

2/4/5/4/2

**CONSTITUTIONAL  
ASSEMBLY**

**THEME COMMITTEE 5  
THE JUDICIARY AND LEGAL SYSTEMS**

**SYNOPSIS OF SUBMISSIONS  
RECEIVED**

**AS AT**

**12 JANUARY 1995**

# OVERVIEW OF ALL SUBMISSIONS RECEIVED AS AT 12 JANUARY 1995

<b>TOTAL NUMBER OF SUBMISSIONS</b>		<b>7</b>
<b>A</b>	<b>Party Submissions</b> - IFP	<b>1</b>
<b>B</b>	<b>Organisation Submissions</b>	<b>Nil</b>
<b>C</b>	<b>Individual Submissions</b>  - BJ Mnisi - Mrs A Shuttleworth - CHS Terezakis - E Stones - ET Tshigeng - AJ Wood	<b>6</b>

<b>NO.</b>	<b>INDIVIDUAL</b>	<b>SUBMISSION</b>	<b>CATEGORY</b>
1.	BJ Mnisi	Relationship between different levels of courts not be maintained.	A single Judiciary (Block One)
2.	Mrs A Shuttleworth	Court decisions not effectively implemented	General. (Block 8)
3.	CHS Terezakis	Excessive legal costs and Judicial delays causes an ineffective Judiciary.	General. (Block 8)
4.	E Stones	Supreme Provincial Judiciary - All Provinces should have an Appellate Division. There should be no National Judicial interference.	Other Court Structures. (Block 2)
5.	ET Tshigeng	Attorney General (AG) to be appointed by the President. AG to control all Public Prosecutors.	Other Judicial Institutions (Block 7)
6.	AJ Wood	The Judiciary should be visible i.e. enforce law of country. Special courts should be set up to enforce law of the country.	Other court structures (Block 2)

PARTY	SUBMISSION	CATEGORY
IFP	Structure of the Judiciary System	Constitutional Court Other Court Structures (Block 2)
	Independence of the Judiciary	General (Court Language, Interpretation of Laws & Amnesty) (Block 6)
	Rules of Procedures	Legal Education Legal Profession (Block 8)
	Fiscal Management of the Judiciary	General (Court Language, Interpretation of Laws & Amnesty) (Block 6)
	Appellate Division	The Relationship between different levels of the Court.  A Single or Split Judiciary (Block 1)  Constitutional Court Other Court Structures (Block 2)
	Special Courts	Constitutional Court Other Court Structures (Block 2)
	Tribal Courts	Other Judicial Institutions (eg AG and State Attorney) (Block 5)
	Role of Prosecutors	General Court Language, Interpretation of Laws & Amnesty) (Block 6)  Transitional Arrangements (Block 7)
	Enforcement of the Constitution	Constitutional Court Other Court Structures (Block 2)

	Composition of Constitutional Court	Constitutional Court Other Court Structures (Block 2)  General (Court Language, Interpretation of Laws & Amnesty) (Block 6)
	Functions of the Constitutional Court	Constitutional Court Other Court Structures (Block 2)
	Access to the Constitutional Court	Constitutional Court Other Court Structures (Block 2)
	Powers of the Constitutional Court	Constitutional Court Other Court Structures (Block 2)