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**Author:** BOBBY JORDAN

By **BOBBY JORDAN**

● South Africa's courts are falling apart across much of the country and lack basic equipment such as telephones, paper and recording and transcription devices.

Disgruntled members of the judiciary this week flagged reports on court defects and challenges, to add to constant anger over conditions of service and salaries. Last year some magistrates threatened to down tools to force the government to deal with their concerns.

On Monday in Mpumalanga, a ceiling in the unoccupied Middelburg magistrate's court collapsed. Debris and light fittings fell on seats belonging to attorneys and the magistrate.

"Nobody was injured," said court manager William Nyathi. "When they opened in the morning, they saw the ceiling had fallen." Staff were "shuffling things around" to avoid disruptions.

Frustrated magistrates provided examples of perilous working conditions, noted in recent reports – so far without a significant response from the departments of justice or public works, which are responsible for court working conditions.

Their plight will be discussed in parliament this month by the justice portfolio committee, after a petition to President Cyril Ramaphosa in December by more than 300 magistrates to sign off on a recommended salary increase.

Broken and damaged court infrastructure affect the entire country, notably the administration of justice, said the magistrates.

"I have two phones on my desk, neither is working," said Simon's Town magistrate Denni Leppan. "There's no internet. We can't do remote cases on Zoom or Teams. There's no working ladies' toilet and about 20 women in the office."

Other problems flagged include:

- Ekurhuleni magistrate's court, Mpumalanga, had no electricity and only intermittent water;
- Welkom magistrate's court had no running

# Disorder in the courts

## Reports highlight lack of basic facilities

water;

● Polokwane magistrate's court, recently rebuilt, lacked furniture and had two working recording and transcription machines for nine courtrooms;

● Malmesbury circuit regional court has yet to be renovated three years after a fire;

● Johannesburg's high court leaks when it rains, despite years of complaints;

● Only one lift at the Durban magistrate's court was found working last year and the building was regarded as a fire hazard;

● Stellenbosch regional court has been waiting for renovations for a decade;

● Hermanus circuit regional court operated in caravans for years; and

● Mitchell's Plain and Simon's Town lacked official stamps and telephones.

Similar issues affected other courts, largely due to budget cuts and procurement inefficiency, said insiders. A report from the public protector in June found only one of 38 courts inspected were operating for "efficient service delivery".

"The majority of courts do not have proper filing systems and spaces," it read, noting incomplete building projects, cracked walls, leaking roofs, unhygienic toilets, exposed electrical wiring and broken ceilings, doors and windows.

A separate research report, published last year by the Democratic Governance and Rights Unit at the University of Cape Town, painted a similarly bleak picture. Security was



The collapsed ceiling of the Middelburg magistrate's court in Mpumalanga.



**There's no internet. We can't do remote cases on Zoom or Teams. There's no working ladies' toilet and there are about 20 women in the office**

Simon's Town magistrate Denni Leppan

a big concern – almost a quarter of 230 magistrates surveyed reported work-related physical harm or threats over 12 months. About 16% of female magistrates reported



This maintenance hole in the parking area of the Benoni magistrate's court has not had a cover for six months. Pictures: Supplied

being sexually harassed or knowing a colleague who had been harassed. A third of magistrates said the infrastructure was adequate, good or excellent. Other respondents said it was "poor".

"It's a national issue – and not conducive to the implementation of justice," said magistrate Rohan Roopnarain, office head of the Vanrhynsdorp magisterial district.

Magistrates Commission statistics from 2024 report there were 1,475 magistrates in total and about 229 vacancies.

Advocacy groups such as the Association of Regional Magistrates of Southern Africa (Armsa) and Judges Matter said maintenance funding shortfalls were compounded by a lack of government departmental co-ordination. "The justice department has been trying to get

public works to increase their minor maintenance fund from R1m to R5m, but that has not progressed," said Mbekezeli Benjamin at Judges Matter.

"The salary impasse, low morale and shortage of even basic equipment like paper had a direct impact on court operations."

A case prompting the public protector report was gender-based violence victim Althea Kortje, who was turned away at the Bellville magistrate's court in 2020 while trying to apply for a protection order – against the man who subsequently murdered her.

"This case illustrated the tragic consequences caused by a 'perfect storm' of court challenges," Benjamin said.

Armsa produced a list of concerns. Inadequate security and remuneration featured prominently.

"Magistrates have helplessly watched colleagues die violent deaths in the past due to their work at the hands of ruthless and violent criminals," said Armsa.

"They have watched with utter horror and helplessness vital witnesses involved in crucial cases before them being mercilessly mowed down before them, countrywide without any perceived or effective intervention from the government. The government has refused to compile and enact an effective and acceptable security policy to protect magistrates at work and at home."

Armsa president Ian Cox said defunct air-conditioners were an additional concern.

"I am in Gauteng and sometimes my brain feels like a raisin. Limpopo, Northern Cape, Free State and the other warmer parts of the country are worse."

Neither of the departments of justice and public works responded to queries. Workplace challenges featured in the latest department of justice annual report, which noted digitalisation and modernisation were "hindered by challenges such as capacity constraints, procurement delays and budget constraints".