

Dedicated courts to deal with mining violence

Justice and Constitutional Development Minister Jeff Radebe has set aside courts to deal with cases arising from criminal, labour-related incidents in mines in the North West province.



(Image: GCIS)

Radebe has annexed the Magisterial Districts of Brits, Mankwe and Rustenburg to the Bafokeng Magisterial Districts to deal with such cases until the backlog has normalised in the province.

The department hopes that these courts, which will have additional staff, will accelerate the hearings into cases emanating from the province.

These measures, according to department spokesperson Mthunzi Mhaga, are not another tier of the Labour Courts, as Magistrates Courts have no jurisdiction over labour matters, which is the exclusive domain of the Labour Courts.

However, the goal is merely to ensure the speedy processing of cases.

"The rationale for invoking section 2(1)(e) of the Magistrates Court is with a view to create dedicated capacity at the Bafokeng Magistrate's Court in the form of additional magistrate prosecutors and court staff to accelerate the hearing of cases emanating from the mines in those affected areas," Mhaga said.

The additional capacity would be drawn from the Case Backlog Project, which was initiated by the ministry in 2006 to deal with the large number of case backlogs nationally.

Mhaga said this was part of the measures implemented by the Justice Crime Prevention and Security Cluster to promote peace within the mining sector.

Many people have been killed and violence has increased in the Rustenburg platinum belt since August last year.

The violence in the mines has forced government to also rethink some of its laws. The Dangerous Weapons Bill, which prohibits the carrying of weapons such as knobkerries and spears in public, has been signed into law.

Government has also put in place the Mine Crime Combating Forum (MCCF), which falls under the auspices of the Framework Agreement for a Sustainable Mining Industry, entered into by organised labour, business, unions and government.

The MCCF ensures that law enforcement agencies act in a manner that is fair, impartial and objective, and that all care is taken to protect life and property. It also acts decisively to enforce the rule of law, maintain peace during strikes and other protests relating to labour disputes, ensure protection of life, property and the advancement of the rights of all citizens, including crime prevention measures.

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