

Department of Land Reform fails to comply with court order

Yesterday, the Department of Rural Development and Land Reform failed to comply with [an order of the Land Claims Court](#) directing it to file a report and plan in the court and notify the LRC, and those that we are representing in this matter, that they have done so.

Last year, the LRC was prompted by the Association for Rural Advancement (AFRA), and four labour tenants residing on the farm owned by Hilton College, to bring an application in the Land Claims Court compelling the Department to process all applications for acquisition of land lodged by labour tenants. As a result of the application in the Land Claims Court, an order was made on the 19 September 2014.

The expected report should detail the current status of all labour tenant applications lodged in terms the Land Reform (Labour Tenants) Act 3 of 1996 and the plan is expected to indicate further processing of all outstanding labour tenants applications.

The Department was given 6 months to file the report and plan. Its failure to process the applications, as well as present a plan for doing so, infringes on the rights of labour tenants who have suffered great prejudice over the past decades. This is also not the first time that the Department has failed to meet their deadlines.

Labour tenancy has always been an insecure form of land rights and, despite new legislation, evictions and rights' infringements of labour tenants are still being reported. As reported by AFRA, labour tenants who made applications for land rights have experienced the following:

- [if !supportLists]• [endif]Evictions from farms where they reside with their families
- [if !supportLists]• [endif]The forced reduction of livestock
- [if !supportLists]• [endif]Assault and abuse by farm owners
- [if !supportLists]• [endif]The denial of access to basic services, such as water
- [if !supportLists]• [endif]The denial of access to farms

[if !supportLists]• [endif]The denial of the right to bury their deceased relatives on farms

[if !supportLists]• [endif]Some labour tenants have had their homes demolished

[if !supportLists]• [endif]They have been denied access to their ancestral graves

[if !supportLists]• [endif]Some labour tenants have been denied visitation rights

We have served the Department with a notice demanding it to comply with the court order within 5 days. We have also warned the Department that if it fails to comply within 5 days, an application will be made in the Land Claims Court for an order that its defence be struck down.