

**APPLICANT: CASSIM ISMAIL MOOSA**

**COURT FOR WHICH THE CANDIDATE APPLIES: GAUTENG  
DIVISION**

**1. The candidate's appropriate qualifications:**

- 1.1. The candidate was admitted as an advocate of the High Court of South Africa on 5 January 1993.
- 1.2. The candidate holds the degrees of *Bachelor of Arts (BA. (Law))* and *Bachelor of Laws (LLB)*, having obtained same from the University of Durban, Westville in about 1987 and 1990, respectively.
- 1.3. The candidate also obtained the following diplomas and/or certificates,
  - 1.3.1. Certificate for Prosecutors (Justice College – 1991);
  - 1.3.2. Diploma in Alternative Dispute Resolution (*cum laude*) (University of Pretoria – Arbitration Foundation of South Africa – 2005);
  - 1.3.3. Certificate in Labour Arbitrations (Arbitration Foundation of South Africa – 2005);
  - 1.3.4. Certificate in Divorce Mediation (Arbitration Foundation of South Africa – 2005);
  - 1.3.5. Postgraduate Diploma in Labour Law (University of Johannesburg – 2006); and

1.3.6. Certificate in Conveyancing Practice (LEAD – 2008).

1.4. The candidate possesses the requisite qualifications for the position for which he has applied.

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

2.1. The candidate is a member of the National Bar Council of South Africa (“NBCSA”), and he has served as a member of the NBCSA National Executive since 2012.

2.2. The candidate was nominated by the NBCSA to serve as a Commissioner on the Magistrate’s Commission and, having been appointed thereto by the Minister of Justice, served as such from January 2013 to January 2018. During his tenure, the candidate was appointed Chairperson of the Ethics Committee<sup>1</sup>.

2.3. The candidate was re-appointed to the Commission for the period January 2018 until January 2023, and he remains the Chairperson of the Ethics Committee.

2.4. The candidate was invited to act in the Gauteng Division of the High Court during 2015 and has remained as such, acting in an *ad hoc* basis in both the Gauteng Provincial and Gauteng Local Divisions from 2015 to date. The candidate has also been invited to, and did, act in the Mpumalanga Division, during the latter part of 2020. The candidate provided an extensive list of the dates and periods of his appointment as such.

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<sup>1</sup> Candidate has not mentioned whether he would resign from this commission should the candidate be appointed (in contrast, had said that he would resign from various other boards).

- 2.5. No adverse information was received in respect of whether this candidate is a fit and proper person, or concerning his tenure as an Acting Judge.
- 2.6. The candidate appears to be a registered member of the NBCSA in good standing with that Association, and he has never been accused of or tried for misconduct by that Association. The candidate's certificate of good standing from the NBCSA is dated 27 November 2019. The candidate has presented a letter of nomination from the NBCSA, dated 17 November 2020, in which the candidate is confirmed by that Association as a fit and proper person.
- 2.7. The candidate also appears to be a registered member in good standing with the Legal Practice Council. The candidate's certificate of good standing from the Legal Practice Council is dated 17 November 2020. The candidate has been a member of the Legal Sector Code Steering Committee of the Legal Practice Council, since 4 September 2020.
- 2.8. There is no reason to not conclude that the candidate is a fit and proper person for judicial appointment.

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

- 3.1. The candidate is an Indian Muslim male.
- 3.2. The candidate's appointment would advance transformation from a race but not from a gender perspective.

3.3. As a member of the Legal Sector Code Steering Committee of the Legal Practice Council, the candidate has been involved in the advancement of the transformation of the legal profession.

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

4.1. The candidate was appointed to Chatsworth Magistrate's Court as a State Prosecutor in 1988 and in 1991 the candidate was transferred to the Durban Magistrate's Court to serve as Control Prosecutor in the Juvenile and Regional Court.

4.2. The candidate was in 1992 appointed at the Office of the Attorney General, Durban as a State Advocate, in which capacity the candidate states he prosecuted complex and difficult matters in the High Court of South Africa. The candidate was the first Indian male in South Africa to be appointed as State Advocate.

4.3. The candidate was admitted as an Advocate of the High Court of South Africa on 5 January 1993.

4.4. *Ex facie* the candidate's *curriculum vitae*, the candidate further states that he represented the State in *S v Sefadi* 1994 (2) SACR 667, during his tenure as State Advocate. The candidate mentions this as a landmark case, in which the erstwhile Chief Justice – the Honourable S Ngcobo – appeared as defence counsel. This case ostensibly pertained to issues of Constitutional rights and interpretation thereof, as well as questions of professional ethics.

4.5. The candidate resigned as a State Advocate in 1996. The candidate thereafter practiced for his own account, as counsel, from 1997, onwards.

4.6. The candidate has extensive Criminal Law experience and ostensibly is familiar with Criminal Procedure Law, and the proper approach thereto.

4.7. *Ex facie* the candidate's *curriculum vitae*:

4.7.1. The candidate further states he has "*appeared in a broad range of matters*", and that he has been "*briefed in criminal, civil, labour, family and commercial matters*" as well as Motion Court and land claims-related matters.

4.7.2. The candidate does not explicitly state whether he has been briefed or acted in matters containing issues of Constitutional Law and the reviewing team cannot express a view on this.

4.7.3. The candidate states he has "*appeared regularly in all the Courts, save for the Constitutional Court*".

4.7.4. The candidate estimates the proportions of litigation in which he has been involved to be as follows:

4.7.4.1. 50% Criminal law,

4.7.4.2. 5% Administrative law,

4.7.4.3. 5% Constitutional law,

4.7.4.4. 10% Labour,

4.7.4.5. 30% of the balance of the candidate's experience is made up by Family, Commercial, Liquidations and Sequestrations, Tax and Alternative Dispute Resolution matters.

- 4.8. The ‘range of matters’ in which the candidate has ostensibly appeared includes criminal matters (eg *S v Sefadi, supra*), Labour law matters (for the City of Johannesburg), complex auditing and forensic investigations (for the City of Johannesburg), disciplinary hearings of Johannesburg Metropolitan Police Department employees, complex commercial matters (such as, on behalf of Nokia Siemens Networks SA vs FNI Telecommunications Infrastructure (Pty) Ltd) and others.
- 4.9. The candidate appears to have additional relevant *quasi-judicial* experience, acting as Chairperson or, in other cases, evidence leader in disciplinary enquiries for the City of Johannesburg, the Prosecutor – Student Disciplinary Committee of the University of Johannesburg, and as current and incumbent Chairperson of the Ethics Committee of the Magistrate’s Commission.
- 4.10. The candidate also dealt with matters in various fields of law during the periods of his appointment as an acting Judge of the Gauteng Division of the High Court, *inter alia*, Criminal law matters (whether as Court *a quo*, or as Court of Appeal), a Review Application, Opposed Motion Proceedings, Contempt of Court, Foreclosure proceedings, Liquidations and Sequestrations, Judgments by default, Rescission of Judgment, Civil Trials, Contract Law, Family Law, Spoliation, Eviction, Interdict proceedings, Substituted Service, amongst others.
- 4.11. In his judgments, the candidate displays a reasoned and sympathetic approach to the litigants’ plight but holds fast to the applicable legal principles. In doing so, the candidate displays an appreciation and

deference to *stare decisis* and trite legal positions applicable to the disputes before him.

- 4.12. Furthermore, and without being bound solely by the submissions of the parties' representatives, the candidate applies his mind independently, carefully and capably analysing and evaluating the evidence of witnesses (including expert witnesses) and discerning the key factual questions pertaining to the dispute.
- 4.13. In urgent matters, the candidate displays an appreciation of the need for robust determination of issues.
- 4.14. Although the candidate does not demonstrate extensive experience and exposure in Constitutional Law, the candidate's widespread and varied practice, encompassing nearly all fields of law, will serve the candidate well in adjudicating most matters.

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

- 5.1. The candidate reports that he has accepted several briefs wherein he acted *pro amico* on behalf of litigants. The appreciation by the candidate of the necessity to facilitate society's access to justice, even at no cost, shows a deep appreciation for and commitment to the values of the Constitution.
- 5.2. In the matter of *S v Sefadi* 1994 (2) SACR 667 in which the candidate appeared for the State, the candidate opposed an application on behalf of the accused to have access to summaries of the statements of State witnesses on the basis of privilege. The 'blanket privilege' that had been claimed in regard to the contents of police dockets, was held to be in conflict with the provisions of

sections 23 and 25(3) of the Constitution, Act 200 of 1993 and the application was granted.

- 5.3. The candidate reports that he was tasked with conducting complex investigations for the internal audit section of the City of Johannesburg, during which he uncovered fraud amounting to R13 000 000. Consequent to his findings, many corrupt officials within the City of Johannesburg were found guilty and dismissed, and the credibility of the institution restored.
- 5.4. The candidate also reports that he represented the Johannesburg Metropolitan Police Department in a disciplinary of five officers, who were charged with bribery and corruption in 1999. Despite physical threats to his person, the candidate lead evidence against the officers, who were ultimately dismissed.
- 5.5. Through his involvement in the drafting of submissions to the Portfolio Steering Committee on Justice in respect of the Legal Practice Bill, the candidate states that he has sought to increase access to justice for “the ordinary man on the street” in the context of criminal trials, by acting as a proponent for the concept of “trust – account advocates”. The proposal was favourably received and included in the Legal Practice Act 28 of 2014.
- 5.6. The candidate has demonstrated a commitment to the values of the Constitution and to the rule of Law.

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

- 6.1. *S v Andries Lessing* was an appeal against conviction and sentence. The Supreme Court of Appeal dismissed the appeal against

conviction but granted leave to appeal to the Full Court of the Gauteng Local Division in respect of the sentence.

6.2. In *S v Tshele and another*, accused 1 was granted leave to appeal to the Full Bench of the Gauteng Local Division against both conviction and sentence imposed.

6.3. No further information is provided or available on the outcome of the appeal.

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

7.1. The candidate has been in the legal profession for more than 30 years. The candidate has practiced as an advocate for more than 23 years, with professed, extensive experience in trial advocacy.

7.2. The candidate has been exposed to, and involved in, a wide variety of legal matters. *Ex facie* the candidate's application, he has appeared in Magistrate's Courts, various Divisions of the High Courts, the Supreme Court of Appeal<sup>2</sup>, and alternative dispute resolution *fora* (by way of example, AFSA), as set out in the candidate's *curriculum vitae*.

7.3. The candidate has acted as Judge of the Gauteng Division and the Mpumalanga Division "since 2015 for a period of approximately 157 weeks".

7.4. The candidate has also been involved in quasi-judicial proceedings, in various different *fora*, having been involved in *quasi-judicial*

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<sup>2</sup> This isn't explicitly reported, but the candidate does state that he has acted in every Court except for the Constitutional Court.

proceedings, as the Chairperson or the Evidence leader in Disciplinary enquiries, or as the Prosecutor in student disciplinary hearings and as the current and incumbent Chairperson of the Magistrate's Commission Ethics Committee. Additionally, the candidate was an Instructor on behalf of LEAD at the Johannesburg School of Legal Practice, in respect of Practice Management.

- 7.5. The reviewing team finds no reason to not conclude that the candidate does have broad and extensive professional experience that will stand him in good stead as a Judge of the High Court of South Africa.

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

- 8.1. According to the candidate's *curriculum vitae*, the candidate is able to read and write English and Afrikaans, is able to read and speak Urdu, and is able to speak isiZulu and Gujarati and is able to read Arabic.
- 8.2. The judgments of the candidate demonstrate that the candidate has excellent linguistic skills. No adverse comments regarding the candidate's communications skills were received.
- 8.3. The reviewing team finds no reason to not conclude that the candidate does have good to excellent linguistic and general communication skills.

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

- 9.1. In most cases (save for two, where information was not fully and readily available), it appears that it takes the candidate in the range

of between the same day, up to 21 Court days from last date of hearing, for written judgment for be handed down and delivered. The candidate identified one matter, heard by him in January 2020, in which it took the candidate 35 Court days to hand down judgment. This is an anomaly compared to the candidate's overall performance.

9.2. The candidate reported that there are four matters in which reserved judgments are outstanding<sup>3</sup>:

9.2.1. *Erdmann v Van Der Westhuizen* (19865/2020) reserved on 19 October 2020;

9.2.2. *Trudon v Johannesburg Water SOC Limited* (2019/24440) reserved on 19 October 2020;

9.2.3. *Sheriff of the High Court, Roodepoort v Right Gold* (2017/13708) reserved on 20 October 2020; and

9.2.4. *Metchem Steelpoort v Eskom Holdings SOC Ltd* (2020/13926) reserved on 26 October 2020.

9.3. The candidate also reported that he had two part-heard matters which had not yet been completed by the time of the application. Reasons for the matters remaining unresolved are provided. No inference adverse to the candidate can be drawn from the reasons provided.

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<sup>3</sup> All matters were heard in the Gauteng Local Division, Johannesburg, the Court to which the candidate applies for Judicial Appointment.

- 9.4. The team reviewing the candidate's application received a concerned report from a member of the Johannesburg Society of Advocates appearing for the respondent in the matter of *K P Landman & Another / National Treasure Minerals (Pty) Ltd & 4 Others* [Case No. 4958/19]. The respondent had, on 13 August 2020, requested reasons from the candidate for an order which the candidate had granted in the Mpumalanga High Court, Middelburg, for the purposes of appeal. The reviewing team is informed that the respondent has not yet received the reasons for the order, and as such the appeal in this matter has not yet been formally instituted.
- 9.5. A report has also been received<sup>4</sup> that there is an outstanding decision from the candidate, in the unopposed matter only referred to as "Solar Mining/Bilicor", and with case number 2205/20. This matter was heard on 7 September 2020.
- 9.6. Apart from the aforementioned anomalies, the reviewing team finds little reason to not conclude that the candidate produces judgments promptly and efficiently. Clearly, the above adverse reports must be assessed in more detail (in the time available, the reviewing team was unable to do so).

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

- 10.1. There appears no indication the candidate is unfair or lacks impartiality in the judgments which have been delivered.
- 10.2. No adverse comments have been received.

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<sup>4</sup> From the same attorney as the respondent's attorney in the mentioned matter of *K P Landman & Another / National Treasure Minerals (Pty) Ltd & 4 Others* [Case No. 4958/19]

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

- 11.1. There appears no indication the candidate does not apply his mind independently to the issues arising from matters which the candidate has adjudicated.
- 11.2. In the judgments of the candidate that have been made available, the candidate does evince deference to the judicial precedent in his treatment of legal disputes before him.
- 11.3. No adverse comments have been received.

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

- 12.1. The candidate has acted as a Judge of (various Divisions of) the High Court, for approximately 157 weeks.
- 12.2. According to the feedback from members of the Johannesburg Society of Advocates:
  - 12.2.1. The candidate is always courteous and respectful towards counsel appearing before him, regardless of the urgency of the matter or the issues to be determined.
  - 12.2.2. The candidate is always friendly and appreciative of the assistance which counsel offer to the Bench during preparation for, and during argument.;
  - 12.2.3. The candidate is fair-minded and respectful of lay person litigants appearing before the candidate.
  - 12.2.4. The candidate shows an ability to quickly and efficiently come to grips with and address the questions of law and fact

pertaining to an urgent application, during December recess, surrounding Intellectual Property. The candidate succinctly and correctly approached the questions of urgency and merits and robustly gave an *ex tempore* judgment dismissing the application.

12.2.5. The sole criticism in this instance was that the candidate in his judgment, did not grant costs of the dismissed application, rather leaving the question of costs for determination in a future proceeding which the applicant had not yet brought. The unsuccessful applicant did not bring further proceedings, and the respondent remains unable to obtain its costs in due course.

12.3. During this tenure, the candidate appears to have been proficient and sufficiently-experienced to conduct Court proceedings ably and efficiently.

12.4. Save for the above feedback, no adverse comments have been received.

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

13.1. In his capacity as NEC member of the NCBSA, the candidate has travelled and interacted with the regional structures of the Association and was involved in the facilitation of the regional structures of the Association. The candidate states his efforts resulted in the members of the NCBSA becoming properly organised within their regional structures.

13.2. The candidate offers lectures on Practice Management which, *per se*, indicate a deep understanding and significant ability to administer and organise, and assist others in also organising their affairs coherently.

13.3. As counsel practising in various Divisions of the High Court of South Africa and other *fora*, the candidate would have developed the necessary administrative skills to ensure an effective discharge of his administrative abilities as a judge of the High Court.

13.4. No adverse comments have been received.

**14. The candidate's reputation for integrity and ethical behaviour:**

14.1. The candidate's application is supported by letters of good standing given by the National Chairperson of the National Bar Council of South Africa as well as the Director of the Legal Practice Council.

14.2. The candidate's application is also supported by the Head of Judicial Quality Assurance, Chief Magistrate Barnard, who speaks very highly of the candidate.

14.3. The candidate also offers, as reference, Honourable Justices Legodi, Mokgoathleng, Ismail and Sardiwalla, together with Mr Meijer of the Magistrate's Commission and attorney Amina Rahman. It was not considered necessary for the reviewing team to approach the references for any comment.

14.4. The candidate appeared to be forthright in his previous interview and in his disclosures of interests in the application, and his candour as to the consequences of his appointment (being immediate

resignations from posts of his private interests), is an indicator of the candidate's appreciation of his position.

- 14.5. No adverse comments have been received.
- 14.6. The reviewing team finds no reason to doubt the candidate's reputation for integrity and ethical behaviour, which will stand him in good stead as a Judge of the High Court of South Africa.

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

- 15.1. In one positive comment received by the reviewers, it was noted that, faced with an urgent application wherein intellectual property rights are in dispute, the candidate evinced a clear, impartial and patient temperament, allowing (within reason) argument on the issues for his adjudication, and determining the issues methodically and fully.
- 15.2. No further comments have been received.
- 15.3. The candidate's judgments provide an indication that the candidate thoroughly considers all issues arising from legal proceedings before him.
- 15.4. The reviewing team finds no reason to not conclude that the candidate does have the required judicial temperament, which will stand him in good stead as a Judge of the High Court of South Africa.

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

- 16.1. The candidate reports that he identified a need amongst students to learn proper study techniques and academic skills and, accordingly, became involved in the academic support programme and lectured the students to uplift them and provide them with necessary tools to become successful in their studies.
- 16.2. The candidate states he has acted, with success, on behalf of foreign nationals against the Minister of Home Affairs, in order to assist his clients in obtaining the necessary relief.
- 16.3. The candidate assisted with the development of disciplinary codes, procedures and policies for the University of Johannesburg, and assisted in the speedy finalisation of disciplinary hearings, for the benefit of all involved.
- 16.4. The candidate states he has performed the duties of Master of Ceremonies on behalf of the Islamic Business Development Corporation at several functions, including the reception of King Goodwill Zwelithini, the Mauritian Minister of Industry, the Ambassador of Pakistan, Dr Stals, MP Derek Keys and Zach De Beer.
- 16.5. No adverse comments have been received.
- 16.6. It appears to the reviewing team that the candidate has experience in regard to the values and needs of various communities with whom he has interacted in the past, and the candidate has always

attempted to facilitate and coordinate these communities to the benefit of the latter.

- 16.7. The reviewing team finds no reason to not conclude that the candidate is committed to human rights and has experience with regard to the values and needs of the community.

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

- 17.1. The candidate has already left his mark on the communities which he has served, and the various institutions which he has represented or been associated with.

- 17.2. As an experienced counsel and having acted as a Judge of the Gauteng Division for more than 157 weeks, the candidate will undoubtedly bring significant benefit to the Bench.

- 17.3. There is no reason not to believe that the candidate will not enjoy further growth as a father, husband and a lawyer if he is elevated to the Bench.

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

- 18.1. The candidate's appointment will be in line with the transformation initiatives pertaining to the appointment of Indian men to the Bench, and particularly as a representative of South Africa's extensive Muslim community.

- 18.2. The candidate's appointment as the first Indian male State Advocate and elevation thereafter to the Bench of the High Court, will undoubtedly be an indicator to the community at large that the

progression of legally trained persons, whether State Advocates or acting for their own accounts, is possible and attainable.

- 18.3. The sacrifices that the candidate has made to date, through accepting numerous appointments to act as Judge where and when and for the term required, together with the candidate's willingness to answer the call of the profession wherever it is made, will be met with appreciation through his elevation to the Bench.
- 18.4. Through his involvement in the drafting of submissions to the Portfolio Steering Committee on Justice in respect of the Legal Practice Bill, the candidate states that he has sought to increase access to justice for "the ordinary man on the street" in the context of criminal trials, by acting as a proponent for the concept of "trust – account advocates". The proposal was favourably received and included in the Legal Practice Act 28 of 2014.
- 18.5. The reviewing team finds no reason to doubt that the candidate's appointment would send a positive message to the community at large, be well received by the community at large and will be beneficial to the Bench of the High Court of South Africa.

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

### **Reported decisions:**

Although the candidate identified five judgments available on Saflii as “*reported judgments*”, none of the candidate’s judgments have been found reported in traditional non-electronic law reports.

### **Unreported decisions:**

*Afrisam (SA) Properties (Pty) Ltd v Elandspoort Farming (Pty) Ltd and others*  
(48644/2017) [2018] ZAGPPHC 580 (13/6/18)

*Dimakatso Mirriam Legodi v RAF* (10078/2015) [2018] ZAGPJHC (16/2/2018)

*Phikizani Mhlanga v The Minister of Police* (41410/2012) [2018] ZAGPJHC  
(16/2/18)

*Obose Bonginkosi Patrick v RAF* (20976/2014) [2018] ZAGPJHC 491; 2018  
JDR 1011 (GJ)

The reviewing team has also had regard to the following judgments attached to the application comprising 3 Criminal matters, 4 Criminal Appeal matters, 1 Review in terms of the Criminal Procedure Act, 1 Law Society Matter and 12 Civil matters (including 1 Reasons for Order and 1 Application for Leave to Appeal)<sup>5</sup>.

*State v D. De Villiers* (SS 207/2014) [Criminal matter]

*State v M. G. Lebogang* (SS 052/2018) [Criminal matter]

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<sup>5</sup> In the candidate’s previous application, the candidate provided the judgment in *State v V.D. Sebolai* (SS 182/2014), a criminal matter. This judgment was not provided with the current application, even though other judgments previously provided were again provided in this application.

*State v A. Pretorius and Q. Smart* (SS 69/2019) [Criminal matter]

*S. Mbatha v State* (A297/2016) [Criminal appeal]

*K. Joseph v State* (A142/2018) [Criminal appeal]

*Christo v State* (A18/2018) [Criminal appeal]

*T. M. Mthokozi v State* (BA 25/2020) [Bail Appeal]

*W. Venagasi and 6 others* (R19/2020; R20/2020; R21/2020; R22/2020; R23/2020; R24/2020; R25/2020) [Criminal matter – Automatic Review]

*Law Society of Northern Provinces v S. Malangeni* (84433/016)

*DR Nomathemba Blaai Mokgethi v Speaker of Council: North West 405 and others* (50919/2017)

*Admire Dube v Minister of Safety and Security* (62343/2011)

*ERF 152927 Cape Town (Pty) Ltd v Transnet Ltd et al* (35967/2010) [Civil matter – exception]

*R. S. Price v B. T. Nyezi et al* (15267/2016) [Civil matter – Breach of settlement agreement]

*Chrims Petroleum Investment (Pty) Ltd v Eskom SOC Ltd* (20809/2018) [Civil matter – Review]

*National Asphalt (Pty) Ltd and PCBS et al* (21909/2019) [Civil matter – Rectification of payment guarantee]

*M. K. Patrick v RAF* (2018/9956) [Civil matter – damages]

*S. V. Patrick* (2018/11028) [Civil matter – Rescission of default judgment]

*G. Benito v T. Dinwoodie et al* (28072/2016) [Civil matter – Special motion]

*Omega Risk Solutions (Pty) Ltd v Ford Motor Company of South Africa (Manufacturing) (Pty) Ltd* (25287/2020) [Civil matter – Interim Interdict proceedings]

*Loch Vaal Club v J. Greyson* (2019/27447) [Civil matter – Application for leave to appeal]

**Judgments upheld on appeal:**

None identified.

**Judgments overturned on appeal:**

None identified.