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JUSTICE TODAY

A Magazine of the Department of Justice & Constitutional Development



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Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA



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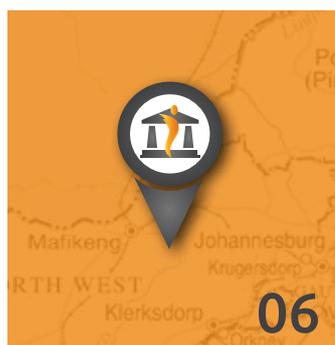
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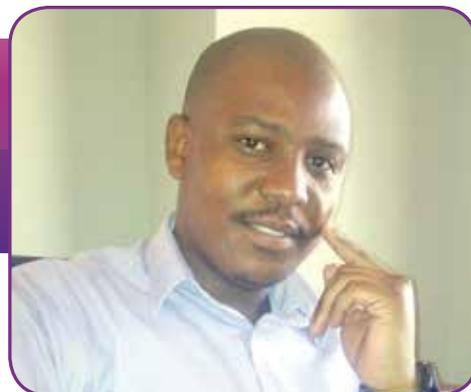
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Editorial



Luyanda Makapela | Editor

As the country embarks on the 16 Days of Activism of No Violence Against Women and Children campaign, the Office of the Chief Master plays an important role in ensuring that the needs of vulnerable groups, particularly women and children receive speedy and efficient services at all times.

This edition shares some of the wonderful initiatives to demonstrate that the Department of Justice and Constitutional Development is one of the departments that respond to the needs of the vulnerable and indigent people.

We also share with you the commendable work done by the Master of the High Court: Grahamstown, in realising the Batho Pele principles when rendering services by helping the Eastern Cape communities with humility, warmth and dedication. We bring you service delivery initiatives introduced in Limpopo and Pietermaritzburg Master's offices and the latest technology used in all Master's facilities not only to fast tracking services, but curbing fraudulent and corrupt activities especially on the Guardian's Fund.

The department reaches another major milestone and, as from 1 December 2014, communities around Gauteng

and North West would be able to get justice services in courts closer to where they live. This project termed: "Rationalisation of magisterial districts" seeks to align magisterial boundaries of courts with municipal and provincial boundaries. It further realises the objective of access to justice for all.

This initiative will ease the burden of long distance travelling and high costs associated with it, whilst ensuring that services are received closer to communities.

As part of saying "thank you" to officials for their hard work, during the Public Service Month in September, the department held its national annual Public Service Excellence Awards to acknowledge and honour officials who have contributed to initiatives aimed at improving the manner in which services are rendered to the public. We give you a glimpse of some of the profiles for those extraordinary officials who do not only excel in their areas of work, but extend their services way beyond the call of duty.

Lastly, take some time off and participate on our Eye Chat. Enjoy the rest of the stories. ***Till next time!***

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G'TOWN GUARDIAN'S FUND PRIORITISES VULNERABLE GROUPS

Luyanda Makapela



Dedicated team: Officials from the Guardian's Fund unit at the Master of the High Court: Grahamstown are determined to deliver quality service to Eastern Cape beneficiaries.

The Master of the High Court: Grahamstown is the third largest office providing Guardian's Fund services countrywide. It has been providing excellent service to the entire Eastern Cape community.

The office administers Guardian's Fund for other three Master's offices, Bhisho, Mthatha and Port Elizabeth and has a staff establishment of 27 officials, responsible for processing and administering payments totalling R8 million monthly. According to the Grahamstown Master of the High Court, Mr Surendra Moodley, the team has been doing remarkable work in ensuring that the Guardian's Fund operates effectively.

"As one of the largest Guardian's Fund office in the country, we administer over 26 000 beneficiary accounts, with overall total payment of R8 million monthly," explained Mr Moodley. He further highlighted that the Grahamstown office currently manages a total amount in excess of R1, 2 billion in the Guardian's Fund which increases on a monthly basis. "This amount increases at a growth rate of R20 million a month, due to monies received from the Government Employees Pension Fund and company pension funds," said Mr Moodley.

Mr Moodley indicated that the office has done remarkably well despite the challenges of staff turnover, electrical and water outages, slow and unreliable postal services, a low literacy beneficiary base spread great distances away from the Grahamstown office across the Eastern Cape.

For the first six months of the 2014/15 financial year, the Grahamstown Guardian's Fund, has exceeded the 86% target of beneficiaries in receipt of payment within 40 days to 94%. This means that out of 3 043 applications which were processed and paid between April and September 2014, 2 870 of those were finalised within 40 days.

According to the Guardian's Fund Deputy Master, Mr Gregory Glenn Lucas, improved productivity and turnaround times is as a result of systems put in place to deliver quick, cost effective and quality service to

beneficiaries. He said his unit has adopted strict control measures when it comes to the sensitive nature of its work.

In order to encourage teamwork, improve productivity and turnaround times, the office adopted Lean Management Principles where Guardian's Fund unit is divided into three competing process groups for processing payment applications of beneficiaries. "The competition has stimulated productivity and enabled the office to identify performance that fell under par easily and to implement corrective measures," said Mr Moodley.

As part of ensuring broader access to services, the Grahamstown office has fully trained Help Desk officials at the Mthatha, Port Elizabeth and Bhisho Master's offices as well as the Service Points Assistant Masters Office at the East London Magistrate's Court. This is to assist the public with all aspects of the preparation and submission of Guardian's Fund maintenance applications and applications for final payments.

"As one of the largest Guardian's Fund office in the country, we administer over 26 000 beneficiary accounts, with overall total payment of R8 million monthly."

These offices also collect and check applications for payments before forwarding them to the Grahamstown Master's office for processing. "All the three offices (Port Elizabeth, Mthatha and Bhisho) have been granted "Read Access" to the Guardian's Fund system so that they are able to advise beneficiaries of their account balances and the progress of payment for their applications for maintenance and final payments from the fund," explained Mr Moodley.

Another initiative by the Grahamstown Master's office is the development of a "Frequently Asked Questions" information sheet. This is to limit time consuming public enquiries with the aim of enhancing communication between the public and the Guardian's Fund. It also educates the public on the practice and procedures of the Guardian's Fund. A "query sheet" which is devised to give full reasons for the rejection of applications immediately, has also been developed, thereby further limiting the need for the public to make unnecessary telephonic and personal enquiries.

Mr Moodley encourages Guardians Funds beneficiaries, particularly those who are illiterate and who lack access to electronic means of communication, to consult the Help Desks at any of the Masters offices in the Eastern Cape or the Office of the Service Points Assistant Master in East London, whichever is the closest to them, for assistance and guidance on any Guardian's Fund issues.

REALIGNMENT OF COURTS BRINGS FASTER, COST EFFECTIVE SERVICES

Luyanda Makapela

In an effort to continue providing better, faster and cost effective services to the public, communities around Gauteng and North West provinces would access justice services closer to where they live, with effect from 1 December 2014.

This initiative, called the “Rationalisation of magisterial districts to municipal boundaries” seeks to align magisterial boundaries of the country’s courts with that of municipal and provincial boundaries. “The aim of the realignment of courts is to ensure that more people have access to justice services at courts located closer to where they live,” explained Project Manager, Mr Makena Moagi. He further said the process would also alleviate long distances travelled to access courts and reduce travelling costs incurred by communities.

The rationalisation of magisterial districts to municipal boundaries is the realisation of access to justice as a basic human right, provided for in the Constitution. It also recognises the Constitution Seventeenth Amendment Act, the Superior Courts Act, and the Magistrates’ Court Act which are all advocating for realigning as well as enhancing access to justice for all.

“The rationalised districts will be aligned with the judicial administrative regions to establish effective and efficient governance.”

Explaining the process, Mr Makena said rationalisation will ensure that people are serviced by a court which is within their municipal boundaries. For example, Diepsloot community, which belongs to the Johannesburg Metro, had to travel for about 40km to the Pretoria Magistrate’s Court, in the Tshwane Metro, to access justice services. With the rationalisation of courts, Diepsloot residents will now access justice services at the nearest Randburg Magistrate’s Court, about 15km away.

The current 384 magisterial districts in the country are still based on the boundaries drawn up pre 1994. Branch courts were established in former black townships and rural areas, rendering limited services on the adjudication of criminal cases and people were forced to travel to towns and cities for other services. “The rationalisation of courts is now trying to rectify those apartheid inequalities while ensuring that services are equally and speedily rendered to all people in South Africa,” said Mr Makena.

He added that a magisterial district will now bear the same name as that of local municipalities. Mr Makena highlighted that new courts will be built in areas of



need and existing courts will be allocated adequate jurisdiction to respond to the needs of the communities they serve.

“The rationalised districts will be aligned with the judicial administrative regions to establish effective and efficient governance,” he said, adding that a judge president will coordinate judicial functions at magistrates’ courts as required by the Supreme Courts Act.

The rationalisation process will also be rolled out in Mpumalanga and Limpopo from April 2015, KwaZulu-Natal and Eastern Cape in August 2015, and Western Cape, Northern Cape and Free State in April 2016.

Mr Makena said all new cases enrolled from 1 December 2014 in Gauteng and North West provinces, will be dealt with by the court allocated to serve that particular community. He said those cases that were enrolled before 1 December 2014 and are pending will be dealt with and finalised at the courts where they originated from.

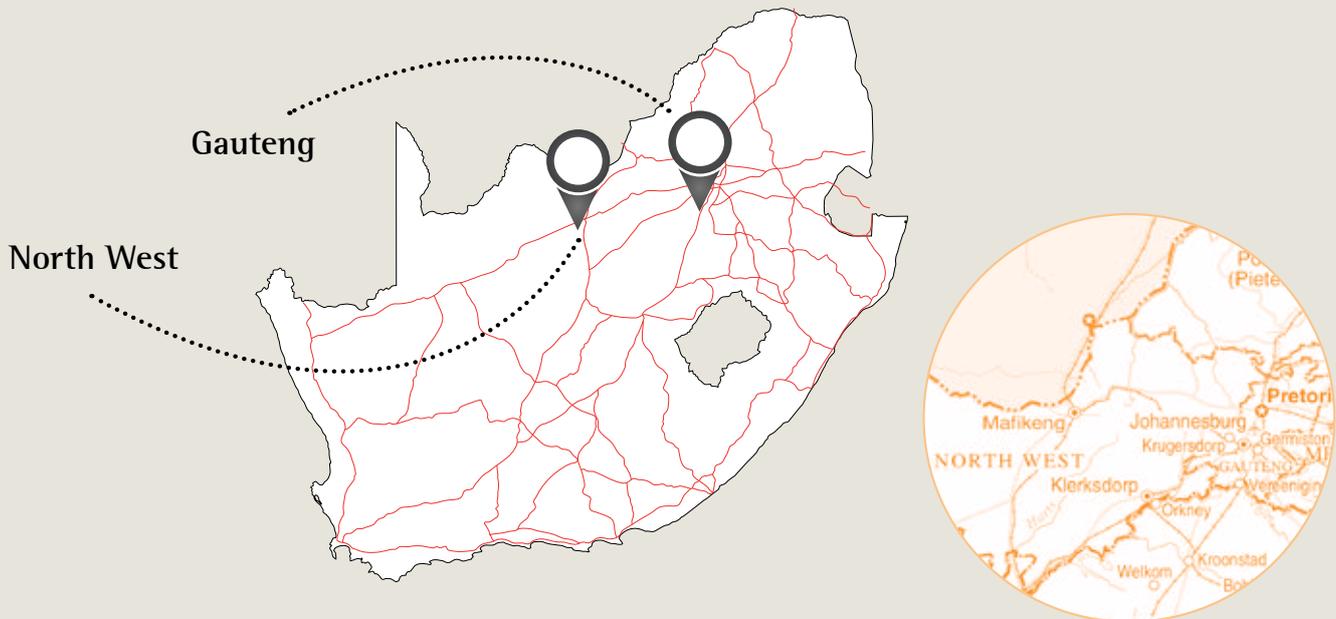
In ensuring that this process is successfully implemented, Mr Makena said: “All courts affected are currently planning the move and have assessed the number of cases handled by the old courts. This will give an indication of the volume of cases to be handled.” The process of moving files is envisaged to take a period of six months.

He assured that capacity challenges in affected courts would be addressed and in instances where work volume is high, the department will ensure that there is adequate staff to deal with such matters.

RATIONALISATION OF MAGISTERIAL DISTRICTS

YOU CAN NOW ACCESS JUSTICE SERVICES AT A COURT CLOSER TO YOU

Mosima Mashao



As from 1 December 2014, the magisterial districts in Gauteng and North West will be changed to ensure that they align with municipal boundaries. This process will also ensure that more people have access to justice services at courts that are located closer to where they live.

“The aim of the realignment of courts is to ensure that more people have access to justice services at courts located closer to where they live.”

What does the rationalisation project aim to do?

The rationalisation project aims to:

1. Align the jurisdiction of magisterial districts with municipal boundaries. Through the rationalisation of courts project, magisterial boundaries drawn before 1994 are redrawn in accordance with the new democratic dispensation.
2. Enable communities to access justice services closer to where they live and reduce travelling costs.

All new cases enrolled from 1 December 2014 in Gauteng and North West will be dealt with in accordance with the newly-proclaimed areas of jurisdictions. Other provinces will undergo the same process from April 2015 starting with Limpopo and Mpumalanga.

What does this process aim to achieve?

1. Access to justice is a basic human right, provided for in the Constitution. The main aim of the process is to widen access to justice by having a court in every municipality and a seat of the High Court in every province.
2. At a district level, the areas of jurisdiction of the Magistrates' Courts will be same as that of municipalities.
3. New courts will be built in areas of need and existing courts will be allocated adequate jurisdiction to respond to the needs of the communities they serve.



For example, in terms of the old magisterial boundaries, the Diepsloot community had to travel to the Pretoria Magistrate's Court to access justice services which is a distance of ±40 kilometres away. With the rationalisation process, the Diepsloot community will now be serviced by the Randburg Magistrate's Court which is about ± 15km.

Who will be affected by this process?

Some communities in Gauteng and North West will be affected as from 1 December.

Have there been consultations on this process?

Affected communities in the North West and Gauteng as well as the judiciary, prosecutors, police and municipalities were consulted.

How does the process affect justice services accessed by communities at courts?

1. All new cases enrolled from 1 December 2014 in Gauteng and North West provinces will be dealt with at the court that has been allocated to serve your community.
2. All cases that were enrolled before 1 December 2014 and are pending will be dealt with at the courts where they originated.

Which services will be provided at the closest to where you live?

From 1 December 2014 communities will get the following services from courts near to them:

- Hearings of criminal cases and civil disputes
- Maintenance
- Small Claims Courts
- Domestic Violence
- Children's Court
- Deceased Estates.

How will the process affect High Courts in your area?

The new magisterial districts will form the basis of new areas of jurisdiction of High Courts in all provinces. Changes to the jurisdiction of High Courts in Gauteng and North West will remain the same until April 2015.

Which courts and areas will be affected by this process?

All courts in Gauteng and North West are affected. However, the following courts are highly affected:

Gauteng: Protea (Soweto), Randburg, Palm Ridge, and Mogale City (Krugersdorp)

North West: Rustenburg, Vryburg and Potchefstroom.

How will I know which court to use?

The department has informed the affected communities on the changes to the magisterial districts. Maps showing the areas of jurisdiction of the new magisterial districts will be placed at all courts. If you are not sure, go to the local court or visit: www.justice.gov.za for more information. 

For more information, visit: www.justice.gov.za



At the helm: Grahamstown Master of the High Court, Mr Surendra Moodley.

GRAHAMSTOWN MASTER'S IS ALL ABOUT SERVICE DELIVERY

Luyanda Makapela

The Master of the High Court: Grahamstown is one of the offices within the Master's environment which upholds high moral standards, puts the needs of the people first, whilst encouraging teamwork amongst staff to achieve the desired results, writes **Luyanda Makapela**.

The office, which is located in the central business district of the "City of Saints," as Grahamstown is affectionately known, is one of the Master's offices that does not compromise when it comes to customer satisfaction. "We are a united team that shares one ultimate goal, service, and more service to our people," said Deputy Master, Ms Suzan Edwards, who is responsible for deceased estates, insolvencies, trusts and curatorship.

The Grahamstown Guardian's Fund serves the Eastern Cape population of approximately 6.8 million, while the rest of the offices services approximately 45% to 50% of the Eastern Cape population. Ms Edwards said in the first six months of the 2014/15 financial year, the office performed extremely well in all areas of operation.

"Our achievement is attributed to teamwork and willingness to go an extra mile in whatever task we perform. Regular planning meetings, constant feedback and assertiveness amongst officials are the reasons behind our success," shared Ms Edwards.

From April to September 2014, the Grahamstown Master's office exceeded targets set in all the five areas of operations namely the Guardian's Fund, Deceased Estates, Insolvencies, Trusts and Curatorship. On letters of appointment issued in deceased estates within 15 days from receipt of all required documentation, the office had set a target of 91% and achieved 95%. "This means that of the 1 288 letters of appointments issues during this period, 1 218 of those were issued within the prescribed 15 days period," remarked Ms Edwards.

The office also did well in the Liquidation and Distribution Account in large estates examined within 15 days from receipt of all required documentation. According to the office statistical returns, all 881 accounts examined were finalised within the 15 day set target.

"There is no prevalence of fraud and corruption within the office, at all, even on a small scale, due to the general goodwill of staff and risk management procedures that are monitored and evaluated on a daily basis,"

The Grahamstown Master of the High Court, Mr Surendra Moodley said; "There is no prevalence of fraud and corruption within the office, at all, even on

a small scale, due to the general goodwill of staff and risk management procedures that are monitored and evaluated on a daily basis," he explained.

"We believe in the ethos of working smarter instead of harder by streamlining and revising our administration regularly in order to increase productivity,"



Giving support services: (From left) Human Resource Officer: Ms Phumela Roman, Assistant Librarian: Intern: Ms Lelethu Maweza, Intern, Assistant Librarian: Ms Sarah Wessels, Senior Registration Clerk: Ms Nqatyelwa Jadi and Senior Administrative Clerk: Ms Monica Tena.

Mr Moodley, who has headed the Grahamstown office for nearly 20 years, said the office was entrusted by the department with the responsibility of administering the Guardian's Fund for the Bhisho and Mthatha offices since 2001, in addition to the Grahamstown Guardian's Fund. When the Grahamstown Master's Office was split into two to form Port Elizabeth offices in 2003, the Grahamstown office retained the administration of the Guardian's Fund for the Port Elizabeth area as well.

Despite the Grahamstown office being the third largest of the six Guardian's Fund in the country, it processes the majority of maintenance payments within 7-10 working days of receipt of an application which is well within the 40 day maximum turnaround time limit. Mr Moodley said even though the Guardian's Fund operates with a staff contingent which is far less than the combined staff that will be required if each office in the Eastern Cape had to operate its own Guardian's Fund.

"We believe in the ethos of working smarter instead of harder by streamlining and revising our administration regularly in order to increase productivity," said Mr Moodley. He added that the office employs a process of participative management whereby all internal stakeholders are consulted and given an opportunity to make inputs and suggestions to secure the co-operation of staff and promote team spirit.

In managing queues, the office has appointed a floor marshal to direct the public and ensure that people complete necessary documentation correctly before they are referred to the relevant office. Mr Kurt Van Der Merwe, an Assistant Master responsible for

administering and issuing letters of appointments for the deceased estates said despite capacity challenges, given the vast area that the office serves, Grahamstown staff is committed to find lasting solutions.

"We ensure that we do a lot with the little resources that we have because turning away members of the public, who are often emotionally hurt, destitute and devastated - depending on the nature of their problems - is not a solution," he said.

"We earn our salaries because we are here to serve the public, I get very relieved and sleep peacefully at night knowing very well that there is someone out there who is happy that his/her problems are resolved because of my little assistance," said Mr Van Der Merwe.

Ms Nomthandazo Madinda, a telecom operator in the office said she enjoys serving members of the public who cannot physically come to the office. "My job requires that I help members of the public, especially those far away from Grahamstown. I try all my best to give them the service they deserve whilst making it a point that every time I attend to their request, I give it my best shot. It is not about me, it is about giving them the service that they are entitled to," said Ms Madinda. 



Grahamstown management: (from left) Mr Jemillo Adriaan, Ms Ilsa Wicks, Mr Marius Van de Wall, Mr Etienne Louw, Mr Kurt Van der Merwe (all Assistant Masters), Mrs Lucille Frazer (Office Manager), Mr Gregory Lucas, Mrs Susan Edwards (both Deputy Masters). Seated is the Master of the High Court, Mr Surendra Moodley.



Helping a member of the public: Telecom Operator: Ms Nomthandazo Madinda is passionate on helping members of the public.



WORKING WITH CHILDREN IS HER PASSION

Mosima Mashao

For someone who describes herself as a reserved individual, Ms Trudie Van Der Bank's work as a Children's Court Clerk at the Ermelo Magistrate's Court speaks volumes about herself.

Her passion for working with children and assisting members of the public resulted in three destitute orphans having a fully furnished and renovated home.

The dedicated children's court clerk, who has worked in the department for over nine years, received a gold plaque at the National Service Excellence Awards under the Client Orientation category recently.

What do you think about the Public Service Excellence Awards? Do think they serve a purpose?

Certainly, having events of this sort will start motivating people to go an extra mile when executing their tasks at work.

How do you feel about winning not just the regional but national awards? What came to mind when you heard your name being called on stage?

I was very honoured and surprised. I am not the type of a person who likes to gloat about things I do. I am a "behind the scenes" kind of a person. When they called my name, I first looked at the person sitting next to me, I could not believe it.

In your view, what have you specifically done that has landed you a gold award under your respective category and not the rest of the categories?

I am not quite sure. It is not easy trying to figure out what made me stand out from the rest of the nominees.



Passionate about children: Dedicated Ermelo Children's Court Clerk, Ms Trudie Van Der Bank in her office where she assists children.

Maybe my passion for people, especially children, could have landed me the nomination and an award.

I was also involved in a project with the South African Police Service where we had to rebuild a house of three children whose parents passed away. As these kids went to school during the day, people would raid their house and in the end, there was no roof, doors or window frames.

Their circumstances were only discovered when the eldest girl became a rape victim. Being part of that project was really a huge highlight of my life.

What words do you have for officials who nominated you for the award?

I really appreciate their confidence in me and I am glad that I could also make them proud by winning this award. This is not only my reward, but also one for the office. 

HER ABILITY TO SACRIFICE MAKES HER A WINNER

Mosima Mashao



Rubbing shoulders: Ms Miranda Mhlanga got an opportunity to meet Minister Michael Masutha as she had hoped.

I was overjoyed when I received an Apple Ipad with its leather pouch, a golden plaque with my name printed on it and a beautifully framed certificate,” these were the words of Mpumalanga Regional Office’s Ms Miranda Mhlanga.

Having won the first prize in the Client Orientation category during the department’s 2014 Public Service Excellence Awards, the administration clerk shared with **Justice Today** readers, events that led to her big win.

MM: How long have you been working for the department?

MM: I have been working in the justice sector for five years, working for the National Prosecuting Authority (NPA) as a volunteer provincial coordinator under the Mpumalanga Anti-Human Trafficking Unit. Our team was rated one of the best in South Africa that successfully dealt with human trafficking matters that reached courts. I was only appointed in December 2013 as an administration clerk at the Mpumalanga Regional Office.

MM: What do you think about the service excellence awards? Do they serve a positive purpose?

MM: This event is highly motivational and attractive to many staff members due to the fact that it invites everybody to participate and does not discriminate. It encourages staff to work harder and excel in delivering services with the hope that one day they will be rewarded. Go an extra mile and do something as if you will be awarded every day.

MM: What does winning not just a regional but a national award mean to you? What came to your mind when you were called on stage?

MM: I was astonished when my name was called on stage because I was busy complimenting the lady sitting next to me for her award. The excitement from the audience applauding and ululating as I stood up to collect my award touched me, I started dancing. I was just excited that I was invited to the event so that I can be motivated even further by rubbing shoulders with our Minister Michael Masutha and other nominees. I thank God for getting me this far and a gold award was a bonus for me.

I was only appointed in December 2013 at the regional office and I did not expect any reward apart from my salary. The compliments I received after the regional award made me proud especially the words “You deserve it; you are really a hard worker,” coming from my colleagues and my senior managers. That became an eye opener and brought a strong hope that when so many people believe in me, I must do more by maintaining the standard of being a hard worker.

MM: In your view, what have you done to deserve a gold award in your category?

MM: The fact that I love my job despite its challenges and always wear a smile when approaching clients. I am a determined, dedicated, energetic individual and often sacrificing in terms of my quality time (social life and family life), money and other resources make me a winner.

MM: What words would you like to share with other officials who nominated you for this award?

MM: I never thought that someone was noticing my hard work because I never complained about my work despite being a cancer survivor. I just want to say thank you to our Human Resources Director, Ms Corne` Haasbroek and Legal Services Director, Mr Paul Mthimunya, for believing in me and granting me an opportunity and an enabling environment for me to prove that I can reach for the stars.

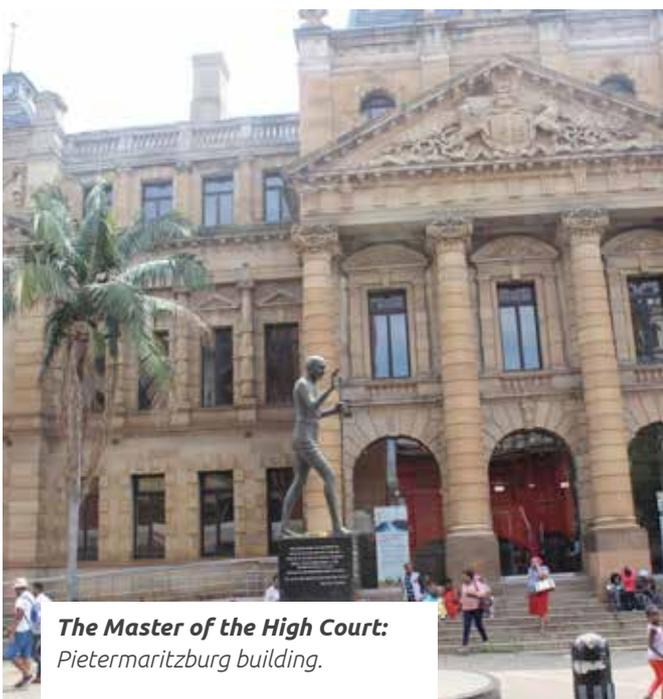
Not forgetting the adjudication team from the Mpumalanga Regional Office who saw potential in me of going further by presenting me with the golden award. 

PMB MASTERS' AIMS TO PROVIDE MORE SERVICES TO THE POOR

Mokgethwa Ngoepe



At the helm: Head Master of Pietermaritzburg, Ms Seetarani Gangai in her office when **Justice Today** visited her office recently.



The Master of the High Court: Pietermaritzburg building.

Since the former Minister of Justice and Constitutional Development, Mr Jeff Radebe opened the new Master of the High Court: Pietermaritzburg in 2012, all services are now provided in one building. The main mandate of the department is to ensure that it delivers quality services to the poor communities as part of a broader vision of ensuring access to justice for all.

Officials in the Pietermaritzburg Master's office previously worked in two separate small offices, serving many people, and made it difficult for employees to render a fast and effective service. Now that the office has moved to the new premises, since December 2012, services are rendered to clients timely.

Pietermaritzburg Master's office deals with deceased estates, trusts, Guardian's Fund, insolvencies and curatorship. In KwaZulu-Natal, Pietermaritzburg Master's is the only office dealing with Guardian's Funds, serving KZN communities and part of the Eastern Cape.

The head master, Ms Seetarani Gangai said the office made strides in delivering excellent services. "We now



Helpful: Help Desk Operator, Mr Martin Mngadi, assisting a community member on the electronic application of the Guardian's Fund in Pietermaritzburg recently.

have a working environment suited with spacious offices, air conditioning, equipped waiting rooms. All these motivate staff and they are enthusiastic in delivering quality services," she remarked. Ms Gangai said they aim to equip each official with multi-skills so that rendering services becomes seamless. "The transfer of skills is a priority so that new incumbents are mentored by experienced and skilled deputy masters and managers. We encourage fair and equal treatment of each official, stakeholders and the public," said Ms Gangai.

She indicated that services were delayed at the previous premises which had only two offices at Court Gardens.

"In the new building, we have adequate file storage and several documents are filed electronically. We are also able to access information instantly as well as provide copies requested without any delay," she explained.

Ms Gangai said with effect from January 2013, all new appointments reported in the office have been captured and issued in terms of the Paperless Estate Administration System (PEAS). "A new matter gets examined and captured by estate controllers and

"The greatest advantage is that it is helpful in detecting fraud and corruption, which are a setback in providing efficient service delivery. PEAS is fully functional in Pietermaritzburg Master's Office and it is working smoothly thus far."

thereafter, files are sent to officials who do the scanning. They further send the matter to an assistant master for final examination and approval or query. A file then is returned to officials for scanning the issued document," she explained.

The main challenge about PEAS, according to Ms Gangai, is its slowness and interruptions. "The greatest advantage is that it is helpful in detecting fraud and corruption, which are a setback in providing efficient service delivery. PEAS is fully functional in Pietermaritzburg Master's Office and it is working smoothly thus far," she acknowledged.

Apart from the good news, Pietermaritzburg office is currently faced with a huge challenge within the Guardian's Fund especially at the payment section. The section continues to experience problems with slow system and internet. Speaking to **Justice Today**,

Mr Thamsanqa Nxumalo, an Assistant Director at the Payment Section indicated that the matter has been reported.

"Over the past two weeks, the bank system would not allow us to create account details and the bank has not resolved yet. Due to this challenge, we were only able to pay 1 082 of those applications by the close of the August Annual Performance Plan (APP) statistics. We then managed to pay 86 of the remaining 207, leaving us with 121 approved applications that we had to cancel on the Guardian's Funds, the bank system became unreliable," said Mr Nxumalo.

The same sentiment was echoed by Ms Prabashni Mahadave, an Assistant Master who acknowledged that delays in payments also impact on the following month's productivity and time frames. "This result in a tremendous pressure placed on this office that normally pays many more applications than the Pretoria office with half the staff and we have to meet the 90% set target," said Ms Mahadave.

Commenting on the new premises and the improvement in the daily operations, Ms Kebuang Molosankwe, Chief Administrative Clerk said the new building looks nice and user-friendly, unlike the previous premises. "People are travelling long distance to access our services and I think it is about time that we go out as officials to do outreach programmes because people at rural areas do not know about our services," she said.

Ms Unathi Majova, Senior Administrative Clerk at the helpdesk shared that there are only two officials who work at the helpdesk. "There is lot of pressure and officials ended up making mistakes, more staff is needed. We always have stumbling blocks, but they work so hard to process their applications because we deal with communities that are from as far as Jozini which is about 500 km away. The office desk operators help approximately 200 or more community members daily," said Ms Majova

One of the community members, Ms Hlengiwe Khumalo from Eshowe, who queued to submit her younger sister's application said "I am happy with the service unlike before, but the queue here sometimes is long but it keeps moving." **UT**



Team: Officials at the Pietermaritzburg Masters Office.

What Is Ukuthwala?



Ukuthwala is a form of abduction that involves kidnapping a girl or a young woman by a man and his friends or peers with the intention of compelling the girl or young woman's family to agree into marriage.

THE CURRENT PRACTICE OF UKUTHWALA

Today, ukuthwala is being practiced in different ways from the original tradition, as it is marked by violence and rape.

WHAT IS THE IMPACT OF UKUTHWALA ON A GIRL CHILD?

HEALTH IMPACT: Experiences of complications such as HIV/AIDS and other related diseases.

SEXUAL REPRODUCTIVE RIGHTS: Sexual relations with a child increases the likelihood of HIV infection and other sexually transmitted diseases and affect her sexual and reproductive health rights negatively.

CHILDBEARING: This may entail complications during pregnancy and delivery and a great risk of the mother dying from these complications.

EDUCATION: Dropping out of school.

GENDER INEQUALITY: Continues gender inequality between girls and boys and lessens chances of a better future.

STEALING CHILDHOOD: It can also have immediate and long-term harmful effects on a girl's emotional, psychological welfare since she is forced to become a mother/wife' whilst she is still a child.

HOW DOES THE LAW PROTECT VICTIMS OF UKUTHWALA

1. Recognition of Customary Marriage Act, age of consent for marriage is 18yrs.
2. Prevention and Combating of Trafficking in Persons. Make it punishable to conclude a forced marriage with another person.

CRIMINAL LAW (SEXUAL OFFENCES AND RELATED MATTERS) AMENDMENT ACT 32 OF 2007:

RAPE: If a man has sex with a girl less than 12 years of age, he commits rape because she is too young to consent. If the man has sex with a girl between 12 and 16 years of age, he is guilty of statutory rape, whether or not she agreed to have sex. If he has sex with a girl over 16 years of age, without her consent, he commits rape.

SEXUAL ASSAULT: Direct or indirect contact between genital organs, anus, women's breast or any part of the body used for purposes of penetration or sexual stimulation. Any man who sexually violates an abducted girl is guilty of sexual assault.

SEXUAL EXPLOITATION: When a person pays someone under the age of 18 years old for sexual services, even if the sexual act is not committed. The parents or caregiver of a child who participates in or allows ukuthwala intombi or does not report it when their child is abducted in terms of ukuthwala intombi to the police, may be charged with the crime of sexual exploitation. A parent can therefore not accept lobolo in exchange for the girl to be abducted or thwala.



the **doj & cd**

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA



PUBLIC HAVE CONFIDENCE IN JUSTICE SERVICES - THANKS TO TAKALANI



Standing tall: Mr Takalani Ramasala of the North West Regional Office gets a shake from Minister Michael Masutha for obtaining gold in the Stakeholder Management Category

Even after launching 20 awareness campaigns on various pieces of legislation in schools and communities in the North West province in the previous financial year, Mr Takalani Ramasala never thought he would win first prize during the department's National Public Service Excellence Awards.

Mr Ramasala, who has been working for the North West Regional Office as a Senior Administration Officer since 2007 won a Gold Plaque and certificate under the Stakeholder Management category. **Justice Today**

gave the gold award winner the platform to express his joy about winning the award.

MM: *What do you think about the Service Excellence Awards? Do you think they serve a positive purpose?*

TR: Yes, I believe the hosting of the service excellence awards encourage excellence in providing services to the public amongst officials and furthermore contributes towards achieving the goals set, mission and vision of the department.

MM: *How do you feel about your win at not just the regional but National Service Excellence Awards? What came to mind when you heard your name being called on stage?*

TR: I was in disbelief and not counting on my name to be called on stage as a gold award winner but as a nominee. I was content with seeing fellow officials receiving awards and got emotional when my late colleague's name Tebogo Kgosimoruti was mentioned prior the awards ceremony. I dedicate the award to him.

MM: *Did you expect to win at national level?*

TR: I did not expect to win at all simply because our department has nine regions and when I imagined the number of officials in each region, the more I thought of people who are deserving of the gold award apart from me.

MM: *In your own view, what have you done that landed you a gold award under your category?*

TR: I think it is the way in which I engage with our stakeholders. Our stakeholders understand the department's mandate and services.

MM: *What words do you have for officials who nominated you for the award?*

To my colleagues, thank you very much. I did not know that I was doing a good job that deserved to be awarded. I would also like to urge officials to continue working hard and providing quality services to our communities. **TT**

SHE HAS A PASSION FOR SERVICE DELIVERY

Mosima Mashao



Feeling appreciated: Ms Hester Prinsloo received an award in the Customer Service Category.

Ms Hester Prinsloo is still in awe after receiving the first prize at the National Public Service Excellence Awards in the Customer Service category.

The Senior Administration Clerk at the Belfast (Emakhazeni) Magistrate's Court expressed her appreciation that her work is recognised by her colleagues and management. She has been working in the department for 10 years.

What do think about the Service Excellence Awards? Do think they serve a positive purpose?

The honouring of officials through the Public Service Excellence Awards shows that our work is valued by management and encourages us to do even more in our daily tasks at work. I was congratulated by fellow staff members. With effective promotion and communication of the awards officials whether nominated or not will have the interest in knowing how to go about nominating certain officials.

How do you feel about your win not just the regional but national service excellence awards?

Unfortunately I could not attend the national awards ceremony but I feel honoured and appreciated. It was

really unexpected to win at national level because the competition was stiff as there are so many officials who give their all in making sure that they offer quality service to our clients

In your own view, what have you done that landed you a gold award under your respective category and not the rest of the categories?

The fact that I try to give more than 100% to all our clients. I have a passion for working with people and that goes a long way in my line of work as a senior administration clerk at the court.

What words do you have for officials who nominated you for the award?

I would like to thank my colleagues who felt I deserved the award, believed and nominated me. I would also like to extend my gratitude to all the adjudicators. [UT](#)





Working hard:
(from left) Ms Patrys Venter and Ms Gerda Marais ensure that services of the Office of the Chief Master benefits members of the public.

TECHNOLOGY IMPROVES SERVICES RENDERED AT MASTER'S OFFICES

Nthabiseng Ngwetsana

Most Master's offices around the country can attest to the efficient technology introduced through the Master's Own Verification (MOVIT) System. The system, which is linked to the Department of Home Affairs data-base can confirm, within a few seconds, an identity of an individual through a thumb print. MOVIT is used to positively identify Guardian's Fund applicants in order to curb fraudulent applications/activities that have in the past few years, plagued the Master's Offices.

Upon application, an individual's ID is punched on the system, thereafter, an applicant places a thumb on the device which is connected to a computer. After an identity number is punched in, the screen verifies the person's information as it would appear on the South African green bar-coded ID book or a smart card.

"We realised that people were travelling long distances to reach our services whilst they could simply go to service points in their areas."

Ms Gerda Marais, Deputy Master at the national office explained that "apart from decreasing fraud, MOVIT system significantly reduces the turnaround time. Previously, Master's offices would wait for the

Another technological intervention that the Office of the Chief Master proudly boasts about is the Paperless Estates Administration System (PEAS).

Department of Home Affairs to verify information and this process usually took a maximum of four months".

Ms Marais said this used to cause anguish for applicants as they would travel long distances only to find that verification has not yet been confirmed by Home Affairs. A case in point is in the Northern Cape, where applicants travelled distances of between 380 and 570 km just to reach the Master's office in Kimberley.

After being piloted in 2012, the system is now being rolled out to 31 service points including all 12 Master's Offices and magistrate's courts (service points). "We realised that people were travelling long distances to reach our services whilst they could simply go to service points in their areas," said Ms Marais.

Another technological intervention that the Office of the Chief Master proudly boasts about is the Paperless Estates Administration System (PEAS). The system was first piloted in the Nelspruit office in 2012 after realising a common trend nationwide that documentation frequently went missing and appointment letters were faked.

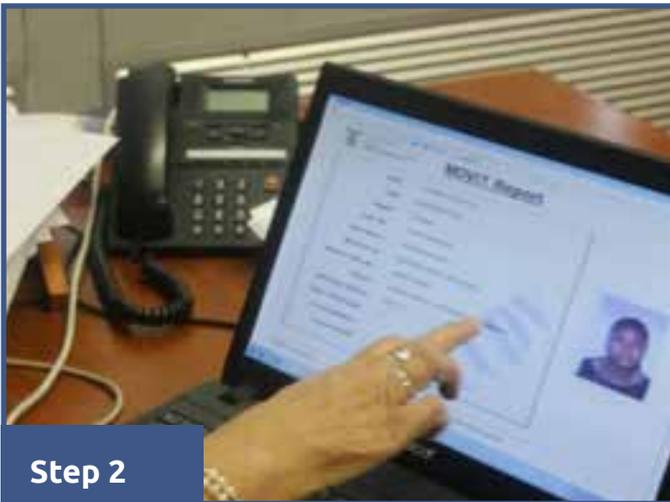


Step 1

Assistant Master, Ms Patrys Venter said currently, there are trained estate clerks being placed at magistrate’s offices to process estate applications. “The system is linked to the Masters Office where approval can be made and a record of paper trail is retrievable for future use. Estate clerks can only capture claims for less than R50 000 at service point,” explained Ms Venter.

Claim for Guardian’s Fund

Ms Venter encouraged the public to visit the website to see if they could not be possible beneficiaries from the Guardian’s Fund. “We are guided by an Act that says we have to advertise names of the deceased in the Government Gazette every year in September, however, most people do not read the Government Gazette, this result in more funds kept in the Guardian’s Fund that remain unclaimed. This is the only way of ensuring that the money gets to the rightful beneficiaries”, she said.. JT



Step 2

Verification process: This is how MOVIT works.

- Step 1*** An applicant places a thumb on the device.
- Step 2*** After ID is punched in, the screen verifies the person’s information.
- Step 3*** All the applicant’s particulars are verified.



Step 3

ACCESS TO QUALITY SERVICE – POLOKWANE MASTER

Mosima Mashao



Above: Officials at Master's Office; Polokwane during the visit recently.

Master's Office: Polokwane is trying its best to provide efficient service delivery through technology that speeds up the processes of paying beneficiaries. Head of Office, Ms Fhatuwani Mugivhi spoke to **Mokgethwa Ngoepe** on the successful running of the Master's office.

MN: Your office was recently invited during the Public Service Excellence Awards, what does that mean for staff?

FM: It was a great honour for us to have been recognised during the service excellence awards. We are humbled beyond words.

MN: Take us back to where the office started operating.

FM: Our office opened its doors to members of the public on 13 October 2003. That brought the end to the denial of access to the Master's services which deprived the majority of the Limpopo community, especially the poor. People of Limpopo previously travelled to the North Gauteng Master of the High Court to access services, trips were often daunting, time wasting and costly.

With an approved staff establishment of only 10 officials, we started serving our community. A few months down the line, we started an awareness campaign on local radio stations encouraging our people to make use of our services. Many people started coming to our offices to access services they were previously denied of. The long costly trips and telephone calls to Pretoria were over.

MN: What are the practices and initiatives adopted in this office to give assistance to the people it serves?

FM: Adhering to the Batho Pele principles and common respect for others are our primary goals.

We can have the best systems, processes and procedures but how we conduct ourselves in offering these services to the public is the biggest part of the winning formula. Zero tolerance to fraud and corruption is our motto.

MN: With regards to the Paperless Estate Administrative System (PEAS), how has it been of assistance?

FM: The advantage of PEAS is that assistant masters, as the authorisers, can approve appointments anywhere as long as they are linked with the estate controllers (capturers). One of our 26 service points, the Nebo Magistrate's Court, has been identified as an ideal point to be proclaimed a sub-office for the Estate Act.

The assistant master who will be placed there can still authorise matters of the Polokwane Master's office while in Nebo as the office will now be linked with estate controllers in the main office.

MN: How is the office doing in promoting the department's services?

FM: The officials are working very hard to ensure that services are rendered timely to the public. Long queues are history in our offices as we pay beneficiaries through the Electronic Fund Transfer (EFT) system. In terms of Guardian's Fund, we have the Master's Own Verification System (MOVIT) and a dedicated official dealing with Guardian's Fund applications. Unfortunately at this stage, we are not fully operational but our clients do not have to travel to Pretoria anymore to access Guardian's Fund services as this is done in our office. We also assist them in making follow up for payments which ease the burden they had before. ■



In the pipeline: Limpopo High Court is still in a construction phase.

MN: How often do people come to register their Wills?

FM: Members of public come for advice on how to draft Wills and where to keep them. More especially after we have been to the outreach programmes or information sharing sessions. They normally need more specific information and assistance in this regard.

MN: What are the successes and challenges you encountering when providing the services?

FM: When screening clients, we ensure that they do not wait in queues only to be turned back when their turn for assistance comes. Having office meetings is also helpful as it minimises confusion and misunderstanding which may have a negative impact on service delivery. The main office challenge is accommodation. This has been the biggest challenge for the past eight years and until it is resolved, it will remain our biggest challenge and obstacle towards reaching our goals.



Public Servants: group picture was taken at Masters Office in Limpopo recently.

Factors enhancing service delivery in Polokwane Master's Office:

- Community outreach programmes.
- Screening of clients as outlined above.
- Team work.
- In-house training.
- Sharing of information on new developments such as case laws.
- Voluntary working more hours without compensation.
- Prioritising of work in terms of which urgent work is attended to before important work.
- Strategies applied by management.
- Effective use of resources. UT



Above: Head of Office Ms Fhatuwani Mugivhi (with a hat) in her office recently.

PROTECT YOURSELF AND LOVED ONES FROM HUMAN TRAFFICKING

Glory Msungwa



Many people fall victim to human trafficking under false pretence, usually by being removed from their homes to other places around or outside the country for exploitation purposes.

Every year in October, South Africa marks the National Human Trafficking Awareness Month in an effort to increase awareness of trafficking in persons across the country.

A research done by the International Organisation Migration (IOM), states that human trafficking does take place in South Africa, but due to its hidden nature, it is difficult to quantify. According to IOM,

traffickers use South Africa as a transit destination where people are trafficked into the country from other parts of the world. The number of victims assisted by the IOM since 2004 shows that South Africans are being trafficked to other countries, including Eastern Europe and Asia.

IOM reveals that there is also evidence of internal trafficking taking place where victims are recruited from informal settlements and rural areas by traffickers who take advantage of people with an ambition for a better life. Victims often end up in the country's major cities including Cape Town, Johannesburg, Durban, Pretoria, Bloemfontein, Port Elizabeth, and mining regions like Rustenburg.

During this year's awareness week, IOM in partnership with, the Department of Justice and Constitutional Development, National Prosecuting

Authority (NPA), South African Police Service, (SAPS), the HAWKS and the Dutch Embassy hosted a public debate on Trafficking in Persons and Liberalisation of Legislation on Commercial Sex Work in South Africa. Amongst the issues, panelists debated whether liberalisation of legislation on prostitution in South Africa would lead to an increase or decrease in cases of trafficking in persons

The United Nations Office on Drugs and Crime (UNODC) Report on trafficking in persons estimates that 79% of human trafficking cases consist of sexual exploitation. The victims of sexual exploitation are predominantly women and girls. It is also reported that almost 20% of victims of trafficking in persons are children. This shows that this crime is a gender related crime as it victimises women and targets the vulnerable.

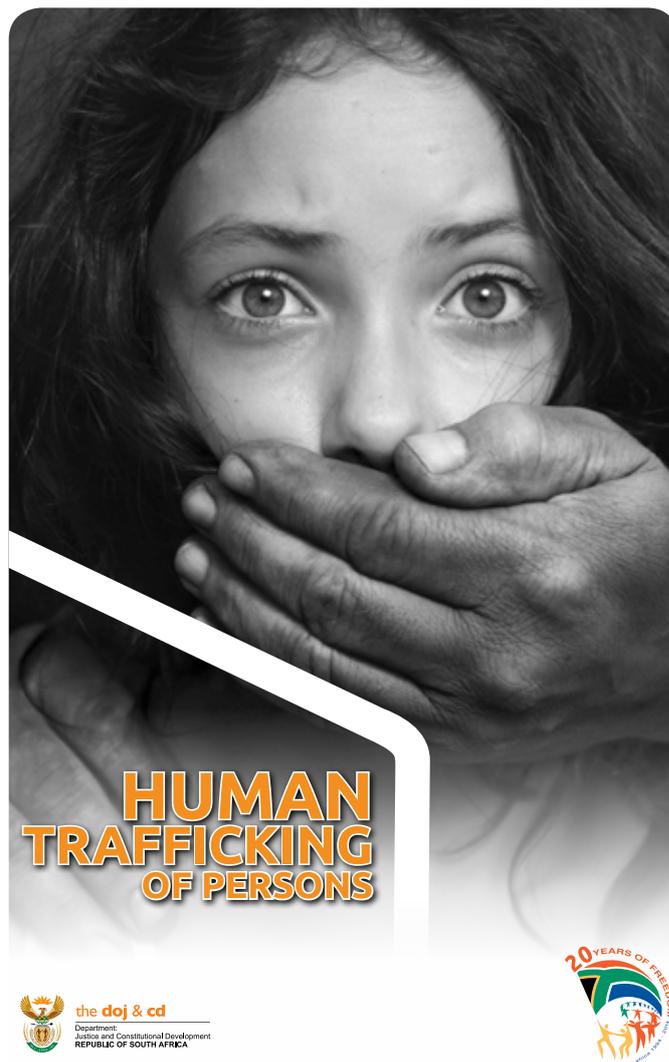
Tsiriledzani, a joint government campaign on human trafficking to address human trafficking on a wider scale, including a definition and explanation of laws gave the following tips on how to prevent and help someone who has been trafficked.

HOW CAN YOU HELP SOMEONE WHO HAS BEEN TRAFFICKED?

- Contact your nearest social worker to arrange counseling services for the victim of trafficking, so that they can deal with the experience they have gone through. Information on shelters in your area will be provided by a social worker closer to you or the Department of Social Development in your province, where the victim can be given a place to stay.
- You can also contact the nearest Department of Home Affairs office where an immigration official can assist with determining the status of a person in South Africa. Together with the Embassy of the victim's country of origin, the immigration office will facilitate the victims return to their home country.

TIPS ON HOW TO PREVENT HUMAN TRAFFICKING

1. Look out for people - both men and women - who say they have job opportunities that promise a lot of money in a short space of time.
 2. The Department of Labour in your area can help you validate job offers, particularly those outside your province or the country. Any suspicious conduct by prospective employers or their agents must be reported to the police.
 3. Teach your children to be careful of adults who try to befriend them, whether in person or through cell phone or internet chat rooms.
 4. Immigration Officers of the Department of Home Affairs play an important role in preventing human trafficking; one of their functions is to determine the nationality and status of foreigners.
1. Immigration officers who identify victims of trafficking, through their fraudulent documents or any other means, are required to treat victims in a humane and dignified manner in line with the RSA Constitution. Immigration Officers will ensure that the necessary advice and assistance is rendered to such persons.



EYE CHART

The **Justice Today** **EYE CHART** has clues whose solutions can be found by carefully reading all the articles in this issue. Fill in the answers correctly and stand a chance to **WIN**.

	Q	W	T	I	P	G	H	L	S	D	Z	V	M	A	D	H	J	O	P	G
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EYE CHART CLUES

- Which Master's exceeded targets set in all five areas of operation?
- About 79% of human trafficking cases consist ofexploitation.
- Mr Surendra is the Grahamstown Master.
- Who worked as a volunteer provincial coordinator under the Mpumalanga Anti-Human Trafficking Unit?
- Ms Hester Prinsloo is a Senior Administration Clerk at (Emakhazeni) Magistrate's Court.
- Which system is used to identify Guardian's Fund applicants to curb fraudulent applications and activities?
- "Rationalisation of magisterial districts to municipal boundaries "will commence on 1..... 2014
- Which Master's office deals with Guardian's Fund serving Kwa-Zulu Natal and parts of the Eastern Cape?
- MrRamasala obtained first prize in the Stakeholder Management Category.
- Which Master's office with 26 service points?
- Ms Trudie Van Der Bank is a Children's..... Clerk.

HOW TO ENTER & WIN

Complete the **EYE CHART** and **STAND A CHANCE TO WIN A PRIZE**. Fill in your details on the entry form and fax to 086 226 0222, attention Nthabiseng Ngwetsana. The first 3 correct entries drawn will **WIN** a prize.

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JUSTICE TODAY

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Sehume Street and
Schoeman Street was renamed Francis
Baard Street by Tshwane Council in March
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Sehume Street and
Schoeman Street was renamed Francis
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Free State	051 - 407 1800	051 - 448 4458	71 Maitland Street, Bloemfontein, 9301
Gauteng	011 - 332 9000	011 - 331 0425	15th & 16th Floor, Schreina Chambers, Commissioner Street, Johannesburg, 2001
KwaZulu-Natal	031 - 372 3000 / 3007	031 - 304 9213	2 Devonshire Place, Smith Street, Durban, 4001
Limpopo	015 - 297 5577	015 - 297 5570	92 Bok Street, Polokwane, 0700
Mpumalanga	013 - 753 9300	013 - 752 2666	24 Brown Street, Nelspruit, 1200
Northern Cape	053 - 839 0000	053 - 832 6815	Cnr Stead & Knight Streets, New Public Building, Kimberley, 8301
North West	018 - 397 7000	018 - 384 3406	Tirelo Building, Dr Albert Luthuli Drive, Mmabatho, 2735
Western Cape	021 - 462 5471 / 5479	021 - 462 3135	Plein Park Building, Plein Street, Cape Town, 8001

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