

# GENERAL COUNCIL OF THE BAR OF SOUTH AFRICA

*Admitted at The Hague on 21 August 1948  
as a full member of the International Bar Association*

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10 January 2022

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Dear Members of the Judicial Service Commission

## **GCB COMMENTS ON THE NOMINATION OF MAYA P AS CHIEF JUSTICE**

- 1 Please find below the General Council of the Bar's (**GCB**) comments on the nomination of Maya P for appointment as the Chief Justice.
- 2 The GCB's general approach in making submissions to the Judicial Services Commission (**JSC**) is not to endorse or promote any candidate above other candidates. Rather, it endeavours to comment on each candidate on their merits independently of the other candidates under consideration. The GCB would ask that these comments are not seen as endorsing this candidate over the other candidates under consideration. Nor should these submissions be seen as a comparative analysis of the candidates, or an effort to rank them.
- 3 The GCB prepared these comments as follows:
  - 3.1 The candidate was allocated to a team of approximately four counsel who are members of bars affiliated to the GCB. The team was led by a senior counsel.
  - 3.2 The team then assessed the candidate by considering:

- 3.2.1 The candidate's application;
  - 3.2.2 The biography of the candidate distributed by the Presidency when referring the application to the JSC;
  - 3.2.3 Previous reviews conducted by the GCB on the candidate (in so far as such were available);
  - 3.2.4 The candidate's reported judgments and, to the extent practicable, the candidate's unreported judgments;
  - 3.2.5 The candidate's previous interviews before the JSC;
  - 3.2.6 Publications, speeches and other extra-curial writings by the candidates, where such could be located; and
  - 3.2.7 Publicly available media reporting and commentary on the candidate.
- 3.3 The team then worked independently of the other teams allocated to review other candidates to prepare the comments on the candidate.
- 3.4 The draft comments for all the candidates were then circulated amongst the teams with the goal of achieving a level of consistency of tone and style. It should however be emphasised that it was impossible to achieve complete consistency given the nature of the process adopted, which was intended to incorporate a range of views in the limited time available during a period when many practitioners were taking a well-earned annual rest.
- 4 The GCB's comments are structured around the following 9 topics, we elaborate on briefly below:
- 4.1 Whether the candidate meets the constitutional requirement that members of the Constitutional Court be South African citizens.
  - 4.2 The period for which the candidate could serve as Chief Justice if appointed.  
The Constitution, and Judges Remuneration and Conditions of Employment

Act, 47 of 2001 impose limits on the period for which individuals may serve on the Constitutional Court.

4.3 The candidate's reputation for integrity and ethical behaviour. Under this topic, comments are directed at whether the candidate is reputed to be of unblemished integrity and ethically beyond reproach. Any findings or pending complaints of misconduct against the candidate are addressed as well as any evidence of leadership in the area of judicial ethics.

4.4 The candidate's qualities as an outstanding leading jurist who seeks (and is able to achieve) consensus.

4.4.1 It is a central responsibility of the Chief Justice to ensure that the Constitutional Court functions efficiently and delivers judgments with clear *rationes decidendi* timeously even in the most contentious matters. Comments are directed at whether the candidate is a leader who commands respect and that s/he seeks (and is able to achieve) consensus. Comments are also directed at any conclusions that might reasonably be drawn about the candidate's leadership qualities when drafting majority, concurring or dissenting judgments as part of a bench of judges.

4.4.2 Where appropriate given the evidence available, comments are included on the extent to which the candidate's judgments have generated dissents and concurrences, how frequently the candidate dissents or concurs, the tone or tenor of the candidate's judgments when concurring or dissenting, and whether their judgments in ground-breaking matters have been supported on appeal. Comments are included if there is glaring evidence that the candidate almost always agree with the same group of judges, and almost never with a different group.

4.4.3 The comments are also directed at the candidate's academic qualifications and career as a jurist, their academic articles and

public addresses related to the law generally and any notable judgments. The GCB has also sought to take a robust view on whether the candidate's reputation as a jurist is one of excellence.

- 4.5 The candidate's experience in court administration and leadership or similar roles. Comments are directed at the candidate's leadership and administration positions held in the judiciary and other organisations.
- 4.6 Whether the candidate possesses the qualities required to lead the judiciary in effectively defending, protecting and upholding the Constitution. Comments are directed here at any notable judgments, academic articles, public addresses or the like addressing constitutional law, and in particular constitutional supremacy. Where appropriate, comments are made on evidence of the candidate's potential to work constructively and to command and show appropriate respect when representing the judiciary in engagements with different arms of government on a range of issues.
- 4.7 Whether the candidate possesses the qualities required to lead the judiciary in fearlessly asserting its independence and respect for separation of powers. Comments are directed at the candidate's judgments, academic articles, public addresses, or the like that have dealt with the independence of the judiciary and the separation of powers.
- 4.8 Whether the candidate possesses the qualities required to lead the judiciary in pursuing a transformative jurisprudence geared for the advancement of social justice and access to justice. Comments are directed at the candidate's involvement in any voluntary associations, non-governmental, or community organisations committed to promoting the advancement of social justice, substantive equality of historically and currently vulnerable groups (including in terms of race, gender, persons with disabilities and LGBTI people) and access to justice, as well as any notable judgments, academic articles, public addresses, or the like reflecting the candidate's views thereon.

4.9 Whether the candidate possesses the leadership qualities required to instil a judicial culture and work ethic that will meet acceptable judicial performance standards and standards of accountability. Comments are directed at the candidate's ability to produce judgments timeously, the candidate's propensity to write concurring or dissenting judgments, the number of reported and unreported judgments found by GCB, the time period over which those judgments were produced, and in which court, and the candidate's performance in any leadership positions held within the judiciary.

5 The GCB takes responsibility for the attached comments, and they are made by it. They represent the work of the teams assembled to prepare them and while efforts were made to achieve some consistency of approach, differences naturally emerge in tone and emphasis.

Yours faithfully



**Craig Watt-Pringle SC**  
**Chairman: General Council of the Bar of SA**

**CANDIDATE: PRESIDENT MANDISA MURIEL LINDELWA MAYA**

**1. Whether the candidate meets the Constitutional requirement of citizenship:**

1.1. Section 174(1) of the Constitution provides that any person appointed to the Constitutional Court must be South African citizen.

1.2. The candidate is a South African citizen.

**2. The implications of the constitutional mandatory age requirements for discharge from active service of Constitutional Court judges:**

2.1. Section 176(1) of the Constitution provides that a Constitutional Court judge holds office for a non-renewable term of 12 years, or until he or she attains the age of 70, whichever occurs first. unless extended by an Act of Parliament.

2.2. The candidate is 57 years old.

2.3. The candidate has not previously held a permanent appointment as a Constitutional Court Judge. The candidate did, however, act in the Constitutional Court between February and May 2012.

2.4. The provisions of the Judge's Remuneration and Conditions of Employment Act, 47 of 2001 do not bear on the candidate's period of office.

- 2.5. If appointed, the candidate's office will terminate in 2034. The candidate will, accordingly, be entitled to hold the office of Chief Justice for the full-term of 12 years. This is significant. The candidate is well-positioned to implement and, if necessary, revise the norms and standards of the judiciary without disruption, as contemplated in section 165(6) of the Constitution.

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

- 3.1. The candidate has, throughout her judicial career, had an unimpeachable reputation for integrity. On the number of occasions that she has been interviewed by the JSC no issues have been reported in this regard.

- 3.2. The candidate, moreover, has a sense of candour and integrity that is above reproach to an innocuous fault:

- 3.2.1. It will be recalled that in a previous round of interviews the candidate disclosed the traffic fines she had received in her youth to the JSC.

- 3.2.2. It will further be recalled that in the interview of (then) Magistrate Daniel Thulare an audio clip was played wherein he can be heard singing the praises of the candidate. The candidate, who was a panel member, immediately and without being prompted, requested that he explain her role, if any, in the push by JOASA for her candidacy for Chief Justice. It was confirmed that she had played no role whatsoever.

3.3. It is further clear from her application form, as well as the letters received in support of her nomination, that the candidate is held in high esteem and regarded as a role model. This confirms she has a reputation as someone who is regarded as being ethical and of integrity.

**4. The candidate's qualities as an outstanding leading jurist who seeks (and is able to achieve) consensus:**

4.1. The candidate is highly regarded as a leading jurist who is well versed and skilled in all areas of law. A LexisNexis search reveals the following:

4.1.1. The candidate has sat in no less than 640 matters that were subsequently reported.

4.1.2. The candidate has heard (and in many instances penned the judgment) in matters traversing all areas of the law.

4.1.3. The candidate has had at least 119 matters that she has been involved in subsequently confirmed.

4.2. The candidate, moreover, and as is evident from the decisions she has penned, commands the respect of her colleagues and peers. In this regard, it is plainly evident from a review of her decisions whilst at the Supreme Court of Appeal that:

4.2.1. The candidate has been the author of many unanimous judgments during her tenure. An analysis of the cases

mentioned in the body of her application reveals that 13 of the 16 judgments that she has authored in the Supreme Court of Appeal received the unanimous support of the bench.

4.2.2. The candidate is evidently able to work with and obtain consensus from her colleagues. This is again demonstrated with reference to the corams involved in the decisions referred to in her application.

4.2.3. The candidate, lastly, and regardless of the complexity of the matter at hand, promptly and timeously hands down judgment. The candidate, in most instances, hands down judgment within 3 months from date of hearing.

4.3. The candidate has obtained the following academic qualifications that show that she is suitably qualified:

4.3.1. BProc from the University of the Transkei (now Walter Sisulu University), 1986;

4.3.2. LLB from the University of Natal, Durban, 1988; and

4.3.3. LLM (Labour Law, Alternative Dispute Resolution and Constitutional Law) from Duke University School of Law, 1990.

4.4. The candidate has delivered a plethora of public addresses and conference papers during her tenure. The following conference papers are particularly noteworthy:

4.4.1. “*Judicial and Legal Responses to Gender Based Violence and Femicide*” delivered at the Presidential Gender Violence and Femicide Summit in Pretoria (1 November 2018). There the candidate stated that:

*while there has been a marked ideological shift in the ways Judges adjudicate matters relating to gender-based violence and femicide in recent times ... the fate of these victims should not be left to the off-chance that the individual Judges hearing their cases will be attuned to the sensitivities. There should be a formalization and standardization of these norms so that it is incumbent on the Courts to pay particular attention to the treatment of victims in these cases.*

This statement is now quoted in the UN Handbook for the Judiciary on the Effective Criminal Justice Responses to Gender-based Violence against Women and Girls (2019).

4.4.2. “*The role of women in the advancement of the judiciary: Women: tilting the scales of judicial transformation?*” at the University of KwaZulu-Natal (12 August 2016).

4.4.3. “*Ethics, Integrity and the Courts*” delivered at the Plenary of the National Association for Court Management at the International Association for Court Administration Joint International Conference, Arlington, Virginia (10 July 2017).

4.4.4. “*The role of the Judiciary and other key institutions in safeguarding the South African constitutional democracy and the Rule of Law*” Keynote Address delivered at 2019 NADEL AGM and Conference (15 March 2019).

4.4.5. “*Women Empowerment: A Shawl and Shield in the fight against Sexual and Gender Based Violence*” Opening Address delivered at the SAC-IAWJ AGM and Conference at the University of Mpumalanga, Mbombela (8 August 2019).

4.4.6. “*Judicial Leadership*” delivered at the International Association of Women Judges’ Association Biennial Conference in Auckland New Zealand (9 May 2021).

4.5. The candidate has penned more than 200 reported judgments during her tenure as a judge. The judgments travers a variety of thematic areas and each is significant in its own right. The candidate’s significant judgments include:

4.5.1. *AfriForum NPC v Chairperson of the Council of the University of South Africa & Others* [2020] ZASCA 79.

Coram: Maya P, Petse DP, Leach JA, Koen and Eksteen AJJA.

Judgment: Maya P (unanimous).

Timeline: Heard on 27 November 2019. Judgment delivered on 30 June 2020.

General Comment: The judgment dealt with the language policy of the University of South Africa. It found that the decision to replace the policy with an “*English-only policy*” – on the facts of the case – infringed the principle of legality and was consequently unlawful. Maya P wrote the judgment, in a first for an appellate court, in both English and isiXhosa. This is significant. It demonstrates *inter alia* the candidate’s understanding of the importance of language (and by extension cultural identity) to our Constitutional Democracy.

Appeal: The appeal was unanimously dismissed by the Constitutional Court. It is important to note that the Constitutional Court, in keeping with the style adopted by the candidate, wrote a mirror judgment in Afrikaans.

4.5.2. *Sandvliet Boerdery (Pty) Ltd v Mampies & Another* 2019 (6) SA 409 (SCA).

Coram: Maya P, Zondi, Dambuza and Makgoka JJA and Rogers AJA.

Judgment: Maya P (unanimous).

Timeline: Heard on 23 November 2018. Judgment delivered on 08 July 2019.

General Comment: The judgment dealt with the right to bury a deceased family member on a privately owned farm that

had been worked for generations by the respondents' family. It held, on the facts of the case, that they did. The judgment demonstrates, again, the candidate's understanding that our Constitutional Democracy requires due deference to the cultural practices of all who call it home.

4.5.3. *Minister of Safety and Security v F* [2011] ZASCA 3.

Coram: Nugent, Maya, Snyders and Bosielo JJA and Pillay AJA.

Judgment: Nugent JA with Snyders JA and Pillay AJ (majority). Maya JA with Bosielo JA (minority).

Timeline: Heard on 11 November 2010. Judgment delivered on 22 February 2011.

General Comment: The judgment dealt with whether the (then) Minister of Safety and Security was vicariously liable for a rape perpetrated by an off-duty policeman using an unmarked police vehicle. The candidate, in her minority judgment, found that the Minister was so liable.

Appeal: The Constitutional Court upheld an appeal against the majority judgment of the Supreme Court of Appeal favouring the legal analysis and assessment of the matter by the candidate.

4.5.4. *Lebowa Platinum Mines Ltd v Viljoen* [2008] ZASCA 163.

Coram: Farlam, Cameron, Jafta, Maya JJA and Mhlantla AJA.

Judgment: Maya (then) JA (unanimous).

Timeline: Heard on 17 November 2008. Judgment delivered on 01 December 2008.

General Comment: The judgment dealt with the interpretation of “*occupier*” under the Extension of Security of Tenure Act 62 of 1997 (“ESTA”). The candidate held that ESTA has its origins, inter alia, in the provisions of s 25(6) of the Constitution which entitles a person or community whose tenure of land is legally insecure as a result of past racially discriminatory laws or practices to the extent provided by an Act of Parliament, either to tenure which is legally secure or to comparable redress. While it was apparent from the preamble of ESTA that its main purpose was to protect vulnerable occupiers of land by regulating the eviction process of a class of poor tenant occupiers of rural and per-urban land, its interpretation had to have regard to the colour-blind provisions of section 25(6) of the Constitution. The judgment was subsequently applied in *Kiepersol Poultry Farm (Pty) Ltd v Phasiya* 2010 (3) SA 152 (SCA).

- 4.5.5. *Department of Correctional Services & Another v Police and Prisons Civil Rights Union (POPCRU) & Others* [2013] ZASCA 40.

Coram: Nugent, Maya and Pillay JJA, Plasket and Mbha AJJA.

Judgment: Maya (then) JA (unanimous)

Timeline: Heard on 19 February 2013. Judgment delivered on 28 March 2013.

General Comment: The matter related to the Department's dress-code prohibiting the wearing of dreadlocks by male correctional officers and whether the dismissal of the Rastafari and Xhosa respondents for refusing to cut their dreadlocks worn in observance of their sincerely held religious and cultural beliefs were discriminatory and automatically unfair on grounds of religion, culture and gender in terms of section 187(2)(a) of the LRA. The candidate held that a policy that effectively punishes the practice of a religion and culture degrades and devalues the followers of that religion and culture in society. She held further that the policy infringed followers' dignity by reflecting that their religion or culture is not worthy of protection. She held further that the impact was devastating because the respondents' refusal to yield to an instruction at odds with their sincerely held beliefs cost them their employment.

- 4.6. These, and the other decisions identified by the candidate, demonstrate her excellent grasp of constitutional issues both in relation to technical concerns and Bill of Rights issues. In particular,

her judgments demonstrate a consistent understanding of the need to balance the enforcement of constitutional rights against the need for government to be able to perform its functions efficiently.

4.7. The candidate, moreover, has a finely developed sense of the need to deal with social issues that disproportionately affect the poor and marginalised, particularly women and children.

4.8. In short, the candidate has an excellent legal mind and a very well-rounded knowledge of the law.

**5. The candidate's experience in court administration and leadership or similar roles:**

5.1. The candidate has extensive experience in court administration and position of leadership. The candidate is, at present, the President of the Supreme Court of Appeal. In this regard it is to be noted that:

5.1.1. The Supreme Court of Appeal, in the 2020/2021 year of assessment, exceeded its performance target of finalising 80% of its matters timeously. It also timeously finalised 99% of the applications/petitions received.

5.1.2. The candidate has been able to write and deliver judgments timeously whilst still attending to her functions as President of the Supreme Court of Appeal. This includes her being responsible for preparing the roll (an exacting and unique administrative task involving ensuring an equitable distribution of the workload amongst the 25 judges).

- 5.1.3. The candidate has also put in place several mechanisms to ensure that issues regarding the Supreme Court of Appeal's perceived issues regarding collegiality are resolved.
- 5.2. The candidate, moreover, occupies an array of leadership roles in legal bodies, including:
- 5.2.1. as a commissioner of the Judicial Service Commission.
- 5.2.2. as a council member of the South African Judicial Education Institute (SAJEI), which is responsible for the training and continuing education for Judges and Magistrates, and chairs its Finance and Budget subcommittee.
- 5.2.3. as a member and adjudicator of the National Bar Examination Board.
- 5.3. The candidate's leadership has also been recognised by her appointment:
- 5.3.1. as the second Chancellor of University of Mpumalanga.
- 5.3.2. as the Regional Director of West and Southern Africa of the International Association of Women Judges (which has affiliates in 82 countries).
- 5.3.3. as President of the South African Chapter of the International Association of Women Judges (SAC-IAWJ).

- 5.3.4. as trustee of The South African Institute for Advanced Constitutional, Public, Human Rights, and International Law (SAIFAC).
- 5.4. The candidate has been involved in regional and international legal bodies, many of which are established to promote gender representation and educational institutions.
- 5.5. These experiences will prove invaluable and enriching to the candidate's role as Chief Justice, were she to be appointed.
6. **Whether the candidate possesses the qualities required to lead the judiciary in effectively defending, protecting, and upholding the Constitution:**
- 6.1. The candidate holds a LLM in Constitutional Law from Duke University in the United States. The candidate has an academic understanding of what is required of her in fulfilling this role.
- 6.2. The candidate, moreover, has presented a wide variety of academic papers on the subject. These include:
- 6.2.1. *“Transforming the South African Judiciary”* – Black Lawyers Association Annual General Meeting on 25 October 2003.
- 6.2.2. *“The Structure and Function of the South African Courts”* – Supreme Court of Appeal Open Day on 30 May 2007.

- 6.2.3. *“Rule of law, Constitutionalism and Separation of Powers in South Africa”* – Konrad Adenauer Foundation Women Judges Study Programme on Application of International and Regional Law in National Law on 9 April 2015.
- 6.2.4. *“Strengthening the Rule of Law”* – J20 Judicial Conference of the Highest Courts of the G20 on 8 October 2018.
- 6.2.5. *“The role of the Judiciary and other key institutions in safeguarding the South African constitutional democracy and the Rule of Law”* – Keynote address at the 2019 NADEL AGM on 15 March 2019.
- 6.3. The candidate has also delivered many judgments involving constitutional issues (some of them have been dealt with elsewhere). The judgments demonstrate an excellent appreciation of the need for judges to ensure that constitutional values are applied appropriately within the complex social context in which legal disputes invariably arise.
- 6.4. Finally, the candidate has pursued a decisively transformative agenda during her time as President of the Supreme Court of Appeal, tackling issues of collegiality, ensuring development of ‘junior’ judges, and addressing perception of antagonism by the members of the Court.

**7. Whether the candidate possesses the qualities required to lead the judiciary in fearlessly asserting its independence and respect for separation of powers:**

7.1. In many of her judgments she has held government accountable while giving due regard to the separation of powers. In this regard, the following are notable:

7.1.1. *Director-General, Department of Home Affairs & Another v Islam & Others* [\[2018\] ZASCA 48](#), where the candidate, for the unanimous Court, held that the High Court had no authority to order the Department of Home Affairs to allow a foreign national admission to the Republic where he was deemed a prohibited person. Such order, the SCA held, violates the separation of powers.

7.1.2. *Ngomane and Others v City of Johannesburg and Another* [2019] ZASCA 57, where the candidate, again for a unanimous court, found that the conduct of the municipality in destroying property belonging to the appellants was unconstitutional and ordered it to pay compensation.

7.1.3. *Democratic Alliance v President of South Africa and Others* [2012] ZACC 24, where the candidate concurred with the majority of the Constitutional Court that the appointment of Menzi Simelane as National Director of Public Prosecution was irrational.

7.2. The candidate has, on several occasions, publicly addressed these (and related) issues in papers presented at various local and international forums. These addresses are dealt with elsewhere with several others forming part of the candidate's application.

**8. Whether the candidate possesses the qualities required to lead the judiciary in pursuing a transformative jurisprudence geared for the advancement of social justice and access to justice:**

8.1. The candidate has delivered several papers on issues pertaining to the advancement of social justice. The following are, particularly, noteworthy:

8.1.1. *“Implementing Children’s Rights in South Africa”* – 12<sup>th</sup> International Conference of Chief Justices of the World Judiciary Summit Lecture on 1 December 2011.

8.1.2. *“The role of women in the advancement of the judiciary: Woman: titling the scales of judicial transformation”*- University of KwaZulu-Natal on 12 August 2016.

8.1.3. *“Judicial and Legal Responses to Gender Based Violence and Femicide”* – Presidential Gender Violence and Femicide Summit on 1 November 2018.

8.1.4. *“Leave No Woman or Girl Behind”* – SAC-IAWJ Annual Gala Dinner on 23 February 2019.

8.1.5. “*Woman Empowerment: A Shawl and a Shield in the fight against Sexual and Gender Based Violence*” – Opening Address at SAC-IAWJ AGM on 8 August 2019.

8.2. The candidate is also a member/patron of several organisations that seek to further the plight of woman and children, including:

8.2.1. Lawyers Against Abuse.

8.2.2. South Africa Black Women in Law.

8.2.3. International Association of Women Judges.

8.2.4. Commonwealth Association of Law Reform Agencies.

8.2.5. Duke Law / Bolch Judicial Institute of Leadership.

8.3. The candidate has also received several letters of recommendation from various women’s groups locally and internationally in support of her nomination attesting to her commitment to women’s transformation and particularly women in the legal fraternity. These include *inter alia*:

8.3.1. South African Chapter of the International Association of Women Judges.

8.3.2. Dr Jagdish Gandhi, Convener, International Conference of Chief Justices of the World, City Montessori School (CMS) Society.

- 8.3.3. Professor David Bilchitz, University of the Johannesburg.
- 8.3.4. South African Black Women in Law (SABWIL).
- 8.3.5. International Association of Judges.
- 8.4. Lastly, the candidate has penned many judgments that have appropriately demonstrated her desire to pursue transformative jurisprudence. These include *inter alia*:
  - 8.4.1. *Mbungela & Another v Mkabi & Others* [2019] ZASCA 134, where she dealt with the requirements of a customary marriage.
  - 8.4.2. *Minister of Safety and Security v F* [2011] ZASCA 3, where she dealt with the liability of the Minister of Police.
  - 8.4.3. *Hewitt v S* [2016] ZASCA 100, where she upheld the sentence handed down by the High Court following a conviction of rape and indecent assault.
- 8.5. This all demonstrates the candidate's willingness to effect tangible transformation within the judiciary (and within the South Africa's constitutional democracy).

**9. Whether the candidate possesses the leadership qualities required to instil a judicial culture and work ethic that will meet acceptable judicial performance standards and standards of accountability:**

9.1. The candidate, as evidenced from some of her earliest decisions (notably *S v Sithiyo* [2001] JOL 8239 (Tk) and *Mzaza v Stisila* [2001] JOL 8934 (Tk)), has long held the view that justice delayed is justice denied.

9.2. The candidate, almost always, and if regard is had to the decisions mentioned in her application, delivers judgments promptly in many cases within a month, and on average within 3 months.

9.3. The candidate has also, and during her tenure as President of the Supreme Court of Appeal ensured the Supreme Court of Appeal remains one of the most efficient courts in the country. In the Judiciary Annual Reports for the relevant periods the following is evident:

9.3.1. 2020/2021: The Supreme Court of Appeal exceeded its performance target of finalising 80% of its matters timeously. It timeously finalised 81% of all matters and 99% of all petitions and applications.

9.3.2. 2019/2020: The Supreme Court of Appeal exceeded its performance target of finalising 80% of its matters timeously. It finalised 86% of all matters on time. It also had no judgments reserved for longer than 6 months.

- 9.3.3. 2018/2019: The Supreme Court of Appeal again exceeded its performance target, finalising 93% of all its matters timeously. It also timeously finalised 97% of all applications and petitions for leave to appeal.
- 9.4. These achievements, particularly in the last two years, are noteworthy considering the impact that the COVID-19 pandemic has had on the operations of all courts.
- 9.5. The candidate has taken effective steps to better enhance the image (and efficacy) of the Supreme Court of Appeal.
- 9.6. The candidate, lastly, and to repeat, has written well-over 200 judgments and heard, in excess, of 600 reported matters. A review of the judgments penned over the course of her career reveals that she is ruthlessly efficient, churning out well-considered judgments within more than acceptable timeframes.
- 9.7. There can simply be no debate that the candidate clearly possesses all the qualities required to be an effective, efficient, and inspiring leader and Chief Justice.