



The officials listening attentively to speakers during the launch of the Protea Small Claims Court in Soweto, Court.

# SOWETO RESIDENTS BENEFIT FROM SMALL CLAIMS COURT SERVICES

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**A** Soweto resident, Ms Mzikizi Mahlangu (67) finally has hope that her problem with her carpenter will soon be resolved, all thanks to the newly launched Protea Small Claims Court.

Ms Mahlangu paid a carpenter to install cupboards in her house in June last year and the carpenter hasn't done the job despite being paid. "This man has been sending me back-and-forth since last year. With the opening of this court, I will be the first one on the queue to open a case against him," a delighted Ms Mahlangu said.

She was one of the residents who came to witness the launch of the Protea Small Claims Court which forms part of the department's commitment to establish a small claims court in every magisterial district country wide. Protea Small Claims Court sits every Tuesday and Thursday.

Gauteng province is the first province to have small claims courts in all its magisterial districts. Soweto community saw Justice and Constitutional Development Minister Jeff Radebe, his deputy Mr Andries Nel and other dignitaries from different countries, officially launching the Protea Small Claims Court on 18 April 2013.

Protea Magistrate's Court serves the entire Soweto Township, including Lenasia which comprises of approximately 1.3 million people. "Soweto is one of the biggest townships in South Africa and by introducing the small claims court, we are taking justice closer to the people of Soweto," remarked Minister Radebe.

Currently, there are 263 small claims courts countrywide. These courts were established through the Small Claims Courts Act of 1984 which came into operation in 1985 and were previously situated mainly in major towns and cities. Sitting times vary from area to area with the majority of the court cases heard in the evenings on week-days.

Small claims courts are used to settle minor civil disputes and claims in an informal manner between parties without the representation of an attorney. Parties do not need a lawyer or any legal representation in the small claims courts and usually disputes are settled in monetary terms.

The highest amount for which an individual dispute can be settled is up to R12 000 and if the amount under dispute is more than R12 000, the claimant can lessen his/her claim to R12 000.

Claims in the small claims courts are normally disputes over money lent to someone else, movable or immovable property. They also include occupants in a property, mortgage bonds, promissory notes and credit agreements. A person, under the age of 18, can lodge a claim but must be accompanied by a parent or legal guardian.

Encouraging residents to utilise the services of a small claims court, Gauteng Regional Head, Ms Emily Dhlamini said: "It is now time for you to come and report if you have problems of this nature, and this court will resolve it amicably." Claims can be lodged against individuals, companies, corporations, but not against the state (including municipalities).

Mr Reto Wieser, a representative from the Swiss Agency for Development, congratulated South Africa on the launch of the small claims courts. "South Africa is doing a good job in ensuring that justice is accessible to all by introducing small claims courts."

In raising awareness, an educational stage-play was performed on small claims court led by a renowned South African actress, Mara Louw, who was one of the speakers educating the public about the processes of the small claims court. ■