



# ANNUAL JUDICIARY REPORT 2022/23

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# LIST OF ABBREVIATIONS

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<b>AJPP</b>	Annual Judiciary Performance Plan
<b>CAC</b>	Competition Appeal Court
<b>CC</b>	Constitutional Court
<b>CCMA</b>	Commission for Conciliation, Mediation and Arbitration
<b>CFM</b>	Case Flow Management
<b>Covid-19</b>	Coronavirus Disease 2019
<b>CPA</b>	Criminal Procedure Act, 1977
<b>CRM</b>	Customer Relation Management
<b>DoJ&amp;CD</b>	Department of Justice and Constitutional Development
<b>EC</b>	Electoral Court
<b>HC</b>	High Court
<b>ICT</b>	Information and Communication Technology
<b>JAC</b>	Judicial Accountability Committee
<b>JAIT</b>	Judicial and Administrative Information Technology Steering Committee
<b>JCC</b>	Judicial Conduct Committee
<b>JSC</b>	Judicial Service Commission
<b>KPI</b>	Key Performance Indicator
<b>LAC</b>	Labour Appeal Court
<b>LC</b>	Labour Court
<b>LCC</b>	Land Claims Court
<b>NEEC</b>	National Efficiency Enhancement Committee
<b>OCJ</b>	Office of the Chief Justice
<b>PEEC</b>	Provincial Efficiency Enhancement Committee
<b>SAJEI</b>	South African Judicial Education Institute
<b>SCA</b>	Supreme Court of Appeal
<b>TID</b>	Technical Indicator Description



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# PART A



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## FOREWORD BY THE **CHIEF JUSTICE**

**Chief Justice R M M Zondo**

Chief Justice of the Republic of South Africa

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It is my pleasure to present the 6<sup>th</sup> Annual Judiciary Report to the people of South Africa on the Judiciary's performance of judicial functions. The Annual Judiciary Report for 2022/2023 is presented in order for the Judiciary to fulfil its obligation to account to the public.

Our Constitution provides in section 165(6) that the Chief Justice is the head of the Judiciary and exercises responsibility over the establishment and monitoring of norms and standards for the exercise of the judicial functions of all courts. Section 165(2) of the Constitution reads "The courts are independent and subject only to the Constitution and the law, which they must apply impartially and without fear, favour or prejudice." (Emphasis added).

This provision forms the basis for the judicial accountability to the people of South Africa. The Judiciary acknowledges that judicial accountability is embedded in the cardinal constitutional principle of judicial independence. The presentation of this Annual Judiciary Report for 2022/2023 is, therefore, the fulfilment of the constitutional obligation by the Judiciary to account to the public.

The Norms and Standards issued in February 2014 (as contemplated in section 165(6) of the Constitution and section 8 of the Superior Courts Act, 2013) by former Chief Justice Mogoeng Mogoeng, provide that the overall responsibility for managing judicial functions and for overseeing the implementation of the Norms and Standards vests in the Chief Justice as Head of

the Judiciary. The Norms and Standards further state in paragraph 6 that, reporting is an essential and integral part of ensuring effective monitoring and implementation of the norms and standards. The Norms and Standards seek to enhance access to quality justice for all, to affirm the dignity of all users of the court system and to ensure the effective, efficient and expeditious adjudication of disputes brought before the Courts.

Section 178 of the Constitution establishes the Judicial Service Commission (JSC). The JSC may advise the national government on any matter relating to the Judiciary or the administration of justice. Additionally, the JSC performs the following functions:

- it interviews candidates for judicial posts in the Superior Courts and advises the President on the appointment of Judges and is consulted by the President on the appointment of Judges of the Constitutional Court, the Chief Justice, the Deputy Chief Justice as well as the President and Deputy President of the Supreme Court of Appeal.
- it deals with complaints brought against Judges through the Judicial Conduct Committee and Tribunals; and
- it recommends to the National Assembly the removal from office of a Judge who has been found to be grossly incompetent or who has been found guilty of gross misconduct or who suffers from incapacity.

During the period 2022/2023, there were thirty-three (33) vacancies in the Superior Courts. Of these thirty-three (33) vacancies, the Judicial Service Commission advised the President of the Republic of South Africa to appoint twenty-five (25) candidates, out of which the President made twenty-four (24) judicial appointments. One (1) vacancy of Judge President of the Limpopo Division of the High Court was not filled due to pending litigation regarding the recommendation.

Judicial accountability includes the mechanisms provided for in the law for disciplinary measures to be taken against any Judge or Magistrate against whom there are allegations of misconduct. In the case of Judges, the Judicial Conduct Committee (JCC) is the body of first instance that entertains and decided complaints of misconduct against Judges. The JCC falls under the Judicial Service Commission (JSC) but makes its own decisions on complaints independently of the JSC.

The JCC has been criticised for taking too long to dispose of complaints lodged with it. Some complaints are disposed of reasonably quickly but others drag on for some time. The reason for the delays where there have been delays arises from the fact that the legislation limits members of the JCC to a maximum of seven (7). Some of these seven members are Judges who are in active service and carry another load of cases in their respective courts. I have proposed to the Minister of Justice and Correctional Services that the Act be amended to create a bigger pool from which a Judge would be picked to deal with a complaint each time the JCC receives a new complaint. The proposal that I have made is that section 8 of the Judicial Service Commission Act, 1994 (JSC Act) be amended to provide for the appointment of additional members to the Committee whose functions will be limited to dealing with complaints and appeals and who will not be entitled to vote on any matters. Once the Act has been amended as many Judges as fifty (50) could be appointed as additional members of the JCC and they could be allocated the complaints and appeals.

Section 13(3) of the JSC Act requires every Judge to disclose to the Registrar particulars of all his or her registrable interests, and those of her or his immediate family members where applicable. Regulations on Judges Registrable Interests (made in terms of section 13(8) of the JSC Act) require newly appointed Judges to disclose their registrable interests within 30 days of their appointment as Judges (Regulation 3).

It is my pleasure to report to the public that in the 2022/2023 Financial Year, all newly appointed Judges

disclosed their registrable interests within thirty (30) days of appointment as prescribed by the Regulations. The disclosed information has been recorded in the Register of Judges' Registrable Interests. Copies of entries made in the Register were provided to the Judges in accordance with Regulation 3(3).

In the financial year 2022/2023, there were two hundred and forty-eight (248) Judges in active service and two hundred and forty-six (246) Judges disclosed their registrable interests by 31 March 2023, as prescribed by the Regulations. The remaining two (2) Judges disclosed their registrable interests within thirty-day period in terms of Regulation 3(6).

The South African Judicial Education Institute (SAJEI) was established by the South African Judicial Education Institute Act, 2008 (Act 14 of 2008) in order to provide judicial education to aspirant Judges, newly appointed Judges and continuing judicial education to serving Judges. It is an institution controlled by the Judiciary where judicial education is provided to Judges by Judges for the benefit of the Judiciary and the public at large. During the period under review, SAJEI conducted one hundred and twenty-four (124) judicial education courses, attended by 3 799 Judicial Officers.

The efficient and effective performance of the Courts is critical for a vibrant democracy. For the period under review, eleven (11) of thirteen (13) performance targets were achieved by the Superior Courts. This represents an 85% achievement. Only two (2) performance targets were not achieved: Percentage of finalised Constitutional Court matters (55%) and Percentage of Criminal Backlog Cases finalised (47%).

This Annual Judiciary Report provides an overview of the performance of all courts, including the Magistrates' Courts which are at the coalface of access to justice.

It is an honour and privilege for me, as Head of the Judiciary of South Africa, to present this Annual Judiciary Report to the public as an illustration of our unwavering commitment to the principle of judicial accountability and transparency.

I would like to convey my gratitude to the leadership of the Judiciary for their steadfast support and co-operation throughout the 2022/2023 Financial Year. I thank the Deputy Chief Justice, the Acting President of the Supreme Court of Appeal (SCA), the Judges-President, all the Regional Court Presidents, the Chief Magistrates and all other leaders within the Magistracy for their support, their ideas and suggestions from time to time and their commitment and dedication to the

achievement of a justice system that is fair, accessible, efficient, effective and always upholds our Constitution and the rule of law.

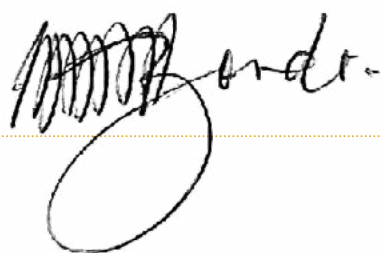
I would also like to take this opportunity to thank the Judicial Accountability Committee (JAC) members for their diligence and dedication all these years. I would also like to convey my gratitude to the Deputy Chief Justice for providing leadership to this Committee.

I would also like to convey my appreciation to the Portfolio Committee on Justice and Correctional Services and all other stakeholders for their support to, and co-operation with, the Judiciary. I also thank the Minister of Justice and Correctional Services for the support he continues to give to the Judiciary.

The commitment and co-operation of Judicial Officers have ensured that we continue to improve the Judiciary's performance of judicial functions in many respects as is illustrated by this Annual Judiciary Report.

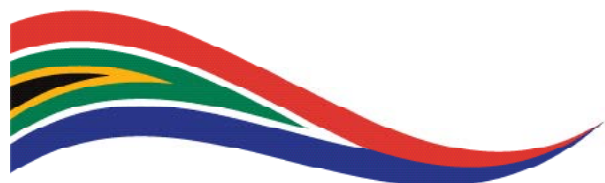
Lastly, I convey my sincere gratitude to the leadership and all officials of the Office of the Chief Justice (OCJ) under the able leadership of the Secretary-General for their administrative support to the Judiciary, their hard work and dedication.

This is the last Annual Judiciary Report that I present to the public as my term of office comes to an end on 31 August 2024. The next Annual Judiciary Report will be presented by my successor. I take this opportunity to thank my Colleagues in the Constitutional Court, all the Heads of Court and various committees of the Heads of Court, Judges from all Divisions of the High Court, Judges from Specialist Courts, the Regional Court Presidents and all Regional Court Magistrates, Chief Magistrates and all other Judicial Officers in leadership positions and all Magistrates in the District Courts for their support and co-operation during my term of office. I wish all of you the best of everything for the future.



**Chief Justice R M M Zondo**

Chief Justice of the Republic of South Africa





THE SOUTH AFRICAN  
JUDICIARY

## THE SOUTH AFRICAN JUDICIARY

Section 165(1) of the Constitution provides that the judicial authority of the Republic is vested in the Courts.

Section 165(2) provides that the courts are independent and subject only to the Constitution and the law, which they must apply impartially and without fear, favour or prejudice.

In terms of Section 165(3) no person or organ of state may interfere with the functioning of the courts. Section 165(4) provides that organs of state, through legislative and other measures, must assist and protect the courts to ensure the independence, impartiality, dignity, accessibility and effectiveness of the courts.

Section 165(5) provides that an order or decision issued by a court binds all persons to whom and organs of state to which it applies.

Section 165(6) proclaims that the Chief Justice is the Head of the Judiciary and exercises responsibility over the establishment and monitoring of norms and standards for the exercise of the judicial functions of all courts.

**Section 166** of the Constitution lists the courts as follows:

- (a) The Constitutional Court;
- (b) The Supreme Court of Appeal;
- (c) The High Court of South Africa and any high court of appeal that may be established by an Act of Parliament to hear appeals from any court of a status similar to the High Court of South Africa;
- (d) The Magistrates' Courts, and
- (e) Any other court established or recognised in terms of an Act of Parliament, including any court of a status similar to either the High Court or the Magistrates' Courts.

**Table 1: The Courts of South Africa**

COURT	JURISDICTION
<b>CONSTITUTIONAL COURT</b>	<p>This Court is the highest court in South Africa. It was established by the interim Constitution of 1993 and continues to exist under the final Constitution.</p> <p>In terms of section 167(4) of the Constitution only the Constitutional Court may:</p> <ul style="list-style-type: none"> <li>(a) decide disputes between organs of state in the national or provincial sphere concerning the constitutional status, powers or functions of any of those organs of state;</li> <li>(b) decide on the constitutionality of any parliamentary or provincial Bill, but may do so only in the circumstances anticipated in section 79 or 121;</li> <li>(c) (decide applications envisaged in section 80 or 122;</li> <li>(d) decide on the constitutionality of any amendment to the Constitution;</li> <li>(e) decide that Parliament or the President has failed to fulfil a constitutional obligation; or</li> <li>(f) certify a provincial constitution in terms of section 144.</li> </ul> <p>The Constitution requires that a matter in the Constitutional Court be heard by at least eight Judges. In practice all 11 Justices sit in every case set down unless there is a good reason for one or more of the Justices not to be part of the panel hearing a particular case.</p>

COURT	JURISDICTION
<b>SUPREME COURT OF APPEAL (SCA)</b>	<p>The court that is now known as the Supreme Court of Appeal used to be known as the Appellate Division of the Supreme Court, a court that was established in 1910 as the highest court in the land at the time. Its name changed to the Supreme Court of Appeal when the final Constitution was passed.</p> <p>The Supreme Court of Appeal is based in Bloemfontein in the Free State province. The Supreme Court of Appeal comes immediately below the Constitutional Court in the hierarchy of courts in South Africa.</p> <p>In terms of the Constitution, the Supreme Court of Appeal may decide any matter, except certain labour and competition matters. It may decide only appeals and issues connected with appeals.</p> <p>The Supreme Court of Appeal may make any order concerning the constitutional validity of an Act of Parliament, a provincial Act or any conduct of the President, but an order of constitutional invalidity it makes has no force unless it is confirmed by the Constitutional Court.</p> <p>Generally, the Supreme Court of Appeal sits in panels of three or five but two Judges deal with applications for leave to appeal.</p>
<b>HIGH COURT OF SOUTH AFRICA</b>	<p>In terms of section 166(c) of the Constitution there is one High Court of South Africa. In terms of the Superior Courts Act, 2013 there are nine provincial Divisions of the High Court of South Africa. They are:</p> <ol style="list-style-type: none"> <li>(a) The Eastern Cape Division, with its main seat in Makhanda and three Local Divisions located in Gqeberha, Mthatha and Bhisho;</li> <li>(b) The Free State Division with its main seat in Bloemfontein;</li> <li>(c) The Gauteng Division with its main seat in Pretoria and the Local Division in Johannesburg;</li> <li>(d) The KwaZulu-Natal Division with its main seat in Pietermaritzburg and its Local Division in Durban;</li> <li>(e) The Limpopo Division with its main seat in Polokwane with its local Division in Thohoyandou;</li> <li>(f) The Mpumalanga Division with its main seat in Mbombela, with its local Division in Middelburg;</li> <li>(g) The Northern Cape Division with its main seat in Kimberley;</li> <li>(h) The North West Division with its main seat in Mahikeng; and</li> <li>(i) The Western Cape Division with its main seat in Cape Town.</li> </ol> <p>The High Court has jurisdiction to adjudicate any matter that has not been assigned to another court either by the Constitution or an Act of Parliament.</p>

#### COURTS OF A STATUS SIMILAR TO THAT OF THE HIGH COURT ARE THE FOLLOWING SPECIALISED COURTS

##### **ELECTORAL COURT**

The Electoral Court is a specialist Court established in terms of section 18 of the Electoral Commission Act, No.51 of 1996 to adjudicate matters relating to electoral law. It has the same status as the High Court. The Electoral Court is headed by a Chairperson who is required to be a Judge of the Supreme Court of Appeal. Its members includes Judges and non-Judges.

The Electoral Court may review any decisions of the Independent Electoral Commission (IEC) relating to an electoral matter and such a review must be administered and disposed of as quickly as possible. Additionally, the Court hears and rules on appeals against decisions of the IEC, as determined by the Chairperson. The Court makes rules, with regards to electoral disputes, complaints and breaches arising from the Electoral Code of Conduct.

**LABOUR COURT**

The Labour Court is a court of the same status as the High Court. It is established by the Labour Relations Act and operates from Johannesburg, Durban, Gqeberha and Cape Town. Its jurisdiction is set out in the Labour Relations Act, 1995. Basically, it is a specialist court that deals with labour and employment matters. Appeals from its decision go to the Labour Appeal Court. The Labour Court and Labour Appeal Court share the same Judge President and Deputy Judge President.

**LABOUR APPEAL COURT**

The Labour Appeal Court is a specialist court of appeal which hears all appeals from judgments of the Labour Court. The Labour Appeal Court and the Labour Court share the same Judge President and Deputy Judge President. Other than for the fact that the two courts share the same Judge President and Deputy Judge President, they have separate Judges. In terms of section 167 of the Labour Relations Act, 1995 the Labour Appeal Court has the same status as the Supreme Court of Appeal. Appeals from the Labour Appeal Court go to the Constitutional Court if that court grants leave.

**COMPETITION APPEAL COURT**

The Competition Appeal Court is an appeal court established by the Competition Act, 1998. It enjoys the same status as a Division of the High Court. It is led by a Judge President. Its Judges are drawn from the High Court. It hears appeals from judgments of the Competition Tribunal. Originally, appeals from the Competition Appeal Court lay to the Supreme Court of Appeal but this was changed. They now lie to the Constitutional Court.

**LAND CLAIMS COURT**

The Land Claims Court is a specialised Court established in terms of the Restitution of Land Rights Act No 22 of 1994. It has jurisdiction throughout the country to adjudicate matters pertaining to land restitution, and land tenure reform as embodied in Sections 25(7) and 25(6) of the Constitution respectively. In terms of the Restitution of Land Rights Act No 22 of 1994, the Court adjudicates claims for restitution of rights in land by persons who were dispossessed of rights in land by a racial law or practice. In terms of the Land Reform Labour Tenants Act No 2 of 1996 and the Extension of Security of Tenure Act No 62 of 1997 the Court adjudicates disputes between landowners and farmworkers / occupiers on land and labour tenants respectively. The Court is a permanent Circuit Court which travels throughout the country to enable restorative justice to be easily accessed by many poor and vulnerable South Africans.

**LOWER COURTS****REGIONAL MAGISTRATES' COURTS (CRIMINAL AND CIVIL COURT)**

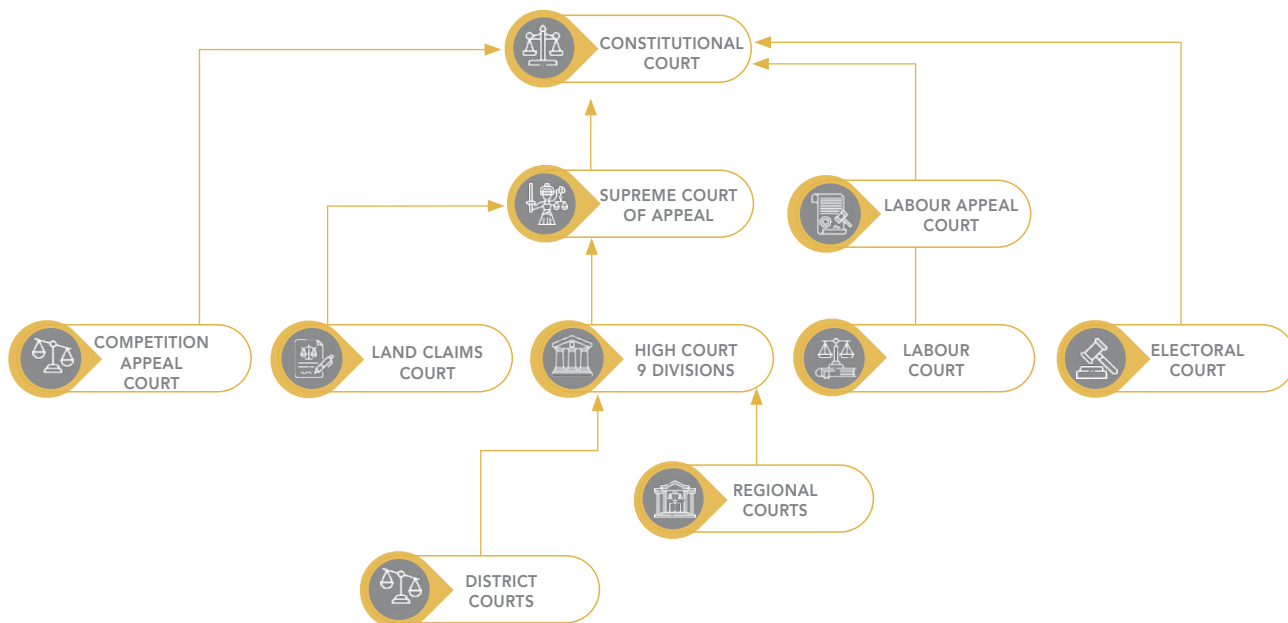
Regional Magistrates' Courts deal with all offences except treason. These courts also deal with some civil and family matters.

**DISTRICT COURTS (CRIMINAL AND CIVIL / FAMILY COURTS / CHILDREN'S COURTS)**

Magistrates' Courts deal with matters falling within their jurisdiction as provided for in the Magistrates' Courts Act. Appeals against judgments of the Magistrates' Courts lie to the High Court.

The hierarchy of the courts in South Africa can be graphically depicted as follows:

**Figure 1: Hierarchical Court Structure**



The Chief Justice is the Head of the Judiciary as well as the Head of the Constitutional Court. The Superior Courts Act, 2013 (Act 10 of 2013) defines “Head of Court” as follows:

- in respect of the Constitutional Court, it means the Chief Justice;
- in respect of the Supreme Court of Appeal, it means the President of that Court;
- in respect of any Division of the High Court, it means the Judge President of that Division; and
- in respect of any court of a status similar to the High Court, it means the most senior judge of such court.

Each Head of Court is further supported by a Deputy with the exception of the Electoral Court, the Competition Appeal Court and the Land Claims Court.

### Judicial Accountability

The overall responsibility of managing judicial functions and overseeing the implementation of the Norms and Standards for the exercise of the judicial functions of all courts vests in the Chief Justice as Head of the Judiciary (section 165(6) of the Constitution and section 8(2) of the Superior Courts Act, 2013).

The Superior Courts Act, 2013 stipulates that the management of the judicial functions of each Court is the responsibility of the Head of that Court. The Judge President of a Provincial Division of the High Court is also responsible for the co-ordination of the judicial functions of all Magistrates’ Courts falling within the jurisdiction of that Division.

### Administrative Support for the Judiciary

The Office of the Chief Justice (OCJ) was established as a national department:

- to ensure that the Chief Justice can execute his / her mandate as both the Head of the Constitutional Court and the Head of the Judiciary;
- to enhance the institutional, administrative and financial independence of the Judiciary;
- to improve organisational governance and accountability and the effective and efficient use of resources.

The mission of the OCJ is to provide support to the judiciary to ensure an effective and efficient court administration.

The OCJ, led by its administrative head, the Secretary General, provides court administration and support services to the Superior Courts to ensure the effective and efficient administration of the Superior Courts. This is done by managing the administration of Superior Courts through the management and funding of the activities and operations of the Superior Courts as well as the provision of administrative and technical support to the Superior Courts, assisting the Chief Justice in monitoring the overall performance of the Courts and enhancing judicial stakeholder relations.





# PART B

JUDICIARY  
REGULATORY  
FRAMEWORK

## JUDICIARY REGULATORY FRAMEWORK

Chapter 8 of the Constitution deals with the Judiciary, the courts and the administration of justice. As indicated in the foreword, section 165(2) of the Constitution provides that the courts are subject only to the Constitution and the law. The Judges' Remuneration and Conditions of Employment Act, 2001, together with regulations promulgated under it govern the terms and conditions of service of Judges.

The following legislative framework was used to develop a reporting mechanism for the South African Judiciary.

### THE CONSTITUTION

Section 165(2) of the Constitution provides that the courts are independent and subject only to the Constitution and the law which they must apply impartially and without fear, favour or prejudice. Section 165(6) of the Constitution provides that the Chief Justice is the Head of the Judiciary and exercises responsibility over the establishment and monitoring of the Norms and Standards for the exercise of judicial functions of all Courts. Section 8(2) of the Superior Courts Act, 2013 reaffirms the same point.

Item 16(6)(a) of Schedule 6 to the Constitution provides that as soon as is practical after the new Constitution took effect all courts, including their structure, composition, functioning and jurisdiction, and all relevant legislation, must be rationalised with a view to establishing a judicial system suited to the requirements of the new Constitution.

Section 92(2) of the Constitution provides that members of the Cabinet are accountable collectively and individually to Parliament for the exercise of their powers and the performance of their functions.

In terms of section 55 of the Constitution, the National Assembly must provide for mechanisms to maintain oversight of the exercise of national executive authority, including the implementation of legislation, and any organ of the State. According to section 239, the meaning of "organ of state" expressly excludes a court or a Judicial Officer.

### THE SUPERIOR COURTS ACT, 2013

Section 8(3) of the Superior Courts Act stipulates that the Chief Justice may issue written protocols or directives, or give guidance or advice to Judicial Officers in respect of Norms and Standards for the performance of judicial functions and regarding any matter affecting the dignity, accessibility, effectiveness, efficiency or functioning of the courts.

Section 8(4) provides that any function or power in terms of section 8 vesting in the Chief Justice or any other Head of Court, may be delegated to any other Judicial Officer of the Court in question.

Section 9 provides that Superior Courts may have recess periods as may be determined by the Chief Justice in consultation with the Heads of Court and the Minister of Justice and Correctional Services. The purpose of a recess is to enable Judges to do research and to attend to outstanding or prospective judicial functions that may be assigned to them. During each recess period, the Head of each Court must ensure that an adequate number of Judges is available in that Court to deal with any judicial functions that may be required, in the interests of justice, to be dealt with during that recess period.

In terms of the Regulations on the Criteria for the Determination of the Judicial Establishment of the Supreme Court of Appeal and Divisions of the High Court of South Africa, 2015, made in terms Section 49(1)(b) of the Superior Courts Act, 2013, any determination of the number of Judges at such Courts, must be considered with due regard to court performance statistics and information relating to the performance of judicial functions.

### NORMS AND STANDARDS FOR THE PERFORMANCE OF JUDICIAL FUNCTIONS

Pursuant to the constitutional imperative contained in section 165(6) of the Constitution and in section 8 of the Superior Courts Act, the Chief Justice established Norms and Standards for the performance of judicial functions in February 2014 with the unanimous support of the Heads of Court. These Norms and Standards seek to enhance access to quality justice for all, to affirm the dignity of all users of the court system and to ensure the effective, efficient and expeditious adjudication of disputes brought before the Courts.

Paragraph 6 (i – iii) of the Norms and Standards provides that:

- (i) the Chief Justice, as the Head of the Judiciary, shall exercise responsibility over the monitoring and evaluation of the performance of each Judicial Officer as well as the monitoring and implementation of norms and standards for the exercise of leadership and judicial functions of all courts.
- (ii) everything reasonably possible should be done to ensure that Judicial Officers have all the resources and

tools of trade availed to them to enable them to perform their judicial functions efficiently and effectively; reporting is an essential and integral part of ensuring effective monitoring and implementation of the norms and standards; all Judicial Officers shall norms and standards; all Judicial Officers shall submit data on their performance and the workflow of cases for collation and analysis following which a comprehensive report by the Head of Court will be compiled.

- (iii) the report must be submitted to the Head of a Court who will, in the case of Regional and District Courts, first submit it to the Regional Court President and the Head of the Administrative Region, who in turn will submit it to the Judge President concerned for further submission to the Chief Justice to assess the functioning and the efficiency of the courts. Each Head of Court shall monitor and evaluate the performance of the Judicial Officers serving in their Court on a daily basis to ensure optimal utilisation and productivity.

### **JUDICIAL SERVICE COMMISSION ACT, 1994 AND REGULATIONS**

The Judicial Service Commission (JSC) was established in terms of section 178 of the Constitution and consists of 23 members. In terms of section 178(5) of the Constitution, the JSC may advise the national government on any matter relating to the Judiciary or the administration of justice.

Additionally, the JSC performs the following functions:

- it interviews candidates for judicial posts in the Superior Courts and advises the President on the appointment of Judges and is consulted by the President on the appointment of Judges of the Constitutional Court, the Chief Justice, the Deputy Chief Justice as well as the President and Deputy President of the Supreme Court of Appeal;
- it considers recommendations made to it by Tribunals where a Tribunal has found a Judge guilty of gross misconduct or gross incompetence or suffer from incapacity; and
- where it has found a Judge to be suffering from an incapacity, to be grossly incompetent or to be guilty of gross misconduct, it submits its finding together with its reasons for that finding and a copy of the report and any relevant material, of the Tribunal to the Speaker of the National Assembly.

Section 8 of the Judicial Service Commission Act, 1994, provides for the establishment and composition of the Judicial Conduct Committee (JCC) to receive, consider and deal with complaints against any Judges. A Code of Judicial Conduct was adopted in terms of section 12 of the Judicial Service Commission Act, 1994. The purpose of the Code is to serve as the prevailing standard of judicial conduct to which Judges must adhere to.

Disclosure of processes relating to complaints against Judges requires striking a balance between judicial independence and dignity, and the overriding principles of transparency and accountability as required by the Judicial Service Commission Act, 1994.

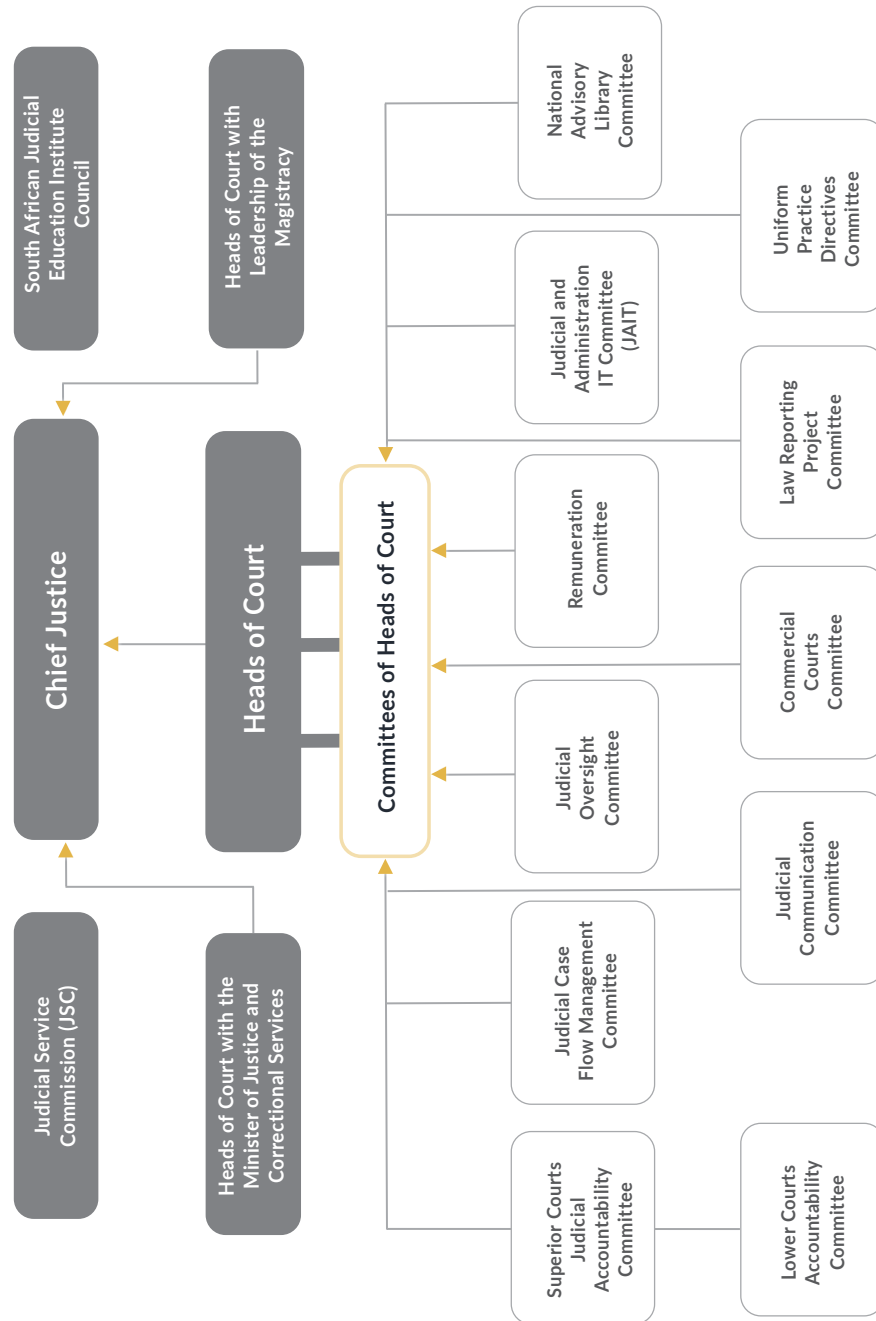
In terms of the Act, complaints against Judges must be based on, inter alia, incapacity giving rise to a Judge's inability to perform the functions of judicial office in accordance with prevailing standards. Performance of functions in accordance with prevailing standards can only be determined through performance statistics, reporting and accountability.

In terms of Article 10(2) of the Code of Judicial Conduct, a Judge must deliver all reserved judgments before the end of the term in which the hearing of the matter was completed, but may, in respect of a matter that was heard within two weeks of the end of that term or where a reserved judgment is of a complex nature or for any other cogent and sound reason and with the consent of the Head of the court, deliver that reserved judgment during the course of the next term.

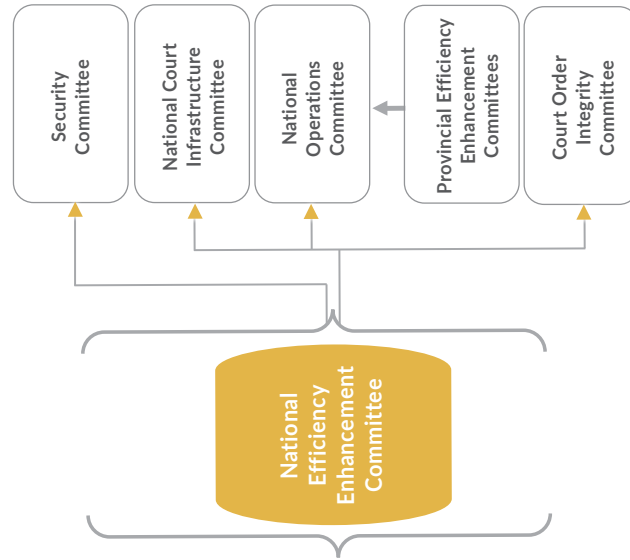


**PART C**  
GOVERNANCE  
FRAMEWORK  
OF THE JUDICIARY

## JUDICIAL GOVERNANCE STRUCTURES



## JUDICIAL GOVERNANCE STAKEHOLDER FORUMS



## DISCLOSURE OF JUDGES' REGISTRABLE INTERESTS

Judges are legislatively required to disclose particulars of all their registrable interests and those of their immediate family members to the Registrar of Judges' Registrable Interests to enhance transparency, accountability of and public confidence in the Judiciary. The Registrar is the custodian of the Register of Judges' Registrable Interests.

Section 6(2)(c) of the Judicial Service Commission Act, 1994, requires the JSC to submit annually a written report to Parliament for tabling. The report must include a section dealing with compliance with the requirements of the registration of Judges' Registrable interests.

### DISCLOSURE BY JUDGES APPOINTED IN 2022/2023

In 2022/2023, thirteen (13) Judges commenced active service in the Judiciary of South Africa. The Judges disclosed their registrable interests within 30 days of appointment as prescribed by the regulations. The disclosed information is contained in the Register which is available to the public on request.

### STATUS OF DISCLOSURES FOR ALL JUDGES AS AT 31 MARCH 2023

In the year under review there were two hundred and forty-eight (248) Judges in active service and two hundred and forty-six (246) Judges disclosed their registrable interests by 31 March 2023 as prescribed by the Regulations. The remaining two (2) Judges disclosed their registerable interests within thirty-day period in terms of Regulation 3(6).

Regulation 5(5) of the Regulations on Judges' Registrable Interests, made in terms of Section 13(8) of the Judicial Service Commission Act, 1994, stipulates that the Registrar of Judges Registrable Interests must, for the purpose of indicating the degree of compliance with the Register in the annual report of the JSC, also furnish the JSC with the names of those Judges in active service who have disclosed interests of their family members.

Regulation 3(2) requires that a Judge must lodge the first disclosure with the Registrar within 30 days of his or her appointment as a Judge.

### JUDGES' DISCLOSURES FOR FAMILY MEMBERS

Regulation 5 of the Regulations relating to the Judicial Service Commission Act, 1994: Disclosure of Registrable Interests; requires the Registrar to include in his or her annual report to the JSC the names of those Judges in active service who have disclosed interests of their family members.

The disclosed interests have since been entered in the Register of Judges' Registrable Interests in accordance with section 3(3) of the Regulations and Judges have been provided with copies of individual entries to the Register relating to them.

After making the first disclosure, a Judge may at any time disclose to the Registrar or inform the Registrar of such amendments as may be required (Regulation 3(4)). However, in March of every year, Judges in active service must inform the Registrar in writing whether the entries in the Register are an accurate reflection of that Judges' registrable interests and, if applicable, make such further disclosures or amendments, as may be required.

Regulation 3(2) of the Regulations relating to the Disclosure of Judge's Registrable Interests requires that newly appointed Judges disclose their registrable interests to the Registrar of Judges Registrable Interests within 30 days of their appointment. The Registrar is required to enter the particulars of a disclosure by a Judge in the Register of Judge's Registrable Interests and thereafter cause a copy of all entries relating to that Judge to be communicated to the Judge (Regulation 3(3)).

The interests of a Judge's immediate family members are registrable if the Judge wishes to disclose those interests and the immediate family member in question consents to such disclosure. In the period under review five (5) Judges disclosed registrable interests of their immediate family members. The interests disclosed with respect to family members are recorded in the confidential section of the Register in accordance with the Regulations.

**Table 2: Disclosure of Judges' Registrable Interests**

Percentage of disclosures of Judges' Registrable Interests submitted by 31 March 2023	100%	99%
Percentage of disclosures of newly appointed Judges' Registrable Interests submitted within 30 days of appointment	100%	100%

## JUDGES' REMUNERATION AND CONDITIONS OF EMPLOYMENT ACT, 2001, AND REGULATIONS

The Judges' Remuneration and Conditions of Employment Act, 2001 (Act 47 of 2001), together with regulations promulgated under the Act governs the employment benefits of Judges. The Independent Commission for the Remuneration of Public Office Bearers makes recommendations to the President of the Republic on the salaries, allowances and benefits of Judicial Officers.

## THE SOUTH AFRICAN JUDICIAL EDUCATION INSTITUTE ACT, 2008

The South African Judicial Education Institute (SAJEI) was established in order to promote the independence, impartiality, dignity, accessibility and effectiveness of the Courts through continuing judicial education as provided for in the South African Judicial Education Institute Act, 2008 (Act 14 of 2008). The Institute commenced with training in January 2012.





PART D  
COURT  
PERFORMANCE



## COURT PERFORMANCE

In a constitutional democracy, the Judiciary remains accountable to the people for the power and authority bestowed upon it. This holds true in the case of the Judiciary of South Africa as well. Section 165(6) of the Constitution places upon the Chief Justice as the Head of the Judiciary, the responsibility over the establishment and monitoring of norms and standards for the exercise of the judicial functions of all courts.

Reporting is an essential and integral part of ensuring effective monitoring and implementation of the Norms and Standards. Judicial Officers are required to report on their performance, which includes, amongst others, Judicial Case Flow Management.

The Judicial Accountability Committee (JAC), a committee of the Heads of Court, continues to contribute to the enhancement of judicial performance.

The purpose of the court performance monitoring report is to provide progressive updates on the implementation of the Annual Judiciary Performance Plan (AJPP) with specific reference to monitoring delivery against set quarterly performance targets. The report below provides an overall picture of how the Superior Courts and Lower Courts performed during the period under review.

### KEY PERFORMANCE INDICATORS: SUPERIOR COURTS

The AJPP indicators for the Judiciary as reflected in the Annual Judiciary Report 2020/2021 remain relevant for the reporting period under review. The AJPP defines and identifies performance indicators and targets for the various Courts. The performance indicators and targets are measures that allow for the monitoring of performance on one or more aspects of the overall functions and mandate of the Judiciary.

#### Measuring performance through Technical Description Indicators:

The Judiciary defined the Key Performance Indicators (KPI) for each court and performance area. The Technical Indicator Descriptions (TID) are contained in the Annexure to the AJPP and also form part of this Report. The performance per indicator must be read with the relevant TID.

CONSTITUTIONAL COURT	
PERFORMANCE INDICATOR	PERFORMANCE TARGET 2022 /2023

- Percentage of finalised matters 70%

SUPREME COURT OF APPEAL	
PERFORMANCE INDICATOR	PERFORMANCE TARGET 2022 /2023

- Percentage of finalised matters 80%
- Percentage of finalised Applications/Petitions 80%

LABOUR APPEAL COURT	
PERFORMANCE INDICATOR	PERFORMANCE TARGET 2022 /2023

- Percentage of finalised matters 80%
- Percentage of finalised Petitions 90%

## KEY PERFORMANCE INDICATORS: SUPERIOR COURTS CONTINUED

HIGH COURT	
PERFORMANCE INDICATOR	PERFORMANCE TARGET 2022 /2023
• Percentage of finalised criminal matters	75%
• Percentage of finalised civil matters	64%
• Percentage to which criminal case backlogs reduced	30%

LABOUR COURT	
PERFORMANCE INDICATOR	PERFORMANCE TARGET 2022 /2023
• Percentage of finalised labour matters	58%

LAND CLAIMS COURT	
PERFORMANCE INDICATOR	PERFORMANCE TARGET 2022 /2023
• Percentage of finalised land claims matters	60%

COMPETITION APPEAL COURT	
PERFORMANCE INDICATOR	PERFORMANCE TARGET 2022 /2023
• Percentage of finalised Competition Appeal cases	85%

ELECTORAL COURT	
PERFORMANCE INDICATOR	PERFORMANCE TARGET 2022 /2023
• Percentage of finalised Electoral Court cases	90%

RESERVED JUDGMENTS	
PERFORMANCE INDICATOR	PERFORMANCE TARGET 2022 /2023
• Percentage of finalised Reserved Judgments in all Superior Courts	70%

## PERFORMANCE OF THE SUPERIOR COURTS

For the period under review, eleven (11) of thirteen (13) performance targets were achieved. This represents a 85% achievement. Two (2) performance targets were not achieved. These are: Percentage of finalised Constitutional Court matters (55%) and Percentage to which Criminal Backlog reduced (47%).

The performance of the Superior Courts is depicted in the table below:

**Table 3: Performance on Key Performance Indicators**

KEY PERFORMANCE INDICATORS	ACTUAL	TARGET
1. Percentage of finalised Constitutional Court matters	55%	70%
2. Percentage of finalised Supreme Court of Appeal matters	85%	80%
3. Percentage of finalised Supreme Court of Appeal Application/Petitions	91%	80%
4. Percentage of finalised Labour Appeal Court matters	96%	80%
5. Percentage of finalised Labour Appeal Court Petitions	100%	90%
6. Percentage of all finalised Criminal matters (all High Court Divisions)	83%	75%
7. Percentage of all finalised Civil matters (all High Court Divisions)	85%	64%
8. Percentage to which criminal case backlogs reduced (all High Court Divisions)	47%	30%
9. Percentage of finalised Labour Court matters	58%	58%
10. Percentage of finalised Land Claims Court matters	72%	60%
11. Percentage of finalised Competition Appeal Court cases	88%	85%
12. Percentage of finalised Electoral Court cases	100%	90%
13. Percentage of finalised Reserved Judgment in all Superior Courts	72%	70%

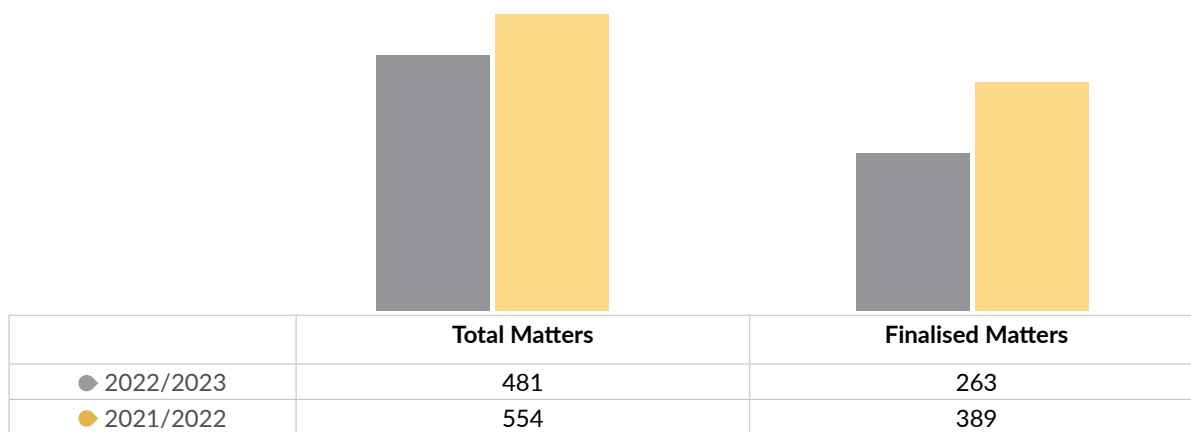
## CONSTITUTIONAL COURT OVERVIEW

**Table 4: Finalised Constitutional Court Matters**

INDICATOR	2022/2023 ANNUAL			
	TOTAL MATTERS	FINALISED MATTERS	% FINALISED	TARGET
Percentage of finalised Constitutional Court matters	481	263	55%	70%

A total of 263 matters out of a total of 481 were finalised by the Constitutional Court. The performance for the reporting period is below the set annual target of 70%.

**Figure 2: Percentage of Constitutional Court Matters Finalised**



The total number of matters dealt with by the Constitutional Court decreased by 13% from 554 matters during 2021/2022 to 481 matters during 2022/2023. Similarly, the total number of matters finalised by the Constitutional Court decreased by 32% from 389 matters during 2021/2022 to 263 matters during 2022/2023

## SUPREME COURT OF APPEAL OVERVIEW

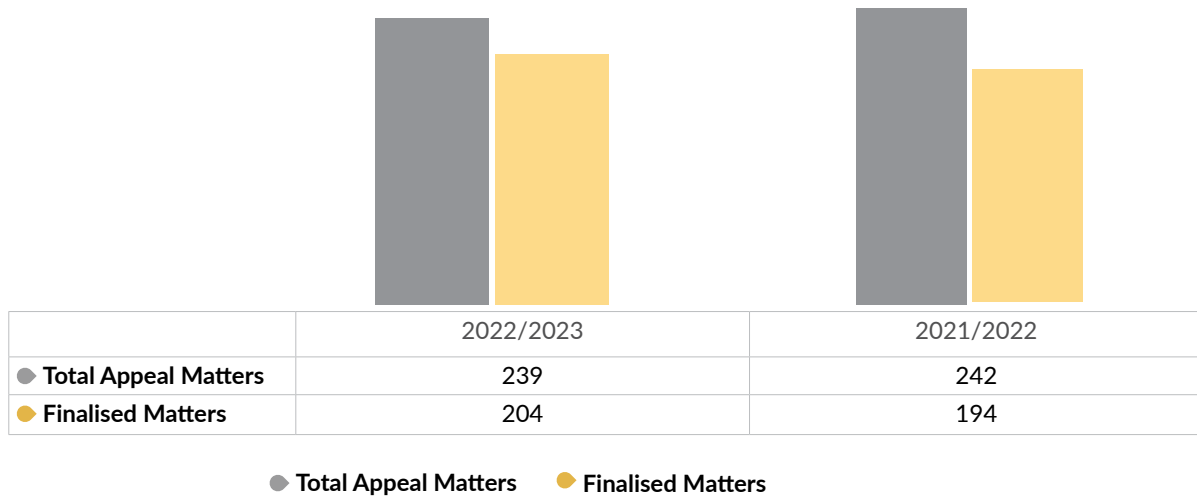
**Table 5: Finalised Supreme Court of Appeal Matters**

2022/2023 ANNUAL				
INDICATOR	TOTAL APPEAL MATTERS	FINALISED MATTERS	% FINALISED	TARGET
Percentage of Appeals finalised	239	204	85%	80%
Percentage of Applications/Petitions finalised	1 387	1 266	91%	80%

During the period under review, the Supreme Court of Appeal (SCA) achieved 85% performance on the indicator “Percentage of Appeals finalised” by finalising two hundred and four (204) appeals out of a total caseload of two hundred and thirty-nine (239) appeals. This was above the set annual target of 80%.

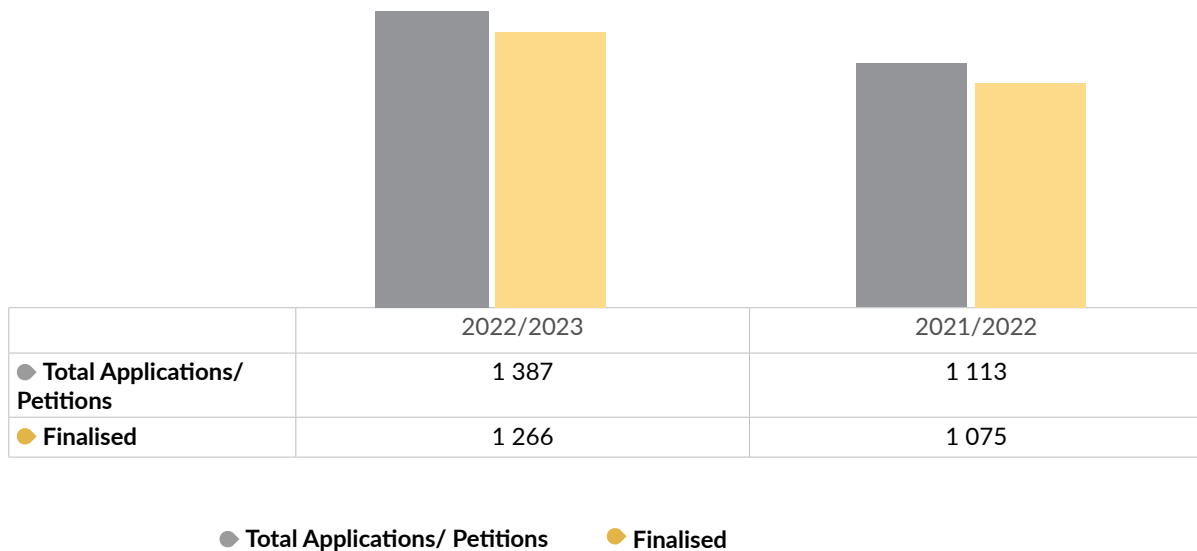
The SCA achieved 91% performance on the indicator “Percentage of Applications/Petitions finalised” by finalising 1 266 applications/petitions out of a total caseload of 1 387 applications/petitions. This represents an over achievement of 11% performance measured against the set annual target of 80%.

**Figure 3: Percentage of Supreme Court of Appeal Matters Finalised**



The total number of appeal matters enrolled by the Supreme Court of Appeal decreased by 1% from 242 matters during 2021/2022 to 239 matters during 2022/2023. On the other hand, the total number of appeal matters finalised by the Supreme Court of Appeal increased by 5% from 194 matters during 2021/2022 to 204 matters during 2022/2023.

**Figure 4: Percentage of Finalised Supreme Court of Appeal Applications/Petitions**



The total number of applications/petitions enrolled by the Supreme Court of Appeal increased by 25% from 1 113 applications/petitions during 2021/2022 to 1 387 applications/petitions during 2022/2023. Similarly, the total number of applications/petitions finalised by the Supreme Court of Appeal increased by 18% from 1 075 applications/petitions during 2021/2022 to 1 266 applications/petitions during 2022/2023.

## SPECIALISED COURTS OVERVIEW

**Table 6: Specialised Courts: Finalised Labour Appeal Court Matters**

2022/2023 ANNUAL				
INDICATOR	TOTAL APPEAL MATTERS	FINALISED MATTERS	% FINALISED	TARGET
Percentage of finalised Appeals	25	24	96%	80%
Percentage of finalised Petitions	126	126	100%	90%

During the period under review, the Labour Appeal Court achieved 96% performance on the indicator “Percentage of Appeals finalised” by finalising 24 appeals out of a total caseload of 25 appeals. This exceeded the set annual target of 80% by 16%.

The Labour Appeal Court achieved 100% performance on the indicator “Percentage of Petitions finalised” by finalising 126 petitions out of a total caseload of 126 petitions. This represents an over achievement of 10% performance measured against the set annual target of 90%.

**Table 7: Specialised Courts: Finalised Matters in Labour, Land Claims, Electoral and Competition Appeal Courts**

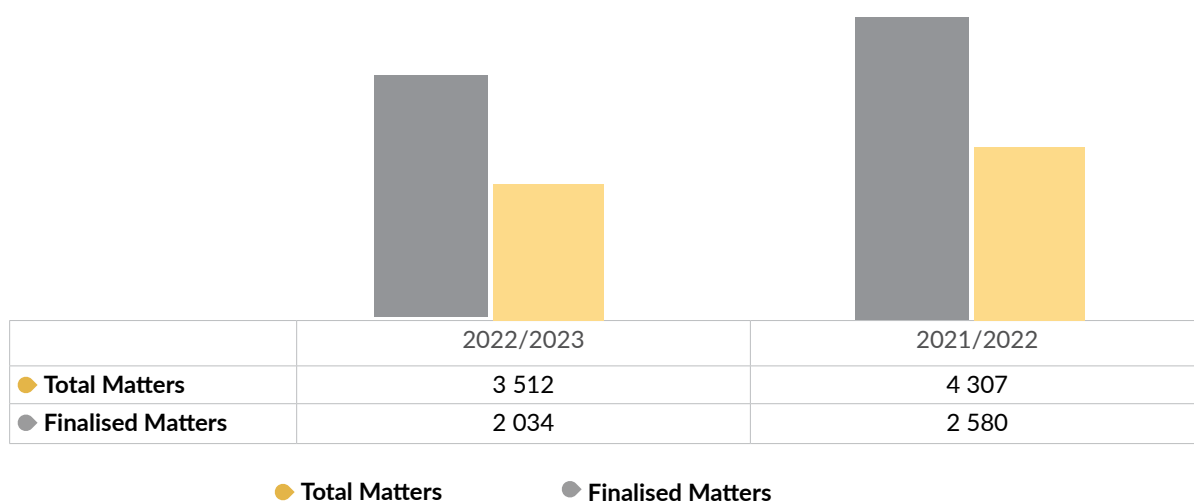
COURT NAME	2022 /2023 ANNUAL			
	INDICATORS	TOTAL MATTERS	FINALISED	% FINALISED
Percentage of finalised Labour Court matters	3 512	2 034	58%	58%
Durban	439	350	80%	58%
Johannesburg	2 968	1 635	55%	58%
Cape Town	452	290	64%	58%
Gqeberha	448	305	68%	58%
Percentage of finalised Land Claims Court matters	199	144	72%	60%
Percentage of finalised Electoral Court cases	11	11	100%	90%
Percentage of finalised Competition Appeal Court cases	17	15	88%	85%

For the period under review:

### Labour Court

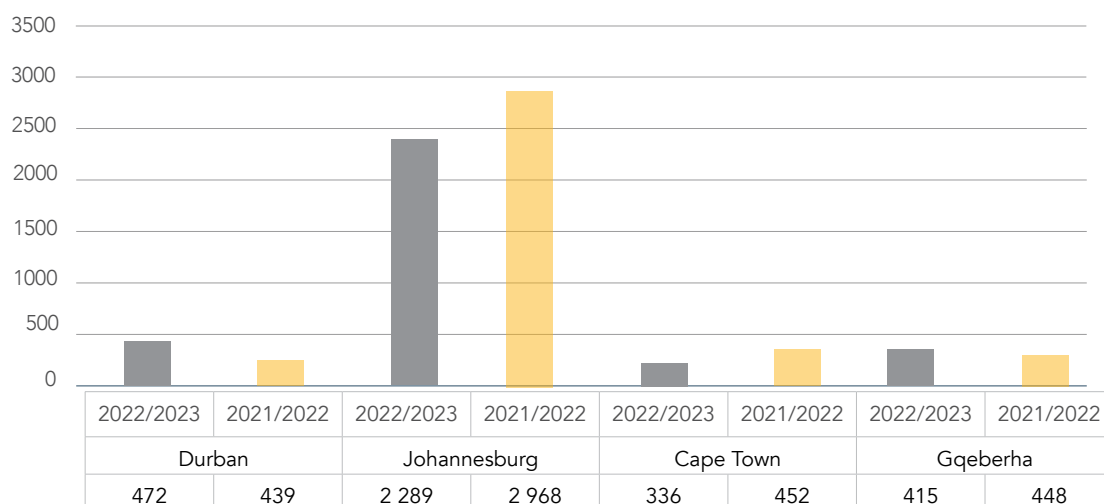
The **Labour Court** achieved 58% performance by finalising 2 034 Labour Court matters out of a total of 3 512 matters. This is on par against the set annual target of 58%.

**Figure 5: Labour Court Matters Finalised**



During the period under review, 18% less Labour Court matters were enrolled compared to the 2021/2022 period, whilst 21% less matters were finalised when compared to the 2021/2022 period.

**Figure 6: Labour Court Sitzings - Total cases enrolled**

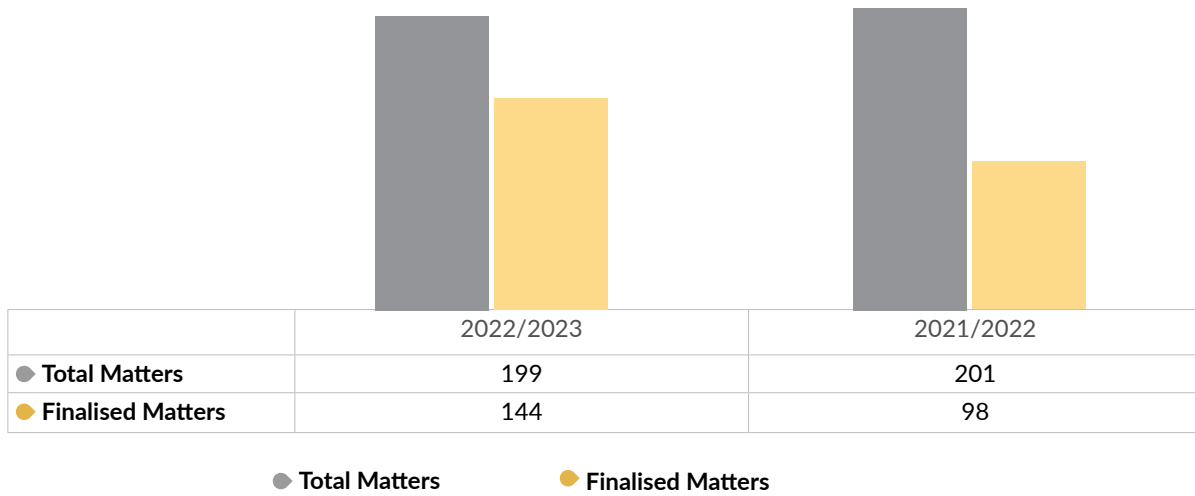


The Labour Court sits mainly in four (4) locations, namely Durban, Gqeberha, Cape Town and Johannesburg. The case load decreased in three centres, except for Durban, with an increase of 7%. Matters finalised in all the various Labour Court centres decreased (i.e. with 34% in Cape Town, 30% in Gqeberha and 31% in Johannesburg).

**Land Claims Court**

The **Land Claims Court** achieved 72% performance by finalising 144 matters out of a total of 199. This is an over achievement of 12% against the set annual target of 60%.

**Figure 7: Land Claims Court Matters Finalised**

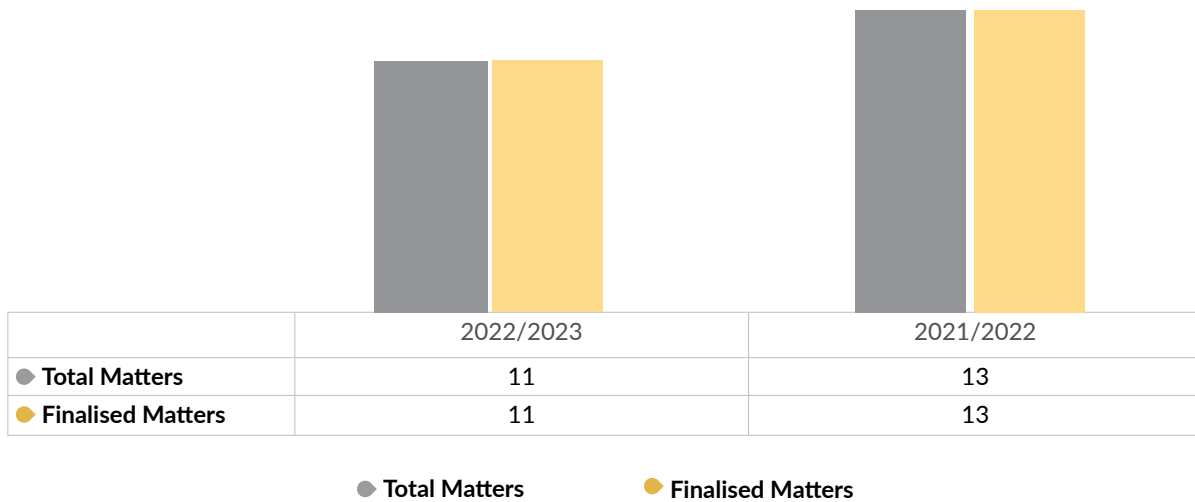


Compared to the previous financial year, the Land Claims Court managed to exceed the set annual target of 60% during reporting periods by finalising 72% matters during 2022/2023; whereas the set annual target of 60% was not met by finalising 49% matters during 2021/2022.

### Electoral Court

The **Electoral Court** achieved a 100% performance by finalising 11 out of a total of 11 matters, which represents an over achievement of 10% against the set annual target of 90%.

**Figure 8: Finalised Electoral Court Matters**



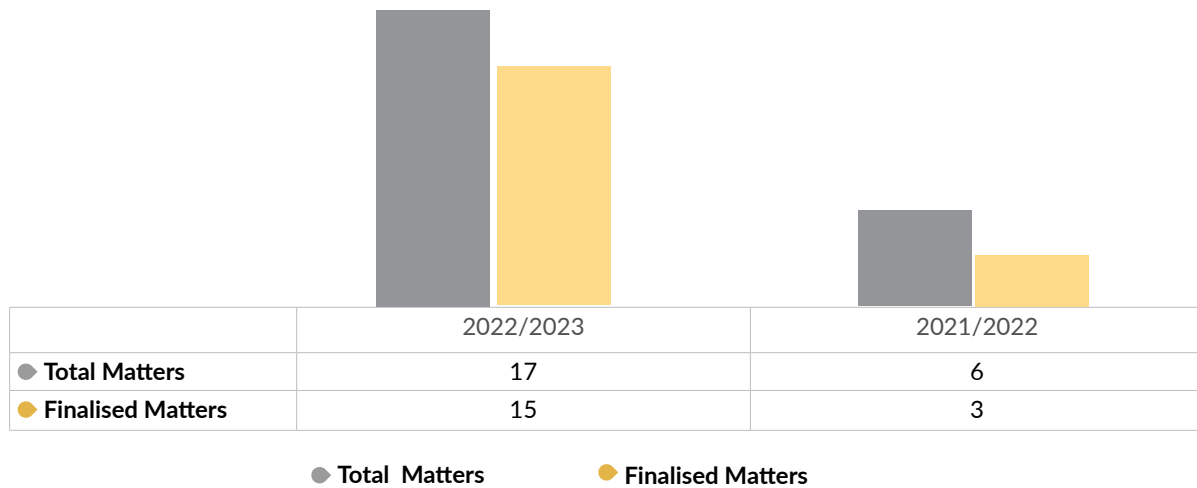
Compared to the previous financial year, the Electoral Court managed to exceed the set annual target of 90% during both reporting periods by finalising 100% of matters.



## Competition Appeal Court

The **Competition Appeal Court** achieved 88% by finalising 15 matters out of a total of 17, which represents an over achievement of 3% against the set annual target of 85%.

**Figure 9: Competition Appeal Court Matters Finalised**



## PERCENTAGE OF CRIMINAL MATTERS FINALISED (ALL HIGH COURT DIVISIONS)

During the period under review, the various Divisions of the High Court managed to finalise 9 715 criminal matters out of a total of 11 765 criminal matters, which represents a performance of 83%. The annual target of 75% was exceeded by 8%.

Compared to the previous reporting period, a marginal increase of 6% is noted in the total number of criminal matters (11 765 compared to the 11 098 reported during previous year), whilst a decrease of 1% is noted in the total number criminal matters finalised (9 715 criminal matters were finalised compared to 9 855 reported during the previous year).

The respective performances of the Divisions of the High Court are illustrated in the table below.

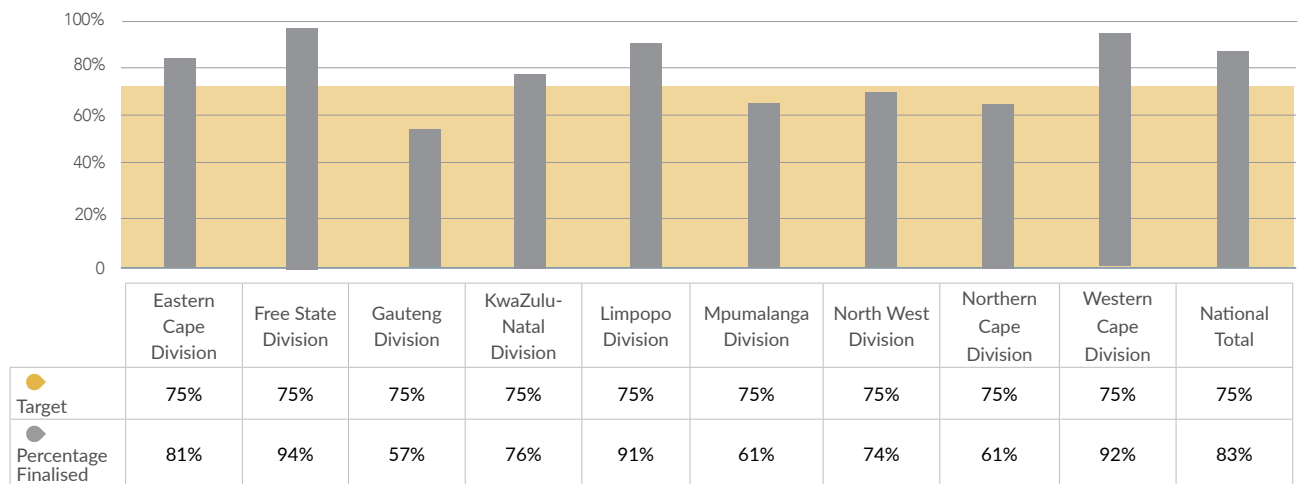
**Table 8: Percentage of Finalised Criminal Matters in each Division**

SUPERIOR COURT	TOTAL MATTERS	MATTERS FINALISED	PERCENTAGE	TARGET
Eastern Cape Division, Makhanda	499	440	88%	75%
Eastern Cape Local Division, Bhisho	104	88	85%	75%
Eastern Cape Local Division, Mthatha	98	62	63%	75%
Eastern Cape Local Division, Gqeberha	115	72	63%	75%
<b>Eastern Cape Division</b>	816	662	81%	75%
<b>Free State Division, Bloemfontein</b>	1 018	959	94%	75%
Gauteng Division, Pretoria	736	470	64%	75%
Gauteng Local Division, Johannesburg	884	448	51%	75%
<b>Gauteng Division</b>	1 620	918	57%	75%
KwaZulu-Natal Division, Pietermaritzburg	1 452	1 168	80%	75%
KwaZulu-Natal Local Division, Durban	283	147	52%	75%
<b>KwaZulu-Natal Division</b>	1 735	1 315	76%	75%
Limpopo Division, Polokwane	1 301	1 229	94%	75%
Limpopo Local Division, Thohoyandou	183	123	67%	75%
<b>Limpopo Division</b>	1 484	1 352	91%	75%
Mpumalanga Division, Mbombela	168	104	62%	75%
Mpumalanga Local Division, Middelburg	172	103	60%	75%
<b>Mpumalanga Division</b>	340	207	61%	75%
<b>North West Division, Mahikeng</b>	99	73	74%	75%
<b>Northern Cape Division, Kimberley</b>	159	97	61%	75%
<b>Western Cape Division, Cape Town</b>	4 494	4 132	92%	75%
<b>NATIONAL TOTAL</b>	<b>11 765</b>	<b>9 715</b>	<b>83%</b>	<b>75%</b>

From the above national overview, it is evident that 38% (6 of 16) of the Divisions of the High Court have managed to achieve the set annual target of 75%. The 10 Divisions that did not meet the set annual target of 75% were Eastern Cape Local Division, Mthatha (63%); Eastern Cape Local Division, Gqeberha (63%), Gauteng Division, Pretoria (64%), Gauteng Local Division, Johannesburg (51%); KwaZulu-Natal Local Division, Durban (52%); Limpopo Local Division, Thohoyandou (67%), Mpumalanga Division, Mbombela (62%), Mpumalanga Division, Middelburg (60%), North West Division, Mahikeng (74%) and Northern Cape Division, Kimberley (61%).

The reason for this under performance is also ascribed to logistical challenges due to the continuous load shedding. This under achievement can mainly be ascribed to the complex nature of the cases that the Courts have to deal with, coupled with having multiple accused persons per case.

**Figure 10: Percentage of Finalised Criminal Matters in each Division**



The highest percentage of Finalised Criminal Matters was achieved by the Free State Division, Bloemfontein (94%), followed by the Western Cape Division (92%) and Limpopo Division, Polokwane (91%).



## PERCENTAGE OF CIVIL MATTERS FINALISED (ALL HIGH COURT DIVISIONS)

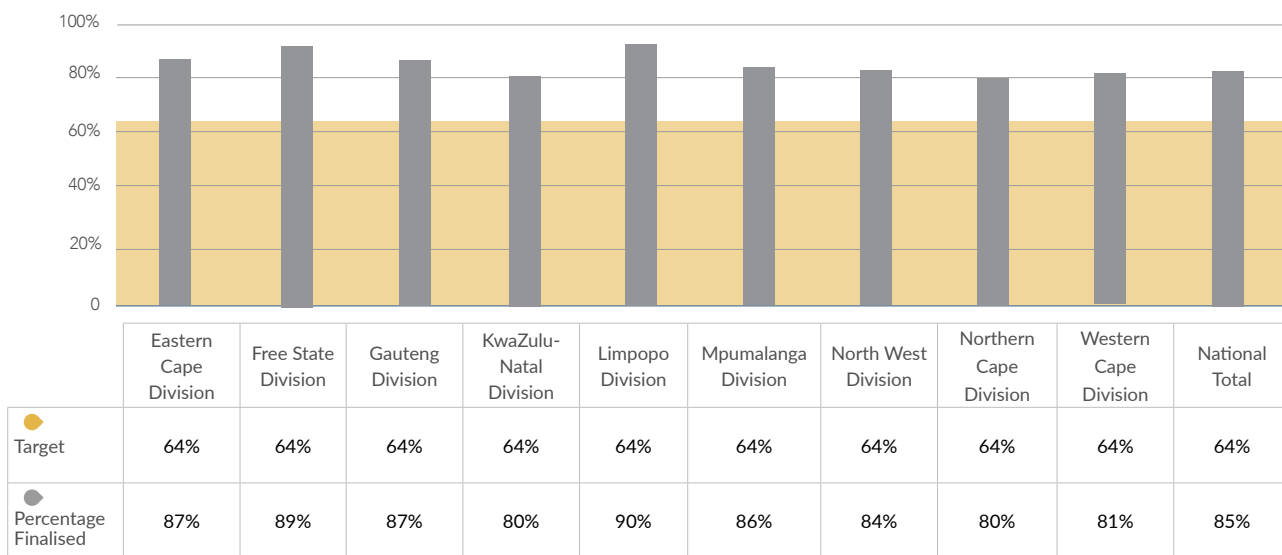
During the period under review, a total of 94 347 civil matters were finalised out of a total of 110 387. This represents an 85% performance against the set annual target of 64%. This reflects an over achievement of 21%. During the period under review, all the Divisions of the High Court achieved or exceeded the set annual target of 64% for civil matters finalised.

**Table 9: Percentage of Finalised Civil Matters in each Division**

2022 /2023 ANNUAL				
COURT NAME	TOTAL MATTERS	MATTERS FINALISED	PERCENTAGE	TARGET
Eastern Cape Division, Makhandla	830	726	87%	64%
Eastern Cape Local Division, Bhisho	940	775	82%	64%
Eastern Cape Local Division, Mthatha	5 020	4 466	89%	64%
Eastern Cape Local Division, Gqeberha	2 099	1 778	85%	64%
<b>Eastern Cape Division</b>	8 889	7 745	87%	64%
<b>Free State Division, Bloemfontein</b>	6 529	5 809	89%	64%
Gauteng Division, Pretoria	26 807	21 874	82%	64%
Gauteng Local Division, Johannesburg	20 241	19 098	94%	64%
<b>Gauteng Division</b>	47 048	40 972	87%	64%
KwaZulu-Natal Division, Pietermaritzburg	4 763	3 755	79%	64%
KwaZulu-Natal Local Division, Durban	7 151	5 759	81%	64%
<b>KwaZulu-Natal Division</b>	11 914	9 514	80%	64%
Limpopo Division, Polokwane	7 251	6 297	87%	64%
Limpopo Local Division, Thohoyandou	2 480	2 420	98%	64%
<b>Limpopo Division</b>	9 731	8 717	90%	64%
Mpumalanga Division, Mbombela	1 352	1 248	92%	64%
Mpumalanga Local Division, Middelburg	1 992	1 636	82%	64%
<b>Mpumalanga Division</b>	3 344	2 884	86%	64%
<b>North West Division, Mahikeng</b>	5 544	4 648	84%	64%
<b>Northern Cape Division, Kimberley</b>	2 395	1 916	80%	64%
<b>Western Cape Division, Cape Town</b>	14 993	12 142	81%	64%
<b>NATIONAL TOTAL</b>	<b>110 387</b>	<b>94 347</b>	<b>85%</b>	<b>64%</b>

Compared to the previous reporting period, a decrease of 7% (from 118 575 to 110 387) of the total number of civil matters enrolled is noted. Compared to the previous reporting period, the total number of civil matters finalised also decreased with 9% (from 104 231 to 94 347).

**Figure 11: Percentage of Finalised Civil Matters in each Division**



High percentages of Finalised Civil Matters were maintained by all High Court Divisions, with the Limpopo Division achieving the highest percentage of 90%, as depicted in the graph above, followed by the Free State Division (89%) and the Eastern Cape and Gauteng Divisions (87%).

### REDUCTION PERCENTAGE OF CRIMINAL CASE BACKLOGS (ALL HIGH COURT DIVISIONS)

The Judiciary is committed to the reduction and, ultimately, the elimination of case backlogs in our courts. The reduction level percentage of criminal case backlog refers to the percentage by which it was intended to reduce the case backlog during the period under review and thus the percentage of case backlog should be maintained below the set target.

This indicator aims mainly to improve the timely disposition of criminal cases, which is essential for the enhancement of public confidence in the justice system. The annual target for all Superior courts is to reduce backlogs to the level of 30%. The aim is to ensure that the percentage of backlogs should be maintained at a percentage that is below this annual target of 30%.

At the end of the period under review, the total number of outstanding criminal cases in the various Divisions of the High Court was 970, whereas the total number of backlog cases was 460, representing a backlog percentage of 47%. The performance during the reporting period is, therefore, above the annual set target of 30% by 17%.

Compared to the previous reporting period, the number of outstanding criminal cases (970) increased by 19% compared to the nine hundred and seventeen (917) outstanding criminal cases that were reported in the previous period. Compared to the previous reporting period, the number of criminal case backlog increased from four hundred and fifty-three (453) to four hundred and sixty (460).

The Table below depicts the achievement of the Various Divisions of the High Court

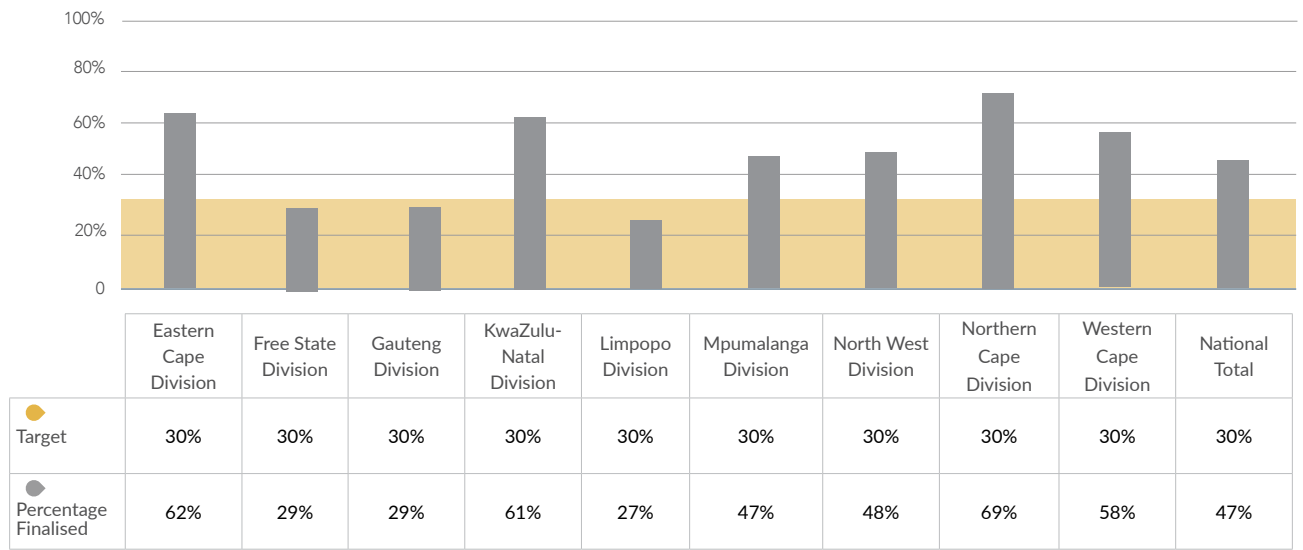
**Table 10: Reduction percentage of Criminal Case Backlog**

SUPERIOR COURT	TOTAL OUTSTANDING CRIMINAL CASES	MATTERS FINALISED	PERCENTAGE	TARGET
Eastern Cape Division, Makhanda	66	43	65%	30%
Eastern Cape Local Division, Bhisho	14	3	21%	30%
Eastern Cape Local Division, Mthatha	52	40	77%	30%
Eastern Cape Local Division, Gqeberha	40	21	53%	30%
<b>Eastern Cape Division</b>	<b>172</b>	<b>107</b>	<b>62%</b>	<b>30%</b>
<b>Free State Division, Bloemfontein</b>	<b>34</b>	<b>10</b>	<b>29%</b>	<b>30%</b>
Gauteng Division, Pretoria	66	23	35%	30%
Gauteng Local Division, Johannesburg	146	38	26%	30%
<b>Gauteng Division</b>	<b>212</b>	<b>61</b>	<b>29%</b>	<b>30%</b>
KwaZulu-Natal Division, Pietermaritzburg	83	44	53%	30%
KwaZulu-Natal Local Division, Durban	101	68	67%	30%
<b>KwaZulu-Natal Division</b>	<b>184</b>	<b>112</b>	<b>61%</b>	<b>30%</b>
Limpopo Division, Polokwane	58	5	9%	30%
Limpopo Local Division, Thohoyandou	57	26	46%	30%
<b>Limpopo Division</b>	<b>115</b>	<b>31</b>	<b>27%</b>	<b>30%</b>
Mpumalanga Division, Mbombela	31	18	58%	30%
Mpumalanga Local Division, Middelburg	47	19	40%	30%
<b>Mpumalanga Division</b>	<b>78</b>	<b>37</b>	<b>47%</b>	<b>30%</b>
<b>North West Division, Mahikeng</b>	<b>25</b>	<b>12</b>	<b>48%</b>	<b>30%</b>
<b>Northern Cape Division, Kimberley</b>	<b>29</b>	<b>20</b>	<b>69%</b>	<b>30%</b>
<b>Western Cape Division, Cape Town</b>	<b>121</b>	<b>70</b>	<b>58%</b>	<b>30%</b>
<b>NATIONAL TOTAL</b>	<b>970</b>	<b>460</b>	<b>47%</b>	<b>30%</b>

It should be noted that in order to successfully attain the indicator on backlogs, the percentage of backlogs should be maintained at a percentage that is below the annual target of 30%.

The target was achieved in the Limpopo Division (27%) and both Gauteng and Free State Division by 29% as depicted in the graph below.

**Figure 12: Reduction level percentage of criminal case backlog in each Division**



## PERCENTAGE OF RESERVED JUDGMENTS FINALISED IN ALL SUPERIOR COURTS

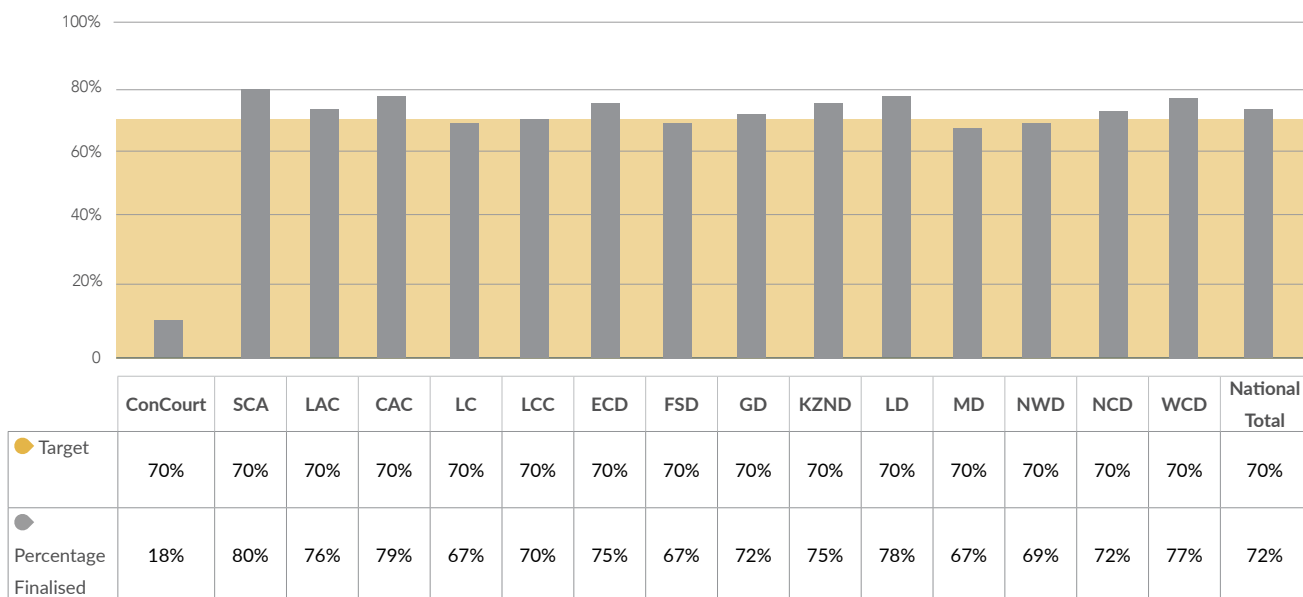
During the period under review, a total of 3 853 reserved judgments was delivered within three (3) months from the date on which they were reserved. This was out of a total of 5 368 judgments delivered which represents an achievement of 72% performance. The target of 70% was therefore exceeded by 2%.

**Table 11: Percentage of Reserved Judgments Finalised in all Superior Courts**

COURT NAME	TOTAL NUMBER OF RESERVED JUDGMENTS	RESERVED JUDGMENTS DELIVERED WITHIN 3 MONTHS	RESERVED JUDGMENTS DELIVERED OVER 3 MONTHS	TOTAL NUMBER OF RESERVED JUDGMENTS DELIVERED
<b>Constitutional Court</b>	62	18% (7 of 39)	82% (32 of 39)	63% (39 of 62)
<b>Supreme Court of Appeal</b>	198	80% (147 of 183)	20% (36 of 183)	82% (183 of 198)
<b>Labour Appeal Court</b>	60	76% (35 of 46)	24% (11 of 46)	77% (46 of 60)
<b>Competition Appeal Court</b>	29	79% (15 of 19)	21% (4 of 19)	66% (19 of 29)
Labour Court Cape Town	147	52% (59 of 114)	48% (55 of 114)	78% (114 of 147)
Labour Court Durban	130	70% (67 of 96)	30% (29 of 96)	74% (96 of 130)
Labour Court Johannesburg	597	77% (375 of 488)	23% (113 of 488)	82% (488 of 597)
Labour Court Gqeberha	148	31% (30 of 96)	69% (66 of 96)	65% (96 of 148)
<b>Labour Courts</b>	<b>1 022</b>	<b>67% (531 of 794)</b>	<b>33% (263 of 794)</b>	<b>78% (794 of 1 022)</b>
<b>Land Claims Court</b>	<b>44</b>	<b>70% (26 of 37)</b>	<b>30% (11 of 37)</b>	<b>84% (37 of 44)</b>
Eastern Cape Division, Makhanda	374	76% (238 of 314)	24% (76 of 314)	84% (314 of 374)
Eastern Cape Local Division, Bhisho	90	69% (53 of 77)	31% (24 of 77)	86% (77 of 90)
Eastern Cape Local Division, Mthatha	128	72% (76 of 106)	28% (30 of 106)	83% (106 of 128)
Eastern Cape Local Division, Gqeberha	128	79% (78 of 99)	21% (21 of 99)	82% (99 of 128)
<b>Eastern Cape Division</b>	<b>720</b>	<b>75% (445 of 596)</b>	<b>25% (151 of 596)</b>	<b>83% (596 of 720)</b>
<b>Free State Division, Bloemfontein</b>	<b>489</b>	<b>67% (261 of 391)</b>	<b>33% (130 of 391)</b>	<b>80% (391 of 489)</b>
Gauteng Division, Pretoria	1 242	74% (851 of 1 144)	26% (293 of 1 144)	92% (1 144 of 1 242)
Gauteng Local Division, Johannesburg	482	67% (301 of 447)	33% (146 of 447)	93% (447 of 482)
<b>Gauteng Division</b>	<b>1 724</b>	<b>72% (1 152 of 1 591)</b>	<b>28% (439 of 1 591)</b>	<b>92% (1 591 of 1 724)</b>
KwaZulu-Natal Division, Pietermaritzburg	305	79% (179 of 228)	21% (49 of 228)	75% (228 of 305)
KwaZulu-Natal Local Division, Durban	178	69% (86 of 125)	31% (39 of 125)	70% (125 of 178)
<b>KwaZulu-Natal Division</b>	<b>483</b>	<b>75% (265 of 353)</b>	<b>25% (88 of 353)</b>	<b>73% (353 of 483)</b>
Limpopo Division, Polokwane	191	84% (145 of 173)	16% (28 of 173)	91% (173 of 191)
Limpopo Local Division, Thohoyandou	46	55% (24 of 44)	45% (20 of 44)	96% (44 of 46)
<b>Limpopo Division</b>	<b>237</b>	<b>78% (169 of 217)</b>	<b>22% (48 of 217)</b>	<b>92% (217 of 237)</b>
Mpumalanga Division, Mbombela	162	70% (97 of 138)	30% (41 of 138)	85% (138 of 162)
Mpumalanga Local Division, Middelburg	124	63% (62 of 98)	37% (36 of 98)	79% (98 of 124)
<b>Mpumalanga Division</b>	<b>286</b>	<b>67% (159 of 236)</b>	<b>33% (77 of 236)</b>	<b>83% (236 of 286)</b>
<b>North West Division, Mahikeng</b>	<b>331</b>	<b>69% (172 of 248)</b>	<b>31% (76 of 248)</b>	<b>75% (248 of 331)</b>
<b>Northern Cape Division, Kimberley</b>	<b>161</b>	<b>72% (80 of 111)</b>	<b>28% (31 of 111)</b>	<b>69% (111 of 161)</b>
<b>Western Cape Division, Cape Town</b>	<b>606</b>	<b>77% (389 of 507)</b>	<b>23% (118 of 507)</b>	<b>84% (507 of 606)</b>
<b>NATIONAL TOTAL</b>	<b>6 452</b>	<b>72% (3 853 of 5 368)</b>	<b>28% (1 515 of 5 368)</b>	<b>83% (5 368 of 6 452)</b>



**Figure 13: Percentage of Reserved Judgments Finalised in all Superior Courts**



The figure above shows that most of the courts reached the target of 70%, except the Constitutional Court (18%), which is the lowest, followed by the Labour Court, Free State Division, Mpumalanga Division with 67% and North West Division with 69%.

## KEY PERFORMANCE INDICATORS: MAGISTRATES' COURTS

At a workshop held in November 2018, facilitated by the Judicial Accountability Committee for the Magistrates' Courts, the Leadership of the Magistracy for both the Regional Courts and District Courts identified and adopted indicators which will allow reporting on the Court Performance at the Magistrates' Courts. This was a significant step in ensuring that the Judiciary accounts to the public for its performance and also allows the Heads of Court to manage court and judicial performance to ensure the efficient and effective running of the Courts.

Each of the set time periods contained in the indicators for the Regional and District Courts are based on the Norms and Standards set by the Judiciary. The court performance information for the Magistrates' Courts to be reported on will not include performance indicators for all targets. The reporting tools are still being refined. Further and more comprehensive reporting will take place in the next reporting periods. These future reports will include clearly defined targets based on the analysis of some baseline information obtained from this report.

The tables below depict the KPIs as adopted by the Magistrates for the Regional and District Courts respectively. Magistrates Courts are divided into Regional Courts and District Courts. The Magistrates' Courts also have differing jurisdiction, with the Regional Courts hearing more serious criminal and civil matters.

### REGIONAL COURT KEY PERFORMANCE INDICATORS:

- » Number of Criminal Trials enrolled per day
- » Finalised Criminal Cases per day
- » Disposed Criminal Cases per day
- » Criminal Cases clearance rate
- » Average Criminal Court Hours per day
- » Throughput
- » Finalised Civil Applications per day
- » Finalised Civil Trials per day
- » Average Civil Court Hours per day
- » Percentage of Judgments Reserved

### DISTRICT COURT KEY PERFORMANCE INDICATORS:

- » Percentage of Criminal Cases finalised
- » Percentage of Child Justice Preliminary Inquiries finalised within 30 days after date of first appearance
- » Percentage of Maintenance Matters finalised within 90 days from the date of proper service of process

## PERFORMANCE OF THE MAGISTRATES' COURTS

### Regional Courts

The Head of a Regional Court, whose area of jurisdiction is based on the provincial borders, is the Regional Court President. The Regional Courts have jurisdiction over more serious category of criminal matters than the District courts and can hear cases relating to alleged murder, rape, robbery with aggravating circumstances, trafficking in persons, serious commercial crimes and corruption. In terms of the Criminal Law (Sentencing) Amendment Act, 2007 (Act 38 of 2007), a Regional Court can sentence a person who has been found guilty of offences that include murder or rape to imprisonment for life. The Court can also sentence people who have been found guilty of certain offences not falling under minimum sentences such as housebreaking with the intent to commit a crime to a period of up to 15 years. A Regional Court can impose a maximum fine of R600 000.

Regional Courts have civil jurisdiction, which includes divorce matters. The Regional Courts have jurisdiction over limited family matters only, namely divorces, interim maintenance and interim custody matters pending the finalisation of divorce cases and civil matters with a monetary value from R200 000 - R400 000.

### Regional Courts Criminal Court Performance Overview

The table below shows that, for the period under review, the Regional Courts utilised a combined total of 64 991 court days, a combined total of 189 164:01 court hours. A total of 37 280 New Cases were registered. A total of 41 149 cases were disposed by the Regional Courts.

**Table 12: Criminal Court Performance Statistics**

Region	Court Days	New Cases	Number Trials Enrolled	Number of Trials Finalised	Sect 77s & 78s Finalised	Withdrawals	Struck Off Roll	Warrant of Arrest	Actual Court Hours	AVG Court Hours	Clearance Rate	Finalised Per Day	Trials Enrolled Per Day	Through-put Per Hrs / Per Case
EC	10 232	5 951	26 757	3 195	74	1 157	846	768	28 784:12	02:48	101%	0,32	2,62	08:48
FS	4 930	2 770	12 516	1 467	32	799	419	382	13 611:23	02:45	112%	0,3	2,54	09:04
GP	15 129	10 112	34 484	4 115	71	3 905	1 379	1 246	45 333:15	02:59	106%	0,28	2,28	10:49
KZN	12 456	5 484	21 874	2 766	42	1 406	516	423	34 961:20	02:48	94%	0,23	1,76	12:27
LP	4 528	1 916	13 594	1 017	37	731	102	257	13 811:16	03:03	112%	0,23	3	13:06
MP	2 739	1 982	14 018	996	16	524	393	540	8 451:11	03:05	125%	0,37	5,12	08:21
NC	2 791	1 205	6 377	796	12	515	295	219	8 763:22	03:08	152%	0,29	2,28	10:50
NW	3 897	1 695	8 068	897	36	783	282	376	9 376:41	02:24	140%	0,24	2,07	10:03
WC	8 289	6 165	22 062	3 118	25	2 357	776	1 041	26 071:21	03:08	119%	0,38	2,66	08:17
<b>TOTAL</b>	<b>64 991</b>	<b>37 280</b>	<b>159 750</b>	<b>18 367</b>	<b>345</b>	<b>12 177</b>	<b>5 008</b>	<b>5 252</b>	<b>189 164:01</b>	<b>02:54</b>	<b>110%</b>	<b>0,29</b>	<b>2,46</b>	<b>10:06</b>

\* Performance data unaudited

As per the above table the performance of the Regional Courts divisions can be summarised as follows:

- Average Court Hours: 02h54  
*This is below the set norm and standard of 04h30, but the combined hours for both criminal and civil adds up to 04h42.*
- Average Clearance rate: 110%  
*Though most courts are able to keep up with the incoming of new cases, this is not the position in all Regional Courts, which indicates that additional courts are needed to deal with the increasing workload.*
- Finalised cases per day: 0.29
- Cases disposed of per day: 0.63
- Cases enrolled per day: 2.46
- Throughput : 10h06

*Noteworthy is that it is taking much longer to finalise a case in the Regional Courts. This is indicative of the increasing complexity of cases in the Regional Courts.*

**Table 13: Two Year Criminal Court Performance Statistics Comparison**

Division	APR 2022 TO MAR 2023				APR 2021 TO MAR 2022				% Change			
	Days	New Cases	Disposed Case	Court Hours	Days	New Cases	Disposed Case	Court Hours	Days	New Cases	Disposed Cases	Court Hours
EC	10 232	5 951	6 040	28 784:12	9 672	5 735	6 545	27 641:13	6%	4%	-8%	4%
FS	4 930	2 770	3 099	13 611:23	4 452	2 507	2 882	12 349:02	11%	10%	8%	10%
GP	15 129	10 112	10 716	45 333:15	14 595	13 255	11 389	41 943:45	4%	-24%	-6%	8%
KZN	12 456	5 484	5 153	34 961:20	13 591	6 050	6 240	27 553:02	-8%	-9%	-17%	27%
LP	4 528	1 916	2 144	13 811:16	4 715	3 303	2 275	13 592:08	-4%	-42%	-6%	2%
MP	2 739	1 982	2 469	8 451:11	2 726	1 331	2 318	8 479:29	0%	49%	7%	0%
NC	2 791	1 205	1 837	8 763:22	2 571	1 104	1 840	7 829:31	9%	9%	0%	12%
NW	3 897	1 695	2 374	9 376:41	3 899	1 697	2 378	9 405:46	0%	0%	0%	0%
WC	8 289	6 165	7 317	26 071:21	7 692	5 189	7 224	22 555:14	8%	19%	1%	16%
All	64 991	37 280	41 149	189 164:01	63 913	40 171	43 091	171 349:10	2%	-7%	-5%	10%

*\* Performance data unaudited*

A comparison between the current financial year and the previous financial year indicates that the court days increased by 2%, new cases decreased by 7%, disposed cases decreased by 5% and the court hours increased by 10%.

## REGIONAL COURTS CIVIL PERFORMANCE OVERVIEW

The table below indicates that for the period under review that the Regional Courts utilised a combined total of 13 477 court days and a combined total of 27 252:21 court hours.

**Table 14: Civil Court Performance Statistics**

Region	Court Days	Applications Enrolled	Applications Finalised	Trials Enrolled	Trials Finalised	Actual court Hours	Average Court Hours	% Applications Finalised	% Trials Finalised	Applications Finalised Per Day	Trials Finalised Per Day
EC	1 311	2 720	1 782	4 518	2 869	2 811:53	02:08	66%	64%	1,36	3,45
FS	701	962	597	3 233	2 203	965:08	01:22	62%	68%	0,85	4,61
GP	3 697	6 616	3 820	10 878	7 188	7 391:34	01:59	58%	66%	1,03	2,94
KZN	2 332	6 903	3 689	8 940	5 262	5 284:06	02:15	53%	59%	1,58	3,83
LP	1 599	2 017	1 248	4 336	2 404	3 304:42	02:04	62%	55%	0,78	2,71
MP	1 122	1 926	994	5 068	2 340	2 295:50	02:02	52%	46%	0,89	4,52
NC	292	234	160	692	553	296:40	01:00	68%	80%	0,55	2,37
NW	927	1 741	945	3 007	1 750	1 522:35	01:38	54%	58%	1,02	3,24
WC	1 496	2 370	1 462	7 907	4 955	3 379:53	02:15	62%	63%	0,98	5,29
<b>Total</b>	<b>13 477</b>	<b>25 489</b>	<b>14 697</b>	<b>48 579</b>	<b>29 524</b>	<b>27 252:21</b>	<b>02:01</b>	<b>58%</b>	<b>61%</b>	<b>1,09</b>	<b>3,6</b>

\* Performance data unaudited

As per the above table the performance of the Regional Court divisions can be summarised as follows:

- Average Court Hours = 02h01  
This is below the set norm and standard of 04h30. It should be noted that many Regional Courts are doing both criminal and civil cases on a daily or weekly basis, with only a few Regional Courts doing civil cases only.
- Finalised civil applications per day = 1.09
- Finalised civil trials per day = 3.6

**Table 15: Two Years Civil Court Performance Statistics Comparison**

Division	APR 2022 TO FEB 2023				APR 2021 TO JAN 2022				% Change			
	Court Days	Enrolled	Finalised	Court Hours	Court Days	Enrolled	Finalised	Court Hours	Court Days	Enrolled	Finalised	Court Hours
EC	1 311	7 238	4 651	2 811:53	1 119	7 148	4 433	2 480:48	17%	1%	5%	13%
FS	701	4 195	2 800	965:08	543	3 591	2 380	771:24	29%	17%	18%	25%
GP	3 697	17 494	11 008	7 391:34	3 432	15 971	10 240	7 116:37	8%	10%	8%	4%
KZN	2 332	15 843	8 951	5 284:06	2 321	14 220	8 412	5 023:14	0%	11%	6%	5%
LP	1 599	6 353	3 652	3 304:42	1 333	5 337	2 864	2 748:49	20%	19%	28%	20%
MP	1 122	6 994	3 334	2 295:50	952	6 245	2 924	1 998:28	18%	12%	14%	15%
NC	292	926	713	296:40	216	866	640	226:30	35%	7%	11%	31%
NW	927	4 748	2 695	1 522:35	927	4 763	2 695	1 523:30	0%	0%	0%	0%
WC	1 496	10 277	6 417	3 379:53	984	7 225	4 895	2 179:48	52%	42%	31%	55%
<b>All</b>	<b>13 477</b>	<b>74 068</b>	<b>44 221</b>	<b>27 252:21</b>	<b>11 827</b>	<b>65 366</b>	<b>39 483</b>	<b>24 069:08</b>	<b>14%</b>	<b>13%</b>	<b>12%</b>	<b>13%</b>

\* Performance data unaudited

A comparison of the current Financial Year with the previous Financial Year indicates that the court days increased by 14%, enrolled cases increased by 13%, finalised cases increased by 12% and the court hours increased by 13%.

## CASE FLOW BLOCKAGES/CHALLENGES

A number of factors contribute towards case flow blockages. These include the unavailability of stakeholders, the unavailability of court rooms, defective court recording equipment and intermediary systems, load shedding, natural disasters, and bad/adverse weather conditions, among others. Below is an indication of the blockages/challenges experienced per key stakeholder.

**Table 16: Case Flow Blockage/Challenges**

Stakeholders	EC	FS	GP	KZN	LP	MP	NW	NC	WC	Total	%
DoJ&CD	1 346	547	1 213	1 128	686	991	560	262	867	7 600	19%
DoJ&CD (Infrastructure)	1 024	387	829	873	590	838	420	190	583	5 734	14%
DoJ&CD (Personnel) and Other	322	160	384	255	96	153	140	72	284	1 866	5%
Prosecution	839	360	980	762	557	325	385	315	1 004	5 527	14%
Private Practitioner	824	257	961	614	533	422	464	227	627	4 929	12%
Legal Aid SA	785	315	796	662	414	381	730	233	509	4 825	12%
Accused Person	1 020	260	742	649	489	321	422	194	634	4 731	11.8%
Witness	696	221	639	678	308	184	272	191	726	3 915	10%
Other	951	115	506	612	266	281	268	198	718	3 915	10%
SAPS	526	59	379	193	189	124	316	82	192	2 060	5%
Judiciary	214	67	92	155	80	83	137	50	78	956	2%
Multiple Parties	94	32	187	156	176	19	23	14	50	751	2%
Correctional Services	60	3	55	77	6	7	14	6	63	291	1%
Social Development	40	8	63	19	49	15	25	12	49	280	1%
Department of Health	21		6	11	13	4	30	11	5	101	0%
Natural Disaster	7		1	3	1				19	31	0%
National Shutdown			1	2	2	4			4	13	0%
<b>Grand Total</b>	<b>7 423</b>	<b>2 244</b>	<b>6 621</b>	<b>5 721</b>	<b>3 769</b>	<b>3 161</b>	<b>3 646</b>	<b>1 795</b>	<b>5 545</b>	<b>39 925</b>	
<b>%</b>	<b>19%</b>	<b>6%</b>	<b>17%</b>	<b>14%</b>	<b>9%</b>	<b>8%</b>	<b>9%</b>	<b>4%</b>	<b>14%</b>		

\*Performance data unaudited

For the period under review, the Regional Court blockages/challenges experienced can be summarised as follows: DoJ&CD (19.0%), Prosecution (13.8%), Private Practitioner (12.3%), Legal Aid SA (12.1%) and Accused person (11.8%).

### Reserved Judgments

The Norms and Standards state that judgments, in both civil and criminal matters, should generally not be reserved without a fixed date of handing down. Every effort shall be made to hand down judgments no later than 3 months after the last hearing. Generally, no judgments are reserved for longer than three months from the date of last hearing by the Regional Courts.

## Conclusion

The Judicial Officers of the Regional Courts remain committed to accounting through their work and judgments as the courts are open to the public. Strides have been made to produce an annual report for the Regional Courts. The Judiciary continues to put measures in place to continuously monitor the performance of the courts and ensure that any case flow blockages are resolved as soon as possible. All Judicial Officers are enjoined to take pro-active stance to invoke all relevant legislation to avoid lengthy periods of incarceration of accused persons whilst awaiting trial.

## DISTRICT COURTS

The District Courts are established through the definition of local geographical limits and per Ministerial regulation, whilst groups of district courts are joined together to create Administrative Regions for administrative purposes. Each Administrative Region has a Chief Magistrate who is the Head of Administrative Region and reports on the court performance for all the District courts clustered in their specific Region. District Courts have jurisdiction to try accused persons for offences other than attempted murder, murder, treason, rape and terrorism. The District Courts also have, amongst other, exclusive jurisdiction over preliminary inquiries in terms of the Child Justice Act, 2008 (Act 75 of 2008). Furthermore, District Courts have jurisdiction in respect of civil matters up to a value of R200 000 and also deal with family law matters ranging from protection orders for domestic violence and harassment as well as children's courts and maintenance matters.

The collection and collation of the performance information of the Magistrates' Courts relies on the Integrated Case Management System modules and the Court Recording Technology system (for court sitting hours), which the Department of Justice and Constitutional Development provides in terms of their mandate to provide administrative support to the Lower courts.

At a meeting held on 15 August 2023 the Heads of the Administrative Regions of the District Courts resolved that as a result of, inter alia, the ongoing ICT challenges in the DoJ&CD, the statistical information for criminal matters would be extracted from the Magistrate's monthly Judicial return submissions (MC 15 tool). It is highlighted that this statistical information is not a proper reflection of the Judicial Performance Indicators for District courts based on the Norms and Standards.

The Department of Justice and Constitutional Development disclaimed the data provided for domestic violence and harassment applications as well as children's court matters in their report dated 17 August 2023. They cite a variety of challenges which have given rise to the total number of cases and applications not being captured on the system and that relates to the incompleteness of the statistics provided.

The performance information in relation to Child Justice preliminary inquiries and Maintenance matters is released as the completeness of the data is within the purview of the Departmental Annual Performance plan indicators and readiness for audit by the Auditor-General is established. The Department received an unqualified audit and a performance of more than 80 percent for the 2022/2023 performance cycle.

**Table 17: Percentage of Criminal Cases finalised**

2022 /2023			
ADMINISTRATIVE REGIONS	TOTAL DISPOSED	TOTAL CASE LOAD	% DISPOSED
Administrative Region 1 (Eastern Cape A) Port Elizabeth	13 426	25 776	52%
Administrative Region 2 (Eastern Cape B) Mthatha	3 214	8 308	39%
Administrative Region 3 (Free State A) Bloemfontein	3 798	8 741	43%
Administrative Region 4 (Free State B) Welkom	5 180	10 227	51%
Administrative Region 5 (Gauteng) Pretoria	1 938	3 920	49%
Administrative Region 5A (Gauteng) Johannesburg	49 011	71 848	68%
Administrative Region 6 (KwaZulu-Natal A) Durban	22 261	36 719	61%
Administrative Region 7 (KwaZulu-Natal B) Pietermaritzburg	8 445	14 399	59%
Administrative Region 8 (Mpumalanga) Nelspruit	18 563	26 076	71%
Administrative Region 9 (Northwest) Mmabatho	20 527	28 717	71%
Administrative Region 10 (Northern Cape) Kimberley	2 661	7 621	35%
Administrative Region 11 (Limpopo) Polokwane	15 108	25 453	59%
Administrative Region 12 (Western Cape A) Cape Town	8 807	24 161	36%
Administrative Region 13 (Western Cape B) Wynberg	55 737	81 497	68%
<b>NATIONAL TOTAL</b>	<b>228 676</b>	<b>373 463</b>	<b>55%</b>

\* Performance data unaudited

\*\*Disclaimer

In the absence of ICMS statistics, note the available data source of the MC 15 tool, which is limited as it was not intended to be a case flow management tool for Judicial Indicator purposes. All disposed of case data is thus reflected and it does not differentiate trial matter timelines as per the Judicial Norms and Standards.

As per the above table the performance of the District Courts as per the Administrative Regions can be summarised as follows:

- Average Criminal cases finalised: 55%

*Noteworthy is that the administrative challenges with regard to support of the courts for essential services such as the court recording system, language interpretation services and tools of trade in the form of laptops and printers has an impact on the case finalisation rate.*

*The continuous power outages occasioned by load shedding impact directly on the functioning of the District courts.*

**Table 18: Percentage Child Justice preliminary investigations finalised within 30 days of date of first appearance**

2022 /2023				
ADMINISTRATIVE REGIONS	EXCEEDING 30 DAYS	WITHIN 30 DAYS	TOTAL	% FINALISED WITHIN 30 DAYS
Administrative Region 1 (Eastern Cape A) Port Elizabeth	64	607	671	90%
Administrative Region 2 (Eastern Cape B) Mthatha	50	205	255	80%
Administrative Region 3 (Free State A) Bloemfontein	150	143	293	49%
Administrative Region 4 (Free State B) Welkom	36	281	317	89%
Administrative Region 5 (Gauteng) Pretoria	30	138	168	82%
Administrative Region 5A (Gauteng) Johannesburg	342	861	1 203	72%
Administrative Region 6 (KwaZulu-Natal A) Durban	38	798	836	95%
Administrative Region 7 (KwaZulu-Natal B) Pietermaritzburg	37	557	594	94%
Administrative Region 8 (Mpumalanga) Nelspruit	132	303	435	70%
Administrative Region 9 (Northwest) Mmabatho	127	205	332	62%
Administrative Region 10 (Northern Cape) Kimberley	61	374	435	86%
Administrative Region 11 (Limpopo) Polokwane	183	848	1 031	82%
Administrative Region 12 (Western Cape A) Cape Town	87	1 288	1 375	94%
Administrative Region 13 (Western Cape B) Wynberg	284	2 223	2 507	89%
<b>NATIONAL TOTAL</b>	<b>1 621</b>	<b>8 831</b>	<b>10 452</b>	<b>84%</b>

\* Performance data audited at DoJ&CD

As per the above table the performance of the District Courts as per the Administrative Regions can be summarised as follows:

- Average Child Justice preliminary inquiries finalised within 30-day period: 84%

The plight of vulnerable children in conflict with the law is a priority so as to protect the interests of the child and is shown by the speedy finalisation of these matters. Administrative Region 6 (KwaZulu-Natal A) Durban has a high percentage of finalised cases as compared to the other Administrative Regions. Administrative Region 3 (Free State A) Bloemfontein has a low percentage of cases finalised within the 30-day period.



**Table 19: Percentage Maintenance matters finalised within 90 days from date of proper service of process.**

2022 /2023				
ADMINISTRATIVE REGIONS	EXCEEDING 90 DAYS	WITHIN 90 DAYS	TOTAL	% FINALISED WITHIN 90 DAYS
Administrative Region 1 (Eastern Cape A) Port Elizabeth	426	3 026	3 452	88%
Administrative Region 2 (Eastern Cape B) Mthatha	147	1 724	1 871	92%
Administrative Region 3 (Free State A) Bloemfontein	292	1 438	1 730	83%
Administrative Region 4 (Free State B) Welkom	256	2 485	2 741	91%
Administrative Region 5 (Gauteng) Pretoria	226	1 507	1 733	87%
Administrative Region 5A (Gauteng) Johannesburg	721	4 930	5 651	87%
Administrative Region 6 (KwaZulu-Natal A) Durban	320	2 845	3 165	90%
Administrative Region 7 (KwaZulu-Natal B) Pietermaritzburg	221	1 610	1 831	88%
Administrative Region 8 (Mpumalanga) Nelspruit	377	3 591	3 968	90%
Administrative Region 9 (Northwest) Mmabatho	479	3 929	4 408	89%
Administrative Region 10 (Northern Cape) Kimberley	124	1 564	1 688	93%
Administrative Region 11 (Limpopo) Polokwane	911	9 121	10 032	91%
Administrative Region 12 (Western Cape A) Cape Town	276	1 825	2 101	87%
Administrative Region 13 (Western Cape B) Wynberg	493	2 682	3 175	84%
<b>NATIONAL TOTAL</b>	<b>5 269</b>	<b>42 277</b>	<b>47 546</b>	<b>89%</b>

\* Performance data audited at DoJ&CD

As per the above table the performance of the District Courts as per the Administrative Regions can be summarised as follows:

- Average percentage of Maintenance matters finalised within a 90-day period: 89%

The high finalisation rate can be attributed to the commitment to deal speedily with matters that protect the interests of the children. The indicator measures the finalisation from date of proper service and thus exclude the matters where there are challenges in the tracing of the respondents. Administrative Region 2 (Eastern Cape B) Mthatha, has the highest percentage of matters finalised in comparison to the other Administrative Regions. Administrative Region 3 (Free State A) Bloemfontein, has the lowest percentage of cases finalised within the 90-day period.

## Conclusion

The Judicial Officers of the District Courts remain committed to account through their caseloads for the reporting of their judicial performance, towards ensuring access to justice for all.

The Department of Justice and Constitutional Development has committed to rolling out fibre connections to all the courts to ensure stability on the ICT systems and has indicated that there are plans to improve on a fresh new data capturing tool where the District Court Judiciary will be consulted. There is an improvement plan commitment to ensure that all statistics from 01 April 2023 to the current date are complete and maintained thereafter, through an initiative that will see supervisors and data capturers to affect that day's capturing before the workday closes.

Monthly reporting is expected which will enable the District Court Judicial Officers to engage more regularly with the data to ensure the veracity thereof through judicial oversight going forward.

The high dependency on stakeholders within the court environment have a negative impact on efficient case flow management. The respective District Efficiency and Enhancement Committees (DEEC) and their Provincial Efficiency and Enhancement Committee (PEEC) are the case flow structures that strive to improve stakeholder relations to address the blockages in the system to enhance court efficiency.



PART E  
JUDICIAL  
EDUCATION AND  
TRAINING

## JUDICIAL EDUCATION AND TRAINING

The South African Judicial Education Institute (SAJEI) was established in terms of the South African Judicial Education Institute Act, 2008 (Act 14 of 2008). The Institute is led by a Council consisting of the following members:

- The Chief Justice as Chairperson, the Deputy Chief Justice as Deputy Chairperson;
- the Minister's or his nominee;
- a Judge of the Constitutional Court designated by the Chief Justice after consultation with the Judges of the Constitutional Court;
- a Judge or any other person designated by the Judicial Service Commission from amongst its ranks;
- the President of the Supreme Court of Appeal;
- two Judges President and two other Judges, at least one of whom must be a woman, designated by the Chief Justice after consultation with the Judges President;
- five Magistrates designated by the Magistrates' Commission, and of whom at least two must be women and two must be Regional Court Magistrates;
- a Judge who has been discharged from active service;
- the Chief Executive Officer of SAJEI;
- one advocate designated by the General Council of the Bar of South Africa;
- one attorney designated by the Law Society of South Africa;
- two university teachers of law designated by the South African Law Deans Association;
- two other members who are not involved in the administration of justice, designated by the Minister after consultation with the Chief Justice; and
- one traditional leader designated by the National House of Traditional Leaders.

In terms of terms of section 5 of the SAJEI Act the functions of the Institute are:

- a. to establish, develop, maintain and provide judicial education and professional training for judicial officers;
- b. to provide entry level education and training forty aspiring judicial officers to enhance their suitability for appointment to judicial office;
- c. to conduct research into judicial education and professional training and to liaise with other judicial education and professional training institutions, persons and organisations in connection with the performance of its functions;
- d. to promote, through education and training, the quality and efficiency of services provided in the administration of justice in the Republic;
- e. to promote the independence, impartiality, dignity, accessibility and effectiveness of the courts; and
- f. to render such assistance to foreign judicial institutions and courts as may be agreed upon by the Council.

In the period under review, SAJEI conducted one hundred and thirty-six (136) courses, exceeding the planned target of one hundred and ten (110). This success is attributed mainly to the technological innovation in virtual platforms.

In celebration of the South African Judicial Education Institute's (SAJEI) 10th anniversary, an international webinar on judicial training was arranged and attended by one hundred and twenty-five (125) participants from African and International countries. The overall objective was to discuss the link between judicial training and judicial performance through the lens of the International Organisation for Judicial Training principles. This highlights the importance of judicial training using participatory training methods as well as cooperation and collaboration of Regional and International judicial education institutions. To commemorate the 10th year anniversary, SAJEI is publishing a book on Judicial Education in Africa.

The report covers the period from 01 April 2022 to 31 March 2023. The summarised breakdown of workshops and number of delegates is indicated in the table:

**Table 20: Summarised Training Data**

NUMBER OF WEBINARS	DELEGATES	NUMBER OF DELEGATES
2	Judges	66
5	Aspirant Judges	130
8	Regional Court Magistrates	290
3	Regional and District Court Magistrates	76
3	Aspirant Regional Court Magistrates	60
111	District Court Magistrates	3 366
1	Aspirant District Court Magistrates	49
3	Support to Foreign Judicial Institutions	133
<b>192</b>	<b>TOTAL</b>	<b>4 110</b>

The slight decrease in the total number of participants compared to the four thousand three hundred and eighty-three (4 383) participants in the previous year is attributed to connectivity issues arising from load shedding.

Furthermore, during this reporting period, SAJEI launched the Aspirant Women Judges Programme with an intake of 18 participants.

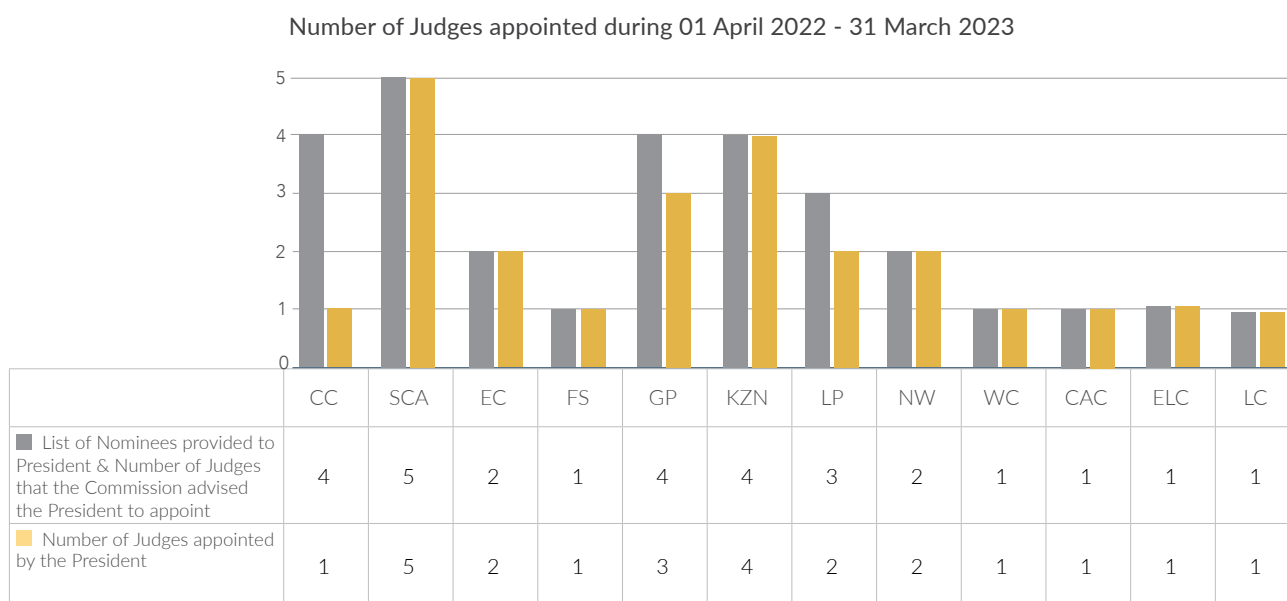


PART F  
JUDICIAL  
APPOINTMENTS  
AND RETIREMENTS

## JUDICIAL APPOINTMENTS

In terms of section 174(6) of the Constitution, the President appoints Judges of all Superior Courts on the advice of the Judicial Service Commission (JSC). In the case of Justices of the Constitutional Court, the JSC is required to submit to the President a list of candidates with three names more than the number of appointments to be made, where after the President appoints the Justices from the list as Head of the National Executive after consulting the Chief Justice and the leaders of parties represented in the National Assembly. During the period to which this report relates, the JSC advised the President with respect to vacancies that occurred during the year under review as follows:

**Figure 14: Judges appointed during the period under review**



**Table 21: Judges appointed during the period under review**

COURT	LIST OF CANDIDATES SUPPLIED BY THE COMMISSION TO THE PRESIDENT FROM WHICH THE PRESIDENT APPOINTED ONE	JUDGES APPOINTED BY THE PRESIDENT
<b>Constitutional Court (Two Vacancies)</b>	Adv A C Dodson SC Judge F Kathree-Setiloane Judge M B Molemela Judge O L Rogers	Judge O L Rogers
	The Commission advised that the other vacancy should not be filled.	
COURT	THE NAMES OF CANDIDATES THE JSC ADVISED THE PRESIDENT TO APPOINT	JUDGES APPOINTED BY THE PRESIDENT
<b>Supreme Court of Appeal (Five Vacancies)</b>	Judge G G Goosen Judge K E Matojane Judge P A Meyer Judge D S Molefe Judge S E Weiner	Judge G G Goosen Judge K E Matojane Judge P A Meyer Judge D S Molefe Judge S E Weiner

COURT	THE NAMES OF CANDIDATES THE JSC ADVISED THE PRESIDENT TO APPOINT	JUDGES APPOINTED BY THE PRESIDENT
<b>Eastern Cape Division of the High Court, Gqeberha (Two vacancies)</b>	Ms V P Noncembu Adv D O Potgieter SC	Ms V P Noncembu Adv D O Potgieter SC
<b>Free State Division of the High Court (One vacancy)</b>	Adv I Van Rhyn	Adv I Van Rhyn
<b>Limpopo Division of the High Court (Two vacancies)</b>	Adv N Naudè-Odendaal Adv T C Tshidada	Adv N Naudè-Odendaal Adv T C Tshidada
<b>Limpopo Division of the High Court (One vacancy of Judge President)</b>	Judge M G Phatudi	The President has not made this appointment because of litigation challenging the Commission's advice to the President to appoint the particular candidate.
<b>North West Division of the High Court (One vacancy of Judge President)</b>	Judge R D Hendricks	Judge R D Hendricks
<b>North West Division of the High Court (One vacancy of Deputy Judge President)</b>	Judge T J Djaje	Judge T J Djaje
<b>North West Division of the High Court (One vacancy)</b>	The JSC advised that none of the candidates it interviewed was suitable for appointment to fill the one vacancy available.	
<b>Gauteng Division of the High Court for secondment to the Land Claims Court (One vacancy)</b>	The JSC was unable to recommend a candidate to fill the vacancy due to the withdrawal of the only candidate a few days before the interview.	
<b>Gauteng Division of the High Court for secondment to the Land Claims Court (One vacancy)</b>	Ms L Flatela	Ms L Flatela
<b>Gauteng Division of the High Court (Four vacancies)</b>	Ms R Francis-Subbiah Adv J J C Swanepoel Adv S D J Wilson	Ms R Francis-Subbiah Adv J J C Swanepoel Adv S D J Wilson
	The JSC could not recommend a candidate to fill one of the four vacancies because none of the candidates it interviewed were suitable for appointment to fill the fourth vacancy.	
<b>KwaZulu-Natal Division of the High Court (One vacancy of Judge President)</b>	Judge T P Poyo-Dlwati	Judge T P Poyo-Dlwati



COURT	THE NAMES OF CANDIDATES THE JSC ADVISED THE PRESIDENT TO APPOINT	JUDGES APPOINTED BY THE PRESIDENT
<b>KwaZulu-Natal Division of the High Court</b> <b>(Two vacancies: Pietermaritzburg)</b>	Adv Bezuidenhout SC Ms N F Mlaba	Adv Bezuidenhout SC Ms N F Mlaba
<b>Western Cape Division of the High Court</b> <b>(One vacancy)</b>	Ms C N Nziweni	Ms C N Nziweni
<b>Competition Appeal Court</b> <b>(One vacancy of Judge President)</b>	Judge N M Manoim	Judge N M Manoim as Judge President of the Competition Appeal Court.
<b>Electoral Court</b> <b>(One vacancy of a Chairperson)</b>	Judge D Zondi	Judge D Zondi as Chairperson
<b>Electoral Court</b> <b>(Two vacancies of a Judge Member)</b>	The JSC advised that no appointment be made with regard to these vacancies at that stage.	None

During the period under review, there were thirty-three (33) vacancies in the Superior Courts in respect of which the JSC had to interview candidates and advise the President on candidates to be appointed as Judges. Of these thirty-three (33) vacancies, the JSC was only able to advise the President to appoint (25) candidates out of which the President appointed (24) as Judges.

## RACE AND GENDER OF THE SOUTH AFRICAN JUDICIARY

### SUPERIOR COURTS

During the period under review, a total of 24 Judges were appointed, of which 2% (6 of 24) were black females, 25% (6 of 24) were black males, 33% (8 of 24) were white males and 17% (4 of 24) were white females.

**Table 22: Race and Gender Composition of Judges appointed**

SUPERIOR COURT	AFRICANS		INDIAN		COLOURED		WHITE		TOTAL
	M	F	M	F	M	F	M	F	
Constitutional Court	0	0	0	0	0	0	1	0	1
Supreme Court of Appeal	1	1	0	0	0	0	2	1	5
Eastern Cape Division of the High Court	0	1	0	0	0	0	1	0	2
Free State Division of the High Court	0	0	0	0	0	0	0	1	1
Gauteng Division of the High Court	0	1	0	1	0	0	2	0	4
KwaZulu-Natal Division of the High Court	2	0	0	0	0	0	1	1	4
Limpopo Division of the High Court	1	0	0	0	0	0	0	1	2
Mpumalanga Division of the High Court	0	0	0	0	0	0	0	0	0
North West Division of the High Court	0	1	0	0	1	0	0	0	2
Northern Cape Division of the High Court	0	0	0	0	0	0	0	0	0
Western Cape Division of the High Court	0	1	0	0	0	0	0	0	1
Electoral Court	1	0	0	0	0	0	0	0	1
Labour Court	0	0	0	0	0	0	0	0	0
Competition Appeal Court	0	0	0	0	0	0	1	0	1
<b>NATIONAL TOTAL</b>	<b>5</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>8</b>	<b>4</b>	<b>24</b>
<b>PERCENTAGES</b>	<b>21%</b>	<b>21%</b>	<b>0%</b>	<b>4%</b>	<b>4%</b>	<b>0%</b>	<b>33%</b>	<b>17%</b>	<b>100%</b>

## MAGISTRATES' COURTS

During the period under review, a total of 48 Magistrates were appointed, of which 52 % (25 of 48) were black females, 25 % (12 of 48) were black males, 8% (4 of 48) were white females and 15% (7 of 48) were white males.

**Table 23: Race and Gender Composition of Magistrates appointed**

POST	AFRICANS		INDIAN		COLOURED		WHITE		TOTAL
	M	F	M	F	M	F	M	F	
Regional Court President	0	1	0	0	0	0	0	0	1
Regional Magistrate	10	15	0	3	2	4	6	3	43
Chief Magistrate	0	0	0	0	0	1	0	0	1
Senior Magistrate	0	0	0	1	0	0	1	1	3
Magistrate	0	0	0	0	0	0	0	0	0
<b>NATIONAL TOTAL</b>	<b>10</b>	<b>16</b>	<b>0</b>	<b>4</b>	<b>2</b>	<b>5</b>	<b>7</b>	<b>4</b>	<b>48</b>
<b>PERCENTAGES</b>	<b>21%</b>	<b>33%</b>	<b>0%</b>	<b>8%</b>	<b>4%</b>	<b>10%</b>	<b>15%</b>	<b>8%</b>	<b>100%</b>

## SUPERIOR COURTS

A racial breakdown indicated that from the total of 248, 48% (120) comprised Judges of African origin, 12% (30) Coloured, 9% (23) Indian and 30% (75) White. A gender breakdown of the Judiciary reflected that at the end of the period under review the Judiciary comprised 54% (135) males and 46 % (113) females.

Table 24: Race and Gender Composition of all Judges

SUPERIOR COURT	AFRICANS		INDIAN		COLOURED		WHITE		TOTAL	PERCENTAGE
	M	F	M	F	M	F	M	F		
Constitutional Court	3	3	1	1	1	0	1	0	10	4,0%
Supreme Court of Appeal	6	6	1	2	1	1	4	2	23	9,3%
Eastern Cape Division (Makhanda)	2	2	1	0	2	0	3	0	10	11,7%
Eastern Cape Local Division (Bhisho)	2	2	0	0	0	0	3	0	7	6,0%
Eastern Cape Local Division (Mthatha)	2	0	0	0	0	0	0	2	4	30,2%
Eastern Cape Local Division (Gqeberha)	2	3	0	0	0	1	2	0	8	11,3%
Free State Division (Bloemfontein)	4	3	1	0	0	1	2	4	15	2,8%
Gauteng Division (Pretoria)	11	12	0	0	1	2	7	7	40	3,2%
Gauteng Local Division (Johannesburg)	6	5	3	1	3	2	8	7	35	2,4%
KwaZulu-Natal Division (Pietermaritzburg)	3	4	0	0	2	0	4	1	14	1,6%
KwaZulu-Natal Local Division (Durban)	3	2	2	1	1	3	1	1	14	12,9%
Limpopo Division, Polokwane	2	1	0	0	0	0	1	1	5	4,4%
Limpopo Local Division, Thohoyandou	2	0	0	0	0	0	0	0	2	4,0%
Mpumalanga Division, Mbombela	4	2	0	0	0	0	0	0	6	9,3%
Mpumalanga Local Division, Middelburg	0	2	0	0	0	0	0	0	2	11,7%
Northern Cape Division, Kimberley	2	2	0	1	0	0	1	0	6	6,0%
North West Division, Mahikeng	0	1	1	0	0	0	1	1	4	30,2%
Western Cape Division, Cape Town	6	4	7	6	1	1	4	3	32	11,3%
Labour Court	2	4	0	1	0	0	2	2	11	2,8%
Labour Appeal Court <sup>1</sup>	0	1	3	0	0	0	1	0	5	-
Competition Appeal Court <sup>1</sup>	3	4	1	0	1	1	4	1	15	-
Land Claims Court <sup>1</sup>	1	0	0	1	0	2	0	1	5	-
<b>TOTAL</b>	<b>62</b>	<b>58</b>	<b>17</b>	<b>13</b>	<b>12</b>	<b>11</b>	<b>44</b>	<b>31</b>	<b>248</b>	
<b>PERCENTAGE</b>	<b>25%</b>	<b>23%</b>	<b>7%</b>	<b>5%</b>	<b>5%</b>	<b>4%</b>	<b>18%</b>	<b>13%</b>	<b>100%</b>	
<b>TOTAL</b>	<b>120</b>		<b>30</b>		<b>23</b>		<b>75</b>		<b>248</b>	
<b>PERCENTAGES</b>	<b>48%</b>		<b>12%</b>		<b>9%</b>		<b>30%</b>		<b>100%</b>	

<sup>1</sup>The numbers reflecting the race and gender profile of the Judges of these Specialised High Courts (Labour Appeal Court, Competition Appeal Court and the Land Claims Court) are included in Table 24 above under various Divisions from which they are appointed.

## MAGISTRATES' COURTS

The race and gender composition of the Magistrates' Courts establishment is made up of 39% black females (650 of 1 652), 35% black males (577 of 1 652), 13% white females (216 of 1 652) and 13% white males (209 of 1 652).

**Table 25: Race and Gender Composition of all Magistrates**

POST	AFRICANS		INDIAN		COLOURED		WHITE		TOTAL
	M	F	M	F	M	F	M	F	
Regional Court President	4	2	0	0	0	1	0	1	8
Regional Magistrate	84	92	14	26	18	19	47	36	336
Chief Magistrate	2	7	1	1	1	1	1	1	15
Senior Magistrate	31	21	7	11	7	2	13	20	112
Magistrate	276	316	52	71	80	80	148	58	1 181
<b>NATIONAL TOTAL</b>	<b>397</b>	<b>438</b>	<b>74</b>	<b>109</b>	<b>106</b>	<b>103</b>	<b>209</b>	<b>216</b>	<b>1 652</b>
<b>PERCENTAGES</b>	<b>24%</b>	<b>27%</b>	<b>4%</b>	<b>7%</b>	<b>6%</b>	<b>6%</b>	<b>13%</b>	<b>13%</b>	<b>100%</b>



## RETIREMENTS

For the current reporting period, the following Judges were discharged from active service:

**Table 26: Judges discharged from active service**

INITIALS AND SURNAME	RANK	DISCHARGED DATE
<b>SUPREME COURT OF APPEAL</b>		
D V Dlodlo	Justice	04 April 2022
M S Navsa	Justice	31 May 2022
B H Mbha	Justice	31 July 2022
C M Plasket	Justice	31 December 2022
<b>NORTH WEST DIVISION OF THE HIGH COURT</b>		
M M Leeuw	Judge President	29 July 2022
F S Gura	Judge	4 October 2022
<b>GAUTENG DIVISION OF THE HIGH COURT</b>		
M Victor	Judge	18 August 2022
T J Raulinga	Judge	21 September 2022
V V Thlapi	Judge	20 November 2022
D S Fourie	Judge	31 January 2023
<b>KWAZULU-NATAL DIVISION OF THE HIGH COURT</b>		
D Pillay	Judge	15 January 2023
J A Ploos van Amstel	Judge	31 January 2023
<b>EASTERN CAPE DIVISION OF THE HIGH COURT</b>		
E Revelas	Judge	29 July 2022
I Schoeman	Judge	31 July 2022
<b>LIMPOPO DIVISION OF THE HIGH COURT</b>		
N F Kgomo	Judge	30 September 2022
M E Makgoba	Judge President	1 January 2023
<b>WESTERN CAPE DIVISION OF THE HIGH COURT</b>		
E T Steyn	Judge	17 December 2022



PART G  
JUDICIAL  
APPOINTMENTS  
AND RETIREMENTS



## EXTRA-JUDICIAL POSITIONS HELD BY MEMBERS OF THE JUDICIARY

### SUPERIOR COURTS

**Table 27: Extra-Judicial Positions held by Members of the Judiciary**

INITIALS AND SURNAME	RANK	POSITION
<b>CONSTITUTIONAL COURT</b>		
Justice R M M Zondo	Chief Justice	<ul style="list-style-type: none"> <li>Chairperson of the Judicial Service Commission</li> <li>Chairperson of the Council of the South African Judicial Education Institute</li> <li>Chancellor of the University of Zululand</li> <li>Chairperson of the Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State</li> </ul>
Justice M M L Maya	Deputy Chief Justice	<ul style="list-style-type: none"> <li>Member of the Judicial Service Commission</li> <li>Council Member: South African Judicial Education Institute</li> <li>President: South African Chapter of the International Association of Women Judges</li> <li>Regional Director: West and Southern Africa: International Association of Women Judges</li> <li>Chancellor of the University of Mpumalanga</li> <li>Board Member: Bolch Judicial Institute Leadership Council Duke Law School</li> <li>Board Member: Judicature Law Journal Duke Law School</li> <li>Board Member: University of Free State Law Faculty</li> <li>Founding Editor: South African Chapter of the International Association of Women Judges Law Journal</li> <li>Board Member: National Bar Examinations Board</li> <li>Member: Commonwealth Association of Law Reform Commissions</li> <li>Advisory Board Member: Yearbook of South African Law</li> <li>Advisory Board Member: South African Law Journal</li> <li>Patron: Lawyers Against Violence</li> <li>Trustee: South African Institute for Advanced Constitutional, Public, Human Rights and International Law</li> </ul>
<b>SUPREME COURT OF APPEAL</b>		
Justice M B Molemela	Justice	<ul style="list-style-type: none"> <li>Trustee of a non-profit organisation (Free State Symphony Orchestra)</li> <li>Trustee of the Ray Zondo SAC-IAWJ Trust</li> <li>Chancellor of the Central University of Technology</li> </ul>
Justice D H Zondi	Justice	<ul style="list-style-type: none"> <li>Member of Judicial Conduct Committee of the JSC</li> <li>Member of the Governing Council of Global Network on Electoral Justice</li> </ul>
Justice H Saldulker	Justice	<ul style="list-style-type: none"> <li>Board Member of the National Bar Examination</li> <li>Board (NBEB) and Judge Moderator for Advocates Examinations.</li> <li>Liaison Judge for the Hague Convention</li> </ul>
<b>GAUTENG DIVISION OF THE HIGH COURT</b>		
Justice D Mlambo	Judge President	<ul style="list-style-type: none"> <li>Board Member of the International Legal Foundation (ILF)</li> <li>President: International Association of Refugee and Migration Judges (IARMJ Africa Chapter)</li> <li>Chairperson: Community Advice Offices of South Africa (CAOSA)</li> </ul>

## SUPERIOR COURTS CONTINUED

INITIALS AND SURNAME	RANK	POSITION
Judge N Manoim	Judge	<ul style="list-style-type: none"> <li>Professor of Practice: University of Johannesburg (Non-paying honorary position).</li> </ul>
Judge G Malindi	Judge	<ul style="list-style-type: none"> <li>Trustee: Nelson Mandela Trust</li> </ul>
Judge L T Modiba	Judge	<ul style="list-style-type: none"> <li>President of the Special Investigations Unit Tribunal established in terms of Section (2)(1) of the Special Investigations Units and special Tribunals Act 74 of 1996.</li> </ul>
Judge I Opperman	Judge	<ul style="list-style-type: none"> <li>Commissioner of the Court of Military Appeals.</li> </ul>
Judge E Van der Schyff	Judge	<ul style="list-style-type: none"> <li>Adjunct Professor of Law: University of Venda (UNIVEN)</li> <li>Extraordinary Professor of Law at the North-West University (NWU).</li> </ul>
<b>KWAZULU-NATAL DIVISION OF THE HIGH COURT</b>		
Judge M Madondo	Acting Judge President	<ul style="list-style-type: none"> <li>Honorary Professor at UNISA</li> </ul>
Judge T P Poyo-Dlwati	Acting Deputy Judge President	<ul style="list-style-type: none"> <li>Deputy President: South African Chapter of International Association of Women Judges ( SAIAWJ)</li> </ul>
Judge K Pillay	Judge	<ul style="list-style-type: none"> <li>The Special Tribunal</li> <li>Serves at the Hague Convention</li> </ul>
Judge D Pillay	Judge	<ul style="list-style-type: none"> <li>Member: Independent Electoral Commission</li> </ul>
<b>EASTERN CAPE DIVISION OF THE HIGH COURT</b>		
Judge S Mbenenge	Judge President	<ul style="list-style-type: none"> <li>Member of the Walter Sisulu University Council</li> </ul>
Judge G Bloem	Judge	<ul style="list-style-type: none"> <li>Chairperson of the Rhodes University Council</li> </ul>
<b>LIMPOPO DIVISION OF THE HIGH COURT</b>		
Judge M Naude-Odendaal	Judge	<ul style="list-style-type: none"> <li>Chairperson of the Tax Board</li> </ul>
<b>MPUMALANGA DIVISION OF THE HIGH COURT</b>		
Judge B Mashile	Judge	<ul style="list-style-type: none"> <li>Chairperson of the National Council of Correctional Service.</li> </ul>
<b>NORTHERN CAPE DIVISION OF THE HIGH COURT</b>		
Judge V Phatshoane	Deputy Judge President	<ul style="list-style-type: none"> <li>Chairperson of the Sol Plaatje University Council</li> </ul>
<b>WESTERN CAPE DIVISION OF THE HIGH COURT</b>		
Judge C Fortuin	Judge	<ul style="list-style-type: none"> <li>Chancellor of the Diocese of Saldanha Bay in the Anglican Church of South Africa (ACSA)</li> </ul>
Judge K Savage	Judge	<ul style="list-style-type: none"> <li>Director of the Southern African Legal Information Institute (SAFLII), A Non-Profit Company (NPC)</li> </ul>
Judge L Nuku	Judge	<ul style="list-style-type: none"> <li>Director: Black Conveyancers Association Training Academy</li> </ul>
Judge V Saldanha	Judge	<ul style="list-style-type: none"> <li>Member of the Advisory Board of Dullah Omar Institute (DOI)</li> </ul>
<b>LAND CLAIMS COURT</b>		
Judge Y S Meer	Acting Judge President	<ul style="list-style-type: none"> <li>Extraordinary Professor Stellenbosch University</li> </ul>

## MAGISTRATES' COURTS

INITIALS AND SURNAME	RANK	PROVINCE / COURT	POSITION
<b>GAUTENG</b>			
M Djaje	Regional Court President	Gauteng	<ul style="list-style-type: none"> <li>Member: Regional and District IT Committee</li> <li>Member: Regional and District IT Committee</li> </ul>
M Nel-Erasmus	Additional Magistrate	Mamelodi	<ul style="list-style-type: none"> <li>Dream Supreme Properties 168 cc</li> <li>Dream Supreme Properties 487 cc (Sole Members)</li> <li>Blue Canyon Properties</li> <li>(50% shareholders)</li> </ul>
<b>EASTERN CAPE</b>			
S Dunywa	Regional Court President	Eastern Cape	<ul style="list-style-type: none"> <li>Member: Regional and District IT Committee</li> </ul>
J H Hillier		Alexandria	<ul style="list-style-type: none"> <li>Member of Kingswood College School Council (no remuneration or gratuity of any kind for the position held)</li> </ul>
L Krige		Makhanda	<ul style="list-style-type: none"> <li>Director: Non-Profit Organisation (no income)</li> </ul>
K Govender		Peddie	<ul style="list-style-type: none"> <li>Chairperson of Kingswood College Council – Makhanda</li> <li>Member of the Rotary Club – Makhanda</li> </ul>
<b>MPUMALANGA</b>			
N A Khumalo	Regional Court Magistrate	Mpumalanga	<ul style="list-style-type: none"> <li>Pastor at GOD IS ALIVE AKA UJEHOVA UYAPHILA (NPC)</li> </ul>
<b>FREE STATE</b>			
A Motlekar	Chief Magistrate	Welkom	<ul style="list-style-type: none"> <li>Deputy Chairperson: Executive Committee, Chief Magistrates Forum</li> <li>Chairperson for the Provincial Advisory Committee for the appointment of Sheriffs.</li> <li>Member: Judicial IT Committee</li> <li>Member: Regional and District Judicial IT Committee</li> </ul>
<b>LIMPOPO</b>			
J Wessels	Regional Court President	Limpopo	<ul style="list-style-type: none"> <li>Member: Judicial IT Committee</li> <li>Member: Regional and District IT Committee</li> </ul>
C D Ringane	Chief Magistrate	Polokwane	<ul style="list-style-type: none"> <li>Chairperson: Provincial Advisory Committee for the Appointment of Sheriffs</li> </ul>

## MAGISTRATES' COURTS CONTINUED

INITIALS AND SURNAME	RANK	PROVINCE / COURT	POSITION
<b>NORTHERN CAPE</b>			
O M Krieling	Chief Magistrate	Northern Cape	<ul style="list-style-type: none"> <li>• Chairperson – Chief Magistrates Forum</li> <li>• Council Member – South African Judicial Education Institute</li> <li>• Chairperson – Provincial Advisory Committee for the Appointment of Sheriffs</li> </ul>
O S Mazwi	Magistrate (Head of Office)	Groblershoop	<ul style="list-style-type: none"> <li>• Deputy President – Judicial Officers Association of South Africa</li> </ul>
R Terblanche	Senior Magistrate	Kimberley	<ul style="list-style-type: none"> <li>• Member of Magistrates Commission</li> </ul>
C J Abrahams	Additional Magistrate	De Aar	<ul style="list-style-type: none"> <li>• Provincial Chairperson – Judicial Officers Association of South Africa</li> </ul>
P K Magidela	Magistrate (Head of Office)	Springbok	<ul style="list-style-type: none"> <li>• Provincial Secretary – Judicial Officers Association of South Africa</li> </ul>
L J Blaauw	Additional Magistrate	Kimberley	<ul style="list-style-type: none"> <li>• Provincial Treasurer – Judicial Officers Association of South Africa</li> </ul>
J Brits	Magistrate (Head of Office)	Pampierstad	<ul style="list-style-type: none"> <li>• Provincial Coordinator: South African Chapter of the International Association of Women Judges</li> </ul>
J S Mabaso	Additional Magistrate	Barkly West	<ul style="list-style-type: none"> <li>• Provincial Coordinator: South African Chapter of the International Association of Women Judges</li> </ul>

PART H  
IN MEMORIAM



# IN MEMORIAM

## A dedication to the memory of our departed colleagues

We remember our dearly departed colleagues and we thank them and their families for their service to the nation.

NAME	CAPACITY	DIVISION	DATE DECEASED
<b>JUDGES</b>			
P A M Magid	Retired Judge	KwaZulu-Natal Division	20 May 2022
R J W Jones	Retired Judge	Eastern Cape Division Division, Makhanda	14 July 2022
J H Combrink	Retired Judge	KwaZulu-Natal Division	16 November 2022
G F Wright	Retired Judge	Free State, Bloemfontein	29 January 2023
J P Levinsohn	Retired Judge	KwaZulu-Natal Division	21 February 2023
D S S Kondile	Retired Judge	KwaZulu-Natal Division	10 March 2023
<b>MAGISTRATES</b>			
N B Matamela	Senior Magistrate	Limpopo Division, Dzanani	14 July 2022
C S Sihlahla	Regional Magistrate	Eastern Cape Division, Mthatha	31 May 2022
M E Viewe	Regional Magistrate	Northern Cape Division, Upington	16 July 2022
M A Lekgadimane	Magistrate	Limpopo Division, Praktiseer	25 September 2022
B M Malebatso	Magistrate	Limpopo Division, Praktiseer	25 October 2022
N V Mngxaso	Magistrate	KwaZulu-Natal Division, Ekuvukeni	26 June 2022
B F Mnisi	Magistrate	Gauteng Division, Vanderbijlpark	14 September 2022
E F Moroeng	Magistrate	North West Division, Phokeng	23 November 2022
N G Shiringani	Magistrate	Limpopo Division, Dzanani	19 February 2023
B N N Tseku	Magistrate	Eastern Cape Division, Mount Ayliff	12 November 2022
G Van Der Merwe	Magistrate	Eastern Cape Division, Makhanda	12 June 2022
R J Van Rooyen	Magistrate	Western Cape Division, Vredenburg	10 September 2022
C J B Van Vuuren	Magistrate	KwaZulu-Natal Division, Pietermaritzburg	23 December 2022



PART I  
ANNEXURES

## ANNEXURE A: TECHNICAL INDICATOR DESCRIPTION: SUPERIOR COURTS

1. INDICATOR TITLE	PERCENTAGE OF MATTERS FINALISED (CONSTITUTIONAL COURT)
<b>Short Definition</b>	The indicator measures the percentage of matters finalised (judgment granted or dismissed) by the Constitutional Court.
<b>Purpose / Importance</b>	To measure the performance of the Constitutional Court in relation to the finalisation of cases enrolled at the Court
<b>Source / Collection of Data</b>	Court rolls, Manual Registers, Court Judgments and Court Orders
<b>Method of Calculation</b>	$(\text{Number of cases finalised} / \text{total case load}) \times 100$ Case load = Cases brought forward (BF) + New cases
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	No
<b>Desired Performance</b>	An increase in the finalisation of court matters at the Constitutional Court. For the period under review the target is set at 70%.
<b>Indicator Responsibilities</b>	Court Administration Unit

2. INDICATOR TITLE	PERCENTAGE OF MATTERS FINALISED (SUPREME COURT OF APPEAL)
<b>Short Definition</b>	The indicator measures the percentage of criminal and civil appeal matters finalised (upheld or dismissed) by the Supreme Court of Appeal
<b>Purpose / Importance</b>	To measure the performance of the Supreme Court of Appeal in relation to the finalisation of criminal and civil appeal matters enrolled at the SCA
<b>Source / Collection of Data</b>	Court rolls, Manual Registers, Court Judgments and Court Orders
<b>Method of Calculation</b>	$\text{Number of matters finalised} / \text{Total number of matters enrolled} \times 100$
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	No
<b>Desired Performance</b>	An increase in the percentage of SCA matters finalised For the period under review the target is set at 80%.



## ANNEXURE A: TECHNICAL INDICATOR DESCRIPTION: SUPERIOR COURTS

3. INDICATOR TITLE	PERCENTAGE OF APPLICATIONS / PETITIONS FINALISED (SUPREME COURT OF APPEAL)
<b>Short Definition</b>	The indicator measures the percentage of applications/petitions finalised by the Supreme Court of Appeal
<b>Purpose / Importance</b>	To measure the performance of the Supreme Court of Appeal in relation to the finalisation of applications/petitions enrolled at the SCA
<b>Source / Collection of Data</b>	Court rolls, Manual Registers, Court Judgments and Court Orders
<b>Method of Calculation</b>	Number of applications/petitions finalised / Total number of applications/petitions enrolled x 100
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	No
<b>Desired Performance</b>	An increase in the percentage of SCA applications/petitions finalised For the period under review the target is set at 80%.
<b>Indicator Responsibilities</b>	Court Administration Unit

4. INDICATOR TITLE	PERCENTAGE OF MATTERS FINALISED (LABOUR APPEAL COURT)
<b>Short Definition</b>	The indicator measures the percentage of appeal matters finalised (upheld or dismissed) by the Labour Appeal Court
<b>Purpose / Importance</b>	To measure the performance of the Labour Appeal Court in relation to the finalisation of appeal matters enrolled at the LAC.
<b>Source / Collection of Data</b>	Court rolls, Manual Registers, Court Judgments and Court Orders
<b>Method of Calculation</b>	Number of matters finalised / Total number of matters enrolled x 100
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	Yes
<b>Desired Performance</b>	An increase in the percentage of LAC matters finalised For the period under review the target is set at 80%.
<b>Indicator Responsibilities</b>	Court Administration Unit

## ANNEXURE A: TECHNICAL INDICATOR DESCRIPTION: SUPERIOR COURTS

5. INDICATOR TITLE	PERCENTAGE OF PETITIONS FINALISED (LABOUR APPEAL COURT)
Short Definition	The indicator measures the percentage of petitions finalised by the Labour Appeal Court
Purpose / Importance	To measure the performance of the Labour Appeal Court in relation to the finalisation of petitions enrolled at the LAC
Source / Collection of Data	Court rolls, Manual Registers, Court Judgments and Court Orders
Method of Calculation	Number of petitions finalised / Total number of petitions enrolled x 100
Data Limitations	None
Type of Indicator	Output
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly and Annually
New Indicator	Yes
Desired Performance	An increase in the percentage of LAC petitions finalised For the period under review the target is set at 90%.
Indicator Responsibilities	Court Administration Unit

6. INDICATOR TITLE	REDUCTION PERCENTAGE OF CRIMINAL CASE BACKLOGS (ALL HIGH COURT DIVISIONS)
Short Definition	Reduce the percentage of cases in the High Court which are on the roll for more than 12 months (Criminal Case Backlog) *
Purpose / Importance	To measure the speedy finalisation of criminal backlog cases at the High Court
Source / Collection of Data	List of outstanding cases, court judgments and court orders
Method of Calculation	Total Criminal Trials Outstanding for more than 12 months as at 31 <sup>st</sup> March 2022 / All Criminal Trials Outstanding as at the 31 <sup>st</sup> March 2022
Data Limitations	Delays due to Joint trials, outstanding warrants of arrest, lengthy trials (multiple charges and multiple accused), postponement of sentencing (postpone sentence section CPA), change of legal representation by accused and "double booking" by legal representatives.
Type of Indicator	Output
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly and Annually
New Indicator	No
Desired Performance	A reduction in the percentage of backlog cases. For the period under review the target is set at 30%.
Indicator Responsibilities	Court Administration Unit

## ANNEXURE A: TECHNICAL INDICATOR DESCRIPTION: SUPERIOR COURTS

7. INDICATOR TITLE	PERCENTAGE OF CRIMINAL MATTERS FINALISED (ALL HIGH COURT DIVISIONS)
<b>Short Definition</b>	The indicator measures the percentage of criminal matters finalised by the High Court. These include but not limited to: Automatic Reviews, Section 309C of the CPA, 1977, Petitions, Appeals including Full Bench Appeals, Section 105A of the CPA, 1977 (plea and sentence agreements), mental health reviews, bail appeals.  *NB! The following outcomes will not be regarded as finalised: Postponed, Postponed Sine die, remanded in custody, reserved judgment, stood down, part heard, adjourned and blank (no outcome) entries specified.
<b>Purpose / Importance</b>	To measure the performance in relation to the finalisation of criminal matters
<b>Source / Collection of Data</b>	Manual Registers and court judgments
<b>Method of Calculation</b>	$(\text{Number of criminal matters finalised} / \text{total case load}) \times 100$ Total case load = The actual number of cases enrolled during the reporting period.
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	No
<b>Desired Performance</b>	An increase in the percentage of criminal matters finalised. For the period under review the target is set at 75%.
<b>Indicator Responsibilities</b>	Court Administration Unit

8. INDICATOR TITLE	PERCENTAGE OF CIVIL MATTERS FINALISED (ALL HIGH COURT DIVISIONS)
<b>Short Definition</b>	The indicator measures the percentage of civil (trials, opposed / unopposed motions, urgent applications, reviews, appeals including Full Bench appeals, pre-trial, admissions, Chamber book applications, Admiralty court, tax Court, Equality Court) matters finalised (admitted, granted, dismissed, refused, settled and withdrawn) by the High Court  *NB! The following outcomes will not be regarded as finalised: Postponed, Postponed Sine die, reserved judgment, stood down, part heard, adjourned and blank (no outcome) entries specified. ** For Pre-trials proceeding only the finalised (granted and settlements) will be considered and form part of the total data population.
<b>Purpose / Importance</b>	To measure the performance of the civil courts
<b>Source / Collection of Data</b>	Court rolls, Manual Registers, court judgments and court orders
<b>Method of Calculation</b>	$(\text{Number of civil matters finalised} / \text{total case load}) \times 100$ Total case load = The actual number of cases enrolled during the reporting period
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	No
<b>Desired Performance</b>	An increase in the percentage of civil cases finalised For the period under review the target is set at 64%.
<b>Indicator Responsibilities</b>	Court Administration Unit

## ANNEXURE A: TECHNICAL INDICATOR DESCRIPTION: SUPERIOR COURTS

9. INDICATOR TITLE	PERCENTAGE OF MATTERS FINALISED (LABOUR COURT)
<b>Short Definition</b>	The indicator measures the percentage of matters, (trials, opposed / unopposed motions, urgent applications, reviews, pre-trial, admissions, appeals) matters finalised (admitted, granted, dismissed, refused, settled, rule nisi discharged, rule nisi confirmed, withdrawn, matters remitted to CCMA / Bargaining Council, draft order) by the Labour Court.  *NB! The following outcomes will not be regarded as finalised: Postponed, Postponed Sine die, reserved judgment, stood down, part heard, adjourned and blank (no outcome) entries specified. ** For Pre-trials proceedings only the finalised (granted and settlements) will be considered and form part of the total data population.
<b>Purpose / Importance</b>	To measure the performance of the Labour Court in relation to the finalisation of labour matters
<b>Source / Collection of Data</b>	Court judgments, court orders, court rolls and manual registers
<b>Method of Calculation</b>	(Number of matters finalised / total case load) x100 Total case load = The actual number of matters enrolled during the reporting period
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	No
<b>Desired Performance</b>	An increase in the percentage of labour matters finalised For the period under review the target is set at 58%.
<b>Indicator Responsibilities</b>	Court Administration Unit

10. INDICATOR TITLE	PERCENTAGE OF ELECTORAL MATTERS FINALISED (ELECTORAL COURT)
<b>Short Definition</b>	The indicator measures the percentage of matters finalised (strike offs, withdrawn, granted or dismissed) by the Electoral Court.
<b>Purpose / Importance</b>	To measure the performance of the Electoral Court in relation to finalisation of electoral matters
<b>Source / Collection of Data</b>	Court rolls, manual registers, Court Judgments and Court Orders
<b>Method of Calculation</b>	(Number of cases finalised / total case load) x100 Total case load = The actual number of cases enrolled during the reporting period
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Bi-annually and annually
<b>New Indicator</b>	No
<b>Desired Performance</b>	An increase in the percentage of Electoral cases finalised. For the period under review the target is set at 90%.
<b>Indicator Responsibilities</b>	Court Administration Unit

## ANNEXURE A: TECHNICAL INDICATOR DESCRIPTION: SUPERIOR COURTS

11. INDICATOR TITLE	PERCENTAGE OF COMPETITION MATTERS FINALISED (COMPETITION APPEAL COURT)
<b>Short Definition</b>	The indicator measures the percentage of competition appeal matters finalised (upheld or dismissed) by the Competition Appeal Court.
<b>Purpose / Importance</b>	To measure the performance of the Competition Appeal Court in relation to the finalisation of competition appeal matters finalised
<b>Source / Collection of Data</b>	Court rolls, Manual Registers, Court Judgments and Court Orders
<b>Method of Calculation</b>	(Number of cases finalised / total case load) x100 Total case load = The actual number of cases enrolled during the reporting period
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Bi-annually and annually
<b>New Indicator</b>	No
<b>Desired Performance</b>	An increase in the percentage of competition appeal cases finalised For the period under review the target is set at 85%.
<b>Indicator Responsibilities</b>	Court Administration Unit

12. INDICATOR TITLE	PERCENTAGE OF MATTERS FINALISED (LAND CLAIMS COURT)
<b>Short Definition</b>	The indicator measures the percentage of cases (Automatic Reviews, Restitution, Extension of Security of Tenure and Land Reform [Labour Tenant]) finalised (Orders of Magistrate Court Set Aside, Eviction Orders Confirmed, Cases that should never have been referred, Settled, Judgments Orders, Withdrawn for Settlement) by the Land Claims Court.
<b>Purpose / Importance</b>	To measure the performance of the Land Claims Court in relation to the finalisation of matters
<b>Source / Collection of Data</b>	Court rolls, Manual Registers, court judgments and court orders
<b>Method of Calculation</b>	(Number of matters finalised / total case load) x100 Total case load = The actual number of matters enrolled during the reporting period
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	No
<b>Desired Performance</b>	An increase in the % of matters finalised For the period under review the target is set at 60%.
<b>Indicator Responsibilities</b>	Court Administration Unit

## ANNEXURE A: TECHNICAL INDICATOR DESCRIPTION: SUPERIOR COURTS

13. INDICATOR TITLE	PERCENTAGE OF RESERVED JUDGMENTS FINALISED (ALL SUPERIOR COURTS)
<b>Short Definition</b>	The indicator measures the percentage of reserved judgments finalised by all Superior Courts.
<b>Purpose / Importance</b>	To measure the percentage of reserved judgments delivered by the Superior Courts within three months after the last hearing.
<b>Source / Collection of Data</b>	Court judgments, Manual Register of reserved judgments, data capturing tools and judicial bench book
<b>Method of Calculation</b>	(Number of reserved judgments delivered within three months / total number of reserved judgments delivered) x100
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	No
<b>Desired Performance</b>	Speedy delivery of reserved judgments by all Superior Courts (reserved judgments delivered within three months of last hearing).
<b>Indicator Responsibilities</b>	Court Administration Unit

## ANNEXURE B: TECHNICAL INDICATOR DESCRIPTION: REGIONAL COURTS

1. INDICATOR TITLE	NUMBER OF CRIMINAL TRIALS ENROLLED PER DAY
<b>Short Definition</b>	The proportion of criminal trial ready matters enrolled per day.
<b>Purpose / Importance</b>	To measure the performance in relation to the optimum functioning of the trial courts and limit the total collapsing of the rolls.
<b>Source / Collection of Data</b>	Court roll, charge sheets, court orders and criminal court books.
<b>Method of Calculation</b>	Number of criminal trial ready matters enrolled / total cumulative combined court days
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	Proxy Indicator
<b>Desired Performance</b>	An increase in the proportion of criminal trials enrolled daily.
<b>Indicator Responsibilities</b>	Regional Court Presidents Forum

2. INDICATOR TITLE	FINALISED CRIMINAL CASES PER DAY
<b>Short Definition</b>	The proportion of criminal trials finalised by the Regional Court per day.  *NB! The following outcomes will not be regarded as finalised: Withdrawn, Warrant of arrest, struck offs; Postponed, Postponed Sine die; remanded in custody, reserved judgment; stood down, part heard; adjourned and blank fields (no outcome entries captured)
<b>Purpose / Importance</b>	To measure the performance in relation to the finalisation of criminal cases.
<b>Source / Collection of Data</b>	Court roll, charge sheets, court orders and criminal court books.
<b>Method of Calculation</b>	Number of criminal cases finalised / total cumulative combined court days
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	Proxy Indicator
<b>Desired Performance</b>	An increase in the proportion of criminal trials finalised daily.
<b>Indicator Responsibilities</b>	Regional Court Presidents Forum

## ANNEXURE B: TECHNICAL INDICATOR DESCRIPTION: REGIONAL COURTS

3. INDICATOR TITLE	DISPOSED CRIMINAL CASES PER DAY
<b>Short Definition</b>	The proportion of criminal trials disposed of by the Regional Court per day.  *NB! The following outcomes will not be regarded as disposed of: Postponed, Postponed Sine die; remanded in custody, reserved judgment; stood down, part heard; adjourned and blank fields (no outcome entries captured)
<b>Purpose / Importance</b>	To measure the performance in relation to the finalisation of criminal cases.
<b>Source / Collection of Data</b>	Court rolls, charge sheets, court orders and criminal court books.
<b>Method of Calculation</b>	Number of criminal cases disposed of / total cumulative combined court days
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	Proxy Indicator
<b>Desired Performance</b>	An increase in the proportion of criminal matters disposed of daily.
<b>Indicator Responsibilities</b>	Regional Court Presidents Forum

4. INDICATOR TITLE	CRIMINAL CASES CLEARANCE RATE
<b>Short Definition</b>	The number of outgoing cases (resolved, disposed, or closed) as a proportion of the number of incoming cases (filed, registered, or opened) expressed as a percentage.
<b>Purpose / Importance</b>	To help Courts and Judicial Officers to understand whether they complete as many cases as are registered.
<b>Source / Collection of Data</b>	Court rolls, charge sheets, court orders and criminal court books.
<b>Method of Calculation</b>	$(\text{Number of criminal cases disposed of} / \text{total new cases registered}) \times 100$
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	Proxy Indicator
<b>Desired Performance</b>	An increase in the percentage of criminal cases cleared from the roll.
<b>Indicator Responsibilities</b>	Regional Court Presidents Forum



## ANNEXURE B: TECHNICAL INDICATOR DESCRIPTION: REGIONAL COURTS

5. INDICATOR TITLE	AVERAGE CRIMINAL COURT HOURS PER DAY
Short Definition	The average criminal trial court hours per day.
Purpose / Importance	To measure the performance in relation to the optimum utilisation (occupancy) of the trial court time.
Source / Collection of Data	Criminal court books.
Method of Calculation	Total cumulative combined court hours sat / total cumulative combined court days
Data Limitations	None
Type of Indicator	Output
Calculation Type	Cumulative
Reporting Cycle	Quarterly and Annually
New Indicator	No
Desired Performance	An increase in the daily average court hours.
Indicator Responsibilities	Regional Court Presidents Forum

6. INDICATOR TITLE	THROUGHPUT (AVERAGE TRIAL COURT HOURS OF FINALISING A SINGLE COURT CASE)
Short Definition	The average criminal trial court hours it took to finalise one case.
Purpose / Importance	To measure the performance in relation to the duration in trial court hours it took to at least finalise one case.
Source / Collection of Data	Criminal court books.
Method of Calculation	Total cumulative combined criminal court hours sat / total cases finalised
Data Limitations	None
Type of Indicator	Output
Calculation Type	Cumulative
Reporting Cycle	Quarterly and Annually
New Indicator	Proxy Indicator
Desired Performance	A reduction in the hours it takes to finalise a single case.
Indicator Responsibilities	Regional Court Presidents Forum

## ANNEXURE B: TECHNICAL INDICATOR DESCRIPTION: REGIONAL COURTS

7. INDICATOR TITLE	FINALISED CIVIL APPLICATIONS PER DAY
<b>Short Definition</b>	The proportion of civil applications, (opposed / unopposed motions, urgent applications, appeals, default judgments) matters finalised (granted, dismissed, refused, settled rule nisi discharged, rule nisi confirmed, withdrawn draft order) by the Regional Court.  *NB! The following outcomes will not be regarded as finalised: Postponed, Postponed Sine die; reserved judgment; stood down; part heard; adjourned and blank fields (no outcome entries captured)
<b>Purpose / Importance</b>	To measure the performance of the Regional Court in relation to the finalisation of civil applications.
<b>Source / Collection of Data</b>	Court judgments, court orders, court rolls and court books
<b>Method of Calculation</b>	Number of civil applications finalised / total cumulative combined court days
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	Proxy Indicator
<b>Desired Performance</b>	An increase in the proportion of civil applications finalised daily.
<b>Indicator Responsibilities</b>	Regional Court Presidents Forum

8. INDICATOR TITLE	FINALISED CIVIL TRIALS PER DAY
<b>Short Definition</b>	The proportion of civil trials finalised (granted, dismissed, refused, withdrawn; draft order made an order of court) by the Regional Court.  *NB! The following outcomes will not be regarded as finalised: Postponed, Postponed Sine die; reserved judgment; stood down; part heard; adjourned and blank fields (no outcome entries captured)
<b>Purpose / Importance</b>	To measure the performance of the Regional Court in relation to the finalisation of civil trials.
<b>Source / Collection of Data</b>	Court judgments, court orders, court rolls and court books
<b>Method of Calculation</b>	Number of civil trials finalised / total cumulative combined court days
<b>Data Limitations</b>	None
<b>Type of Indicator</b>	Output
<b>Calculation Type</b>	Cumulative
<b>Reporting Cycle</b>	Quarterly and Annually
<b>New Indicator</b>	Proxy Indicator
<b>Desired Performance</b>	An increase in the proportion of civil trials finalised daily.
<b>Indicator Responsibilities</b>	Regional Court Presidents Forum

## ANNEXURE B: TECHNICAL INDICATOR DESCRIPTION: REGIONAL COURTS

9. INDICATOR TITLE	AVERAGE CIVIL COURT HOURS PER DAY
Short Definition	The average civil trial court hours per day.
Purpose / Importance	To measure the performance in relation to the optimum utilisation (occupancy) of the trial court time.
Source / Collection of Data	Criminal court books.
Method of Calculation	Total cumulative combined civil court hours sat / total cumulative combined court days
Data Limitations	None
Type of Indicator	Output
Calculation Type	Cumulative
Reporting Cycle	Quarterly and Annually
New Indicator	No
Desired Performance	An increase in the daily average court hours.
Indicator Responsibilities	Regional Court Presidents Forum

10. INDICATOR TITLE	PERCENTAGE OF JUDGMENTS RESERVED (REGIONAL COURTS)
Short Definition	The percentage of judgments reserved for longer than three months after the last hearing.
Purpose / Importance	To reduce the number of reserved judgments and ensure timely delivery of reserved judgments.
Source / Collection of Data	Court judgments, manual register of reserved judgments and judicial bench book.
Method of Calculation	(Number of judgments reserved for longer than three months / total number of judgments reserved) x100
Data Limitations	None
Type of Indicator	Output
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly and Annually
New Indicator	No
Desired Performance	Speedy delivery of reserved judgments. Reserved judgments to be delivered within three months of last hearing.
Indicator Responsibilities	Regional Court Presidents Forum







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