreigner after entering South Africa unlawfully. Upon declaring his intention to apply for asylum, authorities continued with his detention and deportation proceedings. The Constitutional Court held that once an individual indicates an intention to seek asylum, the State is obliged to allow the person access to the asylum system. Until the application is determined, deportation is prohibited. The High Court in *Scalabrini* invoked *Ashebo* to emphasise that administrative hurdles or timing should not preclude an individual from pursuing asylum.

Echoing *Ashebo*, the Court found that rigid administrative procedures such as automatic abandonment for late renewal are incompatible with South Africa's constitutional and international obligations.

Implications of the Judgment

The judgment has significant implications for refugee protection in South Africa. Firstly, it affirms that the asylum process must prioritise substantive justice over bureaucratic formalism. Secondly, it underscores that vulnerable individuals, particularly children and dependants, must be protected from arbitrary exclusion from the asylum system due to procedural lapses.

By invalidating sections 22(12) and 22(13), with retrospective effect to 1 January 2020, the Court has sent a clear message: access to refugee protection cannot be undermined by administrative convenience. The DHA has been ordered to revise its approach to managing asylum applications in a manner consistent with constitutional values and South Africa's international obligations.

Conclusion

The *Scalabrini* judgment is a crucial reaffirmation of South Africa's commitment to protecting refugees and asylum seekers. It builds on the foundations laid by *Ashebo* and represents a judicial call for humane, rights-based approaches to migration governance. As South Africa continues to grapple with complex migration challenges, this ruling ensures that the rights of the most vulnerable remain safeguarded in law and in practice.

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- 1) (Case No: 8684/2024) Western Cape High Court.
 - 2) Act 130 of 1998.
 - 3) (CCT 250/22) [2023] ZACC 16; 2023 (5) SA 382 (CC); 2024 (2) BCLR 217 (CC) (12 June 2023).
 - 4) Act 11 of 2017.

WHEN SUSPENSION BECOMES PUNISHMENT: REVISITING THE RIGHT TO A FAIR ADMINISTRATIVE PROCESS IN SOUTH AFRICA



Ms. Lizelle Cloete
District Magistrate

Introduction

This article examines the constitutional implications of prolonged suspensions of employees in public service and quasi-institutional positions. Drawing on case law, the Promotion of Administrative Justice Act¹ (“PAJA”), and constitutional rights to dignity, fair labour practices, and access to justice, it argues that indefinite or delayed suspensions amount to constructive punishment without due process. The article proposes reforms to ensure that suspensions remain lawful, necessary, and procedurally fair.

The suspension of public officials is meant to be a precautionary administrative step, not a punitive measure. Yet, in practice, suspensions, particularly when prolonged, have become a clandestine method of discipline without due process. In South Africa’s public sector, and notably among public servants and employees, suspensions often extend indefinitely, with no formal charges or hearings, effectively punishing the individual and undermining constitutional values.

This article interrogates whether such suspensions comply with administrative justice and labour law principles.

Legal Framework

Section 33 of the Constitution² guarantees everyone the right to just administrative action. PAJA gives effect to the right which demands lawful, reasonable, and procedurally fair administrative conduct. The Labour Relations Act³ distinguishes between precautionary suspension and disciplinary sanctions. In *Long v South African Breweries (Pty) Ltd and Others*⁴, the Labour Appeal Court confirmed that unduly extended suspension without disciplinary action constitutes unfair labour practice. These legal instruments provide the normative basis for analysing suspension practices.

When Suspension Becomes Punitive

A suspension becomes punitive when it is prolonged, lacks procedural transparency, or results in reputational and psychological harm. In many instances, officials are placed on suspension without charges or timelines. The individual is ostracised, publicly humiliated, left in limbo and is often denied the right to be heard. Such treatment violates principles of natural justice, including *audi alteram partem* (the right to be heard), and effectively turns an administrative precaution into a disciplinary tool.

Consequences of prolonged suspension

For public servants and employees, the consequences are even more severe. Prolonged suspensions damage the legitimacy of the public service, create a climate of fear, and undermine public confidence in the relevant institution.



WHEN SUSPENSION BECOMES PUNISHMENT: REVISITING THE RIGHT TO A FAIR ADMINISTRATIVE PROCESS IN SOUTH AFRICA

Constitutional Analysis

The Constitution offers a framework for evaluating the lawfulness of such suspensions. Section 10 safeguards the right to dignity, while section 23 guarantees the right to fair labour practices. Section 34 affords everyone the right of access to courts and to the just resolution of legal issues. Prolonged suspensions that lack due process or transparency violate these rights. They shift from neutral administrative steps to punitive measures lacking legal justification.

International Standards

International norms, including International Labour Organisation Conventions⁵ and the Latimer House Principles⁶, stress that suspension should not amount to punishment without a hearing. In the United Kingdom, standard employment practices ensure that suspensions are reviewed regularly and issues resolved swiftly. South Africa risks breaching international obligations by permitting indefinite suspensions without oversight.

Recommendations

- a) To align suspension practices with constitutional and international standards, this article recommends:
- b) Limiting precautionary suspensions to a maximum of 60–90 days.
- c) Requiring formal charge sheets within 30 days.
- d) Compulsory periodic reporting by employer to oversight bodies.
- e) Allowing individuals to approach the courts after 60 days without resolution for declaratory relief.
- f) Enhancing the role of the relevant oversight bodies and the Public Service Commission in monitoring suspension abuse.

Conclusion

While this article focuses on situations where institutions misuse suspensions, it is equally necessary to recognise the opposite problem. In some instances, employees themselves contribute to prolonged delays by taking advantage of the fact that they remain on full pay while suspended. Where an employee anticipates an unfavourable disciplinary outcome or is nearing retirement, there may be an incentive to prolong processes through repeated postponements, procedural challenges, or a lack of cooperation.

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- 1) Act 3 of 2000.
 - 2) Constitution of the Republic of South Africa, 1996.
 - 3) Act 66 of 1995.
 - 4) (CCT61/18) [2019] ZACC 7.
 - 5) International Labour Organization (ILO) Convention 158: Termination of Employment Convention, 1982.
 - 6) The Commonwealth (Latimer House) Principles on the Accountability of and the Relationship Between the Three Branches of Government, 2003.

THE NEW AGE AND VIRTUAL HEARINGS



Ms. Kershni Zanetic
Acting Regional Magistrate

Introduction

The global pandemic called COVID-19 claimed the lives of millions worldwide. It changed the course of history and significantly impacted on how we live our daily lives. Courts across the country were not immune to its wrath. The justice system was brought to a grinding halt compounding existing backlogs already inherent at the District, Regional and High Courts. In the midst of despair and protracted uncertainty, Judicial Officers were then forced to resort to innovative ways to deal with their burgeoning court roles to ensure that the wheels of justice continue to turn. Some Criminal Court's turned to the severely underutilized audio-visual links (AVR) to do remands, where possible, and others turned to virtual platforms¹ to receive evidence.

Application

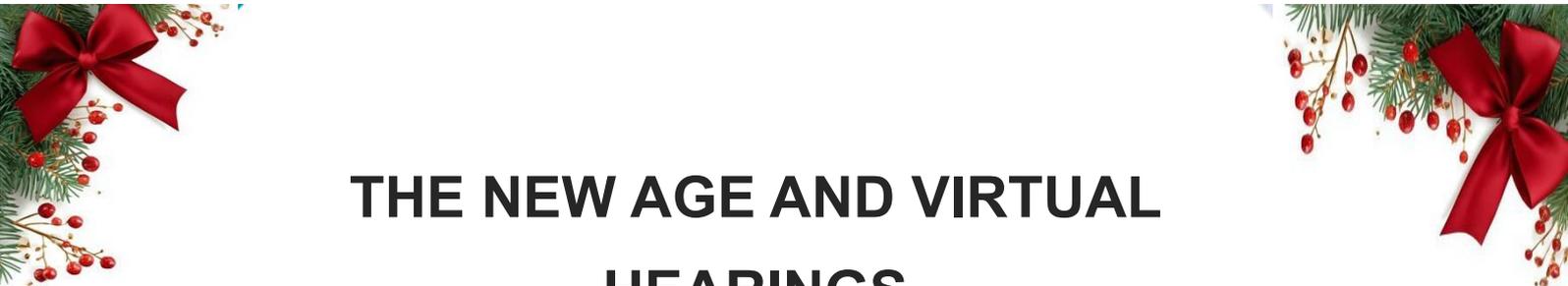
For some, like me, who are not considered tech savvy, these mediums proved extremely daunting. With much trepidation,

I too had no option but to follow suit. In 2020, at the height of COVID-19, I conducted my first case in the Regional Court using the MS Teams virtual platform to receive the expert testimony of a witness testifying from Bloemfontein in aggravation of sentence following an accused conviction on a charge of unlawful possession of a pangolin², one of the most trafficked animals globally.

This witness's testimony proved invaluable in assisting me to arrive at a just sentence as it placed me in a position to understand the full impact of this illicit trade. That single experience has paved the way for my continued use of virtual platforms in my Court. Whilst I agree that lack of technical support and/or skill, loadshedding and unstable or poor network connections continue to pose a serious challenge. In my experience, this medium expedites cases which aids in reducing backlogs.

It therefore outweighs any complaint of an infringement of accused section 35 fair trial rights since it also presents a convenient option to witnesses. It is a welcomed cost saving measure to the already overstrained public purse.

Essentially what then began as an interim measure to negate unnecessarily travelling between provinces in order to control the spread of the coronavirus, has fast tracked much needed legislative changes³, culminating in amendments in both the Criminal Procedure Act⁴ and the Magistrate's Court Act⁵. As such, witnesses, both in civil⁶ and criminal cases can now testify remotely even from other countries. These amendments accordingly promote a futuristic approach, in line with rapidly improving technological advancements globally. It is aimed at streamlining justice systems rendering it more effective and efficient.



THE NEW AGE AND VIRTUAL HEARINGS

This growing trend in remote accessibility to Courts also advances this key concept of open justice, a constitutional⁷ prerogative expanded on by the Supreme Court of Appeal in *The NDPP v Media 24 Limited & others and HC Van Breda v Media 24 Limited & others*⁸. I accept that in that matter the issue argued was in the context of broadcasting. In my view, the judgment still makes for an equally compelling argument to use virtual platforms' in Court's to deliver judgments giving effect to the maxim that *'justice should not only be done but should manifestly and undoubtedly be seen to be done'*.

Whilst broadcasting criminal proceeding is not novel in the Constitutional Court and the Gauteng Division, Pretoria who allow it in all proceedings as the default position but in the lower courts it is unchartered territory. This position changed in the Limpopo Regional Division earlier this year when a project was launched which saw the Regional Courts in the Division delivered judgments utilizing virtual platforms.

On 31st March 2025, I was privileged to be part of this initiative. I was one of two Courts on the day that delivered sentence judgments virtually, a first of its kind in South Africa in the Regional Court. The victim/s involved in the matter welcomed the move since they would ordinarily be forced to brave in facing their perpetrator/s by attending these proceedings leading to further victimization and/or secondary trauma especially in matters involving sexual offences, as was the circumstances in my matter. In my case, the virtual sentence was widely attended online and was a resounding success realising some of the main objectives this initiative sought to achieve which was to:

- a) Inform and educate the public;
- b) Enhance accountability & deter misconduct; and
- c) Provide an assurance that justice has been done - a sense of communal catharsis⁹.

Conclusion

In the pursuit of justice, using virtual platforms to deal with cases in Courts across the spectrum, are inevitable. Whilst I accept that more should be done to address some of challenges outlined in this article. These are, by improving skills development, networks capabilities and continued electricity supply to realise its full potential, it is also quickly evolving to become the new norm.

In the words of Mahatma Gandhi: *"If you want to change the world-be the change"*. The question we must ask ourselves is, are we prepared to embrace it especially if it could serve to shape the legal landscape where justice can truly serve the people of South Africa contributing to a just, equitable and democratic society for all?

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- 1) See s158(2) of the Criminal Procedure Act 51 of 1977, as amended.
 - 2) In contravention of the Limpopo Environmental Management Act 7 of 2003.
 - 3) Criminal and Related Matters Amendment Act 12 of 2021 effective from 5 August 2022.
 - 4) Act 51 of 1977, as amended.
 - 5) Act 32 of 1944.
 - 6) See s51C of the Magistrate's Court Act 32 of 1944.
 - 7) See s152 of the Criminal Procedure Act 51 of 1977, as amended, s5 of the Magistrate's Court Act 32 of 1944, as amended read with s33 of the Constitution Act 106 of 1996.
 - 8) (425/2017) [2017] ZASCA 97 (21 June 2017).
 - 9) *City of Cape Town v South African National Roads Authority Limited & Others* [2015] ZASCA 58; 2015 (3) SA 386 (SCA) para 12. Deputy Chief Justice Moseneke 'The Media, Courts and Technology: Remarks on the Media Coverage of the Oscar Pistorius Trial and Open Justice' 15 May 2015 available at: <http://www.constitutionalcourt.org.za/site/judges/justicedikgangmoseneke/The-Media-CourtsandTechnology-Speech-by-DCJ%20Moseneke-on-15-May-2015.pdf>.

TOWARDS A SINGLE JUDICIARY: LEGAL AND POLICY IMPERATIVES FOR STRUCTURAL REFORM



Mr. Christopher Abrahams
Acting Regional Magistrate

Introduction

South Africa's judicial system is currently divided into multiple tiers, governed by separate frameworks and oversight mechanisms. This article explores the constitutional, historical, and policy-based rationale for establishing a unified or single Judiciary. It argues that the current dual-structure, particularly the divide between the Lower Courts and Superior Courts, undermines judicial independence, efficiency, and coherence. By reviewing relevant legal instruments, case law, and policy proposals, the article makes a case for structural reform that affirms the Judiciary's independence and advances transformation goals.

The idea of a single, unified Judiciary has been a long-standing aspiration in post-apartheid South Africa. Despite the democratic Constitution's vision of a transformed and independent Judiciary, significant structural remnants of apartheid-era, dualism remains.

The Lower Courts, Magistrates' Courts in particular, operate under frameworks and conditions that are distinct from those of the Superior Courts.

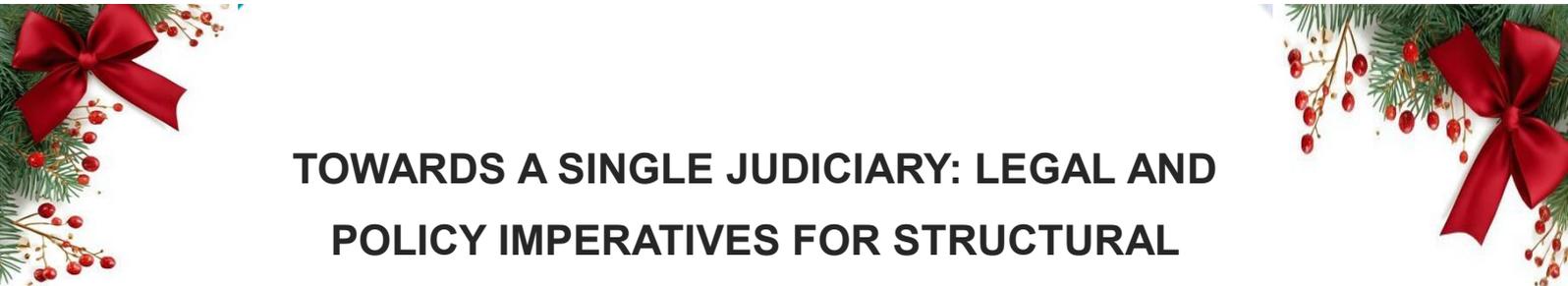
This fragmented arrangement perpetuates inequalities in status, independence, and administrative governance. This article examines whether the time has come to establish a single Judiciary.

Historical Context

Under apartheid, the judicial system was racially and institutionally stratified. Magistrate's Courts were largely instruments of executive power and functioned under the Department of Justice (DoJ), with limited independence. The 1996 Constitution¹ introduced a paradigm shift, seeking to establish a Judiciary that is independent, impartial, and accountable. However, the Lower Courts remained structurally adhered to the DOJ and governed by separate legislative frameworks, such as the Magistrate's Courts Act² and the Magistrate's Act³.

The term '*Magistrate*', carries with it a legacy deeply rooted in British colonial history. During the colonial period, particularly under British rule, a Magistrate was not merely a judicial officer, he was the embodiment of imperial authority. Magistrates were vested with powers and functions to maintain order, enforce colonial statutes, and to manage the affairs of the black population (as they were called "natives"). Magistrates served as an extension of the Crown's power over the colonised.

Prior to 1994, Magistrates often wielded judicial, executive, and administrative authority. They presided over petty criminal matters, enforced passed laws, collected taxes, and interpreted Customary Law to suit the interests of the colonial administration.



TOWARDS A SINGLE JUDICIARY: LEGAL AND POLICY IMPERATIVES FOR STRUCTURAL REFORM

Their role was primarily disciplinary, ensuring that colonial rule remained unchallenged and that subjects were subjugated within the structures of the empire. Their authority rested on racial and class hierarchies that denied the majority of colonised people meaningful access to justice.

Post 1994 after the dawn of democracy the role of Magistrate has undergone significant transformation. Enshrined in the Constitution, is the principle that all Courts, including Magistrates' Courts, must function independently and impartially, subject only to the Constitution and the rule of law. The modern-days Magistrates are required to uphold the Bill of Rights, ensure fair trial rights, and promote equality before the law and in the public interest, and to act without fear or prejudice.

However, remnants of the colonial structure persist. Magistrates are still governed under Legislation such as the Magistrates' Courts Act and are administratively linked to the DoJ, raising questions about institutional independence. Calls for a single unified Judiciary reflect the need to complete the transformation of the magistracy, not merely by name, but in structure, dignity, and status.

While *Magistrates then*, were a tool of colonial control, *Magistrates now*, are guardians of the rights of people as enshrined in the Constitution. The journey from colonial enforcer to rights-based adjudicator is ongoing, and true transformation requires confronting the legacy of the past while reimagining a future rooted in the values of democracy, Equality, and justice.

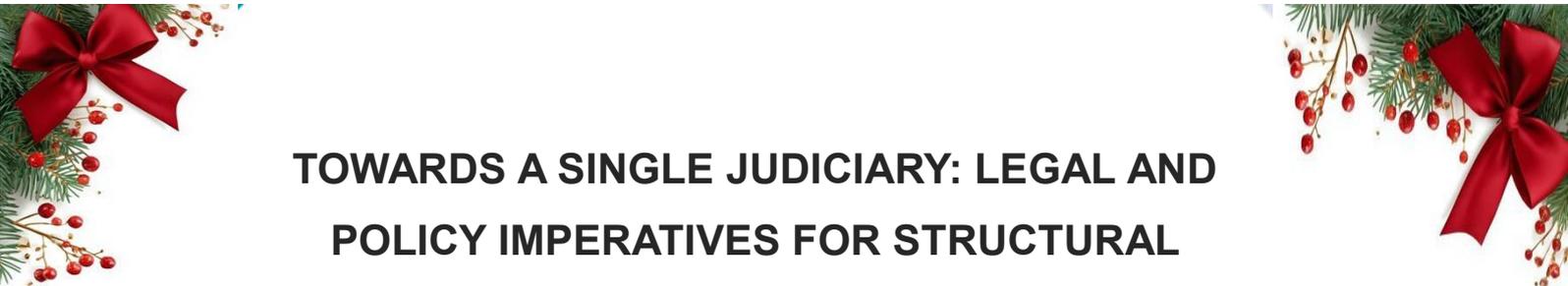
Constitutional Framework

Section 165 of the Constitution affirms that the Judiciary is independent and subject only to the Constitution and the law. Although section 166 defines the Court structure, listing both Superior and Lower Courts. Respectfully, the Constitution does not mandate a single Judiciary. The possibility for such unification is implied through Section 180, which allows for the establishment of Court structures and conditions of service that advance the independence and effectiveness of the Judiciary. The transformation of the judicial system remains a Constitutional imperative under Section 174(2), which requires that the Judiciary reflect broadly, the racial and gender composition democracy of South Africa.

Section 166 of the Constitution lists *Magistrates' Courts*, but the Constitution does not mention the office of "Magistrate". This is because the Constitution recognised the Courts but left the status, independence and conditions of Magistrates to ordinary legislation. That omission reflects the transitional nature of the magistracy and is precisely why structural reform is needed: to fully constitutionalise Magistrates and unify the Judiciary into a single, coherent system.

The Dual Structure Problem

The key challenge lies in the fragmented administration and regulation of judicial officers. Magistrates remain Public servants under the DoJ, while Judges fall under the Office of the Chief Justice ("OCJ") and are constitutionally insulated. This creates disparities in terms of salaries, conditions of service, security of tenure, and administrative autonomy. Furthermore, it hinders career progression and weakens institutional integrity by maintaining a tiered system of judicial status.



TOWARDS A SINGLE JUDICIARY: LEGAL AND POLICY IMPERATIVES FOR STRUCTURAL REFORM

Policy Developments and Proposals

Several policy initiatives have proposed judicial unification. The 2005 Department of Justice Discussion Document⁴ and the 2012 Draft Policy Framework for the Transformation of the Judiciary⁵, both acknowledged the structural divide and proposed reforms. However, implementation has stalled. The Superior Courts Act made strides in strengthening the OCJ, but the Lower Courts were left out of the broader transformation. A truly single Judiciary would require revisiting enabling legislation, funding models, and the Magistrates Act.

Benefits of a Single Judiciary

Unifying the Judiciary would enhance judicial independence by removing executive oversight of Lower Court appointments, discipline, and remuneration. It would create a clear, coherent career path and facilitate standardization of Judicial conduct and training. A single Judiciary would also enable better resource management, promote dignity and parity among judicial officers, and fulfil the constitutional promise of transformation and equality within the justice system.

Challenges and Considerations

Despite the clear benefits, the shift towards a unified Judiciary must navigate complex institutional, financial, and political challenges. Legislative amendments, including the Magistrates Act and Public Service Act⁷, would be required. The role of the Magistrates Commission and Judicial Service Commission would need to be aligned under a single oversight structure. Concerns around funding, Judicial workload, and decentralization would need to be carefully balanced against reform goals.

Conclusion

The persistence of a divided Judiciary is incompatible with the constitutional vision of a transformed, independent, and effective Justice System. While the road to unification may be complex, it is necessary. South Africa must take decisive steps to establish a single Judiciary, one that reflects the values of dignity, equality, and justice for all.

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- 1) The Constitution of the Republic of South Africa, 1996.
 - 2) Act 32 of 1944.
 - 3) Act 90 of 1993.
 - 4) <https://www.justice.gov.za/docs/other-docs/20120228-transf-jud.pdf>.
 - 5) <https://www.justice.gov.za/docs/other-docs/2012tsls.pdf>.
 - 6) Act 10 of 2013.
 - 7) Act 108 of 1994.

CASE SUMMARIES ON INTERPRETATION OF THE CONCEPT OF “EXCEPTIONAL CIRCUMSTANCES”



Ms. Sizophila Sokhela
Law Researcher, SAJEI

Introduction

Section 60 (11)(a) of the Criminal Procedure Act 51 of 1977 (“CPA”) provides that when an accused is charged with a Schedule 6 offence, the Court shall order the accused to be detained in custody until they are dealt with in accordance with the law, unless having been given reasonable opportunity to do so, adduces evidence that satisfies the Court that ‘exceptional circumstances’ exist which, in the interests of justice, permit their release. The case summaries in this edition illustrates how the Courts have interpreted and applied the concept of “exceptional circumstances” in criminal matters.

S v Jonas and Others¹

The appellant was charged with attempted murder and robbery; both of which fall under schedule 6 of the CPA. The Supreme Court of Appeal (“SCA”) held that when an accused is charged with a schedule 6 offence, the Courts are compelled to order their detention. In these circumstances, bail may only be granted

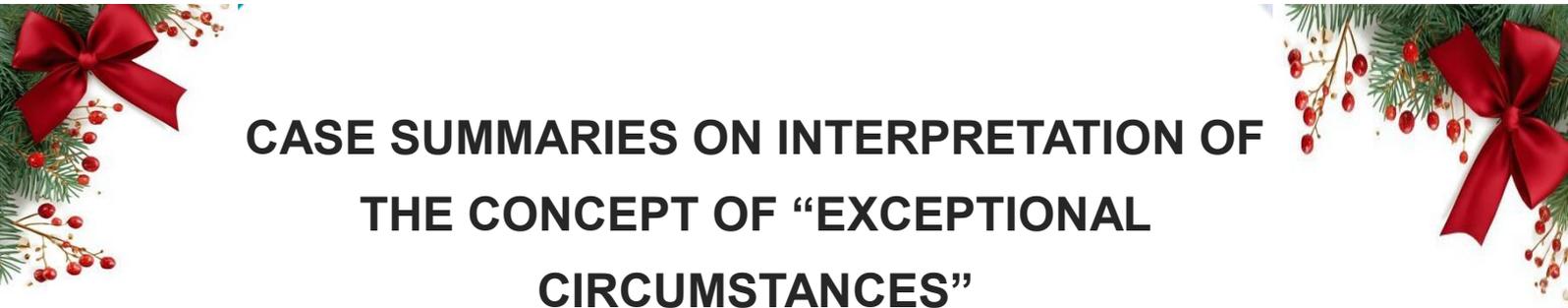
if the accused is able to demonstrate and advance exceptional circumstances that justify their release.

The SCA noted that the term ‘exceptional circumstances’ is not defined In the CPA. The Court explained that there can be many circumstances which qualify as exceptional. Examples include the need for an urgent serious medical operation, terminal illness, and incarceration of an innocent person. Similarly, where an accused is charged with a commission of a schedule 6 offence but the evidence suggests that he could not have committed the offence because he has an alibi, this may amount to as an exceptional circumstance permitting the release of the accused.

In this case, the SCA held that the State did not place any evidence, either in opposing the application for bail or in rebuttal of the appellant’s denial of the commission of the offences which he was charged.

The SCA held that the State cannot merely present the charge sheet to show that the accused is charged with a schedule 6 offence and then rely on the accused’s inability to demonstrate exceptional circumstances. The Court found that the Magistrate’s Court erred in finding that the State had proved a *prima facie* case against the appellant solely on the basis of the charge sheet in which the offences were dealt with, without presenting any supporting evidence.

The SCA held further that the evidence of the appellant was uncontested. He denied committing the offences, and maintained that he had an alibi which, if established, would demonstrate that he could not have committed the offence. Unchallenged averments, according to the SCA, constituted ‘exceptional circumstances. The appeal therefore succeeded, and the SCA set aside the Magistrate’s Court’s order refusing bail.



CASE SUMMARIES ON INTERPRETATION OF THE CONCEPT OF “EXCEPTIONAL CIRCUMSTANCES”

The matter was remitted to the Magistrate’s Court for the State to present further evidence in rebuttal, after which the Court was to reconsider and make an appropriate order either granting or refusing of bail.

Rudolph v the State²

The case concerned an appeal against the decision of the High Court in upholding the Magistrate’s decision to refuse bail. The appellant was charged with attempted murder. In April 2009, the appellant allegedly went to the complainant’s work place and attempted to kill her. He also sustained self-inflicted injuries. The appellant had also suffered a heart attack, which resulted in a 70% loss of function on the left ventricle of his heart together with coagulated blood in an artery that supplies the wall of his heart with blood.

The case presented on behalf of the appellant in support of his bail application was attachment to his community and environment and his poor health condition. It was argued that these factors constituted exceptional circumstances that, in the interests of justice, justified his release.

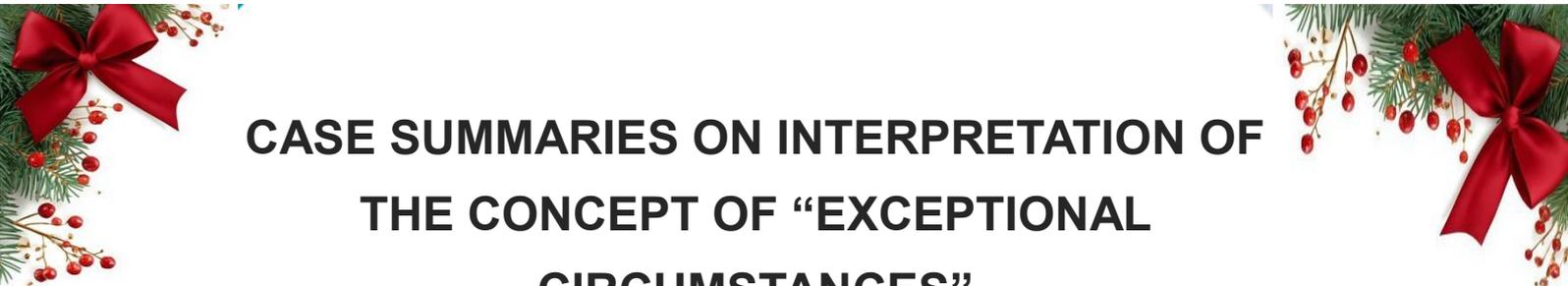
The SCA found that the appellant had not addressed his propensity to ignore and disregard court orders, as illustrated by his past behaviour. He also did not furnish any evidence, despite the onus being on him, that he was unlikely to behave with the same disregard in the future. Consequently, he had not demonstrated that his release would not undermine or jeopardise the objectives or the proper functioning of the criminal justice system, including the bail system.

The SCA held that when all allegations are considered, at least two of the grounds listed in section 60(4) of the CPA had been established. In those circumstances, the release on bail is not permitted. Accordingly, the SCA affirmed that the High Court was correct in upholding the Magistrate’s decision to refuse the appellant bail.

Ferris v Magistrate Khumalo and Others³

The case concerned an appeal against refusal of bail by the court a quo on the ground that the appellant had failed to prove exceptional circumstances justifying his release on bail. The appellant was charged with 5 counts including murder, attempted murder, assault with intent to do grievous bodily harm, possession of a firearm without a licence, and unlawful discharging of a firearm.

The personal circumstances averred in support of the appellant’s bail application were that the appellant was a 67-year-old divorced pensioner. He had additional income through rental of his second immovable property and his monthly income was R22000.00. It was further averred that he had a dislocated shoulder and had a skull fracture during the incident leading to his arrest and would soon undergo surgery upon his release from detention. The appellant had no relatives outside of South Africa, no previous convictions and pending matters and his passport had expired. He further alleged that the State will not be able to prove the element of intent on all the offences charged.



CASE SUMMARIES ON INTERPRETATION OF THE CONCEPT OF “EXCEPTIONAL CIRCUMSTANCES”

The Court found that the Magistrate did not attach sufficient weight to the fact that the appellant did not initiate the trouble, as he was summoned to the scene by his daughter who was seemingly in distress and created the impression that she was in mortal danger. In addition, that the firearm used was acquired lawfully, and that the appellant had no previous convictions or pending case against him. No sufficient weight was attached to the fact that the appellant was not a flight risk, would not interfere with State witnesses, and was aware of the consequences that could be imposed as conditions of bail. Moreover, the matter was unlikely to be disposed of, as further investigations still needed to be carried out. For those reasons the Court was satisfied that the Magistrate misdirected himself and that it was in the interest of justice that the appellant be released on bail. Considering all these factors accumulatively, the appellant had discharged the onus of proving ‘exceptional circumstances’. The appeal was upheld and bail was set at the amount of R10 000.00 subject to bail conditions.

Phadi and Another v the State⁴

The appellants had pleaded not guilty to the offence of house breaking with intent to rob and robbery with aggravating circumstances. The appellants were denied bail and appealed against the decision of the court a quo on the grounds that it erred in finding that the appellants failed to prove exceptional circumstances. The appellants argued that the Court a quo failed to apply the principles enunciated in *S v Rudolph*⁵, and overlooked that none of the likelihoods contained in section

60 (4) (a) to (e) of the CPA were present. Furthermore, that the first appellant had no previous convictions or pending matters. The second appellant, aged 60, had a previous conviction from 12 years ago, which was unrelated to the offence currently charged. The appellants further averred that the Court a quo erred in overlooking and disregarding that both appellants were breadwinners for their families including minor children. The Court a quo over emphasised the strength of the State's case by relying on submissions made by the prosecutor which could not be tested in any way.

The appellants further averred that the Court a quo overlooked the fact that they were not a flight risk, denied bail instead of having considered granting bail with conditions attached to it. It failed to consider the factors set out in section 60 (9) a to (g) of the CPA. The Court a quo erred in not finding that the cumulative effect of all relevant factors constituted exceptional circumstances.

The Appeal Court found that the Court a quo had misdirected itself materially by allowing the State to present the alleged circumstances surrounding the offence before court in the manner that it did. As a result, the court a quo drew a number of inferences based on irregularly alleged facts. The bail application had to be reconsidered afresh by the Appeal Court. In establishing the question on whether there were exceptional circumstances, the Court referred to the case of *S v Rudolph* which held that “*ordinary circumstances presented to an exceptional degree, may lead to a finding that the release on bail is justified*”.

CASE SUMMARIES ON INTERPRETATION OF THE CONCEPT OF “EXCEPTIONAL CIRCUMSTANCES”

The Court found that the investigating officer’s evidence suggested that the identity of the appellants will probably be in dispute which necessitated a cautionary rule. The evidence on whether the appellants would intimidate witnesses was not proved, and the court a quo failed to consider suitable bail conditions. Furthermore, the personal circumstances of the appellants were not disputed. The Court held that, after considering all the relevant facts and circumstances, the appellants had discharged their onus on a balance of probabilities. The appeal was upheld and the appellants were granted bail, subject to conditions.

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- 1) 1998 (2) SACR 677 (SE).
 - 2) (484/09) [2009] ZASCA 133 (30 September 2009).
 - 3) (CA & R6/2025) [2025] ZANHC 17 (7 February 2025).
 - 4) (A1/2024) [2024] ZAFSHC 169 (3 June 2024).
 - 5) 2010 (1) SACR 262 (SCA).





NORMS AND STANDARDS

6. Monitoring and implementation

- I. The Chief Justice as Head of the Judiciary shall exercise responsibility over the monitoring and evaluation of the performance of each Judicial Officer as well as monitoring and implementation of norms and standards for the exercise of leadership and judicial functions of all courts.
- II. Everything reasonably possible should be done to ensure that Judicial Officers have all the resources and tools of trade availed to them to enable them to perform the judicial functions efficiently and effectively. Reporting is an essential and integral part of ensuring effective monitoring and implementation of norms and standards. All Judicial Officers shall submit data on their performance and workflow of cases for collating and analysis following upon which a comprehensive report by the Head of Court will be compiled.
- III. The report must be submitted to the Head of a Court who will, in the case of Regional and District Courts, first submit to the Regional Court President and the Head of the Administrative Region, who in turn will submit it to the Judge President concerned for further submission to the Chief Justice to assess the functioning and efficiency of the courts. Each Head of Court shall monitor and evaluate performance of Judicial Officers serving in his or her Court on a daily basis to ensure optimal utilisation and productivity.



**STRUCK OFF AND SUSPENDED LEGAL
PRACTITIONERS
August 2025 – November 2025**

Name	Designation	Status of Legal Practitioner	Province	Date of Action
Nhlosehle Njabulo Dlamini	Attorney	Suspended	KwaZulu Natal	2025-11-11
Johann Oosthuizen	Attorney	Struck	Free State	2025-11-07
Mduduzi Eugene Mbatha	Attorney	Suspended	KwaZulu Natal	2025-11-07
Bhekithemba David Zungu	Attorney	Suspended	KwaZulu Natal	2025-11-03
Jan Lodewyk Fourie	Attorney	Suspended	Western Cape	2025-10-31
Renai Januk	Attorney	Suspended	KwaZulu Natal	2025-10-30
Stephen Boikie Kgabi	Attorney	Suspended	North West	2025-10-24
Senzile Qinisile Makhanya	Attorney	Suspended	KwaZulu Natal	2025-10-24
Stephanus Gerhardus Schoeman	Attorney	Struck	Gauteng	2025-10-23
Novelwano Alicia Nonxuba	Attorney	Struck	Gauteng	2025-10-23
Siphesihle Nombali Mngomezulu	Attorney	Suspended	KwaZulu Natal	2025-10-17
Keith Sheldon	Attorney	Struck	Western Cape	2025-10-17
Nolita Kose	Attorney	Struck	Western Cape	2025-10-17
Sibusiso Blessing Zulu	Attorney	Suspended	KwaZulu Natal	2025-10-17
Mbongiswa Siphephelo Shange	Attorney	Suspended	KwaZulu Natal	2025-10-16
Goodwill Sifiso Chili	Attorney	Suspended	KwaZulu Natal	2025-10-15
Claudene Vengatasamy	Attorney	Suspended	KwaZulu Natal	2025-10-14
Jabulani Christie Ngwane	Attorney	Suspended	KwaZulu Natal	2025-10-13
Philasande Njabuliso Manyathi	Attorney	Suspended	KwaZulu Natal	2025-10-09
Adele Hartzenberg	Attorney	Suspended	Free State	2025-10-09
Pratica Ramdhani	Attorney	Suspended	KwaZulu Natal	2025-10-06
Sphesihle Nomthandazo Xulu	Attorney	Suspended	KwaZulu Natal	2025-10-06

STRUCK OFF AND SUSPENDED LEGAL PRACTITIONERS

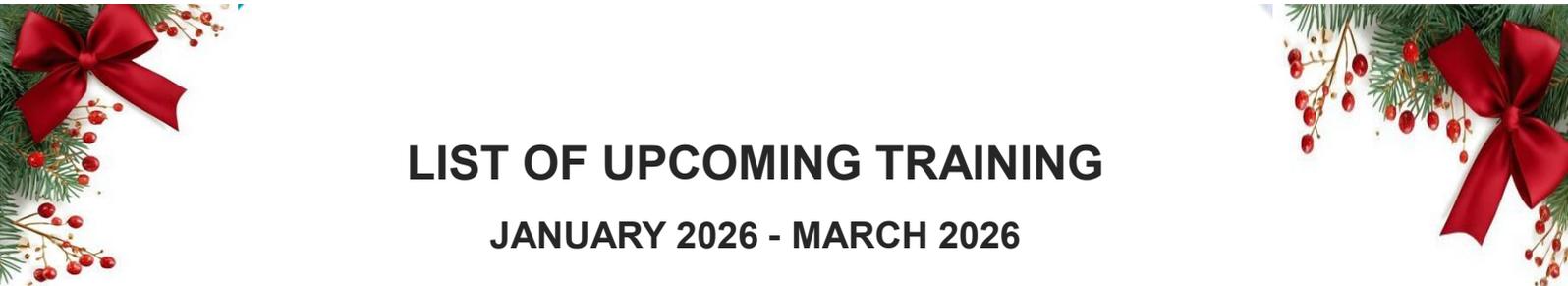
August 2025 – November 2025

Name	Designation	Status of Legal Practitioner	Province	Date of Action
Molatelolo Joyce Mahapa	Attorney	Struck	Gauteng	2025-10-06
Onke Maseti	Attorney	Struck	Gauteng	2025-09-30
David Anthony Smith	Attorney	Suspended	Gauteng	2025-09-23
Mary-Jane Thokozile Hlophe	Attorney	Suspended	KwaZulu Natal	2025-09-22
Happy Pithi Khanyile	Attorney	Suspended	KwaZulu Natal	2025-09-22
Alwyn Ashley Singh	Attorney	Suspended	KwaZulu Natal	2025-09-22
Philip Paulus Henecke	Attorney	Suspended	Free State	2025-09-18
Johannes Petrus Marais	Attorney	Suspended	Western Cape	2025-09-17
Nelisiwe Penelope Madlala	Attorney	Suspended	KwaZulu Natal	2025-09-16
Keshan Pillay	Attorney	Suspended	KwaZulu Natal	2025-09-15
Elaine Muriel Sibisi	Attorney	Suspended	KwaZulu Natal	2025-09-12
Ayanda Lee Roy Khanyile	Attorney	Suspended	KwaZulu Natal	2025-09-12
Kesiren Moodley	Attorney	Suspended	KwaZulu Natal	2025-09-12
Nonhle Nothando Nkomonde	Attorney	Struck	Gauteng	2025-09-09
Sekete Jacob Moroeng	Attorney	Suspended	North West	2025-09-09
Krishnie Govindasamy	Attorney	Suspended	KwaZulu Natal	2025-09-08
Hendrik Christiaan Truter	Attorney	Suspended	Western Cape	2025-09-05
Oupa Steve Sekwele	Advocate	Struck	Gauteng	2025-08-29
Masilo John Koenane	Attorney	Struck	Free State	2025-08-29
Rolanda Lemmer	Attorney	Suspended	Gauteng	2025-08-28
Celeste Jolene Julius	Attorney	Suspended	Western Cape	2025-08-26
Lindokuhle Mthembu	Attorney	Suspended	KwaZulu Natal	2025-08-26
Johannes Moses Tabo Madondo	Attorney	Suspended	KwaZulu Natal	2025-08-26
Zuzile Mphiwa Lomnikelo Nkuku	Attorney	Suspended	KwaZulu Natal	2025-08-22
Mzwandile Lumka	Attorney	Struck	Gauteng	2025-08-21
Sekgele Khunou (Rakhudu)	Attorney	Struck	Gauteng	2025-08-21
Sifundo Treasure Muthwa	Attorney	Suspended	KwaZulu Natal	2025-08-20
Joachim Johannes Prinsloo	Advocate	Struck	Gauteng	2025-08-19

LIST OF UPCOMING TRAINING

JANUARY 2026 - MARCH 2026

JANUARY				
NO	COURSE CODE	COURSE	DATE	PROVINCE
1.	DCM104	Criminal Court Skills: Judicial skills in conducting inquests and seizure (in-person)	20 - 23 January 2026	Eastern Cape
2.	DCM105	Family Court Skills: Adjudication skills in family court and non-verbal communication, Gender based violence and femicide (in-person)	26 - 28 January 2026	Limpopo
FEBRUARY				
3.	DCM106	Criminal Court Skills: Inquests (Virtual)	03 - 04 February 2026	KwaZulu Natal
4.	DCM107	Civil Court Skills: Debt collections and debt reviews (in-person)	03 - 06 February 2026	KwaZulu Natal
5.	DCM108	Civil Court skills: Evictions (in-person)	11 - 13 February 2026	KwaZulu Natal
6.	DCM109	Criminal Court Skills: Inquests, Extradition, Mutual legal assistance, Search warrants, Cybercrime (in-person)	09 - 13 February 2026	Gauteng
7.	DCM110	Family Court Skills: PATSAA (virtual)	18 - 20 February 2026	KwaZulu Natal
8.	DCM111	Criminal Court Skills: Sentencing and ancillary orders (in-person)	17 - 20 February 2026	Eastern Cape
9.	DCM112	Civil Court Skills: Action procedure (in-person)	17 - 18 February 2026	Gauteng
10.	DCM113	Criminal Court Skills: Cybercrime (in-person)	16 - 20 February 2026	Western Cape
11.	DCM114	Civil Court Skills: Debt collections and debt reviews (in-person)	24 - 27 February 2026	Eastern Cape
12.	DCM115	Children's Court Skills: Judicial skills for presiding officers at the Child Justice Court (in-person)	25 - 26 February 2026	Gauteng
13.	DCM116	Criminal court skills: Bail applications (in-person)	24 - 26 February 2026	KwaZulu Natal



LIST OF UPCOMING TRAINING

JANUARY 2026 - MARCH 2026

MARCH				
14.	DCM117	Criminal Court Skills: Section 342A of the Criminal Procedure Act 51 of 1977, and Immigration (In-person)	03 - 06 March 2026	Limpopo
15.	DCM118	Criminal Court Skills: Section 77 to 79 of Criminal Procedure Act 51 of 1977 (virtual)	03 - 04 March 2026	Gauteng
16.	DCM119	Civil court skills: Judgment writing (virtual)	04 - 06 March 2026	KwaZulu Natal
17.	DCM120	Children's Court Skills: Adoptions national and intercountry (in-person)	03 - 06 March 2026	KwaZulu Natal
18.	DCM121	Children's Court Skills: Parental rights and responsibilities: guardianship and incidental applications/ orders (in-person)	09 - 12 March 2026	Gauteng
19.	DCM122	Civil Court Skills: Delict Contract Actio de pauperi (in-person)	11 - 13 March 2026	KwaZulu Natal
20.	DCM123	Criminal Court Skills: Cybercrime (in-person)	16 - 20 March 2026	Eastern Cape
21.	DCM124	Civil Court Skills: Debt reviews (in-person)	18 - 19 March 2026	Gauteng
22.	DCM125	Family Court Skills: Maintenance Act (in-person)	23 - 27 March 2026	Western Cape



10 YEARS
2011 - 2021

