

CASE IN POINT

Department of Justice and Constitutional Development

The Minister of Justice and Constitutional Development, Dr Jeff Radebe, officially opened the magnificent state-of-the-art Ntuzuma Magistrate court in August 2013 in KwaZulu-Natal.

Two Decades of Dignified Justice Services

Since the dawn of democracy, great strides have been made in bringing justice to all people of South Africa. For decades, the majority of people in South Africa were excluded from accessing justice services due to many factors amongst which included lack of infrastructure, access to legal assistance and legislation which regulated their movement and existence.

This reality posed a massive challenge for the country in 1994 and necessitated for overhauling and transformation of the justice system as a whole. The Department of Justice and Constitutional Development was constitutionally mandated to ensure accessible and equitable justice services. As the custodian of the Constitution, the Department has been transforming the justice system in order to build and sustain the new democratic dispensation. In any thriving democracy the centrality of justice

makes its equitable accessibility, efficiency and affordability an indispensable right which should be enjoyed by all.

The Department initiated an infrastructure programme which resulted in the construction of 43 new model courts, equipped with state-of-the-art resources. These courts, which are strategically positioned in previously excluded areas, are now fully functional, offering an entire range of judicial services.

Recently, the Minister, Dr Jeff Radebe, officially opened three more new model courts in Kagiso, Pietermaritzburg



Gelvandale Court recently opened in Port Elizabeth

and Gelvandale and in 2013 he opened an impressive Ntuzuma Magistrate's Court. Construction of the Limpopo and Mpumalanga High Courts is earmarked for completion in the next financial year. A further 24 branch courts; have been remodelled and equipped as full-service courts. The remaining 65 branch courts and 230 periodical courts are also in line for upgrading.

To date, 294 Small Claims Courts have been established countrywide, with Gauteng as the first province to have a full complement of these courts at all its Magistrates' Courts. Small Claims Courts offer a cost-effective and less complicated legal platform for the resolution of disputes not exceeding R15 000.

In August last year, the Sexual Offences Courts were successfully reintroduced. Fifty-seven (57) Regional Courts have been earmarked for upgrading and for capacitation with trained officials to improve the way in which courts deal with sexual offences cases.

The Department has also implemented programmes to improve case-flow management and ensure the speedy resolution of disputes. Efficiency-enhancement committees have been formed at national and provincial level to deal with case backlogs. The Office of the Chief Justice is also currently developing standards to improve court performance.

Another intervention is the work being done by the additional backlog-courts. At the end of 2013, the total case backlog (i.e. of cases older than six months on the District Court rolls or nine months on the Regional Court rolls) had been reduced to 25 762 cases, only 13.8% of all outstanding cases.

The additional Regional and District criminal backlog-courts dealt with 98 817 cases from November 2006. Forty-two (42) of the Regional backlog-courts have been converted to additional permanent courts. More such courts will be created over the next few years. The extent, to which the case backlog has been reduced in recent years, is indicative of the Department's commitment in ensuring efficient service delivery to ordinary citizens.

Turnaround strategies, pertaining to maintenance matters and services provided by the Masters of the various courts, have also been implemented. The maintenance strategy which introduced the electronic funds transfer system means that 83% of maintenance beneficiaries now receive their money directly into their bank accounts.

The efficiency of the courts is continuously being bolstered by the modernisation of systems. The automation project in the Office of the Master of the High Court has reached an important milestone. The newly established Nelspruit office is the first to exclusively use online processing for deceased-estate cases. This Paperless Estate Administration System (PEAS) will be further rolled out to additional offices in line with available resources.

Digitisation of court records was started in the seven busiest courts. To date, over four million case records have been digitised and stored off-site. This not only reduces the risk of loss or destruction, but frees up storage space and simplifies retrieval of archived records.

The Department will continue to identify and implement new initiatives so as to improve access to justice and ensure its efficient implementation in order to fully realise the principles of democracy as enshrined in the country's Constitution. □

Steps to equitable and accessible justice

- ▶ Apart from construction and capacitation of the new courts, the Department has revamped and equipped a further 24 branch courts and elevated them into full-service courts.
- ▶ The additional Regional and District criminal backlog courts dealt with 98 817 cases from November 2006. More of these courts are planned.
- ▶ Forty-three new model courts, fitted with state-of-the-art equipment have been constructed and strategically positioned in previously excluded areas.
- ▶ Sixty-five branch courts and 230 periodical courts are in line for rehabilitation.