



## THE SUPREME COURT OF APPEAL OF SOUTH AFRICA

### MEDIA SUMMARY OF JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

**FROM** The Registrar, Supreme Court of Appeal  
**DATE** 1 June 2016  
**STATUS** Immediate

*Please note that the media summary is for the benefit of the media and does not form part of the judgment.*

**MEC: Social Development, Western Cape v The Justice Alliance of South Africa [2016] ZASCA 88 (1 June 2016)**

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#### MEDIA STATEMENT

The Supreme Court of Appeal today upheld an appeal against orders made by the Western Cape Division of the High Court, Cape Town regarding the establishment of child and youth care centres in the Western Cape Province under the provisions of the Children's Act 38 of 2005. The SCA held that the establishment of such centres involves decisions which are polycentric and policy-laden in nature and the separation of powers requires a court to refrain from intervening in such decisions. It was further held that the requirements for the establishment of the Child and Youth Care Centres were not met and therefore the orders of the Western Cape High Court were set aside.

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