



**14 February 2010: For immediate release**

**LAW SOCIETY URGES JUSTICE MINISTER TO RECONSIDER MPSHE  
APPOINTMENT TO THE BENCH**

The Law Society of South Africa (LSSA) urges Minister of Justice and Constitutional Development Jeff Radebe to withdraw or suspend the appointment of Mokotedi Mpshe as an acting judge of the North-West High Court: Mafikeng to allow the Judicial Service Commission (JSC) to consider the matter and make its official views public. The JSC is scheduled to meet again in April.

The LSSA joins the General Council of the Bar and the JSC in expressing grave concern at the appointment of a former acting National Director of Public Prosecutions as an acting judge. The LSSA agrees with the above organisations that it is undesirable for a government official – while still retaining his civil service position as a public prosecutor – to be a member of the judiciary. This offends the concept of judicial independence.

In addition, the LSSA believes the manner in which the acting position was canvassed – in terms of which the Minister made both the nomination and the appointment – hints at Executive interference in the judiciary.

**ISSUED ON BEHALF OF THE CO-CHAIRPERSONS OF THE LAW SOCIETY OF SOUTH  
AFRICA, THOBA POYO- DLWATI AND HENRI VAN ROOYEN**

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**Editor's note:**

The Law Society of South Africa brings together its six constituent members – the Cape Law Society, the KwaZulu-Natal Law Society, the Law Society of the Free State, the Law Society of the Northern Provinces, the Black Lawyers Association and the National Association of Democratic Lawyers – in representing South Africa's 18 800 attorneys and 4 900 candidate attorneys.

In Afrikaans items, please refer to the 'Prokureursorde van Suid-Afrika'.

