

**CMJA CONFERENCE  
CAPE TOWN, SOUTH AFRICA. 5-9 OCTOBER 2008**

**"Constitutional Independence for the Magistrate and Judge  
with reference to the Separation of Powers"**

**PROGRAMME**  
(subject to alteration)

**Sunday 5<sup>th</sup> October 2008**

10.00-19.10 Registration  
**18.30 Welcome Reception** (Hall A)

**Monday 6<sup>th</sup> October:**

**9.30 – 11.00 Opening ceremony** (Hall A)  
**Words of welcome: Judge L.W. Seriti, Chair of Local Organising Committee**  
**Welcome Address: His Hon. Chief Justice Richard Banda, President, CMJA**  
**Opening keynote speech: Chief Justice Pius Langa, South Africa**

**11.00 – 11.45 Break**

**11.45 – 13.00 Panel discussion on regional issues of independence for the judicial officer** (Hall A)

Chair: Judge Joe Raulinga Regional Vice President, C.M.J.A

Contributors:

- (i) His Worship Dingi Madise (Malawi) on “Judicial Independence and Judicial accountability. Two sides of the same coin”
- (ii) Chief Justice Richard Banda (Swaziland)
- (iii) Judge Esau Chulu (Zambia) (*tbc*)
- (iv) Chief Justice Munlo (Malawi)
- (v) Justice C.M.E O’Regan (South Africa)

**13.00 – 14.15 Break**

**14.15 – 16.15 Break out discussions on issues of judicial independence, with particular emphasis on the role of associations of judicial officers (to include a brief refreshment break)**

*Discussion groups to be allocated, and questions for discussion made available, at registration.*

**Discussion leaders:**

Discussion Group 1 : (Hall A)  
District Judge Keeley Bishop (England & Wales)

Discussion Group 2 : (Hall B)  
Professor S.Ghutto (South Africa)

Discussion Group 3 : (Hall C)  
Mr.Z.Gxarisa (South Africa)

Discussion Group 4 : (Hall D)  
Justice Zulman (South Africa)

Discussion Group 5: (Hall E)  
Judge Le Grange (South Africa)

**19.00 Dinner hosted by The Rt. Hon. Justice Minister Brigitte Mabandla (Hall A)**

**Tuesday 7<sup>th</sup> October**

**9.00 – 10.30 Delegates are invited to choose either of the following two panels.**

**1. Panel Discussion on "The Role of Regional Courts in the Commonwealth." (Hall A)**

Contributing Chair: Judge Charles Mkandawire, the SADC Tribunal

Contributors:

- (i) A representative from COMESA Court of Justice (*tbc*)
- (ii) Registrar Dr. John Eudes Ruhangisa, East African Court of Justice: “The East African Court of Justice as a tool of regional integration”
- (iii) Mr Bongani Majola (ICTR, Arusha)

**OR**

**2. Panel Discussion on Gender Issues for the judiciary (Hall B)**

Chair: Birnie Stephenson-Brook (Anguilla)

Contributors:

- (i) Rosemelle Mutoka (Kenya)
- (ii) Olivia Owusu (Ghana)
- (iii) Judge Nditia (South Africa)

**10.30 – 11.15 Break**

**11.15 – 13.00 Break out sessions on questions relating to the conduct and conditions of service of judicial officers**

Questions for discussion for the break out sessions to be circulated with conference papers.

Discussion leaders

Discussion Group 1: (Hall A)  
District Judge Workman (England & Wales)

Discussion Group 2 : (Hall B)  
Advocate Dumisa Ntsebeza (South Africa)

Discussion Group 3 : (Hall C)  
Mr. T. Maumela (South Africa)

Discussion Group 4 : (Hall D)  
Judge L Theron (South Africa)

DiscussionGroup 5: (Hall E)  
Judge John Devaux (England & Wales)

**13.00 -14.15 Lunch**

**14.15 – 15.30 Presentation and general discussion on the Commonwealth (Latimer House) Principles on the Accountability of and Relationship between the Three Branches of Government with special reference to smaller jurisdictions and to the countries of Southern Africa**

Chair: Judge C. Plasket (South Africa) (Hall A)

Contributors:

- (i) Sir Philip Bailhache (Jersey)
- (ii) Prof. K. Asmal (South Africa)
- (iii) Dr. Peter Slinn (Commonwealth Legal Education Association)
- (iv) Chief Justice Palmer (Solomon Islands)

**15.30 – 16.00 Break**

**16.00 – 17.00 Showing of film: “Sisters in Law”:  
an insight into the life of Magistrates in The Cameroon.** (Hall A)

**19.00 Dinner hosted by His Hon. Justice Pius Langa, Chief Justice of South Africa**  
(Hall A)

**Wednesday 8<sup>th</sup> October**

**9.00 – 10.30 Panel discussion on the position of the magistrate and the members  
of judicial tribunals.** (Hall A)

Chair: Mr. Robert Henney (South Africa: President of the Regional Court)

Contributors:

- (i) Judge Garry Hickinbottom (England & Wales): “Tribunal Reform in the United Kingdom and the relationship between the executive and the judiciary”
- (ii) Chief Magistrate Molefi Makara (Lesotho)
- (iii) Judy van Schalkwyk (President of Judicial Officers Association of South Africa)
- (iv) Adrian Bekker (President of ARMSA)
- (v) District Judge Shamim Qureshi (England & Wales): “From Stipendiary Magistrate to District Judge”

**10.30 – 11.15 Break**

**11.15 -12.30 Contributions and observations from those attending  
from the wider Commonwealth** (Hall A)

Chair: Lord Mackay of Drumadoon (Scotland)

Contributors:

- (i) Judge Norma Wade Miller (Bermuda)
- (ii) Chief Justice John Vertes (Canada)
- (iii) Justice Peter Blanchard (New Zealand)
- (v) Sir Christopher Sumner (England & Wales)
- (vi) Judge J.P.Ngoepe (Judge President of the Transvaal Provincial Division) tbc

**12.30 – 14.00 Lunch**

**14.00 Closing ceremony and Keynote Address** (Hall A)

Deputy Chief Justice D Moseneke (Deputy Chief Justice: South Africa)

Chair: Sir Henry Brooke, Executive Vice President C.M.J.A.

**19.00 Dinner Hosted by the Law Society** (Hall A)

**Thursday 9 October:**

**8.30-13.00 Optional Visit to Robben Island**