



# JUDGES MATTER

## **Judicial Service Commission interviews**

**12 April 2018.**

### **KwaZulu-Natal Division of the High Court**

#### **Interview of Ms K Q Hadebe**

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CJ M. Mogoeng: Good morning, Ms Hadebe.

Ms K.Q. Hadebe: Good morning, Chief Justice.

CJ M. Mogoeng: Are you well?

Ms K.Q. Hadebe: Yes -

CJ M. Mogoeng: Or is it under the circumstances?

Ms K.Q. Hadebe: -- Under the circumstances yes, Chief Justice.

CJ M. Mogoeng: All right. Tell us about where you obtained your BProc from?

Ms K.Q. Hadebe: Thank you, Chief Justice. I started at the University of Zululand. I started in 1978. I could not go back in 1979, then I went back again in 1980, 1981 and I finished in 1982.

CJ M. Mogoeng: Why could you not go back, if it is not confidential?

Ms K.Q. Hadebe: No, Chief Justice, it is not. It was the issue of funds. For me to be able to register initially in 1978 my aunt had had to raise about R600 for that registration but even then, it was not forthcoming in the sense that she also had to scrape around for it. But fortunately, at that time, there were people like Professor Bengu. Somehow, he managed to keep us around at the university. I think it was sixteen of us who did not have money for registration. For about a week we just happen to be around there eventually we managed to register. I did manage to get my first-year courses, but then the year after that it just became impossible. Then I went looking for employment in Ulundi. It so happened that when I went to – it was easy in those days, you would just walk into the office and get appointed. The person who signed my appointment documents was my now late brother and friend, B. J. Buthelezi. I think somehow, he saw some potential because he insisted that I should go back to school. I got introduced to Mr Ishimier, and I did not understand why they kept on insisting that I should apply because there was just nothing. But then I did apply and the office of Ishimier sponsored my education and for the first time, I could get R40.00 hostile orders on a monthly basis because when I first went to school I stayed with my friend Mrs Mapomulo –

CJ M. Mogoeng: Yes.

Ms K.Q. Hadebe: She had a nursing mother. So we would go there – we did not have rent – there was a clinic running at the University. A very well-run clinic by Dr Ben Gobani, she gave us the medical attention for R1.00. But we would sit there, and we would not have that rand so whenever – she was Miss Clonga then – she would go home, her mother was a divorced mother, but she was a nursing sister. So she would have an R5.00 for me and an R5.00 for Mrs Mapomulo so we would have that bit of money. But when the office Mr Ishimier got involved then we got the luxury of getting R40.00 which was quite a lot of money.

CJ M. Mogoeng: Yes.

Ms K.Q. Hadebe: And fortunately we did well. So there were progressive organisations like the SASET . I remember the SASET and there were some women organisations which gave us some bursaries and up to the third, fourth year the situation had improve.

CJ M. Mogoeng: Yes did you meet the current DJP there or not?

Ms K.Q. Hadebe: I cannot remember because the DJP I would imagine is younger than I am. The current DJP for KZN?

CJ M. Mogoeng: Yes.

Ms K.Q. Hadebe: Oh yes, but I do not think we got formally introduced. But he must have been during that time.

CJ M. Mogoeng: I was surprised when you said he is younger than you are.

Ms K.Q. Hadebe: No, I mistook the question for CJ. I am sorry, Chief Justice.

CJ M. Mogoeng: Okay. Now LLB where did you do it?

Ms K.Q. Hadebe: At that stage, I had acquired my junior degree and the circumstance were such that I had to work, my background. I had to work. So I was working I was in Ulundi then we were a group of a few people who had done our junior degrees at the University of Zululand. So we would afterwards, we would travel, and I remember I was the only female then, who would travel with my colleagues from the offices. We would sometimes miss the taxi in the evening because we would have to drive from work, but the lecturers were understanding, and they would accommodate us, and we managed to finish our LLB.

CJ M. Mogoeng: Yes. You come across as relaxed now. Are you relaxed can we -

Ms K.Q. Hadebe: I am feeling much better.

CJ M. Mogoeng: Okay.

Ms K.Q. Hadebe: Thank you.

CJ M. Mogoeng: So going forward where you are able to be brief, just be brief and the details will be sought from you.

Ms K.Q. Hadebe: Yes, thank you, CJ.

CJ M. Mogoeng: Now when were you given the opportunity to act in the High Court?

Ms K.Q. Hadebe: It was first around October in 2007 when the Chief Magistrate of Durban, Mr Mabaso, recommended me to Judge Mahoba in the Eastern Cape.

CJ M. Mogoeng: And you had been a Magistrate for how many years as at that time?

Ms K.Q. Hadebe: From 1995 to 2007, it was about twelve years then.

CJ M. Mogoeng: Yes. And how did you find your acting stint?

Ms K.Q. Hadebe: I was actually apprehensive when I went to the Eastern Cape because I was considering the language, but they were very -

CJ M. Mogoeng Which language isiXhosa?

Ms K.Q. Hadebe: -- Yes, Chief Justice. I thought it was going to be a foreign province, but they were very kind and I was doing criminal court. So it was doable.

CJ M. Mogoeng: Yes, did you ultimately get involved in civil matters?

Ms K.Q. Hadebe: It was somewhere in 2010 I had one acting stint in the Pietermaritzburg High Court.

CJ M. Mogoeng: Yes.

Ms K.Q. Hadebe: My first encounter with the Civil Court.

CJ M. Mogoeng: So in all the Divisions that you have acted in if you add up your acting stint how long would you say you have acted for?

Ms K.Q. Hadebe: Only overall?

CJ M. Mogoeng: Yes.

Ms K.Q. Hadebe: It was one month in 2010 and about 2 months – it was 2010/2011 then there was a lull after that then the invitations resurfaced in 2017. But to be specific on the – I have had more acting stints in the criminal court than in the civil court. In the civil court, I have had about four sessions.

CJ M. Mogoeng: Just in your own words, boast a bit and tell us why you believe you ought to be one of those to be recommended for appointment?

Ms K.Q. Hadebe: My view of the office of the Judge is that it is an Honourable Profession, you influence the law by writing your judgements but coming to me specifically I believe that my story is a story of hope. In my career and in my private life I am entrusted with the care of a number of young people and when they listen to my story and they see what is possible under difficult circumstances I think they get encouraged. So even becoming a Magistrate, because I still go back to the same community that I grew amongst. I still see them on a monthly basis. I become their go-to person for a number of things. So I believe even being a Magistrate for them it was a was an achievement. So if they believe that despite the circumstances you can still attain the office of a Judge I think I will encourage a lot of young people.

CJ M. Mogoeng: And if the interest is to know more about your ability to grasp legal concepts and apply them properly what would you have to say on that score? How did you ready yourself to function as a High Court Judge who find it reasonably easy to grasp legal concepts, however complex they may be said to be and apply them as a Judge is required to apply them? Whether you make mistakes in the process or not, it does not matter, we all make mistakes. But what is it that prepared you? How did you prepare yourself?

Ms K.Q. Hadebe: I think the work itself, Chief Justice, prepares you before because you have got to a lot of reading. You do a lot of research and you write a judgement in which you want to be comfortable to give to a senior judge to criticise you and to correct you. So the job itself makes you to want to read. But the other day I was reading an article by Margret Marshall she is the Chief Justice of the Massachusetts Civil Judicial Court, she says for the Courts, especially the Constitutional Court to be able to address diversity, to address the diversity of the society we live in she believes from where she stands that – she says because if we say people must be equipped in the sense that you must know or you must excel in the civil court for instance, because I have the criminal background, then it means you would not be able to address the issues of diversity. Because she says she believes that with judicial mentoring and judicial education any Judge – a Judge in a higher court can serve in a lower court and a judge in the lower court, a judge who specialises in civil court can specialise in the criminal court, it is a matter of the intellect. It is a matter of the courage that you want to do the work and you just have to be teachable to be able to fit into whatever sphere you are called to serve in as a judge.

CJ M. Mogoeng: For what it is worth did you know that retired Chief Justice Marshall was born and bred in South Africa?

Ms K.Q. Hadebe: Actually she says that. She says that -

CJ M. Mogoeng: Oh, she says it.

Ms K.Q. Hadebe: -- I am sorry, Chief Justice. She says she believes Braam Fishcer would have objected because Braam Fishcer theory was that she wants to keep the

faith to remain in South Africa, to keep the faith with the people who had disadvantage by apartheid. So she says she left in 1968, she had not even studied law by then, but she went to Massachusetts and she became the Chief Justice.

CJ M. Mogoeng: Yes, very well. Deputy Judge President?

DJP M.I. Madondo: Thank you Chief Justice. Ms Hadebe how long have you been a Regional Magistrate?

CJ M. Mogoeng: DJP if you could draw the mic closer to you so that – yes thank you so much. Thank you.

Ms K.Q. Hadebe: Thank you, DJP. I was appointed in 2004, so I have served as a Regional Court Magistrate for about twelve years.

DJP M.I. Madondo: You have had several acting stints in various divisions as we have said, on the High Court Bench. May you share with us your experiences on the High Court Bench if you can?

Ms K.Q. Hadebe: Thank you DJP. Initially, when I came to act in 2010 I was so to say comfortable to an extent because it was the criminal court but then I had two hard working assessors who challenged me, and I remember that we finalised our calendar before our time. Then it was Judge Msimango pushed that I had to do civil court and my first experience it was, I feared the Motion Court but then I had a lot of help. I managed to do the Motion Court effectively and now that I have had a second stint at that stint and I can say I have, I still have the fear of the Motion Court, but I am comfortable I can manage the court.

DJP M.I. Madondo: Yes. Did you experience any problems in the performance of your judicial duties?

Ms K.Q. Hadebe: Can I perhaps ask DJP problems in what sense?

DJP M.I. Madondo: Whether you encountered any problems in the performance of your duties, whatever problems can be attended to what you were doing?

Ms K.Q. Hadebe: There is a lot of work in the High Court but when it comes to hurdles you do get assisted, you can walk into any office and ask and be assisted.

DJP M.I. Madondo: But you did not have any particular problems?

Ms K.Q. Hadebe: My nemesis was the Motion Court because coming from the background of the Regional Court the most defence attorneys you may have is about five. You walk into that court there is no assessor, you are all by yourself. Then questions come from all over the house, you end up not even being able to grasp the names of the counsel, but the most important thing is do you listen to them, do you follow the argument and then are you able to respond to what is being placed before you.

DJP M.I. Madondo: Yes, but did you manage to overcome such problems?

Ms K.Q. Hadebe: I overcome my nerves, yes DJP.

DJP M.I. Madondo: All right. Do you have any outstanding judgement at the High Court?

Ms K.Q. Hadebe: Yes, I do. I have two.

DJP M.I. Madondo: How old are they?

Ms K.Q. Hadebe: I pick them up in December. The situation was that when I left the Regional Court I still had outstanding matters. I was appointed temporarily between July and September. Now the situation in the Regional Court is that it is not as structured as the High Court. You find that on any given day your prosecutor will carry about more than ten dockets and you have to deal with all of them. So for any sitting, Regional Court Magistrate, at any given time you will find that you are carrying about thirty party-heard matters. So when I left the service I knew I was

going to leave at the end of March last year but in the Regional Court you do not have the option of saying I am not going to start with new matters because the witnesses will be there, the matters will be ready for hearing. Now the Pinetown Court had one specialised court for sexual offences matters and there were only two Magistrates for the mainstream courts. So we served ten police stations and the Pinetown CBD has people importing themselves from the surrounding of Verulam Kwamashu to come and commit the crime and that it was only the two courts that had to deal with those matters. So when I left I had that number of cases but when I had the opportunity to be appointed to act for three months I managed to deal with twenty-four judgements and I finalised them. Then it was a matter of coming on a day or two in a week, then on a day or two in a week. Now, when I had done the matters that I had picked up in Durban in the civil court I had prioritise because in the criminal court people were in custody. So I opted to deal with the matters that were ready for judgement which even in that case were not that easy in the sense that there are problems. There is load shedding. In one matter which I finalised on Tuesday, the person is in C-Max in Bongweni in Kokstad, he demands so to have a witness who is C-max somewhere in Gauteng. So when you get that witness, when he eventually comes you need to deal with that case and finalise it so that is how I found myself in the situation of having this two outstanding matters.

DJP M.I. Madondo: So you managed to finalised twenty-four out of how many cases?

Ms K.Q. Hadebe: There were thirty-four. I finalised twenty-four between July and September. Then between January and now I had a day or two in the week, a day or two in the week in the Regional Court I am left with four partly-heard matters.

DJP M.I. Madondo: And two in the High Court?

Ms K.Q. Hadebe: And two in the High Court. Yes, DJP.

DJP M.I. Madondo: Yes Ms Hadebe in the present Constitutional dispensation Customary Law they enjoy equal status with Common Law and it forms part of our law as well now. Do you have any knowledge of Customary Law?

Ms K.Q. Hadebe: The basic that I have was when I dealt with Amakozi way back when I was Head of Office in Umzumbe but even then, it was a matter of appeals emanating from the Courts of Amakozi.

DJP M.I. Madondo: But during your acting stint have you come across a scenario where you had to develop Customary Law?

Ms K.Q. Hadebe: Not really DJP. No.

DJP M.I. Madondo: Okay, thank you, Chief Justice.

CJ M. Mogoeng: Thank you, Deputy Judge President. MEC Thusi?

MEC W. Thusi: Thank you, Chief Justice, Ms Hadebe I have got one question to ask. The issue of transformation of the Judiciary is a challenge. It remains a reality that black Africans, more especially women are still underrepresented on the Bench and the situation had not improved in the post-1994 era taken into consideration the demographics in Kwa-Zulu Natal. What is going to be your contribution in trying to remedy the imbalance, taking into consideration Section 174(2) of our Constitution and in your own words you just heard your story is a story of hope, we hope you will contribute to change the situation.

Ms K.Q. Hadebe: Thank you, mam. My starting point will be that there should be a willingness to address the situation from the people seized with that authority because they are women. I happen to be one of them but if you do not get the necessary exposure then the impression may be that women are not there, but women are there. They need to be discovered and they need to be trained and be given the opportunity to act. Because I was looking at the reports that were written, the comments that were made by the bodies. In our Province, for instance, the demographics demand that the situation be addressed and be addressed as of yesterday. So I would hope to see a situation where women are discovered, and they get the necessary training.

CJ M. Mogoeng: Minister?

MIN M Masutha: Good morning, mam.

Ms K.Q. Hadebe: Good morning, Minister.

MIN M Masutha: Let me prefix my question with the following; there has been cases of Magistrates who were elevated to the Bench and who experienced difficulty. Do you believe that having served as a Magistrate, especially at different levels, sufficiently prepares a person as a presiding officer to ascend to the Bench? Or is there something else that may be done to smooth out that passage upwards for the Magistracy as a profession?

Ms K.Q. Hadebe: Thank you, Minister. I think the problem of incapacity for people who are Magistrates started when the Regional Court was structured to deal exclusively with criminal matters. But now that there is that mixture of the criminal court and the civil jurisdiction I think in the long run it is going to equip Magistrates to be ready for – like I studied civil law at University way back in the 90's. My first encounter was in the High Court when I was given the stint to act. But in the present set-up where the civil jurisdiction is also offered in the Regional Court, I am of the view that it will to a certain extent address that situation so that when people get that opportunity they do not start from ground zero.

MIN M Masutha: Well actually that leads to my next question but before that, I am a little bit unclear with the answer you just given. I thought that District Courts have both civil and criminal jurisdiction?

Ms K.Q. Hadebe: Yes.

MIN M Masutha: How did it happen that in your case, as you say, you were only exposed to criminal until you got to Regional?

Ms K.Q. Hadebe: Thank you, Minister, we came from the homeland when we qualified. We were still falling under the homeland. The nearest place which I could

go to was Emzodo Court which is a small court in the Rural South Coast which did not have any civil jurisdiction. Then it so happens that I became Head of Office when we were transferred together with my assistant to the Durban Court. But when we came there it was still a transitional stage and the Civil Court was a preserve for certain people. You would be relegated to the Traffic Court. You just did not get to do the Civil Court. You did not have the choice to go and do the Civil Court.

MIN M Masutha: Maybe the Chief Justice should intervene to make sure that the situation is evened out. But my last question relates to what I said follows on your earlier response and that is in your specific case now that you have served in the Regional Court, and I cannot recall when we introduced civil jurisdiction there, how much of civil have you since been exposed to? Especially given the fact that, in your own admission, even as you acted in the High Court again you had little exposure to civil and seem to have been again relegated to criminal work.

Ms K.Q. Hadebe: Thank you, Minister, I did not have any exposure because the Pinetown that I operate from, the Pinetown Court, was not one of the designated courts so I did not get any exposure at the Regional Court level.

MIN M Masutha: But you are satisfied with the current acting stint that you had and the little exposure to civil work at the High Court there has been sufficient preparation for you to deal effectively with the civil area? Or is it something that perhaps through judicial training may need to be firmed up?

Ms K.Q. Hadebe: Thank you, Minister, I believe that I have been given a variety of civil court roles through which I have managed to tap into different fields of the civil court jurisdiction so as to equip me to operate as a High Court Judge.

MIN M Masutha: Thank you, Chief Justice.

CJ M. Mogoeng: Thank you, Minister. Commissioner, Norman.

COMM T. Norman: Thank you, Chief Justice. Good morning Ms Hadebe.

Ms K.Q. Hadebe: Good morning, Mam.

COMM T. Norman: I just want, as a follow-up the three outstanding judgements if I may ask, are they relating to civil matters or criminal matters? The two, I beg your pardon.

Ms K.Q. Hadebe: Thank you, mam. The two are civil court matters.

COMM T. Norman: Yes, and when do you think you will have those delivered?

Ms K.Q. Hadebe: I have undertaken within me that at least by the end of this month they must have been delivered.

COMM T. Norman: Yes, thank you. Thank you, Chief Justice.

CJ M. Mogoeng: Thank you, Commissioner Norman. Commissioner Mpofu?

COMM J Mpofu: Thank you very much, Chief Justice. Good morning madam.

Ms K.Q. Hadebe: Good morning, Mr Mpofu.

COMM J Mpofu: Yes, I just wanted to talk about the specialisation that you seem to have in the criminal court. I see it as an advantage by the way, because I think everyone brings their whatever speciality; it might be tax law, it might be competition law, so at least if you bring some speciality it is a good thing. You used the word teachable. Are you teachable? And more than that, willing to learn and acknowledge whatever shortcomings you might have on the civil side. And what extra steps have you taken to kind of catch up on that side?

Ms K.Q. Hadebe: Thank you, Mr Mpofu. I believe that I am teachable. I am open to criticism in the judgement that I have written I freely given them to senior judges to look at them. Those judgements that I would have written and to criticise me. So I am teachable. I found that the rules book, I think by Judge Joffe and others, they actually carry a wealth of information in that it is not only the Rule, the refer you.

Then you can get into cases. You can read cases and then in that sense you would develop your knowledge of whatever concept that you would be dealing with at any given case.

COMM J Mpofu: Thank you, yes. By the way, I think what you have called your rural background is also an advantage. My next question is just a matter of concern. You know in the High Court, at least the ones where I practice here, the whole question of partly-heard matters has successfully been completely banned so we do not have such a thing. I am sure sometimes it is not avoidable. It is probably easier to achieve in a High Court, but the idea of having thirty-four part-heard matters surely must compromise the administration of justice. Are there any steps that are taken at the levels of the Regional Courts to, and I am sure you cannot eliminate but to discourage that kind of thing?

Ms K.Q. Hadebe: Thank you, Mr Mpofu, but the problem is I think like in any part of the country the Court Rolls are not going down because of the level of crimes. I still believe that for a small court like Pinetown to have only two courts and service ten police stations it is not going to help to try and bring the rolls down. But I think looking at when I was a full-time Magistrate I carried those matters but when I have the opportunity to deal specifically with my part-heards when I had that three-month appointment, there is a vast difference of the finalisation rate.

COMM J Mpofu: Thank you, CJ.

CJ M. Mogoeng: Thank you, Commissioner. Just a follow up there. The Judge President Japie and I have visited one of the centres. I will not mention which town or city. I think it was – was it on a Thursday or a Friday – and there was not a single Regional Court Magistrate and we were led to believe that it is practice; particularly on Friday, you would be lucky to find any one of them there. And if you do find them, it is because you have come before 9 am.

Ms K.Q. Hadebe: Are you aware of that tendency?

Ms K.Q. Hadebe: Thank you, Chief Justice, I am definitely not aware, and it is terrible indictment. But I have sat with one person, Mr Gumede, for about ten years some would see almost every tea time and we just did not have that luxury of being able to leave our Courts because the workloads were just too much.

CJ M. Mogoeng: There is a practice also, Regional Court Practice that I picked up in one of the provinces. Tell me if it applies either to the Regional Court in which serve or some that you know within KZN. And it is this; by way of an example, a Regional Court Magistrate in Pietermaritzburg would be travelling to Durban to do Regional Court work there and a Regional Court Magistrate in Durban would be travelling to Pietermaritzburg - where this one comes from - to go and do work there and where it is practised it encourages delays because apparently there is an SNT dimension that incentivises these travels. You do not travel, you do not get SNT you cannot afford a more expensive vehicle or a more expensive house. Have you experienced that to be a problem in some of the courts? This thing of people instead of staying where they are, doing basically the same work. It is not an issue of being exposed to more for reasons that do not make sense.

Ms K.Q. Hadebe: Thank you, Chief Justice. I am trying to imagine a situation when a situation like that would obtain because if you are appointed to Act in the Regional Court that is the only time perhaps I would expect people to travel, but for people to swop -

CJ M. Mogoeng: Yes.

Ms K.Q. Hadebe: -- When you leave your own station --

CJ M. Mogoeng: As a matter of practice. You are not aware of that?

Ms K.Q. Hadebe: It is unacceptable, Chief Justice. I am not aware of it.

CJ M. Mogoeng: So it has not contributed to your part-heard matters at all?

Ms K.Q. Hadebe: I have never had to travel at all. I have been permanently resident in Pinetown.

CJ M. Mogoeng: Thank you. Judge President Japie?

JP A. Jappie: Thank you, Chief Justice. You have perhaps Ms Hadebe dealt with some of the issues that I want to raise. You resigned from the Regional Court, is that correct?

Ms K.Q. Hadebe: Yes, JP.

JP A. Jappie: When you resigned how many part-heard matters did you have?

Ms K.Q. Hadebe: I had about thirty-four.

JP A. Jappie: I must try and clear this up it. There were times when I spoke to the Regional Court President to ask him to release you to come and act to come back to do part-heards and he was often very reluctant to let you come because of the many part-heards you had in the Regional Court.

Ms K.Q. Hadebe: At one stage, Judge President I was perhaps wrongly of the view that what was exactly the reason why I could not act in the period until I came back in 2017. That it had somebody else to assist them for me not to come and act because I do not believe that my situation is unique in carrying that number of partly-heard matters.

JP A. Jappie: You resigned, and you say you had a number of partly-heard matters and then you were given an acting stint. And that was last year.

Ms K.Q. Hadebe: Yes Judge President.

JP A. Jappie: And now, how many partly-heard matters do you still have in the Regional Court?

Ms K.Q. Hadebe: I have got four.

JP A. Jappie: You have got four, and that is all?

Ms K.Q. Hadebe: That is all.

JP A. Jappie: And in the High Court?

Ms K.Q. Hadebe: I have two.

JP A. Jappie: Partly-heard matters still -

Ms K.Q. Hadebe: Yes.

JP A. Jappie: -- That needs to be finished.

Ms K.Q. Hadebe: Yes.

JP A. Jappie: That was one of the difficulties that I personally experienced when you were acting. It does take some time for you to finish matters allocated to you. What would your comment be about that?

Ms K.Q. Hadebe: In the four acting stints in the civil court that I have had, I never had delayed matters. It is only this time when I had to juggle the matters in Pinetown and the matters that I had outstanding in the High Court that my matters have been delayed.

JP A. Jappie: You have already alluded that you did have some problems and I know at one stage I had to make my Registrar available to you to assist you in getting judgements out. Do you wish to make any comment about that?

Ms K.Q. Hadebe: I am trying to understand the question Judge President.

JP A. Jappie: Well I know there are difficulties with getting secretaries in the High Court. Did you experience that?

Ms K.Q. Hadebe: The ideal situation which does not normally happen is that you would rather not pick partly-heard matters if you are acting because once you leave the High Court it is difficult to get somebody to type your judgements.

JP A. Jappie: Yes. Thank you, Chief Justice.

CJ M. Mogoeng: Thank you JP. Commissioner Singh?

COMM N. Singh: Thank you very much, Chief Justice. And good morning Ms Hadebe.

Ms K.Q. Hadebe: Good morning, sir.

COMM N. Singh: I see we live in neighbouring suburbs in KwaZulu Natal. I am not far away from you. Chief Justice I have been covered largely by Judge Japie and Commissioner Mpofu on the question of the outstanding judgements which is a matter of concern. But what I would like to know Ms Hadebe, is a question of you resigned. I have heard that you resigned -

Ms K.Q. Hadebe: Yes.

COMM N. Singh: -- From the Regional Court. What were the circumstances that made you resign from the Regional Court? And just by-the-by I see that maybe Commissioner Mpofu does not remember you but twenty-two years ago you introduced him and thanked him as a guest speaker at a function.

Ms K.Q. Hadebe: Yes.

COMM N. Singh: It is on the record here.

COMM J. Mpofu: I plead guilty.

Ms K.Q. Hadebe: Thank you, Mr Singh, the reason is simple; I was not going anywhere. I had done the criminal court like forever. Starting from the district court when I was and in Durban then move to Pinetown. I did not think there was any chance in hell of me going into the civil court, so I had to think in what other ways I could utilise the years that I had left of active service.

COMM N. Singh: So you were frustrated at that time and that gave a – is this your first application to be a Judge?

Ms K.Q. Hadebe: It is, Mr Singh. I would not like to use frustrated because the job that I did has afforded me a house, it has afforded me the education of my grandchildren, it has afforded me the opportunity to afford for my extended family and all the people that cross my path, so it was not as bad as frustrating, but I had reached the ceiling.

COMM N. Singh: Thank you, Chief Justice.

CJ M. Mogoeng: Thank you, Commissioner Singh. Miss Hadebe you are excused.  
Thank you

Ms K.Q. Hadebe: Thank you, Chief Justice.