

Guard independence, legal eaglets told

STAFF REPORTER

SOUTH AFRICAN judges are not fully protected, Constitutional Court Justice Bess Nkabinde has said in a speech given at the University of Pretoria as part of a Women in Law project celebrating Women's Month.

Justice Nkabinde told the law students in the audience that she had been in the US delivering a lecture and students there had seen her walking outside on her own and asked if it was the norm in SA for judges to venture out in public without bodyguards.

"They told me that in the US you would never see a judge walk around like normal citizens do. A colleague of mine was attacked twice at her home recently by armed

men and she was very frightened. When you are frightened you won't be able to do your job," said Justice Nkabinde.

She added that she had driven herself to the university to deliver the lecture. She told the woman students that, as lawyers and judges, they would have to work twice as hard as their male counterparts to get the same recognition.

She encouraged them to bolster judicial independence.

"When you step out of here, you must shape the law as it ought to be



Justice Nkabinde

and remain committed in everything you do. You must maintain a good character and a good name. Use the gift you have to leave footprints and do that with your heart and soul," she said.

Justice Nkabinde also told the many aspiring lawyers that, if they became judges, they should not look at the name of the person involved, but at the merits of the case and pass judgment based on these.

"When you judge, do so with humility and distance yourself from the case. Don't look at the names. When it comes to issues of public leaders, close your eyes and just focus on the facts presented to you."

Judges were privileged as they did not need to do anyone any favours to secure a better position.