

Periodic courts help to improve access to the judiciary in the ISRD nodes

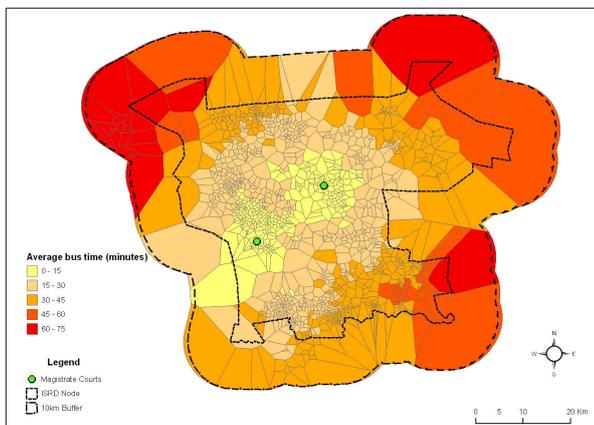
Information Brief 7

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Access norms and standards required for court facilities

The Department of Justice and Constitutional Development has two types of court facilities, namely; magistrate and periodic courts. The Department has not yet defined access norms for their court facilities. The average number of people that magistrate courts have to deal with in the 15 ISRD nodes is just over 74 000 people. When one combines magistrate and periodic courts, the number of people each court facility must handle drops to 55 000. This shows the effect that well located periodic courts can have in providing access to court facilities.

The average bus travel time to magistrate courts is 28 min which can be rounded up to 30 min. The average bus trip in accessing magistrate and periodic courts is 24 min. It was recommended that the department uses these access norms and standards for the purposes of this study. With only two magistrate courts, Bushbuckridge is an outlier with a demand of over 253 000 people. The orange and red areas on the map of Bushbuckridge indicates where people have to travel more than 45 min to get access to these courts (see map below).



With an average demand of over 120 000 people OR Tambo is also an outlier when it comes to accessing court facilities. The ISRD nodes that have much higher average bus travel times compared to other ISRD nodes are Kgalagadi (50 min) and Maruleng (49 min). On average the longest distance that has to be travelled in any one of the ISRD nodes is 1 hr 30 min with a worst case bus time being 2 hr 41 minutes in the ISRD node of Kgalagadi.

On average just over 67% of the population occur within a 30 min bus ride of all court facilities. Thus, 33% of the people in the ISRD nodes will need to be catered for by the provision of additional court facilities or alternative strategies should be implemented (e.g. transport plans). Maluti-a-Phofung (98.6%) and Bushbuckridge (93%) have most of their population within a 30 min bus ride of court facilities. Ninety five percent of the population within the nodes occur within a 60 min bus trip while 99% of the population are within 75 min.

Periodic courts improve access in nodes

The access maps of magistrate and periodic courts show that the location of especially



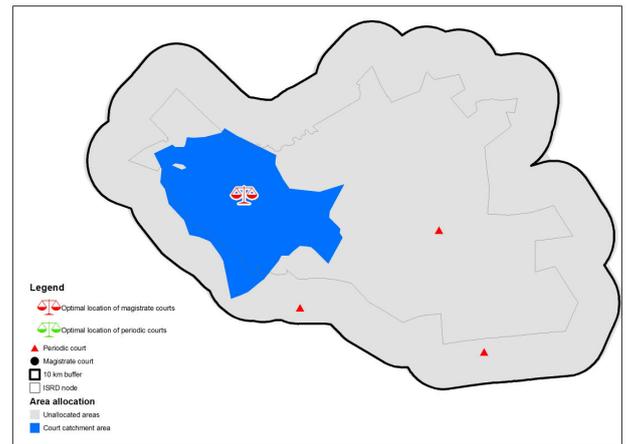
periodic courts can bring about quite a dramatic improvement in the accessibility to court facilities within the ISRD nodes. The accessibility study indicated that the three worst off ISRD nodes are Maruleng, Umkhanyakude and Alfred Nzo when it comes to high average distances travelled. Maruleng stands out as it is the only ISRD node that does not have a magistrate court.

Although Umkhanyakude and Alfred Nzo have a number of magistrate and periodic courts, the study showed that there are large populated areas in these nodes that have limited access to judicial facilities. These areas are located in the central, north eastern and north western parts of Alfred Nzo; the highly populated north eastern parts of Maruleng and the highly populated central and northern parts of Umkhanyakude. Other ISRD nodes that have access problems where people have to travel more than an hour to get to a court include large parts of Central Karoo, the northern parts of Kgalagadi, larger areas in central and north eastern OR Tambo, northern parts of Sekhukhune, parts of eastern Ukhahlamba, central parts of Umzimkhulu and isolated areas of Umzinyathi and Zululand.

Optimally located court facilities can significantly improve access

The study showed that by optimally locating magistrate and periodic courts the access to court facilities could be dramatically improved. For example, by optimally locating

a court in Maruleng, 79% of the people could be reached within a 30 min bus ride (see map below). By optimally locating one magistrate and one periodic court in Maluti-a-Phofung 98% of the people could have access to court facilities. Thus, the six existing magistrate courts could be rationalized to just two court facilities. Similarly by optimally placing two magistrate courts in Bushbuckridge, 86% of the people will have access to the judiciary in this node.



Key recommendations for Justice

The Department of Justice and Constitutional Development needs to develop a set of access norms and standards for their court facilities. The access norms and standards generated in this study can form the basis for doing this. To enable more of the population to be served and to ensure that existing court infrastructure is used more effectively may require the access norms and standards to be altered. For example, the travel time of 30 min may be increased to 60 min while the capacity may be increased to 100 000 people.

In the ISRD nodes most of the existing court facilities are situated in towns. New magistrate courts should be optimally located closer to the people and periodic courts used to provide access to the more remote communities. Once the access norms and standards for magistrate and periodic courts have been established further accessibility studies should be done to assist with optimizing the location of existing and new court facilities.

For further information please refer to the final report. Contact Trevor Holdsworth at the Dept of Public Service and Administration (dpsa) on (012) 336 1040 or trevorh@dpsa.gov.za