

Business Day

Radebe appoints sheriffs to fill vacant posts

by Ernest Mabuza, July 08 2013, 07:16



Justice Minister Jeff Radebe. Picture: GCIS

JUSTICE Minister Jeff Radebe has announced the appointment of 71 new sheriffs to fill in vacant offices of sheriffs countrywide as he continues to make progress in transforming the profession.

Sheriffs are officers of the court and have an important role in the criminal justice system as they act as third party to the court process and execute the warrants and orders of the court. They generate their own income by billing parties in civil matters where they have to attach, evict or serve a court order.

Of the 465 sheriffs in South Africa before 1994, 414 were whites, 44 were black, five were coloured and two were of Indian origin.

In a statement last week, the department said the 71 new appointments would bring the total number of permanent sheriffs operating in South Africa from 298 to 365 after transformation requirements were carefully considered and implemented.

"Of these 365 sheriffs, 175 are white (48%), 139 African (38%), 27 Indian (7%) and 24 coloured (7%). Women now represent 82 (22%) of the total sheriffs and men 283 (78%)," department spokesman Mthunzi Mhaga said.

The South African Board for Sheriffs (SABFS) welcomed the appointments saying it was going to ensure that the new sheriffs were adequately trained both theoretically and practically before they assume office on October 1.

"The SABFS will continue being the driving force behind the transformation of the profession. We will exercise our statutory role of promoting a professional sheriffs service that is respectful and efficient, that delivers justice to all with integrity and accountability," spokeswoman Nikiwe Vuba said.

The board plays an indirect role in the appointment of sheriffs through its control over the issuing of Fidelity Fund Certificates, without which a person is not entitled to function as a sheriff.

Ms Vuba said the board was also going to ensure that a thorough hand-over process with the outgoing and retiring sheriffs was properly facilitated.

She said a circular was issued by the department last November which outlined steps that needed to be followed when a new sheriff was taking over.

The circular gave guidance to court managers in performing functions related to the handing over of court processes, attached assets and outstanding files to a new sheriff.

In a separate development, the Council for the Advancement of the South African Constitution has asked the highest court in the land to force President Jacob Zuma to appoint a permanent national director of public prosecutions within 30 days, months after Mr Radebe promised that the appointment would be announced.

Mr Zuma will oppose the rights lobby group's Constitutional Court application to force him to make the appointment.

The prosecuting authority has been headed by acting head Nomgcobo Jiba for nine months, but has been without a permanent head since the Supreme Court of Appeal set aside Mr Zuma's appointment of Menzi Simelane as national director of public prosecutions in 2011.