

An impoverished judiciary is a serious risk that should not be ignored.

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The purpose of the Office of the Chief Justice is to render support to the Chief Justice in executing administrative and judicial powers and duties as Head of the Judiciary and Head of the Constitutional Court.

The Office of the Chief Justice is therefore primarily established to support the Chief Justice and the administration of Superior Courts. It furthermore is required to provide and coordinate legal and administrative support to the Chief Justice and provide communication and relationship management services and inter-governmental and international co-ordination. It must develop a courts administration policy, norms and standards, support the development of judicial policy and support the judicial function of the Constitutional Court, as well as support the Judicial Service Commission in the execution of its mandate.

The Vote also provides support to judicial education through the South African Judicial Education Institute (SAJEI).

On recent oversight visits, it has become abundantly clear that the Judiciary and the infrastructure surrounding it, have been left to their own devices, with very little to no support. This impacts directly on the ability of the judiciary to effectively and efficiently dispense justice throughout the country.

A large contributor to this disastrous state of affairs is the complete lack of support from the Department of Public Works. The inefficiency and complete uselessness of this Department is so staggering that it is clear that it should be disbanded, and the huge budget allocated to it for doing nothing at all should be distributed to individual portfolios in order that they can take responsibility for the maintenance issues that receive no or very inadequate attention from Public Works.

Court buildings countrywide are in a shocking state of repair, maintenance not having been done for a decade or more, resulting in buildings once of great value now being close to derelict.

The Supreme Court of Appeal has no functioning air conditioning system, no generator (and is subjected to loadshedding, while the residence of the Premier is not), no functioning lift – the lift shaft is filled with water and has been for some time, and the roof leaks copiously. These problems have not been addressed in the last decade. The President of the court is forced to spend her time dealing with maintenance and infrastructure issues, with little or no assistance from Public Works. It is nothing short of disgraceful.

The Justices have no functioning landlines, and they and the staff are forced to make use of their personal cellphones, email addresses and data in order to get any work done.

The newly opened court buildings in Limpopo and Mpumalanga are seriously below par, and practically unfit for occupation. These buildings took many years more than planned to complete, and overran their budgets by millions, yet they are for all practical purposes unusable. Who paid for this? Who signed off on such inadequate, unacceptable and shoddy work, and why? The court at Palm Ridge is a relatively new court, and a busy court. It offers sub-standard facilities at best, with serious structural deficiencies. It is time that someone is held accountable for this shocking waste of taxpayers' money on a huge scale, and the punitive clauses in the Public Finance Management Act should be implemented against those responsible for such wasteful expenditure in their personal capacities.

The continually growing case backlog poses a significant threat to the judicial system. It highlights just how inefficient court processes are, and underscores the dire need to modernise and digitalise the courts. Of course this cannot be achieved overnight. In the face of these challenges, budget reductions are proposed for this office. This will contribute to ever growing case backlogs, and will put a brake on the filling of critical posts, and seriously compromise the ability of the Office of the Chief Justice to provide the support necessary to ensure an efficiently functioning judiciary. Judges have had no increase in salary for three years now. It is a constitutional imperative that judges remuneration should be of a nature that guarantees tenure and independence. An impoverished judiciary is a serious risk that should not be ignored.

While the ongoing training of members of the Judiciary is vital, in order for them to keep up with the constant developments of the digital society, the resources will not be available, again putting at risk the ability of the courts to respond adequately and quickly to matters of a complex nature. The judiciary have only limited and often sporadic access to essential tools of trade, and are often forced to supply these out of their own pockets, since they are not provided for otherwise. Access to fully stocked and updated libraries remains a pipe dream, and access to electronic court reports, vital to any judicial process, is sparse and sporadic at best.

The judiciary have very little in the way of actual support in the way of secretaries and researchers, with most having to do this themselves, and many judges are forced to type out their own judgements. This lack of access to essential tools of trade impacts significantly on finalisation times and efficient adjudication of matters.

As the demand increases for court time, with the long list of complex cases to be put before courts increasing daily, it is clear that the system will simply be unable to cope. A serious intervention is necessary in order to rescue that which still exists, and rebuilding that which has been allowed to become obsolete. A serious and credible plan of action is needed, and it should be implemented immediately. It should definitely entail ridding us of the useless and obsolete Department of Public Works, who were unable to justify their right to exist during the oversight visits.

No plans are in place to safeguard the comprehensive and very valuable books and documents housed in the library of the Supreme Court of Appeal. The library is not fire proof and it seems as though nothing has been learned from recent events at Parliament. The most valuable books are housed in a cabinet purchased by the Justices at their own expense. The list is endless, the task enormous. It is time that the Office of the Chief Justice was placed in a position to properly address the serious challenges currently facing the Judiciary.