

**APPLICANT: JUDGE KEOAGILE ELIAS MATOJANE****COURT FOR WHICH CANDIDATE APPLIES: SUPREME COURT OF APPEAL****1. The candidate's appropriate qualifications:**

- 1.1. BProc (UniZulu, 1986);
- 1.2. LLB (UniZulu, 1988);
- 1.3. Diploma in Trial Advocacy (Colorado, 1994);
- 1.4. LLM (Joannesburg,1995);
- 1.5. Diploma in Corporate Law (Johannesburg, 2001); and
- 1.6. LLM (Unisa, 2007).
- 1.7. Justice Matojane's formal qualifications represent diverse and outstanding qualifications which are suited for the generalist expertise necessary for the SCA.

**2. Whether the candidate is a fit and proper person:**

- 2.1. The JSA submits that Justice Matojane is a fit and proper person.
- 2.2. Justice Matojane has had to conform to the legal standard of being fit and proper since he was admitted to serve articles in 1989, subsequently for the length of his practice as an attorney for 18 years and since his elevation to the Bench to which he was appointed in 2009, another eleven years. He has thus been a fit and proper person for the sum of 31 years.

2.3. Justice Matojane has had an irreproachable judicial record.

3. **Whether the candidate's appointment would help to reflect the racial and gender composition of South Africa:**

3.1. Justice Matojane is a Black male.

3.2. His appointment to the SCA would help reflect the racial composition of the country and advance the imperatives to transform the judiciary at the higher level of the SCA.

4. **The candidate's knowledge of the law, including constitutional law:**

4.1. Justice Matojane's judgments cover the complete spectrum of areas of law. His knowledge of constitutional law is notably illustrated by his judgment for the majority in the Constitutional Court in *Klaase*. The decision further attests to Justice Matojane's expertise on land and constitutional property law from his having sat in the Land Claims Court. The judgment was seminal in affording the spouses of primary occupiers independent rights of 'occupiers' under ESTA. In the majority judgment, Matojane AJ held that 'consent' to occupy land under ESTA included tacit consent and that Mrs Klaase had been given the tacit consent of the owner which independently afforded her the rights of an 'occupier' under ESTA.

4.2. In *Proxi Smart Services (Pty) Ltd v Law Society of South Africa and Others* 2018 (5) SA 644 (GP), Justice Matojane's conveyancing proficiency is discernible. This is a case in which an entity, in anticipation of setting up a business offering an automated document generation system, approached the court for a declaratory order that doing so would not constitute the performance of conveyancing work reserved by law for a conveyancer in contravention of the

Attorneys Act. Matojane J (Van der Westhuizen and Strijdom JJ concurring) held as follows (paras 50-53):

- 4.3. The highest standard of professionalism and honesty is fundamental to conveyancing transactions, which involve large sums of money represented by undertakings exchanged on trust. The public derives comfort from the fact that attorneys and conveyancers are regulated by statutory law societies, the Fund and a code of conduct that prescribes high ethical standards which they must adhere to, to ensure that the public is protected.
- 4.4. On its version, the applicant will be doing everything necessary to enable a conveyancer at the push of a button to have all prescribed documents populated by data its staff has collated and captured. Put differently, all the conveyancing processes — that started with the signing of a deed of sale — will be done by the applicant's staff. The legislature has prohibited persons, other than employees of the practitioner, from preparing or causing to be drawn up or prepared any documents on behalf of a practitioner.
- 4.5. On a proper construction of s 83(8)(a)(i) the legislature had in mind that a conveyancer or his subordinates will obtain the information required to be contained in the reserved documents, check and verify the information contained therein and do everything involved in ‘causing’ them to ‘be drawn up’ or ‘prepared’ as contemplated in the section. For the reasons stated above, the applicant's model would contravene s 83(8)(a)(i) of the Attorneys Act.
- 4.6. Justice Matojane has a remarkable number of unreported judgments which were never taken on appeal. There is a marked difference between Justice Matojane’s judgments in the High Court, the vast

majority of which are concerned with the application of trite principles, *versus*, on the other hand, his judgments that dealt with novel issues and his judgments in the SCA, and *Klaase* in the Constitutional Court.

- 4.7. An overall evaluation of the many judgments penned by Justice Matojane in the High Court attest to his acute awareness and respect for precedent to make incremental and gradual changes to the law which is an intrinsic function of the rule of law, which in turn is foundational to the Constitution, to maintain certainty, predictability and coherence as courts have been enjoined in *Ruta v Minister of Home Affairs* 2019 (2) SA 329 (CC) (a decision which Justice Matojane cites in his judgment *Manuel v Economic Freedom Fighters and Others* 2019 (5) SA 210 (GJ) para 14).

## 5. **The candidate's commitment to the values of the constitution:**

- 5.1. The JSA submits that Justice Matojane is committed to the values in the Constitution.
- 5.2. Justice Matojane's commitment to equality led him to make justice accessible to the poor and marginalised during his years of practice as an attorney by representing vulnerable groups of society. He was a member of the Black Lawyers Association (BLA) whose objectives include fighting discriminatory practices, promoting a non-racial society and striving for the empowerment of disadvantaged communities, and from which organisation he has received a favourable nomination for elevation to the SCA. He has been involved in trial advocacy training through the BLA Legal Education Centre since 1994 and has been training students at

universities (including in neighbouring countries) and candidate attorneys at Practical Legal Training (PLT) schools.

- 5.3. Justice Matojane has also mentored and trained a great many candidate attorneys in his attorney's practice. He is presently also a member of the South African Chapter of the International Association of Women Judges, an organisation whose object it is to promote and empower women Judges and uproot gender biases, the auspices under which he is involved in mentoring law students.
- 5.4. Justice Matojane's commitment to the values of the Constitution is also manifest in his judgments from the following couple of examples –
- 5.5. In *Klaase and Another v Van der Merwe and Others* 2016 (6) SA 131 (CC) he wrote a judgment with which Moseneke DCJ, Cameron J, Madlanga J, Nkabinde J and Wallis AJ concurred. Para 2 states that:
- 5.6. Most people who are occupiers of farmland are a vulnerable group in our society. These include female occupiers who are frequently not joined in eviction proceedings instituted against their spouses or partners. This makes that class of occupiers susceptible to arbitrary evictions as a consequence of the actions of their spouses or partners. As a result, no substantive grounds for their evictions are made and properly considered by a court before they are evicted with their spouses or partners. The upshot of this is hardship, conflict and social instability. ESTA seeks, among other things, to regulate the eviction of vulnerable occupiers from land while recognising the right of landowners to apply to court for eviction in appropriate circumstances, to promote the achievement of security of tenure for

occupiers of land and to extend the rights of occupiers while giving due recognition to the rights, duties and legitimate interests of owners.

- 5.7. In *Mostert and Others v Nash and Others* [2018] 4 All SA 267 (GJ), in which the applicant sought an interdict prohibiting the respondents from disseminating defamatory allegations, Matojane J held:
- 5.8. The law of defamation is designed to protect the reputation of people; in doing so, it limits the right to freedom of expression. Such limitation can be consistent with the Constitution only if it can be said that ‘an appropriate balance is struck between the protection of freedom of expression on the one hand, and the value of human dignity on the other’.
- 5.9. Human dignity is stated in section 1 of the Constitution to be a foundational value of our democratic State. Section 10 of the Constitution protects the right of every person to dignity; this right includes ‘inherent dignity and the right to have their dignity respected and protected’.
- 5.10. All rights are interpreted generously and purposively having regard to the underlying values of the Constitution. In *Khumalo and others v Holomisa*, O'Regan J stated that although freedom of expression is fundamental to our democratic society, it is not of paramount value. It must be construed in the context of the other values enshrined in our Constitution. In particular, the values of human dignity, freedom and equality.
- 5.11. The respondents argue that the defamatory material about which applicants complain has already been disseminated and is within the

public domain and the information that applicants seek to interdict will not have any further effect on his dignity. I disagree. The fact that the defamatory material is within the public domain does not entitle Nash to continue disseminating such material unabated in flagrant disregard of Mostert's rights.

- 5.12. I find in this case that there is no other suitable remedy available to the applicant other than an interdict. The respondents have employed a stratagem on an ongoing basis to malign Mostert. As long as the respondents continue in their vilification campaign against Mostert, there will be a continuing violation of his rights which is ongoing and persistent. It is difficult to see how this campaign can be stopped in the future except through an interdict. The Court must intervene to prevent the violation of Mostert and his associate's constitutional right to dignity.

**6. Whether any judgments have been overturned on appeal:**

- 6.1. Nine of Justice Matojane's judgments were overturned on appeal. The full list of these judgments appears in the annexure of the list of judgments which have been considered for these comments. Two of the judgments concerned matters of great public and constitutional importance and one which was ultimately heard by the Constitutional Court.
- 6.2. In *Foize Africa (Pty) Ltd v Foize Beheer BV* 2013 (3) SA 91 (SCA), which concerned one of Justice Matojane's relatively earlier judgments, the SCA in overturning his judgment did so with sharp criticism. The SCA, inter alia, found that "the learned judge [Matojane J] overlooked the fact that not all the respondents had been parties to the licensing agreement" (para 13), and that in his

purporting to exercise a discretion by holding that the court did not have jurisdiction to hear the matter, had been a misdirection as the court's discretion is rather in deciding whether or not the exercise of that jurisdiction should be stayed pending the outcome of foreign proceedings or arbitration, which the court had not been called upon to decide (para 24).

6.3. However, most of the more recent judgments overturning Justice Matojane's judgments on appeal did so *only* in part whilst also partially upholding his orders. Viewed in this light, the ratio of his judgments overturned-to-upheld is substantially moderated. To demonstrate this, the following are brief summaries of a few of the judgments:

6.4. AllPay Consolidated Investment Holdings (Pty) Ltd v Chief Executive Officer South African Social Security Agency (Corruption Watch and Centre for Child Law as Amici Curiae) 2014 (1) SA 604 (CC) ("AllPay No1") was a review concerning the government's procurement of services for the administration of social grant payments. The issue in the case was whether the tender award for such services was valid and constitutional. AllPay contended that it was not. Matojane J in the court a quo declared the tender process invalid but declined to set the award aside for practical reasons. The Constitutional Court unanimously held that the award of the tender to Cash Paymaster was invalid. It differed however with the court a quo (Matojane J) on the appropriate remedy. The Constitutional Court gave directions to receive updated submissions given the passage of time to enable it to give a final decision on a just and equitable remedy. (The Constitutional Court eventually adopted a structural interdict in AllPay No 2.)

- 6.5. *Economic Freedom Fighters and Others v Manuel* [2020] ZASCA 172 (17 December 2020) (partially overturned, appeal order paras 2, 3 and 4), is a case in which the issue was whether a statement made by the EFF on Twitter was defamatory towards the former Finance Minister, Mr Trevor Manuel. Matojane J, in the court a quo held that the statement was indeed defamatory. It awarded damages in the amount of R500,000 and ordered the EFF to publish an unconditional retraction and apology. On appeal, the SCA partially upheld the order given by Matojane J and it overturned it in part in relation to the award of damages. The SCA referred the determination of the quantum of damages for oral evidence and it further referred the determination whether an order for the publication of a retraction and apology should be made back to the High Court for determination in conjunction with its determination on quantum.
- 6.6. *Qahoosein and Another v Bharshila Liquor Store CC* [2013] ZAGPPHC 508 (4 December 2013) in which the Full Bench of the Gauteng Division (Masango J, with F Kgomo and Fabricius JJ concurring) partially overturned the judgment of Matojane J in relation to the second appellant (second defendant in the court a quo) and it was dismissed in relation to the first appellant (first defendant in the court a quo). The appeal turned on a question of fact. The case concerned a claim for goods sold and delivered valued at R1,3 million. The second defendant in the action denied having entered into the sale agreement. Matojane J had found that the second defendant had made an undertaking to pay for the goods sold to the first defendant thereby assuming liability as a co-debtor. On appeal, the Full Bench found that, although the second defendant had had a

tangential involvement in the transaction, there had been no evidence of an agreement between him and the plaintiff and it held the second defendant therefore had not assumed liability as a co-principal debtor. The second defendant's appeal with upheld whereas the first defendant's appeal was dismissed with costs.

- 6.7. *Nu-World Industries (Pty) Ltd v Strix Ltd* [2020] ZASCA 28 (26 March 2020), in which the main action was for the infringement of a patent that was brought in the Court of Commissioner of Patents, Pretoria and heard by Preller J. Justice Matojane heard a subsequent application to amend which he had granted . The appeal was directed against part of the order. On appeal, the SCA found that the amendment would result in the enquiry into damages or royalties to stray beyond those that had arisen from the three infringing controls and should thus not have been allowed. The SCA found that the court a quo (Matojane J) erred in allowing the amendment. The SCA upheld the appeal to an extent as it substituted the court a quo's order (Matjoane J) with an order granting the application to amend in part (paras 3,4 and 5) and it dismissed the balance of the application to amend.

## 7. **The extent and breadth of the candidate's professional experience:**

- 7.1. Justice Matojane was an attorney for 18 years. He has been a Judge of the High Court for 11 years, part of which he spent in the Land Claims Court. He has been the Acting Judge President in the LCC and the Acting Deputy Judge President of the Gauteng Local Division, Johannesburg.

- 7.2. He has had acting stints in the Constitutional Court (2015), the Constitutional Court of Lesotho (2017), the Competition Appeal Court (2020).
- 7.3. He has acted in the SCA for five terms (Nov 2018; Feb-Mar 2019; Apr-May 2020; Aug-Sep 2020 and Nov 2020).
- 7.4. Justice Matojane has extensive experience. His judgments cover the entire spectrum of areas of law.

**8. The candidate's linguistic and communication skills:**

- 8.1. The JSA submits that Justice Matojane's linguistic and communication skills are good.
- 8.2. Although no indication is given in Justice Matojane's application, he is of Tswana extraction (and since he is born-and-bred in Soweto) he would naturally know at least two African languages. His judgments demonstrate a proficiency in both English and Afrikaans (for example, in *Van Deventer v Mathews* 2012 JDR 0295 (GNP), where pleadings had been drafted in Afrikaans).
- 8.3. Justice Matojane's judgments are concise, and they read well.

**9. The candidate's ability to produce judgments promptly:**

- 9.1. Justice Matojane has an outstanding ability to produce judgments promptly. In the High Court he, on average, has a turnaround time for handing down judgment within a day and in no more than three days at most. In the SCA and Constitutional Court his judgments have been handed down within the court term in which the case had been heard.

## 10. The candidate's fairness and impartiality:

10.1. The JSA submits that Justice Matojane is both fair and impartial.

10.2. According to a number of senior colleagues, he brings a fair and open mind to the cases he hears and is always patient with counsel and parties. His fairness and impartiality are illustrated in his following couple of judgments:

10.2.1. *Industrial Health Resource Group and Others v Minister of Labour and Others* [2015] 4 All SA 78 (GP); (2015) 36 ILJ 2547 (GP), a case that concerned the interpretation of section 32 of the Occupational Health and Safety Act 85 of 1993. The Department of Labour had denied the applicants access to a section 32 report following a workplace fire that broke out at the Paarl Print Facility. In finding in favour of the applicants to disclosure of the records, Matojane J held (para 38):

*If the reports are not made available to interested parties, they could never become aggrieved by anything contained in it, as they would not have had sight of its contents. It is absurd, in my view, to confer on interested parties a right of appeal against the finding of a report and at the same time deny them access to the report.” And that (para 41): “The findings and recommendations of the Presiding Inspector in any section 32 inquiry are of direct relevance to employers who are under a duty in terms of section 8 of the Act to establish the hazards to the health and safety of persons in the workplace and to take all measures reasonably required to eliminate the risk posed by such hazards. By*

*denying employers and employees sight of the presiding inspectors report into the causes of the accidents and their recommendations on means to prevent future occurrences, they will be deprived the knowledge they require to ensure a safe and healthy workplace.*

- 10.2.2. In *Media Development and Diversity Agency v Boqo* 2019 JDR 1015 (GJ), Matojane J affirmed that:

*Condonation is a discretionary matter, which discretion is to be exercised by a Court judicially upon consideration of all the facts, and is, in essence, a question of fairness to both sides.*

## **11. The candidate's independent mindedness:**

- 11.1. Justice Matojane has an independent mind. His independent mindedness is illustrated by his sole minority decision in the SCA, in *Jason Naidoo v The State* [2019] ZASCA 52 (1 April 2019). The judgment was delivered in the second term of Justice Matojane's acting stint in the SCA in which Matojane AJA was in a minority of one to a majority of four (Majiedt JA wrote for the majority with Van der Merwe and Mocumie JJA and Carelse AJA concurring). The case concerned the question whether the trial court erred in accepting the evidence of a single child witness who had been under the influence of alcohol at the time of the alleged sexual assault and attempted murder. After an analysis of the evidence, Matojane AJA found that (para 16):

*“In failing to treat the evidence of the complainant with caution in the particular circumstances of this case where*

*the complainant was heavily intoxicated, the trial court committed a material misdirection in the evaluation of the evidence which error constituted an infringement of the appellant's fair trial rights and a failure of justice".*

11.2. He concluded (para 41):

*In all of the circumstances I find that there was a misdirection by the trial court and the high court in accepting the uncorroborated evidence of a single child witness, who was under the influence of alcohol at the time of the alleged incident. The high court should have found that the State had failed to prove its case beyond reasonable doubt. For these reasons I would have allowed the appeal.*

*The majority judgment, on the other hand, found that the trial court had correctly rejected the appellant's version as false beyond reasonable doubt. It found that the appeal was devoid of merit and it accordingly dismissed the appeal.*

## 12. **The candidate's ability to conduct court proceedings:**

12.1. Justice Matojane is an experienced senior Judge in the Gauteng Division of the High Court. He has vast and varied experience on the Bench having sat on the High Court, Land Claims Court and having acted in the Competition Appeal Court (2020), SCA (2019 and 2020) and Constitutional Court (2015). He also sat as an Acting Judge of the Constitutional Court of Lesotho in 2017. He has a proven track-record of the ability to conduct court proceedings having been a Judge in the courts of first instance for many years.

## 13. **The candidate's administrative ability:**

- 13.1. Justice Matojane has a proven track-record regarding his ability of administration having managed his own legal practice for 18 years from 1991 to 2009.
  - 13.2. His track-record has continued after his elevation to the Bench in 2009 where he continues to apply his administrative abilities to inter alia conduct trials and manage his caseload. In 2014 he was the Acting Judge President of the Land Claims Court and in 2019 he was the Acting Deputy Judge President of the Gauteng Local Division of the High Court, Johannesburg.
  - 13.3. Special mention was made (in the JSA internal call for comments) by counsel of Justice Matojane's seamless facilitation of the hearing of an urgent appeal that had been brought in terms of Rule 49(18) of the Uniform Rules when he was the ADJP in the Gauteng Local Division – to the great appreciation of all parties and counsel involved.
  - 13.4. Justice Matojane furthermore is a convenor of the Commercial Court pilot project of the Gauteng Division in the Local Division, Johannesburg, which has been making strides in attracting commercial cases to the court system through an expedited process of the Commercial Court to provide an alternative to the dominant preference to refer commercial matters to private arbitration. As a convenor of the Commercial Court, Justice Matojane is involved in the allocation of cases to the Commercial Court in accordance with whether they meet the criteria of the commercial list and he has sat in cases allocated to the Commercial Court.
14. **The candidate's reputation for integrity and ethical behaviour:**

14.1. Justice Matojane enjoys a good reputation for having integrity and conducting himself ethically. He is respected by members of the Bar and the Bench. His integrity is beyond reproach.

**15. The candidate's judicial temperament:**

15.1. By all accounts of members of the Bar, Justice Matojane is congenial. He always affords counsel a courteous and patient hearing. He is reputed for his good work ethic, quality judgments for having a non-interrupting style of hearing by counsel. He has a calm and collected judicial temperament.

**16. The candidate's commitment to human rights, and experience with regard to the values and needs of the community:**

16.1. Justice Matojane was a member of the BLA while he was an attorney. He remains an active member of the panel of instructors of the BLA's Trial Advocacy training programme. He has a keen commitment to train and empower members of the legal profession and law students from previously disadvantaged institutions. He conducts training throughout the country, in universities and in neighbouring countries.

16.2. Justice Matojane has always had a commitment to make justice accessible from when he was an attorney, representing the poor and marginalised. His continuing involvement in advocacy training, particularly of historically disadvantaged individuals and in historically disadvantaged institutions attests to his continual striving to make justice accessible.

**17. The candidate's potential:**

17.1. Justice Matojane has had substantial acting stints in the Competition Appeal Court, the SCA and in the Constitutional Court. Whilst the great majority of his judgments in the High Court are concerned with applying trite principles in order to resolve the dispute between the parties, his judgments in the SCA and one in the Constitutional Court (Klaase and Another v Van der Merwe and Others 2016 (6) SA 131 (CC)) demonstrate his abilities and potential to write judgments of scholarship that serve a broader purpose of developing the jurisprudence with clarity.

18. **The message that the candidate's appointment would send to the community at large:**

18.1. Justice Matojane's appointment to the SCA will convey a commitment to transform the judiciary at the higher level of the SCA. Given his suitable qualifications, his extensive and vast experience, concise judgments and quick turnaround time for delivering judgments, his appointment will further convey an appointment based on merit and a commitment to uphold the high and demanding standards of the SCA while also transforming the Court.

## **ANNEXURE: LIST OF JUDGMENTS CONSIDERED**

### **Reported decisions**

*Comair Limited v South African Airways (Pty) Ltd* [2017] 2 All SA 78 (GJ).

*Industrial Health Resource Group v Minister of Labour* 2015 (5) SA 566 (GP).

*Klaase and Another v Van der Merwe* 2016 (6) SA 131 (CC).

*Manuel v Economic Freedom Fighters* 2019 (5) SA 210 (GJ).

*Mostert v Nash* [2018] 4 All SA 267 (GJ).

*Netcare Hospitals (Pty) Ltd v KPMG Services (Pty) Ltd* [2014] 4 All SA 241 (GJ).

*Proxi Smart Services (Pty) Ltd v Law Society of South Africa* 2018 (5) SA 644 (GP).

*Raumix Aggregates (Pty) Ltd v Richter Sand CC and similar matters* 2020 (1) SA 623 (GJ).

*Stenersen & Tulleken Administration CC v Linton Park Body Corporate* 2020 (1) SA 651 (GJ).

### **Unreported Decision**

*Abel v Road Accident Fund* 2010 JDR 0149 (GNP).

*Alberts v Hitchcock NO and Others* [2011] ZAGPPHC 202 (21 October 2011).

*Allpay Consolidated Investment Holdings (Pty) Ltd v The Chief Executive Officer of The South African Social Security Agency* 2012 JDR 1443 (GNP).

*Alpine Eco Notebooks & Diaries (Pty) Ltd v Capital Acceptances (Pty) Ltd* 2019 JDR 2035 (GJ).

*B v D* [2010] ZAGPPHC 612.

*Bakgatla-Ba-Kgafela Communal Property Association v Minister of Rural Development and Land Reform* [2013] ZALCC 16.

*Bambeni v Msimeki* 2019 JDR 2658 (GJ).

*Banakoma Fleet and Shuttle CC v Super Group Africa (Pty) Ltd* 2016 JDR 1875 (GNP).

*Beaux Lane SA Properties (Pty) Ltd v Robbertse* 2012 JDR 1875 (GNP).

*Blue Cell (Pty) Ltd v Blue Financial Services Limited and Others, In Re; Blue Cell (Pty) Ltd and Another v Blue Financial Services Limited and Others, In Re; Blue Financial Services Limited v Blue Cell (Pty) Ltd* [2014] ZAGPPHC 14.

*Blue Cell (Pty) v Blue Financial Services Limited* [2014] ZAGPPHC 267 (16 May 2014).

*Botha v Road Accident Fund* 2011 JDR 1798 (GNP).

*Buys v The Master of the High Court, Johannesburg* 2019 JDR 2431 (GJ).  
*Century Civils CC and Another v Calsicrete Brickworks (Pty) Ltd; In Re: Century Civils CC v Calsibrick (Pty) Ltd* [2010] ZAGPPHC 618.

*Cooper NO v Knoop NO* 2020 JDR 1400 (GJ).  
*DA v Minister of Public Enterprise* 2018 JDR 0061 (GP).

*Dalindyebo v President of the Republic of South Africa* [2014] ZAECMHC 34 (20 June 2014).

*De Waal v Momentum Group Limited* 2011 JDR 1371 (GNP).

*Esofranki Pipelines (Pty) Ltd v Mopani District Municipality* 2012 JDR 1560 (GNP).

*Firststrand Bank Limited v Baloyi NO* [2014] ZAGPPHC 995.

*Fli-Afrika Travel (Pty) Ltd v South African Football Association* 2017 JDR 0338 (GJ).

*Flora & Others v Changing Tides 74 (Pty) Ltd* [2009] JOL 23629 (GSJ).

*Graham v Ronald Bobroff & Partners* 2015 JDR 0495 (GP).

*GV v CV* 2015 JDR 0452 (GP).

*Gumede v Minister of Safety and Security* 2013 JDR 2128 (GNP).

*Jooma v Sekgetho* 2019 JDR 1212 (GJ).

*Kruger v Botha* [2011] ZAGPPHC 81.

*Lebepe v Road Accident Fund* [2011] ZAGPPHC 31.

*Malumo v Tredoux* [2011] ZAGPPHC 37.

*Maponya v Mogafe* 2011 JDR 1728 (GNP).

*Maree v Road Accident Fund* 2019 JDR 1986 (GJ).

*Martin v Minister of Correctional Services Commissioner of Correctional Services* 2017 JDR 0467 (GJ).

*Masemola v Road Accident Fund* [2014] ZAGPPHC 636 (18 August 2014).

*Masilela and Others v Vilane* [2014] ZAGPPHC 983. *Mathebula v Ndlovu* 2019 JDR 1656 (GJ).

*Matlala v Minister of Police* 2012 JDR 1877 (GNP).

*Mbita Consulting Services CC v Man Financial Services SA (Pty) Ltd* 2019 JDR 1213 (GJ).

*Mbonani v Minister of Correctional Services and Others* [2011] ZAGPPHC 196.

*Media Development and Diversity Agency v Boqo* 2019 JDR 1015 (GJ).

*Minister of Police v Masina* 2019 JDR 0678 (SCA).

*Minister of Public Works v Roux Property Fund (Pty) Ltd* 2020 JDR 2070 (SCA).

*Mirchandani v Unica Iron and Steel (Pty) Ltd* 2014 JDR 1188 (GP).  
*Mntambo and Others v Changing Tides 74 (Pty) Ltd* [2009] ZAGPJHC 17.

*Mogoje and Another v Road Accident Fund* [2010] ZAGPPHC 571.

*Money Skills Property Investment (in liquidation) v Money For Jam Investments 7 (Pty) Ltd* 2010 JDR 0129 (GNP).

*Montic Dairy (Pty) Ltd v Moraitis Investments (Pty) Ltd* 2016 JDR 1402 (GJ).

*Moore v Road Accident Fund* [2010] ZAGPPHC 561.

*Moos v Minister of Safety and Security* 2011 JDR 1736 (GNP).

*Mostert v Nash* 2018 JDR 1348 (GJ).

*Mxiki v Mbata; In Re: Mbata v Department of Home Affairs* [2014] ZAGPPHC 825.

*N v N* [2010] ZAGPPHC 536.  
*Nkosi NO v Road Accident Fund* [2011] ZAGPPHC 197.

*Nkwali Brothers Farming CC v Thela* 2010 JDR 0663 (GNP).  
*Nxele v Mathebula* 2011 JDR 1748 (GNP).

*Palmer and Others v Engelbrecht* [2010] ZAWCHC 352.

*Pambili Ranch (Pty) Ltd v Potgieter* 2011 JDR 1787 (GNP).

*Pankhurst v Fitzgerald* (47605/2009) [2013] ZAGPPHC 31. *Parsons and Another v Viljoen* (50122/2008) [2011] ZAGPPHC 153.

*PN v DN* 2010 JDR 0486 (GNP).

*Prime Invest 253 (Pty) Ltd v 114-11th Road Kew (Pty) Ltd* [2011] ZAGPPHC 139.

*Raseneri v S* [2012] ZAGPPHC 206. *Registrar of Banks v Dafel* [2014] ZAGPPHC 884.

*Risenga v Hobyani* 2013 JDR 1967 (GNP).

*Risenga v Makondo* 2013 JDR 1969 (GNP).

*Risenga v Nkwinika* 2013 JDR 1968 (GNP).

*Roets v MEC for the Department of Public Works, Road & Transport (Mpumalanga)* 2013 JDR 2242 (GNP).

*S v Barendse* 2012 JDR 1271 (GNP).

*S v Cezu* 2013 JDR 2129 (GNP).

*S v EM* 2012 JDR 1664 (GNP).

*S v Karoles* [2008] ZAWCHC 117 .

*S v Lokhotshwayo* 2015 JDR 0496 (GP).

*S v Mokonyane* 2014 JDR 0679 (GNP).

*S v Molefe* 2019 JDR 0009 (SCA).

*S v Mpitsi* 2012 JDR 1847 (GNP).

*S v Mtshiselwa* [2008] ZAWCHC 322.

*S v Mxuma* 2010 JDR 0695 (GNP).

*S v Phiri* 2012 JDR 1269 (GNP).

*S v Rasencheri* 2012 JDR 1693 (GNP).

*S v Thulare* 2013 JDR 2233 (GNP).

*S v Tyhulu* 2019 JDR 0644 (SCA).

*S.O.S Support Public Broadcasting Coalition v South African Broadcasting Corporation Soc Limited* 2017 JDR 1686 (GJ).

*Saligwazi v Road Accident Fund* [2010] ZAGPPHC 563.

*Scheffer v Road Accident Fund* [2014] ZAGPPHC 424.

*Sebidi v Thobejane* [2014] ZAGPPHC 57.

*Selepe v S* [2012] ZAGPPHC 89.

*Servochem (Pty) Ltd v Geldenhuis* 2017 JDR 0785 (GJ).

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