

05 Mag Rem

12

051018 pejustice (10)

save as: employment



DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

INTERNAL MEMORANDUM

TO: Secretary of the Magistrates Commission FILE NO: 6/28/2
CC: TEL NO: 315 1504
FROM: Court Nerve Centre DATE: 04 October 2005

SUBJECT: EMPLOYMENT EQUITY INFORMATION OF MAGISTRATES

PURPOSE

1. The purpose of this memorandum is to provide you with employment equity information relating to magistrates in order for you to respond to a request received from Ms Chohan-Khota.

BACKGROUND

2. On behalf of Ms Chohan-Khota you requested information in respect of magistrates relating to:

- 2.1. The number, race and gender breakdown of the different ranks of magistrate; and
- 2.2. How many of those magistrates have worked on the bench for –
 - (a) 0 – 5 years;
 - (b) 5 – 10 years;
 - (c) 10 – 15 years; and
 - (d) 15 years and longer.

DISCUSSION

3. Information relating to the filled posts of magistrates appointed in terms of the Magistrates Act No. 90 of 1993 is available on PERSAL, which is the official salary administration system of the Department of Justice and Constitutional Development. The nature of appointment of these magistrates is categorized into different groups on PERSAL to provide for the different contracting arrangements with the appointees.

4. According to PERSAL 1,826 persons were appointed as magistrate on 31 May 2005, of which 1,663 were permanently appointed. The other 163 magistrates were temporary appointments on contract (e.g. sexual offences courts) for specific periods of time.

5. The population group and gender breakdown of the filled posts of magistrate (excluding magistrates appointed on contract) as at 31 May 2005 is given according to the years of service of the magistrates in table 1 below. The table shows that, on 31 May 2005, 1,046 (63%) of the magistrates have been appointed for longer than 15 years, while 306 (18%) have been appointed for 11 – 15 years, 132 (8%) have been appointed for 6 – 10 years, and 178 (11%) have been appointed for 0 – 5 years.

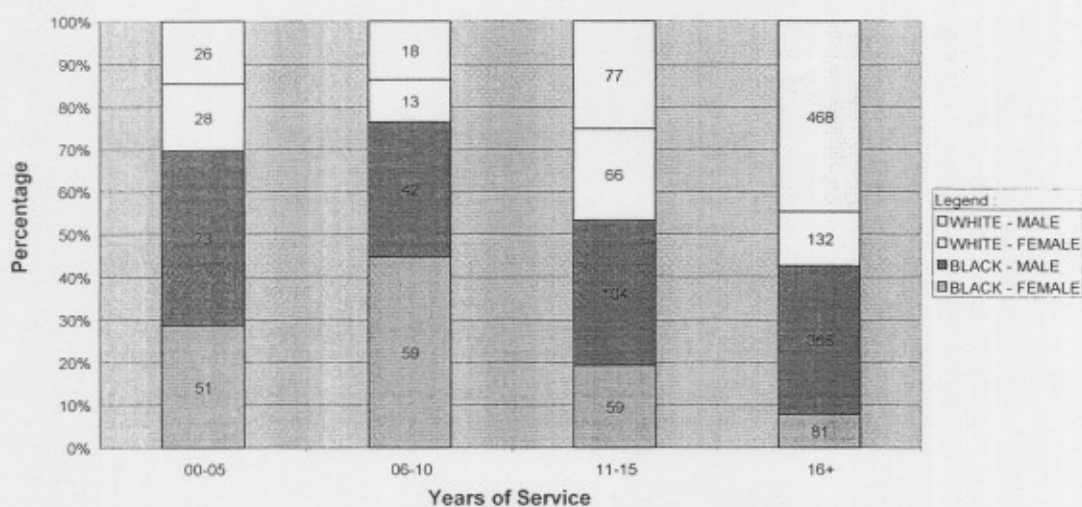
Table 1: Permanently Appointed Magistrates as on 31 May 2005.

RANK DESC	RACE	GENDER	00-05	06-10	11-15	16+	Grand Total
MAGISTRATE	AFRICAN	FEMALE	28	28	17	37	110
		MALE	27	28	65	212	332
	COLOURED	FEMALE	7	9	13	1	30
		MALE	16	1	19	19	55
	INDIAN	FEMALE	13	17	16	8	54
		MALE	20	5	10	9	44
	WHITE	FEMALE	24	12	60	96	192
		MALE	25	18	69	283	395
TOTAL MAGISTRATE			160	118	269	665	1,212
SENIOR MAGISTRATE	AFRICAN	FEMALE		1		7	8
		MALE	2	2		61	65
	COLOURED	FEMALE			1		1
		MALE				1	1
	INDIAN	FEMALE			2		2
		MALE				2	2

8. Of the 132 magistrates appointed for 6 – 10 years, 18 (14%) were white males, 13 (10%) were white females, 42 (32%) were black males, and 59 (45%) were black females.

9. Of the 179 magistrates appointed for 0 – 6 years, 26 (15%) were white males, 28 (16%) were white females, 73 (40%) were black males, and 51 (29%) were black females.

Black / White and Gender Composition of Magistrates



GENERAL

Submitted for your information.

A P PRINSLOO
 COURT NERVE CENTRE
 DEPARTMENT OF JUSTICE AND CONSTITUTIONAL AFFAIRS

RANK DESC	RACE	GENDER	00-05	06-10	11-15	16+	Grand Total
	WHITE	FEMALE	2		2	12	16
		MALE				43	43
TOTAL SENIOR MAGISTRATE			4	3	5	126	138
REGIONAL MAGISTRATE	AFRICAN	FEMALE	2	2	5	15	24
		MALE	6	5	5	44	60
	COLOURED	FEMALE			2	1	3
		MALE	1	1	2	4	8
	INDIAN	FEMALE		2	2	6	10
		MALE	1		3	2	6
	WHITE	FEMALE	2	1	4	23	30
		MALE	1		8	132	141
TOTAL REGIONAL MAGISTRATE			13	11	31	227	282
CHIEF MAGISTRATE	AFRICAN	FEMALE				2	2
		MALE				8	8
	COLOURED	FEMALE				1	1
	INDIAN	FEMALE			1	1	2
	WHITE	FEMALE				1	1
MALE					8	8	
TOTAL CHIEF MAGISTRATE					1	21	22
REGIONAL COURT PRESIDENT	AFRICAN	FEMALE	1			1	2
		MALE				3	3
	COLOURED	FEMALE				1	1
	INDIAN	FEMALE	1				1
	WHITE	MALE				2	2
TOTAL REGIONAL COURT PRESIDENT			2			7	9
GRAND TOTAL			179	132	306	1,046	1,663

6. The information is also shown graphically in figure 1. In this figure, the population group distribution of the magistracy is presented by combining the previously disadvantaged groups (i.e. African, Coloured and Indian) and presenting this as a single "black" population group together with the white population group. The figure shows that, on 31 May 2005, 468 (45%) of the magistrates appointed for longer than 15 years were white males, 132 (13%) were white females, 365 (35%) were black males and 81 (8%) were black females. 121 (20%) of the magistrates appointed for less than 15 years were white males, 107 (17%) were white females, 219 (36%) were black males and 169 (27%) were black females.

7. The figure also shows that, on 31 May 2005, 77 (25%) of the 306 magistrates appointed for 11 - 15 years were white males, 66 (22%) were white females, 104 (34%) were black males and 59 (19%) were black females.