

NATIONAL ASSEMBLY

QUESTION FOR WRITTEN REPLY

PARLIAMENTARY QUESTION NO. 669

DATE OF QUESTION: 30 AUGUST 2019

DATE OF SUBMISSION: 6 SEPTEMBER 2019

Ms N K Sharif (DA) to ask the Minister of Justice and Correctional Services:

What (a) is the total number of current vacancies for (i) presiding officers and (ii) court officials in (aa) lower and (bb) higher courts in each province and (b) are the details of the (i) position and (ii) date in which each position became vacant in each case?

NW1711E

REPLY:

(a) (i) (aa) As at 17 September 2019, the total number of vacancies for Presiding Officers (Magistrates) in the lower courts is 426, comprising Regional, Senior and entry level District Court Magistrates. The number of vacancies, disaggregated, is as follows:

- i. There are 367 entry level magistrates' vacancies, of which 210 have already been recommended by the Magistrates Commission to be filled after all recruitment processes have been completed. I have received a memorandum regarding the recommended filling of these posts which is currently receiving consideration. The remaining 157 vacant posts of entry level magistrates will be advertised by December 2019/January 2020;
- ii. There are 27 senior magistrates' vacancies, which were advertised in June 2019. The recruitment processes regarding these vacancies are already in progress;
- iii. There are 29 regional magistrates' vacancies. These posts were advertised in June 2019 and the recruitment processes are already in progress; and
- iv. There are also three (3) regional magistrates' posts that became vacant recently. (In this regard, Mr Xolo from Eshowe Magistrate's Court passed away on 11 September 2019; Mr Lubuzo from Madadeni Magistrate's Court passed

away on 12 July 2019; and Mr Erasmus from the Port Elizabeth Magistrate's Court retired on 1 September 2019).

At this stage, I am unable to provide the dates when each of the magistrates' posts became vacant in view of the substantial number of vacancies as the information will need to be sourced country-wide per vacancy from the various courts. The majority of these vacancies mentioned above became vacant after March 2018 when the previous advertisement for vacancies was compiled.

(a) (ii) (aa) The total number of current vacancies for court officials (administration posts) in the lower courts in each province is as follows:

The table below provides a summary of funded vacancies as at September 2019:

6

| Regions | Number of Funded Vacancies |
|--------------------|-----------------------------------|
| Eastern Cape | 91 |
| Free State | 28 |
| Gauteng | 62 |
| KZN | 52 |
| Limpopo | 57 |
| Mpumalanga | 31 |
| North West | 47 |
| Northern Cape | 20 |
| Western Cape | 75 |
| Grand Total | 463 |

The total number (463) of vacant administration posts in the lower courts can be disaggregated as follows:

- A total of 139 vacant positions have been vacant for a period of less than 90 calendar days or less from the date that the position became vacant.
- A total of 101 have been vacant for a period of 91 and 180 calendar days.
- A total of 132 funded vacant positions have been vacant for a period of 181 to 360 calendar days.
- A total of 91 funded positions have been vacant for a period longer than 361 days.

Table 1: Presiding Officers

- (a) The total number of current vacancies for (i) presiding officers at the Higher Court is currently at 36;
 (bb) the 36 vacancies are in 21 Location/Service Centres of 7 Superior Courts.
 (b) The details of the (i) position and (ii) date in which each position became vacant in each case is provided in the table below:

| Court | (a) Total number of current vacancies | (a) (i) Presiding officers | (a) (aa) Lower Courts in each province | (a) (bb) Location/Service Centres of 7 Superior Courts in each province | (b) (i) Details of the positions | (b) (ii) Date in which each position became vacant |
|---|--|-----------------------------------|---|--|---|---|
| Constitutional Court | 1 | 1 | 0 | 1 | Judge (x1) | 20.08.2019 |
| Supreme Court of Appeal | 2 | 2 | 0 | 1 | Judge (x2) | 01.07.2019 22.07.2019 |
| Northern Cape Division (Kimberley) | 2 | 2 | 0 | 1 | Deputy Judge President (x1) Judge (x1) | 02.10.2017 18.09.2017 |
| Eastern Cape Division (Grahamstown) | 3 | 3 | 0 | 4 | Judge (x3) | 03.03.2017 01.06.2019 30.08.2019 |
| Eastern Cape Local Division (Port Elizabeth) | 2 | 2 | 0 | | Judge (x2) | 22.12.2018 21.01.2019 |
| Eastern Cape Local Division (Bhisho) | 1 | 1 | 0 | | Judge (x1) | 07.11.2017 |
| Eastern Cape Local Division (Mthatha) | 1 | 1 | 0 | | Judge(x1) | 03.09.2018 |
| Western Cape Division (Cape Town) | 1 | 1 | 0 | 1 | Judge (x1) | 01.06.2018 |
| North West Division (Mahikeng) | 2 | 2 | 0 | 1 | Deputy Judge President (x1) Judge (x1) | 02.10.2017 16.04.2019 |
| Free State Division (Bloemfontein) | 2 | 2 | 0 | 1 | Deputy Judge President (x1) Judge (x1) | 01.12.2018 28.07.2019 |
| Gauteng Division (Pretoria) | 4 | 4 | 0 | 2 | Judge (x4) | 02.01.2018 01.06.2018 16.06.2018 12.05.2019 |
| Gauteng Local Division (Johannesburg) | 3 | 3 | 0 | | Judge (x3) | 01.08.2018 01.02.2019 10.06.2019 |
| Limpopo Local Division (Thohoyandou) | 0 | 0 | 0 | 2 | n/a | n/a |

| | | | | | | |
|---|-----------|-----------|----------|-----------|---|--------------------------|
| Limpopo Division (Polokwane) | 1 | 1 | 0 | | Deputy Judge President (x1) | 01.06.2019 |
| Mpumalanga Division (Nelspruit) | 8 | 8 | 0 | 1 | Deputy Judge President (x1) Judge (x7) | 21.12.2018 |
| KwaZulu-Natal Division (Pietermaritzburg) | 1 | 1 | 0 | 2 | Judge (x1) | 01.06.2019 |
| KwaZulu-Natal Local Division (Durban) | 0 | 0 | 0 | | n/a | n/a |
| Labour Court | 2 | 2 | 0 | 4 | Deputy Judge President (x1) Judge (x1) | 18.09.2017 21.05.2019 |
| Total | 36 | 36 | 0 | 21 | 36 | n/a |

Table 2: Court Officials

(a) The total number of current vacancies for (ii) Court Officials in the Higher Court is currently at 130;

(bb) the 130 vacancies are in 21 Higher Courts.

(b) The details of the (i) position and (ii) date in which each position became vacant in each case is provided in the table below:

| Court | (a) Total number of current vacancies | (a) (ii) Court Officials | (a) (aa) Lower Courts in each province | (a) (bb) Higher Courts in each province | (b) (i) Details of the positions | (b) (ii) Date in which each position became vacant |
|--------------------------------|--|---------------------------------|---|--|--|---|
| Constitutional Court | 4 | 4 | 0 | 1 | Law Researcher (x2) | 31.12.2018 28.02.2019 |
| | | | | | Judge's Secretary (x1) | 28.02.2019 |
| | | | | | Security Officer (x1) | 01.01.2019 |
| Supreme Court of Appeal | 6 | 6 | 0 | 1 | Office Manager (x1) | 01.01.2019 |
| | | | | | Assistant Director: Library Services (1) | 31.12.2018 |
| | | | | | Deputy Director: Auxiliary Services (1) | 14.12.2018 |
| | | | | | Librarian (1) | 01.08.2019 |

| | | | | | | |
|--|----|----|---|---|-----------------------------------|--------------------------|
| | | | | | Judge's Secretary (x2) | 02.07.2019 18.07.2019 |
| Northern Cape Division (Kimberley) | 3 | 3 | 0 | 1 | Administration Clerks (Dcrs) (x1) | 01.01.2019 |
| | | | | | Chief Registrar (x1) | 01.01.2019 |
| | | | | | Senior Court Interpreter (x1) | 31.03.2019 |
| Eastern Cape Division (Grahamstown) | 6 | 6 | 0 | 4 | Administration Clerk (x2) | 01.11.2018 01.07.2019 |
| | | | | | Chief Registrar (x1) | 31.07.2019 |
| | | | | | Registrar (x1) | 01.08.2019 |
| | | | | | Register's Clerk (x1) | 01.11.2018 |
| | | | | | Typist (x1) | 01.07.2019 |
| Eastern Cape Local Division (Port Elizabeth) | 2 | 2 | 0 | | Court Manager (x1) | 01.06.2019 |
| | | | | | Judge's Secretary (x1) | 30.06.2019 |
| Eastern Cape Local Division (Bhisho) | 5 | 5 | 0 | | Administration Clerk (x1) | 30.11.2018 |
| | | | | | Judge's Secretary (x1) | 30.06.2019 |
| | | | | | Messenger (x1) | 01.04.2019 |
| | | | | | Senior Court Interpreter (x1) | 01.04.2019 |
| | | | | | Statistical Officer (x1) | 31.03.2019 |
| Eastern Cape Local Division (Mthatha) | 6 | 6 | 0 | | Administration Clerks (Dcrs) (x1) | 06.01.2019 |
| | | | | | Registrar (x1) | 31.12.2018 |
| | | | | | Registrar's Clerk (x1) | 31.03.2019 |
| | | | | | Telecom Operator (x1) | 01.09.2018 |
| | | | | | Typist (x1) | 31.05.2019 |
| | | | | | Usher Messenger ii (x1) | 31.12.2018 |
| Western Cape Division (Cape Town) | 12 | 12 | 0 | 1 | Administration Clerk (x1) | 16.04.2019 |
| | | | | | Judge's Secretary (x2) | 31.07.2019 31.05.2019 |

| | | | | | | |
|------------------------------------|----|----|---|---|--|------------|
| | | | | | Law Researcher (x1) | 14.04.2019 |
| | | | | | Registrar (x3) | 31.12.2018 |
| | | | | | | 01.01.2019 |
| | | | | | | 01.03.2019 |
| | | | | | Registrar's Clerk (x1) | 30.07.2019 |
| | | | | | Senior Court Interpreter (x1) | 31.03.2019 |
| | | | | | Senior Foreman: Caretaking Services (x1) | 31.05.2019 |
| | | | | | Usher Messenger ii (x2) | 29.03.2019 |
| | | | | | | 30.06.2019 |
| North West Division (Mahikeng) | 8 | 8 | 0 | 1 | Administrative Officer (x1) | 28.02.2019 |
| | | | | | Court Interpreter Principal (x1) | 31.01.2019 |
| | | | | | Judge's Secretary (x1) | 01.03.2019 |
| | | | | | Librarian (x1) | 31.07.2019 |
| | | | | | Registrar (x1) | 01.01.2019 |
| | | | | | Chief Registrar (1) | 30.11.2019 |
| | | | | | Registrar's Clerk (x1) | 30.04.2019 |
| | | | | | Registry Clerk (x1) | 01.12.2018 |
| Free State Division (Bloemfontein) | 6 | 6 | 0 | 1 | Administrative Clerks (Dcrs) (x1) | 10.06.2019 |
| | | | | | Judge's Secretary (x1) | 31.07.2019 |
| | | | | | Law Researcher (x1) | 27.02.2019 |
| | | | | | Registrar (x2) | 01.02.2019 |
| | | | | | | 01.11.2018 |
| | | | | | Registrar's Clerk (x1) | 31.07.2019 |
| Gauteng Division (Pretoria) | 14 | 14 | 0 | 2 | Registrar Chief (x1) | 31.05.2019 |
| | | | | | Administrative Clerks (Dcrs) (x1) | 01.06.2019 |
| | | | | | | 31.05.2019 |

| | | | | | | |
|--------------------------------------|----|----|---|---|--|--|
| | | | | | Judge's Secretary (x4) | 31.05.2019 28.02.2019 01.05.2019 |
| | | | | | Library Assistant (x2) | 31.03.2019 30.04.2019 |
| | | | | | Registrar (x1) | 28.02.2019 |
| | | | | | Registrar's Clerk (x1) | 30.06.2019 |
| | | | | | Secretary (x1) | 31.03.2019 |
| | | | | | Typist (x2) | 17.06.2019 01.05.2019 |
| | | | | | Usher Messenger ii (x1) | 11.02.2019 |
| Gauteng Division (Johannesburg) | 10 | 10 | 0 | | Administratio n Clerk (x1) | 01.06.2019 |
| | | | | | Judge's Secretary (x2) | 01.05.2019 30.06.2019 |
| | | | | | Senior Court Interpreter | 31.01.2019 |
| | | | | | Office Manager (x1) | 01.05.2019 |
| | | | | | Registrar (x1) | 01.07.2017 |
| | | | | | Registrar's Clerk (x2) | 30.04.2019 11.04.2019 |
| | | | | | Typist (x1) | 02.04.2019 |
| | | | | | Typist Chief (x1) | 31.12.2018 |
| Limpopo Local Division (Thohoyandou) | 2 | 2 | 0 | 2 | Registrar's Clerk (x1) | 31.12.2018 |
| | | | | | Registrar | 31.12.2019 |
| Limpopo Division (Polokwane) | 0 | 0 | 0 | | n/a | n/a |
| Mpumalanga Division (Nelspruit) | 16 | 16 | 0 | 1 | Office Manager (x1) | 01.06.2018 |
| | | | | | Assistant Director: Administratio n (x1) | 01.06.2018 |
| | | | | | Librarian (x1) | 01.01.2019 |
| | | | | | Registrar (x2) | 30.06.2019 31.07.2019 |
| | | | | | Registrar's Clerk (x8) | 01.06.2018 01.06.2018 01.06.2018 01.06.2018 01.06.2018 01.06.2018 01.06.2018 |

| | | | | | | |
|---|------------|------------|----------|-----------|--------------------------------------|--|
| | | | | | Secretary (x1) | 01.06.2018 |
| | | | | | Senior Court Interpreter (x1) | 01.06.2018 |
| | | | | | Telecom Operator (x1) | 27.06.2019 |
| KwaZulu-Natal Division (Pietermaritzburg) | 6 | 6 | 0 | 2 | Court Interpreter Principal (x1) | 01.12.2018 |
| | | | | | Data Capturer (x1) | 01.08.2019 |
| | | | | | Judge's Secretary (x1) | 01.03.2019 |
| | | | | | Registrar (x1) | 10.12.2018 |
| | | | | | Senior Court Interpreter (x2) | 01.06.2019 01.08.2019 |
| KwaZulu-Natal Local Division (Durban) | 11 | 11 | 0 | | Administration Clerk (x2) | 01.03.2019 01.08.2019 |
| | | | | | Law Researcher (x1) | 31.12.2018 |
| | | | | | Registrar's Clerk (x3) | 31.03.2019 01.01.2019 25.02.2019 |
| | | | | | Senior Court Interpreter (x1) | 01.01.2019 |
| | | | | | Typist (x1) | 30.04.2019 |
| | | | | | Usher | 31.01.2019 |
| | | | | | Messenger ii (x3) | 01.02.2019 11.02.2019 |
| | | | | | | |
| Labour Court | 13 | 13 | 0 | 4 | Administration Clerk (x3) | 01.08.2019 01.02.2019 11.02.2019 |
| | | | | | Deputy Director: Administration (x1) | 01.07.2019 |
| | | | | | Food Service Aid ii (x1) | 01.08.2019 |
| | | | | | Judge's Secretary (x3) | 01.03.2019 01.03.2019 31.01.2019 |
| | | | | | Usher/Messenger (x1) | 01.03.2019 |
| | | | | | Registrar (x2) | 01.12.2018 18.06.2019 |
| | | | | | Registrar's Clerk (x2) | 31.03.2019 31.05.2019 |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| Total | 130 | 130 | 0 | 21 | 130 | |