

JSC INTERVIEW ROUND: APRIL 2022

CANDIDATE: JUDGE MAHUBE BETTY MOLEMELA

COURT FOR WHICH CANDIDATE APPLIES: CONSTITUTIONAL COURT

1. The candidate's tertiary qualifications, professional admissions and honours:

1.1. The candidate holds the following formal qualifications:

1.1.1.

1.1.2. BA, University of Fort Hare (1986);

1.1.3. B Proc, University of Fort Hare (1992);

1.1.4. LLB, University of the Free State (2000);

1.1.5. Diploma Advanced Labour Law, University of Johannesburg (1998);

1.1.6. LLM (Mercantile Law), University of the Free State (2002); and

1.1.7. DIP Business Management Studies, Buckinghamshire Chilterns University College (2001).

1.2. The candidate has certificates in:

1.2.1. Advanced Military Law (Thaba Tshwane College, SANDF) (2012); and

- 1.2.2. Estate Agency (Estate Agency Affairs Board).
 - 1.3. The candidate has participated in short courses relating to:
 - 1.3.1. Judicial enforcement of socio-economic rights in Africa (University of Pretoria) (2012);
 - 1.3.2. Gender Equality in the World of Work: Professional Upgrading on International and National Legal Frameworks for Courts (International Training Centre of the International Labour Organization (Turin, Italy) (2012); and
 - 1.4. Human Rights (Danish Centre for Human Rights, Copenhagen) (1996).
 - 1.5. The candidate's professional admissions and honours:
 - 1.5.1. Attorney (1993);
 - 1.5.2. Honorary Doctorate in Law (LLD honoris causa), University of the Free State (2019).
 - 1.6. The candidate's formal qualifications represent a diversity of qualifications which are suited for the generalist expertise now necessary for the Constitutional Court.
- 2. The candidate's integrity and ethics:**
- 2.1. No circumstances are known that would suggest that the candidate is not a person of integrity with a reputation for ethical behaviour or is not a fit and proper person for appointment.

3. Whether the candidate's appointment would help to achieve an appropriate racial and gender composition on the bench:

3.1. There are currently 8 full time judges on the Constitutional Court bench, comprising:

3.1.1. 3 black women (2 African, 0 Indian, 1 Coloured);

3.1.2. 5 black men (3 African, 1 Indian, 1 Coloured);

3.1.3. 0 white women; and

3.1.4. 0 white men.

3.2. The candidate is a black (African) woman.

4. The implications of the constitutional mandatory term limits and age requirements for discharge from active service of Constitutional Court judges:

4.1. Section 176(1) of the Constitution provides that a Constitutional Court judge holds office for a non-renewable term of 12 years, or until he or she attains the age of 70, whichever is the earlier, unless extended by an Act of Parliament.

4.2. Section 4(1) of the Judges Remuneration and Conditions of Employment Act 47 of 2001 provides that a Constitutional Court judge whose 12-year term of office as a Constitutional Court judge expires before he or she has completed 15 years' active service as a judge must, subject to subsection (2), continue to perform active service as a Constitutional Court judge to the date on which he or she completes a

period of 15 years' active service, whereupon he or she must be discharged as a Constitutional Court judge.

4.3. Section 4(2) of the Act provides that a Constitutional Court judge who, on attaining the age of 70 years, has not yet completed 15 years' active service as a judge, must continue to perform active service as a Constitutional Court judge to the date on which he or she completes a period of 15 years' active service as a judge or attains the age of 75 years, whichever occurs first, whereupon he or she must be discharged as a Constitutional Court judge.

4.4. The candidate is 56 and has completed a period of 14 years of active service as a judge.

4.5. If appointed, the candidate's office will terminate in 12 years.

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

5.1. The candidate's extensive involvement in the many different organisations listed below indicates a personal commitment to the values of the Constitution outside the scope of her professional capacity.

5.2. The candidate was and/or presently still is a member of the following organisations.

5.2.1. Black Lawyers Association (1987 – 2008).

5.2.2. South African Women Lawyers Association (2007 – 2008).

- 5.2.3. South African Chapter of the International Association of Women Judges (2009 – present).
- 5.2.4. The Justice & Peace Committee of the St Rose Parish (2004).
- 5.2.5. Catholic Women’s League (2016 – present).
- 5.2.6. Council member of the Central University of Technology (2013 – 2015).
- 5.3. The candidate was a trustee of the Black Lawyers Association Legal Education Centre from 2003 to 2008.
- 5.4. The candidate is the chairperson of the South African Chapter of the International Association of Women Judges Trust (2019 – present).
- 5.5. The candidate is the Chancellor of the Central University of Technology (2016 – present).
- 5.6. The candidate was a board member of the Free State Rural Development Association (2000 – 2004).
- 5.7. The candidate was a member of the advisory board of the Free State Centre for Human Rights (2015 – 2018).
- 5.8. The candidate is a board member of the Free State Symphony Orchestra (2019 – present).
- 5.9. At paragraph 18 of the questionnaire, the candidate provides the following answer to the question “*What would you regard as your most significant contribution to the law and the pursuit of justice in South Africa?*”

“Giving presentations to members of the public (mainly rural communities); serving on the board of a non-governmental organisation whose mission was to contribute towards strengthening, facilitating, lobbying and advocating for development of rural communities; lecturing law students at the University of the Free State (2002–2003) and presenting trial advocacy to aspiring legal practitioners as part of the programme offered for lead by the legal education centre has made a positive impact on the legal profession.”

6. The candidate’s knowledge of the law, including constitutional law:

- 6.1. The candidate has been actively involved in the legal profession for over 33 years, having started her legal career as a prosecutor, attorney, CCMA Commissioner and currently serving as Judge of Appeal at the Supreme Court of Appeal.
- 6.2. The candidate had several acting stints in specialist Courts; i.e. Labour Appeal Court and Commercial Appeal Court.
- 6.3. At the Supreme Court of Appeal, the candidate participated in matters and gained experience in other specialist areas such as maritime law and intellectual property which is indicative of the candidate’s broad knowledge of the law.
- 6.4. The candidate has acted at the Constitutional Court for two terms.
- 6.5. The candidate has authored 12 reported judgments, which relate to criminal law, administrative law, medical negligence, trusts, insolvency, access to information, and local government.

6.6. The candidate has produced numerous unreported judgments across a variety of areas of law.

7. Judgments of the candidate that have been overturned, upheld or commented on, on appeal:

7.1. The candidate's dissenting judgments in *Morudi and others v NC Housing Services and Development Co and others* [2017] ZASCA 121 and *Harrielall v University of KwaZulu-Natal* (493/2016) [2017] ZASCA 25 were upheld by the Constitutional Court.

7.2. In *Harvey NO and Others v Crawford NO and Others* [2018] ZASCA 147, the candidate's finding in respect of the interpretation of a testamentary trust so as not to discriminate against adopted children from natural children was confirmed by the majority in *Wilkinson and Another v Crawford NO and Others* [2021] ZACC8.

7.3. The candidate lists two judgments (from early in her career) which were successfully appealed against.

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

8.1. The candidate has a long professional history.

8.1.1. She commenced practice as a prosecutor in 1987 at Thaba Nchu Magistrates Court.

8.1.2. She was admitted as an attorney in 1993.

8.1.3. She practiced as an attorney (1993 – 1999; 2002 – 2007).

8.1.4. She sat as a commissioner of the CCMA (1999 to 2001).

- 8.1.5. She worked as a part time law lecturer at the University of the Free State (2001 – 2003).
- 8.2. The candidate has held the following judicial or quasi-judicial positions:
- 8.2.1. Military Judge (2004).
- 8.2.2. Acting Judge, Free State Division of the High Court (September – October 2005; October – November 2006; July – September 2007).
- 8.2.3. Acting Judge, Gauteng Local Division of the High Court, Johannesburg (November 2007 – April 2008).
- 8.2.4. Permanent Judge, Free State Division of the High Court (July 2008 – 31 May 2018).
- 8.2.5. Judge President of the Free State Division of the High Court (2015 – 31 May 2018).
- 8.2.6. Acting Judge, Labour Appeal Court (2012 – 2014).
- 8.2.7. Acting Judge, Competition Appeal Court (2012 – 2014).
- 8.2.8. Judge of Appeal, Labour Appeal Court (1 June 2014 – May 2018).
- 8.2.9. Acting Judge, Constitutional Court (1 February 2015 – May 2015).

- 8.2.10. Acting Judge, Supreme Court of Appeal (December 2016 – 30 September 2017).
- 8.2.11. Judge of Appeal, Supreme Court of Appeal (1 June 2018 to date).
- 8.3. The candidate has received the following awards:
- 8.3.1. International Association of Women Judges SA Chapter's recognition award, 10 August 2016.
- 8.3.2. University of the Free State's recognition award (Chancellor's Distinguished Alumnus Award), 5 November 2016.
- 8.3.3. Black Lawyers Association recognition award (Service Excellence Award), 20 October 2017.
- 8.3.4. Recipient of the Black Conveyancers Association recognition award (Transformation Award), 28 October 2017.

9. The candidate's linguistic and communication skills:

- 9.1. The candidate's judgments are well-written, well-reasoned and crafted in clear English.
- 9.2. The candidate is articulate. Her verbal communication skills exude confidence, assertiveness and wisdom.

10. The candidate's ability to produce judgments promptly:

- 10.1. Of the 114 reported or published judgments reviewed, the overwhelming majority were produced promptly. Only two entailed a protracted delay.

- 10.1.1. *Oppelt v Department of Health, Western Cape* 2016 (1) SA 325 (CC) was heard on 26 February 2015 and judgment was delivered on 14 October 2015; and
- 10.1.2. *Shell SA Energy (Pty) Ltd v National Bargaining Council for the Chemical Industry* 2013 JDR 0173 (LAC) was heard on 15 March 2012 and judgment was delivered on 12 December 2012.
- 10.2. The candidate's record indicates that she produces judgments promptly. The last delayed judgment from the candidate was in 2015.
11. **The candidate's ability to conduct court proceedings fairly, efficiently and effectively:**
 - 11.1. There is no reason to doubt the candidate's ability to conduct court proceedings fairly, efficiently and effectively.
 - 11.2. The candidate is a seasoned Justice of the Supreme Court of Appeal, who has acted at the Constitutional Court.
 - 11.3. The candidate held a seat at various courts including the High Court, Labour Appeal Court and Competition Appeal Court.
 - 11.4. Prior to her appointment at the Supreme Court of Appeal, the candidate served as Judge President of the Free State division of the High Court, where she was responsible for the management of the Court and lower courts within the jurisdiction of that division.
 - 11.5. As far as could be ascertained, there have been no complaints or adverse comments as to the candidate's ability to conduct court proceedings.

12. The candidate's independent-mindedness:

12.1. The candidate demonstrates independent-mindedness in her judgments in the numerous courts of appeal where she serves and has served. Examples of her dissent in matters of interest are the following:

12.1.1. The candidate raised a point of dissent, not in respect of the finding of her sister Potterrill AJA on the merits of the case, but in respect of the relief granted by the Court, in the matter of *Magistrates' Commission and others v Lawrence and another (Helen Suzman Foundation as amicus curiae)* [2022] 1 All SA 321 (SCA).

12.1.2. The candidate wrote the majority judgment in the matter of *Oppelt v Department of Health, Western Cape* 2016 (1) SA 325 (CC), in which the Constitutional Court overturned an order granted by the Supreme Court of Appeal. In this judgment she voiced strong dissenting views to that of the Supreme Court of Appeal.

12.1.3. In *Salzmann v State* [2020] 1 All SA 361 (SCA), the candidate wrote a dissent in respect of the sentence imposed.

13. The candidate's administrative ability (other than in relation to court proceedings):

13.1. As Judge President of the Free State Division of the High Court, the candidate managed that Division. She also remotely managed numerous other courts that fell within the jurisdiction of the Free State Division of the High Court. The candidate managed complex matters

by being part of full benches or by allocating such matters to other judges but still familiarising herself with the issues.

- 13.2. At paragraph 20 of the questionnaire, the candidate provides, *inter alia*, the following answer to the question “*Is there any other relevant matter which you should bring to the attention of the Commission?*”

“before my permanent appointment as a judge, I had presided over arbitration cases for 9 years (from 1999) and was already au fait with the management of proceedings. ... acting in all the appellate courts has given me diverse experience. Despite the hectic schedule of these appellate courts, I have not missed a single court hearing. Notwithstanding the hectic schedule of the constitutional court, I managed to do additional work by conducting a prison visit at Zonderwater Correctional Centre. The report on the prison visit was submitted before the end of my acting appointment.”

14. **The message that the candidate’s appointment would send to the public at large:**

- 14.1. The candidate is a 56 year old black woman. She grew up and qualified as a legal professional in adverse personal circumstances and during the height of Apartheid. She has succeeded in building a longstanding and exceptional career in the legal profession, and has varied and extensive experience (also see paragraph 20 of the candidate’s questionnaire).
- 14.2. Her appointment is likely to communicate to the public at large a commitment to the promotion of judges who have established judicial

careers, but also that female practitioners and judges can rise to the country's highest bench on the strength of the merit of their qualifications.

ANNEXURE: LIST OF JUDGMENTS CONSIDERED**Reported judgments:**

Oppelt v Department of Health, Western Cape 2016 (1) SA 325 (CC)

Unreported judgments:

Premier of the Western Cape Province v The Public Protector & Another (771/2020) [2022] ZASCA 16 (7 February 2022)

Phumlani Nicholas Khathide v The State (840/2020) [2022] ZASCA 17 (14 February 2022)

Flower Foundation Pretoria Homes for the Aged NPC v Registrar of Deeds, Pretoria and Others (942/2020) [2022] ZASCA 8 (20 January 2022)

Minister of Police v Shawn Bosman & Others (1163/2020) [2021] ZASCA 172 (9 December 2021)

The Magistrates Commission and Others v Richard John Lawrence (Case no 388/2020) [2021] ZASCA 165 (2 December 2021)

Brits v Minister of Police & Another (759/2020) [2021] ZASCA 161 (23 November 2021)

The National Prosecuting Authority v PSA obo Meintjies and 55 others and Others (Case no: 353/2020) and *The Minister of Justice and Correctional Services and Director-General: DoJCD v PSA obo Meintjies and 55 others and Others* (Case no: 354/2020) [2021] ZASCA 160 (SCA) (17 November 2021)

Rand West City Local Municipality v Quill Associates (Pty) Ltd and Another (Case no 497/20) [2021] ZASCA 150 (26 October 2021)

Lungisa Grifhs v The State (433/2020) [2021] ZASCA 112 (1 September 2021)

The Member of the Executive Council for Health, Eastern Cape v DL obo AL (Case no 117/2020) [2021] ZASCA 68 (03 June 2021)

Somali Association of South Africa and Others v The Refugee Appeal Board and Others (Case no 585/2020) [2021] ZASCA 124 (23 September 2021)

Bassani Mining (Pty) Ltd v Sebosat (Pty) Ltd & others (835/2020) [2021] ZASCA 126 (29 September 2021)

Cipla Vet (Pty) Ltd v Merial and Others (1068/2020) [2022] ZASCA 5 (11 January 2022)

Nandi Jacobs v The Minister of Justice and Correctional Services (431/2020) [2021] ZASCA 151 (27 October 2021)

Ronel Noleen Smit v Calvin Kleinhans (case no 917/2020) [2021] ZASCA 147 (18 October 2021)

Auditor-General of SA v MEC for Economic Opportunities, Western Cape and Another (Case no 671/2020) [2021] ZASCA 133 (4 October 2021)

Framatome v Eskom Holdings SOC Ltd (357/2021) [2021] ZASCA 132 (1 October 2021)

Chithi and Others; In re: Luhlwini Mchunu Community v Hancock and Others (Case No. 423/2020) [2021] ZASCA 123 (23 September 2021)

Ombud for Financial Services Providers v CS Brokers CC and Others (Case no 781/2020) [2021] ZASCA 117 (17 September 2021)

NMZ obo SFZ v MEC for Health and Social Development of the Mpumalanga Provincial Government (Case no 1149/2020) [2021] ZASCA 184 (24 December 2021)

Bobroff and Another v The National Director of Public Prosecutions (Case no 194/20) [2021] ZASCA 56 (3 May 2021)

Fidelity Security Services (Pty) Ltd v Minister of Police and Others (1349/2019) [2021] ZASCA 51 (22 April 2021)

Lucas & Another v Umhlathuze Municipality and Another (Case no. 785/2020) [2021] ZASCA 181 (17 December 2021)

BW Brightwater Way Props (Pty) Ltd v Eastern Cape Development Corporation (1235/2019) [2021] ZASCA 47 (19 April 2021)

The Attorneys Fidelity Fund Board of Control v Love (Case No 170/2020) [2021] ZASCA 44 (14 April 2021)

King Price Insurance Company Ltd v Concise Consulting Services (Pty) Ltd (1067/2019) [2021] ZASCA 42 (13 April 2021) Coram: Mbha, Zondi and Molemela JJA and Kgoele and Rogers AJJA

Gobela Consulting v Makhado Municipality (Case no 910/19) [2020] ZASCA 180 (22 December 2020)

Solidarity and Another v Black First Land First and Others (163/2020) [2021] ZASCA 26 (24 March 2021)

Groundprobe Pty Ltd and Another v Reutech Mining (Pty) Ltd and Others (Case no 1226/2019) [2021] ZASCA 22 (19 March 2021)

United Democratic Movement and Another v Lebashe Investment Group (Pty) Ltd and Others (1032/2019) [2021] ZASCA 4 (13 January 2021)

Tofa v The State (20133/14) [2015] ZASCA 26 (20 March 2015)

Sethuntsa v S (A166/2014) [2014] ZAFSHC 235 (11 December 2014)

Mgcina v S (A225/2013) [2014] ZAFSHC 132 (28 August 2014)

S v Mathabela [2009] ZAFSHC 134 (19 November 2009)

Ex parte: Mpitsang (2232/2009) [2009] ZAFSHC 65 (28 May 2009)

Reahilwe Funeral Homes CC and Another v Moekoa and Others (1745/2011) [2011] ZAFSHC 98 (7 June 2011)

DNH Makelaars BK v Kleinhans (A324/10) [2011] ZAFSHC 90 (26 May 2011)

Mabitse v S (A84/10) [2010] ZAFSHC 100; 2012 (2) SACR 380 (FB) (9 September 2010)

Haw and Inglis Civil Engineering (Pty) Ltd v MEC of Police Roads and Transport: Free State Provincial Government and Others (5972/2009) [2010] ZAFSHC 51 (28 May 2010)

Matjhabeng Local Municipality v Erasmus and Others [2010] ZAFSHC 27 (4 March 2010)

Steenbergen and Others v Minister of Safety and Security (1071/2003, 1072/2003) [2010] ZAFSHC 26 (26 February 2010)

Wurth South Africa (Pty) Ltd v Schaup and Another (3872/2006) [2010] ZAFSHC 8
(4 February 2010)

Thebe v Road Accident Fund (5674/2008) [2010] ZAFSHC 5 (29 January 2010)

Maluti-A-Phofung Municipality v Prellex 192 CC t/a Prellex 192 Consulting Services (5186/07) [2009] ZAFSHC 95 (25 September 2009)

Law Society of the Free State v Chabane (2273/2009) [2009] ZAFSHC 76 (11 June 2009)

Maartens v Kobus Van Zyl Boerdery BK (1973/2006) [2008] ZAFSHC 149 (11 December 2008)

Jankowitz and Another v Road Accident Fund (1113/2007) [2008] ZAFSHC 131 (27 November 2008)

Goliath v Mangaung Local Municipality and Others (2786/2008) [2008] ZAFSHC 117 (11 September 2008)

De L and Another v Commissioner for the South African Revenue Services (IT 12291, VAT 596) [2010] ZATC 3 (4 November 2010)

Makhonanyane v S (A127/2015) [2016] ZAFSHC 12 (28 January 2016)

Minister of Safety and Security v Uwam (A234/2013) [2014] ZAFSHC 114 (7 August 2014)

Jama and Another v S [2010] ZAFSHC 116 (12 August 2010)

Kusa v S [2010] ZAFSHC 110 (16 August 2010)

Taute NO v Heymans (6032/2008) [2009] ZAFSHC 77 (27 August 2009)

- Tabile v S* (A52/2014) [2014] ZAFSHC 232 (6 November 2014)
- Draai v S* (A60/2014) [2014] ZAFSHC 188 (11 November 2014)
- S v Nyathi* (262/2013) [2013] ZAFSHC 200 (7 November 2013)
- Lephuthing v S* (A137/2012) [2012] ZAFSHC 239 (14 December 2012)
- S v Raseu* (134/2014(B)) [2014] ZAFSHC 125 (21 August 2014)
- M v S* (A229/2013) [2014] ZAFSHC 121 (8 August 2014)
- Ganya v S* (A215/2013) [2014] ZAFSHC 240 (6 November 2014)
- Mofokeng v S* (A74/2014) [2014] ZAFSHC 129 (14 August 2014)
- Mofokeng v S* (A63/2013) [2013] ZAFSHC 134 (1 August 2013)
- Godla and Another v S* (A140/2012) [2013] ZAFSHC 61 (25 April 2013)
- Nhlapo v S* (A176/2012) [2013] ZAFSHC 57 (1 April 2013)
- Memeza and Others v S* (A310/2012) [2013] ZAFSHC 27 (14 March 2013)
- Mololo v S* (A284/2012) [2013] ZAFSHC 23 (7 March 2013)
- S v Tshabalala* (278/2011) [2011] ZAFSHC 150 (1 September 2011)
- S v Mofo* (444/2012) [2013] ZAFSHC 22 (7 March 2013)
- S v Matsoso* (420/2012) [2012] ZAFSHC 214 (22 November 2012)
- Mafoyane and Others v S* (A92/14) [2014] ZAFSHC 215 (14 November 2014)
- Koen v Bubb and Another* (1462/2014) [2014] ZAFSHC 126 (21 August 2014)

S v Mochochonono (71/2013) [2013] ZAFSHC 100 (25 April 2013)

Moticoe and Another v S (A299/2011) [2012] ZAFSHC 240 (14 December 2012)

Sebagalo v S (A36/2012) [2012] ZAFSHC 218 (22 November 2012)

Jordaan v Liberty Life Ltd (3890/2007) [2011] ZAFSHC 217 (29 July 2011)

Thole v S (A138/2010) [2011] ZAFSHC 136; 2012 (2) SACR 306 (FB) (30 August 2011)

Gaobepe v Brits (A79/2013) [2015] ZAFSHC 33 (26 February 2015)

Motoko v S (A64/2013) [2013] ZAFSHC 137 (1 August 2013)

Mpindo v S (A317/2011) [2013] ZAFSHC 136 (1 August 2013)

Mogwase v Minister of Safety and Security and Another (856/2008) [2014] ZAFSHC 112 (8 August 2014)

Firststrand Bank Ltd v Western Breeze Trading 213 (Pty) Ltd (5095/2010) [2013] ZAFSHC 42 (15 March 2013)

Firststrand Bank Ltd v Western Breeze Trading 213 (Pty) Ltd (5095/10) [2011] ZAFSHC 137 (30 August 2011)

Matloko and Others v S (A109/11) [2012] ZAFSHC 108 (31 May 2012)

Richards v Mgojo and Others, Mgojo v Richards and Others (919/2013, 372/2013, 1559/2013) [2013] ZAFSHC 172 (26 September 2013)

Van der Merwe and Others v S (A366/10) [2011] ZAFSHC 88; 2011 (2) SACR 509 (FB) (23 June 2011)

Coalition Trading 1130 CC (2008/154841/23) t/a Brother Accomodation v Motheo Fet College, Bloemfontein and Another (4003/2013) [2013] ZAFSHC 177 (22 October 2013)

Bosaletse and Others v Minister of Mineral Resources and Others (1891/2013) [2013] ZAFSHC 166 (26 September 2013)

Rasello v Chali and Others, Chali and Others v Rasello and Others (A69/2012, 683/2011) [2013] ZAFSHC 182 (24 October 2013)

Labuschagne v S (A79/2010) [2010] ZAFSHC 138 (28 October 2010)

Voges v Vicente (A103 / 09) [2010] ZAFSHC 28 (4 March 2010)

M v S (A45/09) [2010] ZAFSHC 12 (4 February 2010)

Seitisho v S [2008] ZAFSHC 151 (11 December 2008)

S v Mariti (269/08) [2008] ZAFSHC 130 (27 November 2008)

S v Moeti (271/2008) [2008] ZAFSHC 127 (6 November 2008)

S v Nagel (522/2008) [2008] ZAFSHC 125 (6 November 2008)

S v Tshubane (260/2008) [2008] ZAFSHC 118 (11 September 2008)

S v Pule (282/2008) [2008] ZAFSHC 113 (4 September 2008)

Cash Paymaster Services (Pty) Ltd v Chief Executive Officer of the SASSA and others (1029/2018) [2019] ZASCA 131 (30 September 2019)

Livanje v The State (378/2018) [2019] ZASCA 126 (27 September 2019)

Top Trailers (Pty) Ltd & another v Kotze (1006/2018) [2019] ZASCA 141 (1 October 2019)

Afrisam (SA) (Pty) Ltd v Maleth Investment Fund (Pty) Ltd (651/2018) [2019] ZASCA 139 (01 October 2019)

Scholtz v NDPP (69/18) [2019] ZASCA 136 (1 October 2019)

Mbungela & another v Mkabi & others (820/2018) [2019] ZASCA 134 (30 September 2019)

McGregor and another v MEC Health, Western Cape (1258/2018) [2020] ZASCA 89 (31 July 2020)

Resultant Finance (Pty) Ltd v Head of Department for the Department of Health, KwaZulu-Natal and Another (62/2019) [2020] ZASCA 87 (16 July 2020)

Systems Applications Consultants (Pty) Ltd t/a Securinfo v Systems Applications Products AG and Others (1371/2018) [2020] ZASCA 81 (2 July 2020)

Director of Public Prosecutions, Northern Cape v Brooks and Others (Case no 505/19) [2020] ZASCA 80 (2 July 2020)

Namasthethu Electrical (Pty) Ltd v City of Cape Town and Another (Case no 201/19) [2020] ZASCA 74 (29 June 2020)

Valor IT v Premier, North West Province and Others (Case no 322/19) [2020] ZASCA 62 (9 June 2020)

Tsambo v Sengadi (244/19) [2020] ZASCA 46 (30 April 2020)

Wilma Petru Kooij v Middleground Trading 251 CC and Another (1249/18) [2020]
ZASCA 45 (23 April 2020)

Y v S (Case no 537/2018) [2020] ZASCA 42 (21 April 2020)

Shell SA Energy (Pty) Ltd v National Bargaining Council for the Chemical Industry
2013 JDR 0173 (LAC)

Judgments upheld on appeal:

Morudi and others v NC Housing Services and Development Co and others [2017]
ZASCA 121 upheld in *Morudi and others v NC Housing Services and
Development Co and others* [2018] ZACC 32

Harielall v University of KwaZulu-Natal (493/2016) [2017] ZASCA 25 upheld in
Harielall v University of KwaZulu-Natal 2018(1) BCLR 12 (CC)

Harvey NO and Others v Crawford NO and Others [2018] ZASCA 147 upheld in
Wilkinson and Another v Crawford NO and Others [2021] ZACC8

Judgments overturned on appeal:

Lekhele v The State (234/2008) (unreported) (unable to locate citation on appeal)

Liberty Group v Jordaan (A289/2011) (unreported) overturned in *Liberty Group v
Jordaan* 2012 JDR 1828 (FB)