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JUSTICE TODAY

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RANDBURG MAGISTRATE'S COURT

**MEDIATION RULES TO EASE THE BURDEN
ON COUNTRY'S COURT ROLL Pg 4**

**RANDBURG COURT ON COURSE AFTER THE
ALIGNMENT OF FUNCTIONS Pg 10**



the doj & cd

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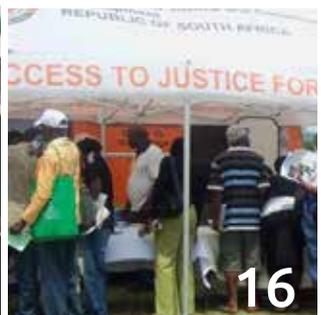
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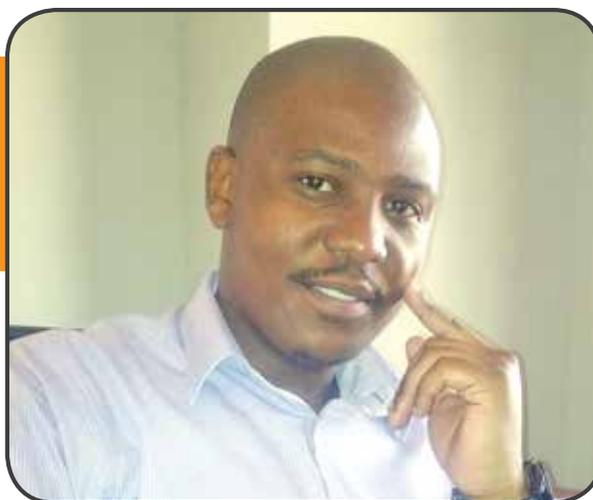
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Editorial

Luyanda Makapela | Editor



Welcome to our first edition for the year 2015, I am proud to announce that the department has, and still continue with its quest to ensure that it delivers on its core mandate of ensuring “Access to Justice for All”.

In the past year, the department embarked on major developments including the rationalisation of magisterial districts to re-align with the current municipal boundaries, as well as the transfer of the high court functions to the Office of the Chief Justice (OCJ), to name just a few.

Recently, the Minister of Justice and Correctional Services, Advocate Michael Masutha, launched the Court Mediation Rules in the North West, a form of alternative dispute resolution that resolves disputes speedily and prevents the increased cost of legal processes. We encourage you to read more about the processes of accessing mediation, its benefits and remedial actions.

In this edition, we also re-visit Gauteng and North West regions following up on the progress made in the implementation

of the realignment of magisterial districts into municipal boundaries since 1 December 2014 to date.

Another area of great improvement is the establishment of small claims courts throughout the country. You will get more information on the journey travelled and developments made in ensuring that these courts are accessible in almost all of the country’s courts.

Lastly, in an effort to provide educational assistance to the victims of the Truth and Reconciliation Commission (TRC) process, the department has granted an extension for bursary applications to 31 March 2015, to give more time to those beneficiaries that missed the deadline. Read more on the bursary scheme provided by the department and how to access it. Do not miss out this time around!

After reading the articles, we do encourage you to spare some time to participate in our Crossword Puzzle.

Until then, enjoy! LUYANDA MAKAPELA

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MEDIATION RULES TO EASE THE BURDEN ON COUNTRY'S COURT ROLL

Mokgethwa Ngoepe

In order to improve performance, the department has introduced the Court Mediation Rules to resolve disputes speedily, and settle out of court, where possible. Mediation is a process by which a mediator assists affected parties in actual or potential legal action to resolve a dispute between them. This is done through facilitating discussions, assisting in identifying issues, clarifying priorities, exploring areas of compromise and generating options in an attempt to resolve a dispute. This is an alternative to having a dispute resolved in a court of law.

The main purpose of mediation is to:

- **Promote access to justice;**
- **Promote restorative justice;**
- **Preserve relationships between potential complainants which may become strained or destroyed by an adversarial nature of litigation;**
- **Facilitate a speedy and cost-effective resolution of a dispute between complainants or potential complainants;**
- **Advise complainants prior to commencement of the best route to take in resolving their matters;**
- **Provide complainants with solutions to their disputes, which are beyond the scope and powers of judicial officers.**

According to the Deputy Chief State Law Adviser, Advocate Jacob Skosana, mediation is being piloted in 12 districts and regional magistrates' courts, nine in Gauteng and three in the North West. Explaining the process, he said: "You simply approach a mediation clerk in the civil section at a magistrate's court which has a jurisdiction in respect of a dispute. A clerk will arrange for the parties to attend a meeting for the purpose of determining whether their dispute should be submitted to the mediator or not," said Advocate Skosana.

He further highlighted that in a mediation process, there are no court fees, but a mediator is entitled to charge a certain fee, according to a fixed tariff. "The parties contribute equally to this fee which must be paid in court before the mediation process commences," he said, adding that some mediators do act without charging a fee (pro bono). A mediator will be a person that the parties choose, with the help of a mediation clerk from a panel of accredited mediators appointed by the Minister of Justice and Correctional Services.

Chairperson of the Mediation Advisory Committee, Acting Judge Cassim Sardiwalla said virtually any dispute can be mediated. "The most important requirement is that there must be a dispute. If a plaintiff is claiming money for work done and a defendant has no defence to the claim, but is simply not paying, then there is no dispute. If, on the other hand, a defendant is refusing to pay because the work was not properly done then there is a dispute," he explained.

Mediation is appropriate for the resolution of disputes between parties who will have to or would like to continue to interact with one another in the future. For this reason, mediation through the Commission for Conciliation, Mediation and Arbitration (CCMA) is compulsory in respect of labour disputes where an employee alleges

unfair dismissal. Mediation is also particularly appropriate for family and neighbourhood disputes,” said Judge Sardiwalla.

Advocate Skosana indicated that both parties have the right to be represented if they wish to do so, but this is not obligatory. “Parties who are represented will be responsible for the fees of their legal practitioners. It is a task of a mediator to ensure a fair and structured process with a level playing field, irrespective of whether parties are represented by lawyers or not,” he indicated, adding that parties can also request that a friend or family member be allowed to be present during mediation to lend support.

Mediation process can take place prior or during legal process, at any time before a judgment has been given. Parties can agree to refer to mediation or one party may request a clerk or registrar of the court to convene a meeting for the purpose of determining whether the matter should be submitted for mediation. The court-annexed mediation rules also provide that during a hearing of a matter, a judicial officer can enquire whether a matter should be referred to mediation and give parties an opportunity to consider this in consultation with a clerk or registrar.

THE ADVANTAGE OF MEDIATION IS THAT:

- *It is generally less costly than a court legal process.*
- *Technical court procedure rules do not apply.*
- *It is a voluntary process from which the parties can withdraw at any time.*
- *It can provide a win-win solution, whereas a legal process outcome is win-lose.*
- *On-going relationships between parties are positively impacted.*

He added that mediation clerks who attended training will assist in the reduction of backlog cases of civil and family law disputes in the province as they, on average, can take up to two and a half years to be finalised whereas they could have been resolved out of court and saved parties costs as well.

One of the residents, Mr Malefo Nkaung expressed that the process of mediation will assist greatly in resolving disputes as it is less expensive. However, he needed clarity on which cases can be referred to a Therisano Centre and those that cannot. In response, the minister clarified that all civil and family matters will be referred straight to the Therisano Centres while criminal cases should be reported at the police station first before being referred for mediation.



Mediation clerks who were awarded certificates during the launch of the Court Annexed Mediation.



Encouraging mediation: Minister Michael Masutha addressing Montshioa Stadt Village residents during the Launch of Court Annexed Mediation in the North West recently.

At the launch of the Court Annexed Mediation in the North West on 16 February 2015, the Minister of Justice and Constitutional Development, Advocate Michael Masutha, MP, reported that 231 mediation clerks to assist in resolving disputes have been appointed and will start serving at the Therisano Centres (mediation offices) in the province.



Thrilled: Mr Malefo Nkaung expressed his relief as mediation services that will be offered at magistrate’s courts will be less expensive.



Class act: Officials rendering a drama explaining the process of mediation between two parties and a mediator.



STEP BY

The Department of Justice and Constitutional Development now offers mediation services.

Mediation is a process by which a mediator assists the parties in actual or potential litigation to resolve the dispute between them by facilitating discussions between the parties, assisting them in identifying issues, clarifying priorities, exploring areas of compromise and generating options in an attempt to resolve the dispute. It is an alternative to having the dispute adjudicated in court.

Mediation will be rendered at dedicated rooms known as **Therisano Centres**.



GO TO THE OFFICE OF THE MEDIATION CLERK AT THE COURT.

1

Explain your problem to the clerk.



IF MEDIATION IS POSSIBLE, THE CLERK WILL ASSIST YOU TO FILL IN AN APPLICATION FORM.

2



THE CLERK WILL INVITE YOU AND THE OTHER PARTY TO COME TO A MEETING TO DISCUSS AN AGREEMENT TO MEDIATE.

3

At this meeting:

- the clerk will explain mediation.
- the parties sign a written agreement to mediate.
- the clerk will assist the parties to choose a mediator.
- the date and time of mediation will be agreed and fees paid according to a fixed tariff and shared equally by both parties.

MEDIATION STEP PROCEDURE



THE MEDIATOR AND PARTIES MEET ON A SUITABLE DATE FOR A MEDIATION SESSION.

- The mediator explains mediation rules and procedures.
- Each party tells their story.
- The mediator may ask questions.
- The mediator suggests solutions.
- Parties discuss what is the best solution.

4



AN AGREEMENT IS REACHED BY THE PARTIES.

- The mediator helps parties to write an agreement.
- Agreement may be made an order of court if parties wish.

5

Benefits of mediation

- It offers speedy resolution of disputes.
- It is considerably cheaper than litigation.
- It provides a win-win situation for both parties in a dispute.
- The process is flexible and avoids technicalities.
- It is a voluntary process.
- It promotes reconciliation.
- Parties use their own languages during mediation.

JUSTICE TRC UNIT EXTENDS CLOSING DATE FOR BURSARY

Nana Mzila



The department's Truth and Reconciliation Commission (TRC) unit has made funds available for a bursary scheme, funded by the President's Fund, to provide educational assistance to the survivors and family members of those affected by the TRC process.

The application process, which initially opened from 7 November 2014 and closed on 7 February 2015, affords an opportunity for beneficiaries of the victims of apartheid to further their studies, both in basic and higher education, throughout the country.

However, due to the minimal number of applications received, the department has now extended the closing date for the applications to 31 March 2015. The closing date is extended in line with the regulations signed by the President.

To date, 282 applications have been received, a number far less than what the department expected. According to Mr Ngwako Ramphadi from the TRC unit, around 1000 applications were expected.

"The majority of the application forms received were completed correctly and the required documents were submitted accordingly. This is an indication that all those who applied understood the procedure," said Mr Ramphadi, adding that most applications were from Kwa-Zulu Natal and the Eastern Cape.

Once the department receives applications, a representative from the TRC unit is assigned to check if an applicant qualifies. "All the applicants are verified against the report Volume 7, which contains a list of all apartheid victims who were part of the TRC process with their

dependants and relatives and against records in the President's Fund," explained Mr Ramphadi.

He added that the Department of Home Affairs also assists with verifying the relationship between victims and their relatives or dependents. Once the verification is done, an applicant is informed accordingly, in writing and telephonically, after 30 days from the closing date. The response will indicate the reasons for the successful/ unsuccessful application.



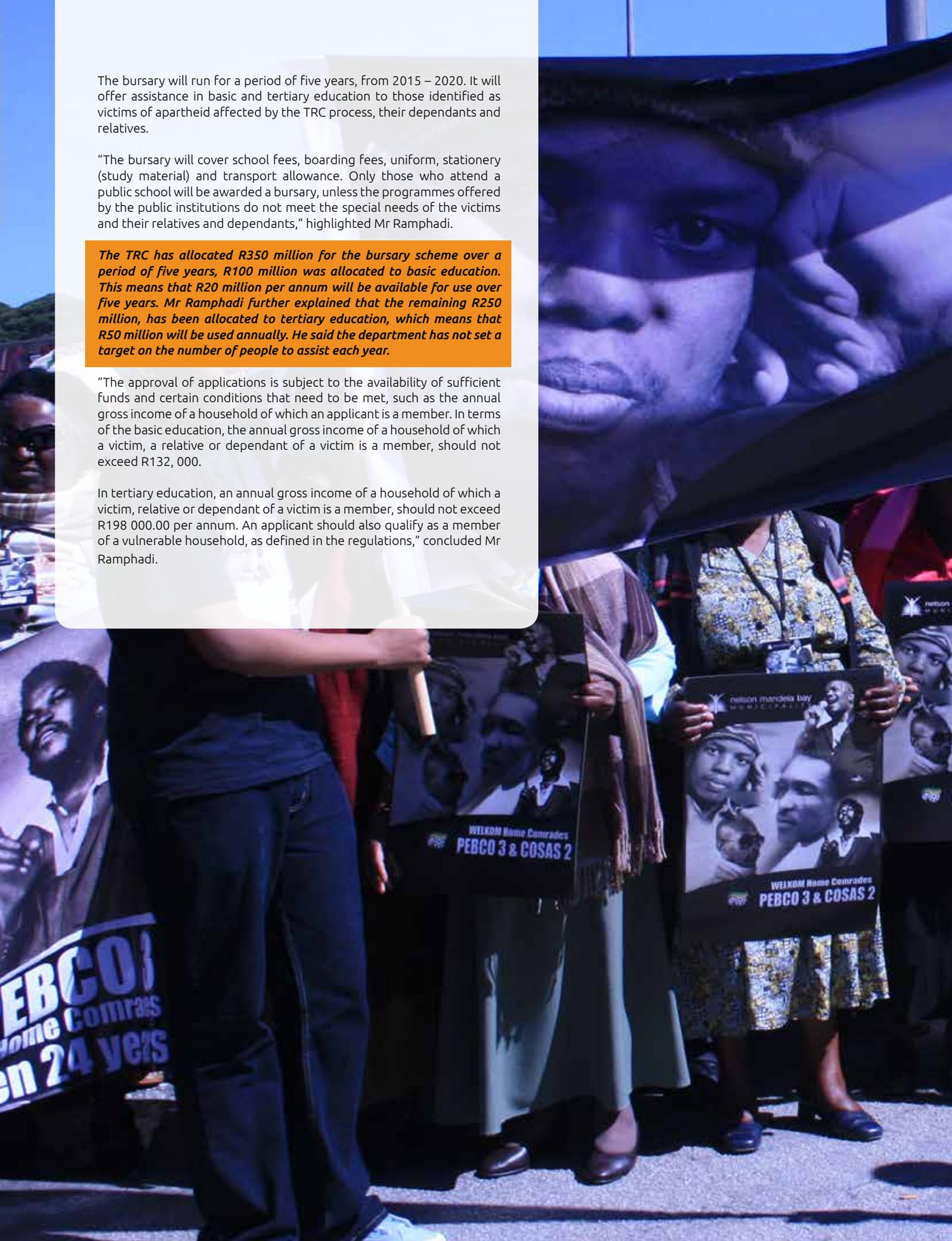
The bursary will run for a period of five years, from 2015 – 2020. It will offer assistance in basic and tertiary education to those identified as victims of apartheid affected by the TRC process, their dependants and relatives.

“The bursary will cover school fees, boarding fees, uniform, stationery (study material) and transport allowance. Only those who attend a public school will be awarded a bursary, unless the programmes offered by the public institutions do not meet the special needs of the victims and their relatives and dependants,” highlighted Mr Ramphadi.

The TRC has allocated R350 million for the bursary scheme over a period of five years, R100 million was allocated to basic education. This means that R20 million per annum will be available for use over five years. Mr Ramphadi further explained that the remaining R250 million, has been allocated to tertiary education, which means that R50 million will be used annually. He said the department has not set a target on the number of people to assist each year.

“The approval of applications is subject to the availability of sufficient funds and certain conditions that need to be met, such as the annual gross income of a household of which an applicant is a member. In terms of the basic education, the annual gross income of a household of which a victim, a relative or dependant of a victim is a member, should not exceed R132, 000.

In tertiary education, an annual gross income of a household of which a victim, relative or dependant of a victim is a member, should not exceed R198 000.00 per annum. An applicant should also qualify as a member of a vulnerable household, as defined in the regulations,” concluded Mr Ramphadi.



RANDBURG COURT ON COURSE AFTER THE ALIGNMENT OF FUNCTIONS

Glory Msungwa



Clean: Randburg Magistrate's Court now renders services to new communities including Diepsloot.

Enduring hardships and a burden of long distance travelling in order to access justice services by the Diepsloot and surrounding communities has come to an end. This follows the alignment of magisterial districts with municipal boundaries in Gauteng and North West recently.

As from 1 December 2014, Diepsloot and the surrounding communities were relieved of travelling approximately 40km's to the Pretoria Magistrate's Court to receive justice services and now access these services at the nearest Randburg Magistrate's Court, approximately five km away.

This process is called the rationalisation of magisterial districts to municipal boundaries and ensures that more people have access to courts located closer to where they live. It also reduces travelling costs incurred by communities in accessing courts.

According to the Acting Court Manager at the Randburg Magistrate's Court, Ms Fikile Mkhafa, the change has impacted on the workload as the number of people coming in on a daily basis has increased gradually.

She highlighted that the court is currently coping with the situation as the project has only been running for few months. "Currently, we are able to assist everyone who arrives at the court, but we are bound to have more people coming in as the time goes by and we are looking at finding mechanisms on how to manage the situation and continue to render justice services to communities on time and without any glitches," she assured.

Ms Mkhafa added that the processes have been running smoothly thus far, as the court is only dealing with new cases enrolled from 1 December 2014, However, the incomplete cases that were enrolled before 1 December 2014 are being finalised at the courts where they were recorded at.

She indicated that the situation is so far manageable, as transferring of files has not yet been completed. "Most of the maintenance files have not yet been transferred as they were incomplete and had to be sent back to the Pretoria Magistrate's Court to be rectified. However, when people arrive at our court and their files are not yet here or incomplete, we do not turn them back, but we process their applications as we wait for the files," she explained.

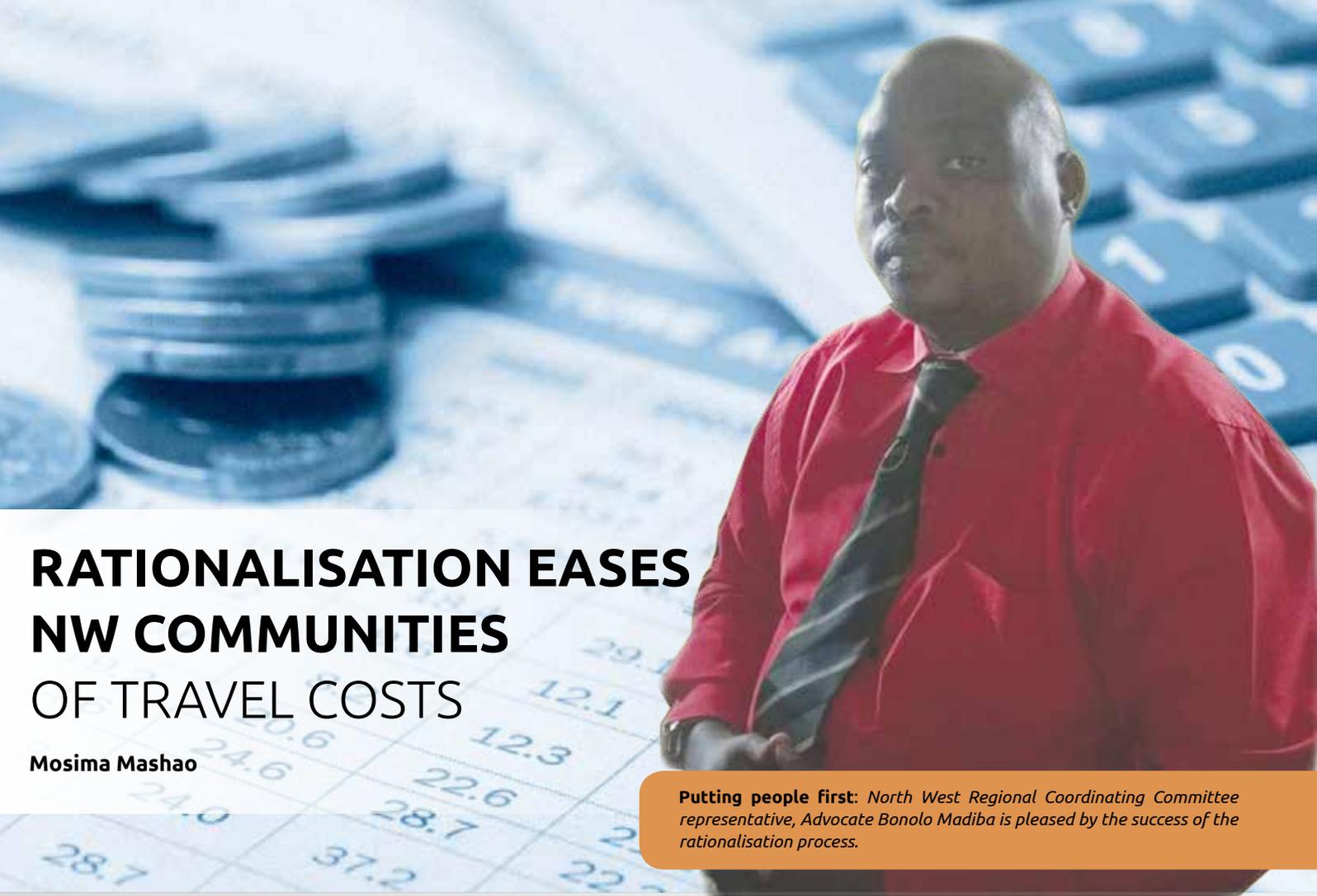
Although the Randburg Magistrate's Court is situated at a residential area, there is a challenge of accessibility by communities served by the court.

Ms Mkhafa added that there have been problems with regards to the routes from the taxi rank to the court as people still have to walk a distance to reach the court.

"There are initiatives underway with the taxi industry to resolve the issue, although some residents around the area are complaining about the noise that the taxis will make close to their homes," she said.

Some of the services rendered at the Randburg Magistrate's Court include,

- **Criminal cases and civil disputes**
- **Maintenance**
- **Small Claims Courts**
- **Domestic Violence**
- **Children's Court**
- **Deceased Estates.**



RATIONALISATION EASES NW COMMUNITIES OF TRAVEL COSTS

Mosima Mashao

Putting people first: North West Regional Coordinating Committee representative, Advocate Bonolo Madiba is pleased by the success of the rationalisation process.

In a continuous effort to bring justice services closer to the public, the department has undertaken the process of alignment of magisterial districts into municipal boundaries recently, and this process, also known as rationalisation of courts, have so far proven success.

Following the commencement of the project on 1 December 2014 in the North West and Gauteng regions, Advocate Bonolo Madiba, who serves as the project’s North West Regional Coordinating Committee representative and a Senior Legal Administrative Officer at the regional office enlightened *Justice Today* readers on the operations of the process so far.

Advocate Madiba explained that the rationalisation of magisterial districts is a process by which the department and the Minister of Justice and Constitutional Development, should embark on it in terms of item 16 (6) of the Renaming of High Courts Act 30 of 2008.

He emphasised that the Act enjoins the minister to rationalise courts with a view of establishing a judicial system suited to the requirements of the new Constitution. “As a department, we are moving the magisterial boundaries to be as close as possible, in line with the municipal boundaries,” he said.

Advocate Madiba explained that the first two provinces (GP and NW) which benefited from the process overlapped and certain boundary municipalities encroached in between them, hence they were the first to be re-aligned. As the Regional Coordinating Committee (RCC) representative of the North West, he reported that there have been drastic, but good changes brought on by the rationalisation process especially in the Marikana, Bapong, Jericho and Bethanie areas.

“People of Marikana, who were under the Rustenburg Municipality, and for 20 years after democracy, had to travel as far as 100 kilometres to

Ga-Rankuwa passing a court in Brits to access justice services. Today, they attend court proceedings nearer to home and within their municipality in Rustenburg,” he said.

He further gave an example of Bapong, Jericho and Bethanie areas where community members now attend court in Brits and not in Ga-Rankuwa. “They no longer endure hardship of travel costs, catching two if not three taxis in order to access justice services,” he added.

Advocate Madiba said the rationalisation of magisterial districts into municipal boundaries was aimed at transforming justice and as a result most periodic courts that were only meant to render criminal cases. They are now offering family law service to the communities they serve.

Three periodic courts within the Madibeng magisterial district (Brits) have had an increase in volume of work that the courts have ever experienced whilst Ga-Rankuwa sub-district statistics show an automatic decrease given the intake of new matters, according to Advocate Madiba. “Old cases already on the roll will proceed as if the proclamation never took effect until they are finalised,” he said.

Just as new main courts namely Moretele in Makapanstad and Madibeng in Brits have been built, more courts are set to be built and revamped in the North West region for easy access to justice services. Advocate Madiba mentioned that the building and revamping of courts as part of the rationalisation process will also give rise to job creation. Where there is or will be a court, all other services supplementary to justice will follow suit, he said.

“We have developed a monitoring tool that will be utilised by data capturers to collect data and be able to analyse the operation of the rationalisation process in the region for our betterment,” concluded Advocate Madiba.



Government meets the people



SMALL CLAIMS COURTS BROADEN ACCESS TO JUSTICE

Mokgethwa Ngoepe

Official opening the Small Claims Court at the Howich Magistrate's Court in KwaZulu-Natal in 2014.

The department has recorded a positive progress in the establishment of Small Claims Courts (SCCs) and to date, a total of 330 of these courts are in full operation countrywide.

The Small Claims Court Project Office, which serves as a support structure in capacitating and addressing problems of SCCs in the country, ensures that these courts are fully operational and services are delivered. These courts are one of the most powerful vehicles that the department utilises in order to ensure broader access to justice for all.

An agreement between the Swiss government, through the Swiss Agency for Development and Cooperation and the Department of Justice and Constitutional Development is ensuring that more South Africans have access to justice services.

Former Justice Minister Jeff Radebe and the Swiss Ambassador Mr Rudolf Barfuss, signed a cooperative agreement on 19 April 2011 where the Swiss Government injected R10 million into a project to revitalise small claims courts in South Africa.

Most of the previously disadvantaged communities have already benefited from the 330 small claims courts that are already in the country. The funding was part of a partnership that has been in place for the past four years.

According to Ms Christelle Naude, Legal Administration Officer, small claims courts are a powerful tool to provide access to justice, especially to the poor. "These courts are based on speed, simplicity and cost effectiveness and are created to eliminate time-consuming confrontational procedures before and during a trial," she explained.

Ms Naude added that no legal representation is required or allowed to appear on behalf of complainants in these courts as this would lead to lengthy arguments and delays. "This does not, however, stop a person from consulting with a legal representative before going to a small claims court", said Ms Naude. Former Justice Minister Jeff Radebe explained that through small claims courts, the department would continue to

ensure that rural areas have the same opportunities of accessing justice services like urban areas.

During the launch of the Small Claims Court in Khayelitsha, late in 2014, Deputy Minister John Jeffery assured commissioners that the department will continue to provide them with the necessary support to ensure that their working environment is safe and conducive for all commissioners, personnel and officials. He believes that commissioners are the backbone of these courts.

The presiding officers of a small claims court are called commissioners. They all have significant years of experience after having been admitted to practical law in the courts, They are largely left to their own devices in terms of presiding in the small claims courts. They depend on their experience as legal practitioners and academics in carrying out their mandate of presiding over these courts.

Commissioners are drawn from the rank attorneys, advocates, retired magistrates and legal academics who are required to draw on their legal training and expertise in conducting small claims court duties. Sitting time are scheduled after hours (until late in the evening) so that the Commissioners can fulfill their small claims court duties without interference with their legal practices.

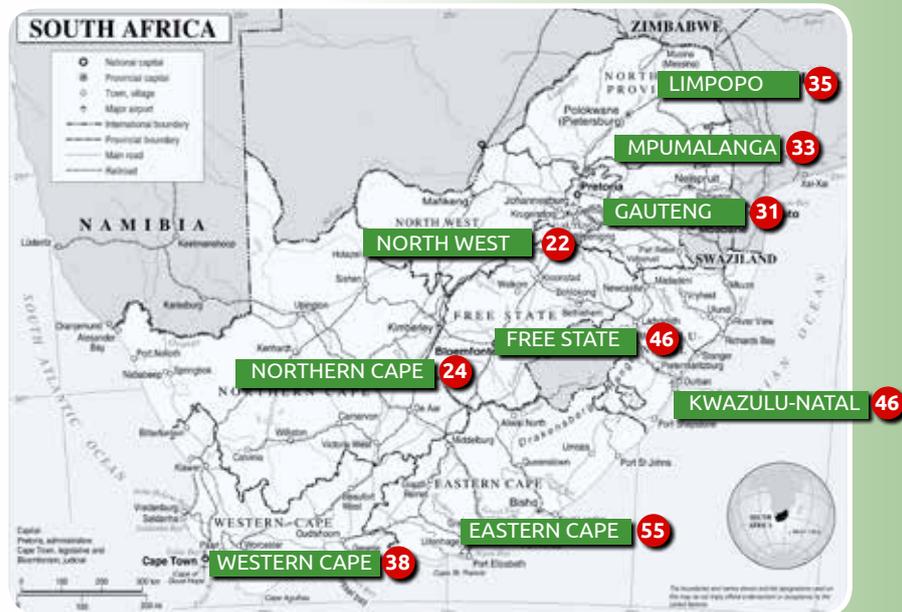
Small claims courts usually sit after hours where commissioners assist on a voluntarily basis, without any compensation. Their only compensation is the richly rewarding knowledge that they have served society and justice is seen to be done. These are men and women who have a passion to serve justice and prepared to go an extra mile. "They are an example, not only to others in the legal profession, but to society at large," the deputy minister said.

The statistics show that there are 1 520 advisory board members and 1 834 commissioners countrywide. There are 330 small claims courts across the country. "During the 2013/14 financial year, 26 new small claims courts were established. We aim to establish an additional 30 during the next 2014/15 financial year," Ms Naude concluded.

NUMBER OF SMALL CLAIMS COURT COMMISSIONERS COUNTRYWIDE:

1. Province =

2. A number of established courts =



3. The total of Courts established is 330

ADVISORY BOARD MEMBERS AND COMMISSIONERS:

Provinces	Advisory Board members	Commissioners	Legal Aid SA employees
Eastern Cape	265 (178 Male, 87 Female)	239 (195 Male, 44 Female)	44
Free State	175 (107 Male, 68 Female)	76 (62 Male, 14 Female)	27
Gauteng	159 (100 Male, 59 Female)	416 (342 Male, 74 Female)	37
KwaZulu-Natal	257 (167 Male, 90 Female)	298 (232 Male, 71 Female)	26
Limpopo	205 (151 Male, 54 Female)	145 (132 Male, 13 Female)	11
Mpumalanga	177 (125 Male, 56 Female)	116 (105 Male, 11 Female)	9
Northern Cape	98 (66 Male, 32 Female)	50 (43 Male, 7 Female)	2
North West	71 (49 Male, 22 Female)	82 (72 Male, 10 Female)	10
Western Cape	121 (84 Male, 37 Female)	407 (335 Male, 72 Female)	29
	1 520 Members (1 022 Male, 498 Female)	1 834 Commissioners (1 518 Male, 316 Females)	196

BRINGING JUSTICE SERVICES CLOSER TO COMMUNITIES

Nana Mzila



The primary mission of the department is to provide transparent, responsive and accountable justice services for all. One of the ways the department has achieved this is by introducing what is known as the re-designation of branch courts into full service courts.

During the Apartheid era, branch courts were only located in townships or rural areas and served as an extension of main courts situated in cities.

Branch courts, however, offered limited services to communities in the nearby townships as they only dealt with criminal cases, as a result, people had to travel long distances to access services such as civil matters in the main courts.

The re-designation of branch courts into full service courts, which started as far back as 2009, is aimed to correct the inequalities of Apartheid by bringing all justice services including criminal cases, civil disputes, family law and maintenance matters closer to communities.

According to Mr Makena Moagi in the Policy Development unit, this is a sub-project under the broader rationalisation of magisterial districts into municipal boundaries which was allocated R7 million during the 2014/2015 financial year. The primary objective is to transform branch courts into full service courts which offer full services to the public.

Out of the 90 branch courts in South Africa, 29 were successfully re-designated in all the nine provinces between 2009 and 2014. "Re-designation of these courts was a success as they all now offer various justice services to the public," said Mr Moagi

Protea Magistrate's Court is one of the courts which were re-designated into a full service court with additional nine officials deployed from

the Johannesburg Magistrate's Court to assist with the process of delivering full services in this court.

Mr Avhashoni Mahwasane, a court manager at the Protea Magistrate's Court said since its proclamation, the court has experienced an overflow of members of the public for maintenance, domestic violence and children's court matters.

He added that as a result of the overflow, the court needs more space to accommodate the public and to meet its demand, hence four park homes were expected to be delivered by mid-February. "They will serve as additional offices to address issues such as domestic violence and master of the high court services," he explained.

In every project, it is expected that challenges may arise and the re-designation of courts project was no exception. "The main challenge that affected the re-designation of branch courts into full services courts was the lack of infrastructure to upgrade the existing court building," said Mr Moagi.

Despite these challenges, he said that the 29 branch courts were able to be re-designated where their infrastructure was upgraded where necessary to provide court rooms and office space, tools of trade were provided and new personnel was appointed to assist in rendering service to the public.

"Soon, three additional branch courts will be re-designated into full services courts in Galeshewe in the Northern Cape, Naboomspruit in Limpopo and Ekuvukeni in KwaZulu-Natal. "The remaining branch courts will be attended to as part of the broader rationalisation project as and when ready for re-designation," concluded Mr Moagi.



FAMILY



MAINTENANCE



SEXUAL OFFENCES



ACCESS TO JUSTICE

BILL OF RIGHTS

The Constitution of the Republic of South Africa, 1996 was signed into law by His Excellency President Rolihlahla Nelson Mandela on 10 December 1996 in Sharpeville and came into operation on 4 February 1997.



EQUALITY

Everyone is equal before the law and may not be unfairly discriminated against.

HUMAN DIGNITY

Everyone has inherent human dignity which must be respected.

LIFE

Everyone has the right to life.

FREEDOM AND SECURITY OF THE PERSON

You have a right to be free from all forms of violence and not be detained without trial.

SLAVERY, SERVITUDE AND FORCED LABOUR

You may not be subjected to slavery or forced labour.

PRIVACY

Your right to privacy includes your body, home and possessions.

FREEDOM OF RELIGION, BELIEF AND OPINION

You have the right to think, believe in and belong to a religion of your choice.

FREEDOM OF EXPRESSION

You have the right to speak or express yourself on whatever you choose but hate speech is not allowed.

ASSEMBLY, DEMONSTRATION, PICKET AND PETITION

You have the right to peacefully assemble, demonstrate and protest.

FREEDOM OF ASSOCIATION

You have the right to associate with anyone.

POLITICAL RIGHTS

You may form a political party, run for office and vote for any party in free and fair elections.

CITIZENSHIP

No citizen may be deprived of citizenship.

FREEDOM OF MOVEMENT AND RESIDENCE

You have the right to enter and leave the Republic at will.

FREEDOM OF TRADE, OCCUPATION AND PROFESSION

You have the right to choose any legal trade or occupation freely.

LABOUR RELATIONS

Every worker and employer has the right to organise and negotiate to further their aims.

ENVIRONMENT

You have the right to live in a safe, healthy environment.

PROPERTY

No-one may be deprived of property, except in terms of law of general application.

HOUSING

You have the right to have access to adequate housing.

HEALTH CARE, FOOD, WATER AND SOCIAL SECURITY

You have the right to have access to health care, adequate food, water and social security.

CHILDREN

Every child has the right to a name, nationality and protection from abuse and exploitation.

EDUCATION

You have the right to receive basic education in the official language of your choice where that education is reasonably practicable.

LANGUAGE AND CULTURE

You have the right to use the language of your choice and practise your own culture.

CULTURAL, RELIGIOUS AND LINGUISTIC COMMUNITIES

You have the right to form, join and maintain cultural, linguistic and/or religious groupings of your own choice.

ACCESS TO INFORMATION

You may access any information held by the state for the protection of your rights.

JUST ADMINISTRATIVE ACTION

You have the right to administrative action that is lawful, reasonable and procedurally fair.

ACCESS TO COURTS

You have the right to resolve your legal disputes in a court or another impartial tribunal.

ARRESTED, DETAINED AND ACCUSED PERSONS

When arrested for allegedly committing an offence, you have the right to remain silent, to be brought before a court within 48 hours and the right to legal representation.

LIMITATION OF RIGHTS

Everyone's rights may be limited. The limitation should apply to everyone to the extent that it is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom.

RESPONSIBILITIES

All citizens are equally subject to the duties and responsibilities of citizenship.



the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA



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**.

R	T	G	K	D	R	A	T	I	O	N	A	L	I	S	A	T	I	O	N	O	P	C	N	J
M	F	E	G	A	L	A	I	D	S	O	U	T	H	A	F	R	I	C	A	P	I	G	P	A
S	D	E	D	M	G	T	Y	U	S	E	V	B	X	M	U	O	F	L	Y	O	F	T	O	X
O	Z	C	C	S	F	S	B	R	V	W	R	Y	D	O	J	Y	O	B	K	L	W	G	L	Y
E	H	G	K	H	N	P	V	N	G	X	F	T	S	A	O	C	T	N	N	I	A	A	I	R
E	L	R	I	K	A	R	C	E	W	W	S	I	N	E	Q	U	A	L	I	T	I	E	S	M
X	E	T	T	A	U	A	I	A	F	O	U	C	H	E	O	D	A	T	X	I	D	H	E	V
P	Y	Q	G	G	C	N	A	H	M	D	E	M	O	C	R	A	C	Y	D	C	B	G	R	X
R	M	N	E	A	F	D	G	L	P	T	G	R	Y	E	B	T	J	W	G	A	Y	E	W	Y
E	L	D	R	D	L	B	V	J	A	B	S	P	O	F	D	Y	M	A	K	L	O	W	G	P
S	Q	M	O	P	J	U	R	D	P	W	E	O	P	T	U	Z	V	F	S	R	E	P	Y	K
S	W	A	E	M	I	R	R	U	T	S	R	T	N	U	E	N	Z	J	T	I	T	A	O	F
I	K	Q	D	T	E	G	I	A	R	T	F	E	Q	W	A	L	O	T	Y	G	D	B	P	S
O	N	T	I	F	Y	S	E	P	T	E	M	B	E	R	T	F	N	U	N	H	H	D	A	E
N	I	Z	J	M	D	D	T	J	B	T	M	E	D	I	A	T	I	O	N	T	T	M	F	T
T	S	N	R	A	Q	S	E	I	L	R	I	O	F	A	I	O	C	A	W	S	C	U	L	N
F	K	J	F	O	C	G	N	B	C	W	G	C	M	H	Z	R	C	G	H	T	A	W	K	D
W	C	R	I	R	T	O	C	U	F	V	I	Y	E	R	P	Y	A	V	S	A	T	Q	W	Q
X	T	Z	C	H	A	M	B	Q	E	Y	I	A	L	B	O	E	H	N	K	T	H	X	Q	O
C	F	B	T	V	G	S	T	S	J	B	T	O	A	X	I	R	M	S	M	Y	J	Z	F	D
K	E	V	L	D	E	N	T	E	K	A	R	L	L	G	F	L	A	F	B	E	D	U	Z	T
D	M	S	R	E	O	C	I	R	T	O	V	N	R	E	J	Z	L	H	C	F	N	W	U	Y
V	G	H	X	M	S	Y	F	G	U	H	S	S	H	A	N	X	E	I	Z	R	S	T	S	P
J	J	D	R	Y	L	I	Y	V	V	I	C	A	I	M	S	C	V	Z	A	T	Y	H	O	S
T	R	P	X	O	P	E	M	T	Y	E	T	T	N	E	W	O	E	B	L	A	W	Y	E	R
G	B	D	W	B	T	L	Q	O	T	L	C	U	S	A	S	P	I	C	P	S	W	A	Z	F
V	I	U	B	S	D	W	M	R	L	F	W	Q	R	X	E	Q	T	A	O	O	I	X	H	V
Y	A	C	W	E	S	Q	T	O	E	A	W	Z	A	E	I	O	N	R	U	W	T	Z	E	M
A	S	R	U	I	O	B	P	O	U	W	T	Y	R	F	F	K	W	W	T	Q	Y	U	O	E
S	W	I	S	S	C	E	D	E	P	O	S	I	T	A	C	C	O	U	N	T	D	M	W	O

GRID FOR JUSTICE TODAY

- is appropriate for the resolution of disputes between parties who will have to or would like to continue to interact with one another in the future.
- Which magistrate's court has seen an increase in domestic violence, maintenance and small claims court cases since 1 December 2014?
- Who is the Deputy State Law Adviser?
- The re-designation of branch courts is aimed to correct the..... of Apartheid.
- The Volume 7 report contains a list of all apartheid
- eases NW communities of travel costs.
- Mr Rudolf Barfuss is theambassador.

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 e-mail 0866936302, attention Glory Msungwa. The first 3 correct entries drawn will **WIN** a prize.

NAME.....

POSTAL ADDRESS.....

TELEPHONE:

Terms & Conditions: If you have won a prize, you are advised not to enter any other competitions run in Justice Today for a period of 12 months to afford other employees an opportunity to win.

JUSTICE TODAY

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*Andries Street was renamed Thabo
Sehume Street and
Schoeman Street was renamed Francis
Baard Street by Tshwane Council in March
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Sehume Street and
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