

MEDIA RELEASE	PSA calls for urgent intervention by Minister of Justice and Constitutional Development amidst judicial crisis
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The Public Servants Association (PSA) expresses profound concern regarding the escalating constitutional crisis confronting the South African Judiciary, arising from the systemic and prolonged neglect of conditions of service, remuneration, and the institutional status of Lower Court Judges.

The PSA notes with alarm the unprecedented nationwide protests embarked upon by Lower Court Judges. These judicial officers who preside over approximately 95% of South Africa's judicial workload, form the operational core of the justice system. Their daily adjudication of criminal, civil, family, and equality matters sustains the rule of law and ensures access to justice for millions of citizens. Despite this, Lower Court Judges continue to endure institutionalised inequity and economic discrimination. Unlike their counterparts in the High Court, Supreme Court of Appeal, and Constitutional Court, Lower Court Judges remain excluded from essential judicial benefits such as medical aid, security provision, official vehicles, and pension parity. This entrenched disparity undermines judicial independence and contravenes the spirit and intent of Chapter 8 of the *Constitution*, which envisages a unified, independent judiciary.

The PSA is concerned about the persistent failure of the executive and the legislature to give practical effect to this constitutional imperative. For three decades, successive administrations have deferred or ignored the creation of a single, coherent judicial framework that affords all judicial officers equal dignity and protection under the law. The Independent Commission for the Remuneration of Public Office Bearers and the Magistrates' Commission have likewise failed in their statutory duties to safeguard the economic independence and well-being of Lower Court Judges.

The erosion of judicial remuneration has reached crisis proportions. Lower Court Judges have not received a meaningful salary review in over 17 years. Their cost-of-living adjustment for the current financial year that was due on 1 April 2025, remains unpaid. This neglect has reduced many judicial officers to financial distress, with reports of judges being subjected to debt review, a scenario that is constitutionally untenable and institutionally degrading.

The PSA regards the litigation instituted by Lower Court Judges against the President of the Republic as a distressing manifestation of institutional failure. It is inconceivable that members of the judiciary should be compelled to seek judicial relief against the executive merely to secure constitutionally guaranteed independence and fair conditions of service.

The PSA urges the Minister of Justice and Constitutional Development to immediately intervene to resolve this constitutional crisis through legislative and policy reforms that establish a single unified judicial system as envisaged by the *Constitution*. The President, in consultation with the Minister, must authorise an urgent

comprehensive remuneration and benefits review for Lower Court Judges, aligning their conditions of service with their constitutional and judicial counterparts. Parliament's Portfolio Committee on Justice is urged to convene an urgent public hearing to assess the state of judicial independence and to oversee the implementation of corrective legislative measures.

Judicial independence is a constitutional imperative. The erosion of the dignity and security of Lower Court Judges constitutes a direct threat to the rule of law and the administration of justice in South Africa. The PSA warns that continued inaction will weaken the judiciary and imperil public confidence in the integrity of the entire justice system. The PSA stands in solidarity with Lower Court Judges in their lawful and peaceful campaign for equity and recognition.

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