

INTERVIEW ROUND: OCTOBER 2024

VACANCY: JUDGE PRESIDENT, WESTERN CAPE HIGH COURT

JUDGE HAYLEY MAUD SLINGERS

1. The candidate's tertiary qualifications, professional admissions, honours, and permanent judicial appointments

1.1. The candidate holds the following tertiary qualifications:

1.1.1. BA, University of Cape Town (1993)

1.1.2. LLB, University of Cape Town (1995)

1.1.3. LLM (Department of Public, Constitutional and International Law), University of South Africa (2002)

1.1.4. LLM (Master of Laws in Criminal Justice), University of Cape Town (2006).

1.2. The candidate holds the following professional admissions and honours:

1.2.1. admitted as an attorney in October 2000.

1.3. The candidate was permanently appointed to the following judicial roles:

1.3.1. Judge of the High Court (Western Cape Division) in February 2013.

2. The candidate's integrity and ethics

2.1. No circumstances known to the reviewers suggest that the candidate is not a person of integrity with a reputation for ethical behaviour or is not a fit and proper person for appointment.

3. The racial and gender composition on the bench

3.1. As far as could be ascertained, there are 27 permanent judges of the Western Cape Division of the High Court:

3.1.1. 10 black women (4 African, 6 Coloured)

3.1.2. 12 black men (5 African, 5 Coloured, 2 Indian)

3.1.3. 2 white women

3.1.4. 3 white men

3.2. According to the questionnaire, the candidate is a Coloured woman.

4. The maximum period the candidate could serve if appointed

4.1. At the time of the interviews, the candidate will be approximately 51 years and 10 months old and will have completed a period of approximately 4 years and 10 months of active service.

4.2. If appointed, the candidate would be eligible to complete a period of approximately 18 years and 1 month's active service as Judge President.

5. The candidate's personal commitment to the values of the Constitution

5.1. The candidate has recorded in her questionnaire that she facilitates legal training offered by the Cape Bar and has so far assisted the Black Lawyers Association with legal training on one occasion.

5.2. The candidate is a member of the advisory board to the Wynberg Small Claims Court.

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

6.1. A review of the candidate's judgments shows her knowledge in various areas of law, including constitutional law.

7. Judgments of the candidate that have been taken on appeal

7.1. The candidate has disclosed that 10 judgments have been taken on appeal, 7 judgments have been upheld, and 3 judgments have been overturned.

7.2. The judgments of the candidates upheld on appeal have been set out in paragraph 16.3 (pages 16 and 17 of the candidate's application).

7.3. The judgments of the candidate that were overturned on appeal have been set out in paragraph 16.4 (pages 17 and 18 of the candidate's application).

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

8.1. The candidate's professional experience commenced during December 1995 when she took the position as candidate attorney and thereafter practiced as an attorney until December 2001; Thereafter she held the position of State Advocate with the National Prosecuting Authority (NPA) from April 2002 until January 2010 when she joined the

Cape Bar as a pupil and practiced as an advocate for 9 years; She was appointed on 1 December 2019 as a Judge of the Western Cape Division of the High Court.

9. The candidate's linguistic and communication skills

- 9.1. The candidate's judgments are written in English.
- 9.2. Nothing in the judgments and other writings considered by the reviewers indicates that the candidate's linguistic and communication skills are inadequate.

10. The candidate's ability to produce judgments promptly

- 10.1. The candidate indicated that three judgments were outstanding at the time of completing the questionnaire.
- 10.2. None of the judgments listed by the candidate were outstanding for more than 3 months after the hearing.

11. The candidate's ability to conduct court proceedings fairly, efficiently, and effectively

- 11.1. The reviewers received no adverse comments from colleagues relating to the candidate's ability to conduct court proceedings fairly, efficiently, and effectively.

12. The candidate's independent-mindedness

- 12.1. The reviewers received no adverse comments from colleagues relating to the candidate's independent-mindedness.

13. The candidate's administrative ability (other than in relation to court proceedings)

- 13.1. The candidate records in her questionnaire that she and a fellow advocate set up a new floor of chambers after completing pupillage, which included sourcing employees and generally setting up operational chambers.
- 13.2. The candidate's *curriculum vitae* reflects that she has completed management and project management courses.
- 13.3. The candidate was a deputy director of public prosecutions for approximately eight years, which involved the management of criminal investigation teams and monthly reporting.
- 13.4. The candidate worked as a professional assistant for two years during the early stages of her career.

14. The message that the candidate's appointment would send to the public at large

- 14.1. The candidate is relatively inexperienced as a judge and has not acted in the role of Judge President or Deputy Judge President. Her appointment would send the message that relevant experience is not a deciding factor in the appointment of the Judge President of a division.

ANNEXURE: LIST OF JUDGMENTS CONSIDERED

Reported judgments

1. None

Unreported judgments

2. None

Judgments upheld on appeal

3. None

Judgments dismissed on appeal

4. None