

CANDIDATE: JUDGE RONALD DEON HENDRICKS

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**COURT FOR WHICH CANDIDATE APPLIES: THE NORTH WEST
DIVISION OF THE HIGH COURT, MAHIKENG**

1. The candidate's appropriate qualifications:

1.1. The candidate holds the following degrees:

1.1.1. BLC (1988).

1.1.2. LLB (PRET)(1990).

1.2. The candidate has been a Judge of the North West Division of the High Court, Mahikeng from November 2003 to present.

1.3. Prior thereto, the candidate was a State Advocate at this Division from 1991 to 1993 whereafter he joined the North West Bar Association as a practising advocate and had been a member of the North West Bar Association and in private practice for a period of almost 10 years, i.e. from July 1993 to April 2003.

1.4. The candidate is appropriately qualified.

2. Whether the candidate is a fit and proper person:

2.1. The candidate has been a Judge of the North West Division of the High Court since 2003.

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2.2. The candidate is known to many of the members of this Bar Association, both as a colleague and as a Judge.

2.3. As a colleague he had proven to be a formidable yet friendly and level headed opponent with an objective approach to all matters handled by him.

2.4. The candidate continued to display the above stated attributes upon his elevation to the bench and is a highly respected member of the judiciary in the North West Province.

2.5. Accordingly, the candidate is eminently fit and proper for appointment to the position of Deputy Judge President.

3. Whether the candidate's appointment would help to reflect the racial and gender composition of South Africa:

3.1. The candidate is a black man, from what was previously termed the "coloured" population group.

3.2. While his appointment will contribute to racial representivity, it will not contribute to the gender transformation of the judiciary.

3.3. It should be noted that although the candidate is a man, the Judge President of the North West Division is a woman.

4. The candidate's commitment to the values of the constitution:

4.1. The candidate's judgments demonstrate a strong commitment to constitutional values.

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4.2. The candidate's commitment to constitutional values and the administration of justice is evident in his involvement in the training of regional magistrates (North West) in civil jurisdiction and his mentoring of a number of Acting Judges.

4.3. The candidate has also recently assisted in the training of pupils as "presiding judge" in mock trials during which he benefited the pupils with very positive comments.

5. The candidate's knowledge of the law, including constitutional law:

5.1. The candidate served as a Regional Court Prosecutor and thereafter as State Advocate for a period of approximately 3 years.

5.2. After having successfully completed his pupillage, the candidate joined the North West Bar Association as a member from July 1993 until May 2003 (approximately ten years), whereafter he had been appointed as an Acting Judge in the North West Division.

5.3. The candidate had permanently been appointed as a Judge in November 2003 and during his tenure of approximately fourteen years on the bench, he had exposure to a wide range of matters, both criminal and civil in nature.

5.4. Of the more than 130 available individual judgments written by the candidate, a mere 7 were successfully appealed against.

6. Whether any judgments have been overturned on appeal:

6.1. The candidate has obtained the BLC and LLB degrees.

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- 6.2. He was admitted as an Advocate in 1991.
- 6.3. He had been a State Advocate for a period of 2 years and thereafter he had been in private practice as an Advocate and member of the North West Bar Association for almost ten years.
- 6.4. He was appointed as an Acting Judge in May 2003 and had been permanently appointed in November 2003.
- 6.5. In addition to his individual judgments, the candidate had presided in numerous appeals from the lower Courts and the High Court.
- 6.6. The candidate was an Acting Judge of the Labour Court from July 2007 to December 2007.
- 6.7. The candidate also assisted as Acting Judge of the Labour Appeal Court from 15 April 2010 to 30 June 2010 and thereafter from 15 July 2010 to 30 September 2010.
- 6.8. Accordingly the candidate has an impressive professional history and is highly experienced in all professional disciplines.

7. The extent and breadth of the candidate's professional experience:

- 7.1. From personal interaction with the candidate, we are of the view that he is indeed eloquent in both the English and Afrikaans languages.
- 7.2. Moreover, the candidate's judgments read well and demonstrate excellent linguistic and communicational skills.

8. The candidate's linguistic and communication skills:

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8.1. The candidate has throughout demonstrated an impeccable work ethic and is renowned for his ability to render judgments expeditiously.

8.2. Judgments which are outstanding for longer than 30 days, would invariably be matters where the candidate is a member of an appeal bench and where the inputs of his co-members are required.

9. The candidate's ability to produce judgments promptly:

9.1. No adverse comments have been received from any members in this regard.

10. The candidate's fairness and impartiality:

10.1. The candidate's judgments demonstrate his independent mindedness and objectivity.

10.2. No complaint or incident exists which indicates a lack of independent mindedness on the part of the candidate.

11. The candidate's independent mindedness:

11.1. The candidate is a vastly experienced Judge who has held a seat in the North West Division of the High Court for approximately 14 years and had acted in the Labour Appeal Court for a period of 6 months.

11.2. The candidate has a proven judicial track record which demonstrates his high degree of efficiency during Court proceedings.

11.3. The candidate, whilst being polite and patient, conducts Court proceedings assertively and is always in firm control of his Court.

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11.4. By all accounts, the candidate displays a strong judicial presence and his ability to conduct Court proceedings effectively and with satisfactory speed, to “filter relevance from irrelevance” is widely respected by the members of the North West Bar Association, by visiting Counsel and by members of the attorneys’ profession.

12. The candidate’s ability to conduct court proceedings:

12.1. The candidate’s record of producing judgments promptly and efficiently is indicative of his ability to administer his roll efficiently.

12.2. In addition, the following must be highlighted:

12.2.1. the candidate acted as Secretary of the North West Bar Association from 1997 to 1999 and as Vice-Chairman thereof from 2000 – 2001;

12.2.2. the candidate had acted in this Division as Judge President from 1 June 2012 to 30 June 2012; 1 August 2014 to 31 December 2014; 25 July 2016 to 26 August 2016;

12.2.3. the candidate had been Acting Deputy Judge President from 1 June 2017 to date;

12.2.4. during his acting as Judge President in this Division, the candidate had proven to be highly adept at proper case flow management and had proven to be pro-active and innovative in expeditiously exposing of matters;

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12.2.5. in fact, the life-span of cases on the roll of the North West Division was reduced considerably during his acting tenure.

12.3. By all accounts, the candidate also enjoys the ability to interact with and manage subordinates professionally and effectively.

12.4. In summary, the candidate has proven to possess an exceptional administrative ability.

13. The candidate's administrative ability:

13.1. The candidate is highly respected amongst his peers, legal practitioners and the community of Mahikeng and nothing exists to indicate that the candidate's integrity or ethics have ever been compromised.

14. The candidate's reputation for integrity and ethical behaviour:

14.1. As mentioned, whilst the candidate treats practitioners courteously, he retains a firm hand in the conduct of his cases and immediately grasps the crux of matters over which he presides.

14.2. No concerns appear from the judgments which we have considered either.

15. The candidate's judicial temperament:

15.1. The candidate had been a member of NADEL since 2000 and acted as Project Officer of the Mafikeng Branch of NADEL for a period of 2 years.

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15.2. The candidate is regarded as a pillar in the religious community in Mahikeng.

15.3. Through his dedication to the training and development of Magistrates and mentoring of Acting Judges, the candidate has furthered the constitutional goal of promoting access to justice.

16. The candidate's commitment to human rights, and experience with regard to the values and needs of the community:

16.1. The candidate's well established judicial career and his extensive experience as a long standing Judge of the High Court (with some acting experience as Judge President) demonstrate that he already acquired all the skills to fill the post of Deputy Judge President.

17. The candidate's potential:

17.1. The candidate's appointment would further the following important objectives:

17.1.1. ensuring that racial transformation occurs at senior levels of the judiciary; and

17.1.2. ensuring that persons with demonstrated knowledge and experience are appointed to the management of the High Courts.

17.2. The candidate's appointment would be regarded in the public and legal domain as being fitting and appropriate to aid the continued efficiency and effectiveness of the High Court, thereby preserving and enhancing the integrity of the Court.

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17.3. The candidate's unquestionable experience and ability would in addition send a clear message that racial transformation and merit are not in tension.

18. **The message that the candidate's appointment would send to the community at large:**

18.1. The candidate is a black man and his appointment will send a positive message to the community at large.

18.2. The North West Bar Association unreservedly supports the appointment of the candidate as Deputy Judge President of the North West Division of the High Court.