



JASA

Judicial Officers Alliance of South Africa

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A Modest Adjustment in the Face of Enduring Injustice: Magistrates Deserve Far More Than a 4.1% Increment

By Mr Neelan Karikan

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As President of the Judicial Officers Alliance of South Africa, I have long advocated for the recognition and protection of our lower-court judiciary. The recent determination by President Cyril Ramaphosa, gazetted in terms of section 12 of the Magistrates Act, 1993 (Act No. 90 of 1993), to grant magistrates a 4.1% increase in salaries, allowances and benefits with effect from 1 April 2025, together with the associated retrospective payout now being processed, represents a long-overdue but profoundly inadequate response to years of systemic neglect.

Let us be clear: this adjustment is not a solution. It is a temporary salve applied to a wound that has festered for nearly two decades. While the Independent Commission for the Remuneration of Public Office-Bearers recommended the 4.1% across judicial officers and certain constitutional institutions, and while the Presidency has now authorised its implementation, the increment fails to address the structural disparities that have left magistrates financially vulnerable, professionally undervalued and institutionally overburdened.

The Magistrates Act and the Constitution of the Republic of South Africa, 1996, enshrine the principle of judicial independence (section 165). Yet independence is illusory without commensurate remuneration that safeguards officers from economic pressure and ensures the attraction and retention of the finest legal minds. For 17 years, magistrates—the backbone of South Africa's justice system—have been sidelined. They adjudicate the overwhelming majority of criminal, civil and family matters that touch the daily lives of ordinary citizens. They are the first and often only point of

contact with the rule of law for millions. Their dockets overflow because of chronic vacancies; they labour under unsafe court conditions amid rising threats and intimidation; and many have been driven into debt review or worse, simply to make ends meet. Prosecutors with far less experience earn more.

Senior counsel command in a single day what a magistrate earns in a month. This is not sustainable. It is not equitable. And it is not in the public interest.

The impending payout, while welcome in alleviating immediate cash-flow strains, does nothing to correct the deeper anomalies. The current remuneration structure—70% basic salary, with the balance allocated to pension and a notional “flexible portion” that magistrates cannot access as discretionary benefits—compounds the inequity when compared to the more comprehensive packages enjoyed by High Court judges. Medical aid, housing allowances, motor vehicle benefits and overtime recognition remain conspicuously absent for most magistrates. Recruitment stagnates. Experienced officers leave for the private sector or emigrate. The result is a judiciary increasingly unable to deliver timely, quality justice.

We in the Judicial Officers Alliance call for a more progressive and constitutionally aligned approach. First, Parliament and the Executive must commission an independent, comprehensive review of magistrates’ remuneration and conditions of service, conducted transparently and with direct input from the profession itself. Second, structural parity must be pursued: magistrates should be recognised not as ordinary public servants but as judicial officers whose remuneration reflects their constitutional mandate. Third, urgent measures are required to address workload—through accelerated appointments, modernised court infrastructure and meaningful safety protocols. Fourth, benefits must be brought into line with the realities of judicial life: full medical cover, housing support and protection against the financial precarity that undermines impartiality.

The great work magistrates perform every day—dispensing justice with integrity under immense pressure—demands nothing less. Their requests are not extravagant; they are reasonable, evidence-based and essential to the preservation of our constitutional democracy. The 4.1% increment and the associated payout must be viewed only as the absolute minimum first step. The government now has both the fiscal window and the moral obligation to act decisively.

The rule of law in South Africa will stand or fall on the strength of its lower courts. It is time for the Executive and Legislature to demonstrate, through deeds rather than declarations, that they value the magistracy as the cornerstone of accessible justice.

The Judicial Officers Alliance stands ready to engage constructively, but we will not relent in our pursuit of the systemic reform our members—and the public they serve—rightly deserve.

Neelan Karikan

President and Founder

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