FACULTY OF LAW
CONTINUING LEGAL EDUCATION
SEMINAR SERIES 2010/2011:

Appointment, Discipline and Removal of Judges in South Africa

By Professor Hugh Corder
University of Cape Town

DATE & TIME : 25 NOVEMBER 2010, THURSDAY, 2.00PM
VENUE: LEE SHERIDAN CONFERENCE ROOM, EU TONG SEN BUILDING

ABOUT THE SPEAKER
Hugh Corder has law degrees from the Universities of Cape Town, Cambridge, and Oxford. He has taught at the University of Stellenbosch, but has been the Professor of Public Law at the University of Cape Town since 1987, where he teaches Administrative Law at both LLB and LLM levels, as well as an introductory course on the making of South African legal culture. Most of his published work (in books, edited collections, chapters, and articles) concerns administrative justice and the judicial branch of government. He led the process of reform of administrative law after the end of apartheid.

Prof Corder served as a member of the Committee which drafted South Africa’s first Bill of Rights in 1993, and acted as a technical adviser to one of the six committees which drafted the 1996 Constitution. He also consulted to the Speaker of Parliament on a number of reform initiatives in that institution in the late 1990s. He served as Dean of the Faculty of Law from 1999-2008, and was elected a Fellow of the University in 2004. He is a member of the Council of the South African Judicial Education Institute, and an alternate member of the Judicial Service Commission. Prof Corder is married with five children.

ABSTRACT
The system of appointment, discipline and removal of judges in South Africa was modeled very much on the Westminster system as applied throughout the Commonwealth before 1994. The advent of a constitutional democracy with the end of apartheid in 1994 brought with it the power of judicial review of legislative action, against the standards set in the Constitution, and necessitated a change in these aspects of judicial service. A further vital challenge was to transform both the demographic profile of the judiciary and the way in which judges approached the judicial process, especially considering the entrenchment of socio-economic rights in the Bill of Rights. The process of judicial selection is thus new, with the central role being played by the Judicial Service Commission, and there has been a rapid change in the racial composition of the Bench, with less success as regards the appointment of women. The Constitutional Court has led the way in “transformative constitutionalism”, but has been damaged as an institution by a recent dispute with one of the senior judges elsewhere in the superior court system, who has himself been the subject of several allegations concerning his fitness to serve. Judicial discipline thus remains a thorny issue; no judge has yet been removed from office.

This seminar will sketch the main issues in this area of the constitutional law of South Africa, and provide critical analysis, as well as time for more wide-ranging discussion on South African events.

REGISTRATION
There is no registration fee for this seminar but seats are limited. To register, please click here and you will receive an automated message upon submission. For enquiries, please contact Ms Poova at Tel: 6516 3644 or email her at clemail@nus.edu.sg
Directions to the law school may be found at http://law.nus.edu.sg/faculty/Location.htm