

JSC INTERVIEW OF JUSTICE M P MOLEMELA: APRIL 2023

CANDIDATE: JUSTICE MAHUBE BETTY MOLEMELA

COURT FOR WHICH CANDIDATE APPLIES: PRESIDENT OF THE SUPREME COURT OF APPEAL

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

1.1. The candidate holds the following formal qualifications:

1.1.1. BA – University of Fort Hare (1986);

1.1.2. BProc – University of Fort Hare (1992);

1.1.3. Post-Graduate Diploma in Advanced Labour Law – University of Johannesburg (1998);

1.1.4. Bachelor of Laws (LLB) – University of the Free State (2000);

1.1.5. Post-Graduate Diploma in Business Management – Buckinghamshire Chilterns University College (2001); and

1.1.6. Master of Laws (LLM) (in Mercantile Law) – University of the Free State (2002).

1.2. The candidate has participated in short courses relating to:

1.2.1. Judicial enforcement of socio-economic rights in Africa – University of Pretoria (2012);

- 1.2.2. 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
- 1.2.3. Human Rights – Danish Centre for Human Rights, Copenhagen (1996).
- 1.3. The candidate has certificates in:
 - 1.3.1. Diploma in Advanced Military Law – Thaba Tshwane Military College, SANDF (2012); and
 - 1.3.2. Estate Agency (Estate Agency Affairs Board).
- 1.4. The candidate’s professional admissions and honours:
 - 1.4.1. Attorney (1993);
 - 1.4.2. Conveyancer (1996);
 - 1.4.3. Notary (1996); and
 - 1.4.4. LLD (honoris causa) – University of the Free State (2019).
- 1.5. The candidate is presently serving as Judge of the Supreme Court of Appeal from 2018 to date.

2. The candidate’s integrity and ethics:

- 2.1. There is nothing to suggest that Judge Molemela 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 23 full time judges in the Supreme Court of Appeal, comprising (as far as could be ascertained):

3.1.1. 10 black women (8 African, 1 Indian, 1 Coloured);

3.1.2. 6 black men (5 African, 1 Indian);

3.1.3. 2 white women; and

3.1.4. 5 white men.

3.2. The candidate is a black (African) woman and will, if appointed in this position succeed Justice Maya, who has been elevated to the position of Deputy Chief Justice. Thus, the candidate's appointment would also constitute a continuation of the effort to not only attain an appropriate racial and gender composition on the SCA's Bench, but also in leadership positions in the judiciary.

4. The maximum period that the candidate could serve if appointed:

4.1. Section 176(2) of the Constitution provides that all judges other than Constitutional Court judges "*hold office until they are discharged from active service in terms of an Act of Parliament.*" The Act in question is the Judges Remuneration and Conditions of Employment Act 47 of 2001.

4.2. Section 3(2)(a) of the Act provides that, subject to section 4(4), a judge will ordinarily be discharged from active service upon reaching the age of 70 if, by that date, they have completed a period of active service of not less than ten years. If not, they will be

discharged from active service after having completed ten years of active service.

4.3. Section 4(4) allows for a judge who reaches the age of 70 to continue serving until the age of 75 if, at the time of turning 70, they have not yet served 15 years' active service.

4.4. The candidate turns 58 years of age on 18 March 2023 and has completed a period of more than ten years of active service.

4.5. If appointed, the candidate could therefore serve another 12 years actively in office.

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 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);
- 5.2.7. the candidate was a trustee of the Black Lawyers Association Legal Education Centre from 2003 to 2008;
- 5.2.8. the candidate is the chairperson of the South African Chapter of the International Association of Women Judges Trust (2019 – present);
- 5.2.9. the candidate is the Chancellor of the Central University of Technology (2016 – present);
- 5.2.10. the candidate was a board member of the Free State Rural Development Association (2000 – 2004);
- 5.2.11. the candidate was a member of the advisory board of the Free State Centre for Human Rights (2015 – 2018); and
- 5.2.12. the candidate was a member of the advisory board of the Free State Centre for Human Rights (2015 – 2018).
- 5.3. The candidate indicated in a questionnaire submitted to the JSC on a previous occasion that she has given presentations to members of the public (mainly rural communities); served on the board of a non-governmental organisation whose mission was to contribute towards strengthening, facilitating, lobbying and advocating for development of rural communities; and presented trial advocacy to aspiring legal practitioners as part of the programme offered for LEAD.
- 5.4. The candidate has served two terms as an Acting Justice in the Constitutional Court.

- 5.5. The candidate listed a number of cases in her questionnaire (see paragraph 16 of the questionnaire) wherein she wrote the judgments and wherein significant constitutional issues were at stake.
- 5.6. The fact that most of the candidate's minority judgments in a number of matters were upheld by the Constitutional Court, attests not only to the candidate's keen insight into the principles of constitutional law but also of her commitment to the values of the Constitution.
- 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.

6.7. There can be no question that the candidate has a deep and thorough knowledge of the law, including constitutional law.

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

7.1. The candidate reports that two of her judgments have been successfully appealed against (*Lekhele vs The State* – case number 234/2008, and *Liberty Group vs Jordaan* – case number A289/2011). The reviewers found no other appeal judgments which overturned decisions by the candidate.

7.2. The candidate reported eight judgments that were unsuccessfully appealed against.

7.3. 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.

7.4. 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.

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

8.1. The candidate has a long professional history. She commenced practice as a prosecutor in 1987 at Thaba Nchu Magistrates' Court. She was admitted as an attorney in 1993. She practiced as an attorney from 1993 to 1999, and 2002 to 2007. Between 1999 and

2001 she sat as a commissioner of the CCMA. She also worked as a part-time law lecturer at the University of the Free State from 2001 to 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 (1 January 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); and
- 8.2.9. Acting Judge, Constitutional Court (1 February 2015 – May 2015).

- 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; and
 - 8.3.4. Recipient of the Black Conveyancers Association recognition award (Transformation Award), 28 October 2017.
- 8.4. There can be no question about the adequacy of the candidate's experience in judicial positions. Of more relevance is her experience as the head of a court division.
- 8.5. The candidate served as Judge President of the Free State Division of the High Court from 1 January 2015 until 31 May 2018.
- 8.6. The reviewers were able to confirm with senior members of the Free State Bar, including senior counsel who served as chairperson of the Bar Council of the Free State during the candidate's tenure as Judge President of the Free State Division of the High Court, that the candidate managed this division of the High Court successfully as Judge President.
- 9. The candidate's linguistic and communication skills:**
- 9.1. The candidate's judgments are well written and well reasoned.

9.2. The candidate is articulate.

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

10.1. For the purposes of a previous interview, 114 judgments penned by the candidate were reviewed. The overwhelming majority were produced promptly with only two being delayed.

10.2. The candidate listed two reserved judgments still outstanding since November 2022 and confirmed that both are expected to be finalised and handed down imminently.

10.3. The reviewers have no knowledge of other outstanding reserved judgments.

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. 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.

11.4. As far as could be ascertained, there have been no complaints or adverse comments as to the candidate's ability to conduct court proceedings.

11.5. The candidate's application and references indicate that she has vast experience in conducting court proceedings.

12. The candidate's independent mindedness:

12.1. The minority judgments delivered by the candidate and subsequently upheld on appeal attest to her exceptional independent mindedness (see the cases referred to in paragraph 16 of the candidate's questionnaire).

12.2. Senior members of the bar have commented not only on the candidate's independent mindedness but also her suitability to be appointed to this position.

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

13.1. The fact that the candidate successfully administered the Free State Division of the High Court in the position of Judge President over a period of three years attests to the candidate's administrative ability. The candidate also served in various community, legal, and business organisations which patently enhanced her administrative skills.

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

14.1. The candidate has lengthy experience not only in judicial positions but also as a member of various legal organisations, both nationally and internationally. In this period, she has managed to produce

numerous well-reasoned judgments and portrayed independent-mindedness.

- 14.2. The candidate is a recipient of several awards both in the fields of business and law. She has demonstrated leadership qualities.
- 14.3. The candidate's appointment will thus be accompanied by significant gravitas and will further enhance respect for the uncompromising values and jurisprudential excellence which are hallmarks of the Supreme Court of Appeal.

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)

Seitsho 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)