

I sweat to tell the truth as court aircon row hots up

By **SIPOKAZI FOKAZI**

● The heat was on the woman in the witness box in the Cape Town regional court on Friday, and she perspired under the interrogation of an angry magistrate.

Magistrate Byron Pedro made court manager Zulfia Talip hold up her hand and swear to tell the truth before demanding to know why the airconditioning had not been working for four months.

Pedro, who described the hot courtroom as a “terrible state of affairs”, asked Talip if she would be able to work in such an environment.

“It is not comfortable, your worship,” she responded as the temperature in the city bowl soared over 30°C.

The standoff led to the postponement of a trial involving Riedewaan George, 54, who is facing nine counts of rape and sexual assault involving four girls who lived near his home in Salt River in 2012.

The victims are children, and court 1 – where Pedro was presiding – is the only one equipped with facilities that permit children to testify via closed-circuit TV.

Pedro said he had made a formal complaint to the justice department in October about the aircon.

“We’ve been sitting here day in and day out since October last year, doing our work, sometimes drenched in sweat. We did what we were supposed to do ... but it has become

unconducive for us to do our work in this environment,” the magistrate told Talip.

She told him the problem lay with the public works department, whose technicians had visited the court at least four times. “They were here until late last night,” she said.

George’s defence attorney, William Booth, joined Pedro’s questioning of Talip, asking if she had reported the matter to Hisham Mohammed, the head of justice in the Western Cape. She said she had not.

Booth said he would raise the matter with the provincial efficiency enhancement committee, one of nine nationwide forums launched by chief justice Mogoeng Mogoeng in 2013 to improve the delivery of justice.

The Western Cape committee meets quarterly and comprises lawyers, police, prison officials and court managers, said Booth.

Even though public works was responsible for court buildings, “strangely, it is not part of the committee”.

A visibly angry Pedro told Talip he would stand his ground and invited her to report him to the justice minister or the media.

After an hour-long adjournment, a fan was brought into court, but Pedro said children could not be expected to testify in a room where “hot air is just blown around”.

He added: “This is not about tit for tat or unwillingness to adjudicate on the matter. This is a health risk.”