

KEYNOTE ADDRESS BY HIS LORDSHIP, JUSTICE PETER S. SHIVUTE, CHIEF JUSTICE OF NAMIBIA, ON THE OCCASION OF OPENING OF THE 2024 MAGISTRATES CONFERENCE

“FOSTERING A UNIFIED MAGISTRACY”

**SEASIDE HOTEL AND SPA, SWAKOPMUND,
23 SEPTEMBER 2024**

(Salutations)

1. It is my distinct privilege to address you today as we gather to officially open this year’s Magistrates Conference. This gathering serves as a critical platform for magistrates from across our nation to come together, exchange ideas, and reflect on the crucial role the magistracy plays in the administration of justice. The theme for the 2024 Conference, *“Fostering a Unified Magistracy”*, offers a timely focus on how magistrates, as custodians of justice in the lower courts, can continue to ensure the efficient, consistent, and fair dispensation of justice throughout the country.

2. The importance of the lower courts in our judicial system cannot be overstated. For the majority of our citizenry, their first encounter with the legal system is through the lower courts. As such, we must remember that these courts provide the public with their first impression of justice in action. The way cases are managed, how litigants are treated, and the manner in which court procedures are followed shapes public perception of the judiciary. This first impression must reflect fairness, professionalism, and efficiency, as it sets the tone for how justice is perceived by the public.
3. To achieve this, uniformity in court administration is essential. Our lower courts are scattered across a vast and diverse country, yet the justice delivered in one court must mirror the justice delivered in another. This is not just a matter of convenience; it is a matter of justice itself. The principles of fairness and equality demand that similar cases be addressed in a consistent manner, regardless of where they are heard. Uniformity in court

administration feeds directly into the effective dispensation of justice. Without it, we risk inconsistencies that could weaken the trust in our legal system.

4. I am acutely aware of the increasing pressures on our lower courts, particularly with the increase in the monetary jurisdiction of the magistrates' courts. These pressures are expected to rise further with the impending introduction of new divorce legislation, placing an even greater burden on magistrates and court staff. As you deliberate ways to improve uniformity, it is imperative that you also explore how to better manage this growing workload, ensuring that justice remains timely, accessible, and fair.

5. But what does uniformity truly entail? It goes beyond ensuring that all magistrates apply the rules of procedure consistently. It requires uniformity across all aspects of court administration. Whether it is the filing of a maintenance claim, the processing of a civil suit, a bail application or the payment of a traffic fine, the

experience of engaging with the judicial system must be the same for all citizens, regardless of which court they approach. This uniformity must extend beyond the work of judicial officers to encompass all court processes, from clerks to administrative staff.

6. A unified magistracy is essential for building and maintaining public confidence in the judicial system. The magistracy must speak with one voice, not in the sense of uniform decisions on every case, but in the sense of a shared commitment to justice, fairness, and transparency. When the public sees that our courts operate consistently and uniformly, they gain confidence that the rule of law is being applied equitably across the nation.

7. As the famous proverb states, “*A house divided against itself cannot stand*”. This quote, from Abraham Lincoln, reminds us that unity is the foundation of strength and endurance. In the same way, a judiciary that is fragmented, inconsistent, or divided in its approach will fail to uphold the very principles it seeks to

defend. It is only through fostering unity in our procedures, practices, and principles that we can truly uphold justice for all.

8. I would like to take this opportunity to express my deep appreciation to each and every one of you for the hard work you do as magistrates. I know from personal experience that this is no easy feat. Having served as a magistrate early in my career, I understand the long hours, the heavy caseloads, and the challenges of administering justice in sometimes difficult circumstances. Some of you travel to the farthest reaches of our country to serve communities that might otherwise have limited access to the legal system. Your dedication and resilience do not go unnoticed, and I am grateful for the commitment you demonstrate each day in the service of justice.

9. As we open this conference, I trust that the discussions and deliberations over the next few days will be both fruitful and inspiring. This is a unique opportunity to share knowledge, explore innovative practices, and to devise new ways to enhance

the administration of justice in our courts. I encourage each of you to participate actively, to challenge old ideas, and to seek out new solutions to the challenges faced.

10. In closing, I wish you all a successful and productive conference.

May you leave this gathering with fresh perspectives and renewed energy to continue the vital work you do for our judiciary and for the people of this nation.

11. It is now my distinct honour and privilege to declare the 2024 Magistrates Conference officially open!

I thank you.