

## Judicial Service Commission interviews

07 October 2015, afternoon session

### Free State Division of High Court

***DISCLAIMER: These detailed unofficial transcripts were compiled to the best of the abilities of the monitor. However due to capacity constraints they have not been fully edited. We have therefore made the audio recordings available that were taken during the interviews available. Those wishing to cite or quote from the transcript are encouraged to check accuracy with reference to the audio file.***

### Interview of Adv C Reinders

Deputy Chief Justice Moseneke: Firstly, we will like to apologise for the late starting of the interview as waiting is never pleasant, except maybe if one is waiting for marriage. Why do you want to become a Judge?

Adv C Reinders: I made myself available to become a Judge because I believe that I'm in a position to reconstruct our society, I feel that I'm capable to deliver on what is enshrined in the Constitution.

Moseneke: That is obviously related to your upbringing and background.

Reinders: That is indeed correct.

Moseneke: Where were you born?

Reinders: I was born in Kimberly, in the Northern Cape.

Moseneke: You live in Bloemfontein now, when did you move to Bloemfontein?

Reinders: I move to Bloemfontein because of my studies in 1985, I now consider myself a *Free Stater* and very loyal to the Free State.

Moseneke: You also went on to study in the UFS, and you did your undergrad and postgrad in that university? Could your parents afford to pay for your university?

Reinders: Yes, that is correct. My parents did not afford to pay for my university education and I come from a very humble background, my dad was a miner and I had to finance my studies by applying for the loan. I had to work on a part-time basis as an academic assistant in order to ensure that I was able to repay the loan.

Moseneke: I see that your children have grown now and you've had a quite long career and you qualified with an LLB in 2002.

Reinders: Yes, my children have grown now and I still have the youngest one who is still in grade 11, and the two other ones, one is an admitted attorney while the other one is in her final year of education. I could say my children are more out of my hands now and in a stage where they could take care of themselves.

Moseneke: I see that you've been an Advocate for like 30 years.

Reinders: Yes, that is correct.

Moseneke: Have you taken *Silk* yet?

Reinders: I have not taken *Silk* yet and this will only be applicable to me from 13 years on. I will consider taking *Silk* and applying for it.

Moseneke: I see you've never been a member of a political organisation, was there any social and political space that you remember where you grew up?

Reinders: I believe that people should be treated equally and with utmost respect, even though I was a child at that particular moment and it has always been my belief that people should be treated with dignity they deserve and this is how I was brought up. I was lucky enough to have been brought under my dad who worked as a miner and he was exposed to all people of different race and class.

Moseneke: Our country is very unequal; meaning access to jobs, skills and opportunities are things that are spread unequally. Are you aware of that?

Reinders: Yes, I am fully aware of that.

Moseneke: Are you aware that our Constitution envisages a different society than the one we have now, a society based on the achievement of equality. How are you going to achieve what is enshrined in the Constitution, if you become a Judge?

Reinders: The way to achieve what is enshrined in the Constitution is to treat everyone equally; this could also be achieved by bringing justice closer to people and people need to see that justice is made accessible to them.

Moseneke: The Constitution requires you to interpret the law in a way that advances the achievement of equality. How are you going to work that through in your judgement?

Reinders: I believe as a Judge you have a voice which should be clear in your judgement and the Judge needs to be cognisant of the Constitution and the application of the law needs to be consistent to the Constitution.

Moseneke: I see you have not written on the law itself.

Reinders: No, Sir. I have only written an article in 2004 on the women in the Bar and they requested my views on the women in the Bar and how they were treated I just forgot to mention it on my CV.

Moseneke: Do you think you have sufficient intellectual capacity to wrestle with the issues of jurisprudence that a Judge often has to deal with?

Reinders: I believe I do, my academic record shows that I was given an award as the best LLB student. I'm capable of anything that needs to be addressed which is pertained to jurisprudence.

Judge President Molemela: Would you be able to deliver judgement within the prescribed time?

Reinders: Yes, if you look at my judgements, I was able to deliver based on the prescribed time-frame, especially dealing with urgent applications.

Molemela: Do you think collegiality is important?

Reinders: I believe collegiality is very important as this allows people to be able to interact with Judges and this also makes a stronger branch like Free State.

Magashule: What was your role as a legal officer?

Reinders: I was appointed as the first female in the division at that stage, and I had to deal with practical issues.

Magashule: What is your understanding of judicial independence?

Reinders: My understanding of judicial independence is that Judges need to be cognisant of the Constitution in their judgements. Judges also need to make judgements outside influence, whether political or private individual and they should be consistent to the Constitution and the rule of law.

Ndoni: How do you think Judges should be accountable?

Reinders: I think Judges should be held accountable in how they do things, as you're a part of judiciary and there are certain obligations that you will be required to be compliant with.

Semenya: How would you describe your personal idiosyncrasies?

Reinders: My role of thinking is that every Judge or person has a specific way in which they think and it is important for the Judges to be independent in the making of their judgements and reflect on those judgements.

Masutha: There is a general view that justice is not reachable to the people especially those without resources and the confidence in the justice system seems to be waning. Would you agree with this statement?

Reinders: People still think that the judiciary is not accountable and some feel that there is not access to justice than it was previously. As for myself, I'm very proud of what the country has achieved, judicially and have confidence in our judiciary.

Singh: I note that your husband is also an Advocate in the Free State; did you have an influence on this in terms of recommending your husband?

Reinders: I certainly did not have an influence on the position that he occupies as this was something that was done independently.

Singh: What in your case indicates that justice has been reached?

Reinders: I believe there are already good strides that have been made in terms of bringing justice to people and this could be achieved by bringing justice to people who previously did not

have access to justice because of economic background. It is the responsibility of the legislator to put measures in place to ensure that justice is accessible even to those without financial means.

Moseneke: Thank you for making time to pitch for the interview and you will know about the outcome of the interview in the afternoon. Thank you, once again for your patience and good luck for everything.

Reinders: Thank you, Sir.