

Reportable:	YES/NO
Circulate to Judges:	YES/NO
Circulate to Magistrates:	YES/NO
Circulate to Regional Magistrates:	YES/NO



IN THE HIGH COURT OF SOUTH AFRICA  
(NORTHERN CAPE DIVISION, KIMBERLEY)

Case No: 307/2015

In the matter between:

SUSAN VAN DER WESTHUIZEN	1 <sup>st</sup> Plaintiff
CHANTÈ VAN DER WESTHUIZEN	2 <sup>nd</sup> Plaintiff
DENISE VAN DER WESTHUIZEN	3 <sup>rd</sup> Plaintiff

and

MINISTER OF POLICE	Defendant
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Coram: Lever J

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JUDGMENT

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Lever J

1. This is an action for loss of support arising from the allegedly wrongful death of the first plaintiff's husband after being taken into custody by the police. The deceased was the father of both the second and third plaintiff.

2. At the outset, the plaintiffs and the defendant requested this court to separate the merits of the claim from the quantum. That the merits should first be determined before proceeding further with the claim should the merits be determined in favour of the plaintiffs. The appropriate order was made, and the merits were separated from the quantum.
3. It is important to do a short summation of the state of the pleadings at the start of the trial.
4. The plaintiffs alleged that the deceased had a duty to support them, which but for the allegedly wrongful death the deceased would have fulfilled. The defendant denied these contentions.
5. The plaintiffs pleaded that the deceased was arrested on the afternoon of the 14 February 2014 for being drunk in public by members of the South African Police Services (SAPS). Further, it was alleged that the deceased was found lying next to the driver's side of his motor vehicle in the town of Springbok. The defendant pleaded "no knowledge" of these allegations.
6. It was further contended by the plaintiffs that at the time of the deceased's arrest, the deceased was a diabetic and was in diabetic shock. It was also contended that the deceased had several bruises, injuries and contusions at that time. Again, the defendant pleaded "no knowledge" of these allegations.

7. The plaintiffs pleaded that at the time of his death, that the deceased was arrested or taken into custody by Constable Klaase and Constable Stanfliet, members of the SAPS, without any steps being taken to establish the deceased's medical condition or steps to ensure the appropriate medical treatment was administered. The defendant denied these allegations.
  
8. Plaintiffs pleaded that after the arrest of the deceased, he was put in a holding cell. That at 19H00 the shifts changed, and "adjutant Clarke" took over, who at approximately 23H00 "went to look at the deceased's cell, frothy blood vomit, came from the deceased's mouth. Adjutant Clarke called the ambulance". The deceased was taken to the local hospital at 00H20 on 15 February 2014, "wearing only a khaki short, no shirt and no shoes". These allegations were denied by the defendant and plaintiffs were put to the proof thereof.
  
9. When the deceased was admitted to hospital, he was in a diabetic (hypoglycaemic) shock and had a severe cut on his forehead and several bruises contusions and injuries. The deceased passed away at approximately 15H40 on the 15 February 2014. The defendant pleaded "no knowledge" of these allegations.

10. The medico-legal post-mortem report came to hand on the 25 March 2014 and revealed that the deceased sustained multiple blunt traumas to his face and trunk, multiple fractured ribs, numerous petechial haemorrhages of the intra-thoracic organs and severe lowering of his blood glucose. The defendant pleaded that he had “no knowledge” of these allegations.

11. During the period of the deceased’s detention, “Constable Klaase, Constable Stanfliet and Adjutant Clarke, members of the South African Police Service, Springbok, Northern Cape, [“members of the police”], were on duty and acted in the course and scope of their employment as members of the South African Police Service.” The defendant denied these allegations.

12. The defendant admitted that Constable Klaase, Constable Stanfliet and adjutant Clarke were employed by the SAPS.

13. The plaintiffs pleaded that the SAPS had the following legal duties toward the deceased: To protect the deceased and keep him from harm whilst in custody; To ensure that the deceased received medical treatment immediately when he was taken into custody; To make regular visits to the deceased whilst in custody; and To protect and respect the deceased’s constitutionally guaranteed rights whilst he was in custody to receive adequate medical treatment. The defendant did not admit or deny that it was bound by any one of the legal duties alleged.

14. The plaintiffs alleged that the deceased's death "was the direct result of the intentional conduct, omissions and negligence of the named members as well as other police members of the Springbok police station, whose identities are unknown to the first to third plaintiffs, who acted in their capacities and in the scope of their authority and employment as members of the South African Police Service. The defendant denied these allegations.

15. The plaintiffs also pleaded that the members of the SAPS breached the aforesaid legal duties in the following manner: They failed to protect the deceased and keep him from harm whilst he was in custody; They failed to ensure that the deceased received medical treatment immediately when he was taken into custody; They failed to make regular visits to the deceased whilst he was in custody; and They failed to protect and respect the deceased's constitutionally guaranteed rights when in custody to receive adequate medical treatment. The defendant denied all these allegations.

16. The remainder of the pleadings are either unnecessary repetition or deal with issues that are not relevant for present purposes having regard to the separation of the merits and the quantum of the plaintiffs' claims.

17. The issues that were in dispute at the start of the trial are as follows: The duty of the deceased to maintain the plaintiffs; the facts surrounding the arrest and

death of the deceased; the cause of death of the deceased; the legal duty which the police officers employed by the defendant owed the deceased; whether such legal duty was breached through the acts and/or omissions of the police officers employed by the defendant, whether they were indeed negligent and were at fault; and whether there was a material causal link between the acts and/or omissions of the said police officers and the death of the deceased.

18. The first plaintiff testified on her own behalf. For present purposes her evidence established that she was married to the deceased at the time of his arrest and subsequent death and that the second and third plaintiffs were born out of such marriage. Indeed, this evidence was not materially challenged by the defendant. The first plaintiff also testified that the deceased had been diagnosed as a diabetic by Dr HJ Bonnet since 17 August 2012 and that he used oral medication to control the condition. This evidence was substantiated by way of a letter from Dr Bonnet. This evidence was not challenged at all and in the circumstances must be accepted.

19. The first plaintiff also testified about the circumstances of how she gained knowledge of the deceased's hospitalisation and subsequent demise. She also testified that the firm for whom the deceased did consulting work at the time provided a vehicle and a certain Mr Petrus Vermeulen to drive the first plaintiff and her daughters, the other two plaintiffs, from Bloemfontein to Springbok.

20. The first plaintiff also testified that at the Springbok police station Constable Klaase returned the deceased's personal effects to her, showed her the cell where the deceased was detained and took her to the deceased's motor vehicle. She testified that she saw the medication of the deceased strewn about the motor vehicle. Mr Vermeulen generally confirmed the first plaintiff's evidence in this regard, although he could not testify to the fact that such medication was that of the deceased to control his diabetes, he did testify that the yellow pills, being the medication, were easily visible as they were strewn around the inside of the deceased's vehicle.

21. Constables Stanfliet and Klaase denied seeing this medication in the deceased's vehicle. The evidence showed that they had the opportunity to observe the deceased's vehicle not only where the deceased was arrested, but also at the police station as one of them drove the vehicle to the police station. Constables Stanfliet and Klaase were consistent in their evidence when they testified that the deceased informed them that he was a diabetic. However, they were not consistent in their responses when they were asked if they enquired from the deceased if he took medication for his condition.

22. I will return to the evidence of Constables Stanfliet and Klaase at the appropriate time.

23. Then the plaintiffs led the evidence of Dr Bradwell Messiahs. Dr Messiahs treated the deceased at the provincial hospital in Springbok. The plaintiffs also led the evidence of Dr Vera Van Rooyen a medical doctor practicing in Cape Town. The plaintiffs also led the evidence of Dr Alison Jean Richardson a neurologist who also practices in Cape Town. The defendant also led the evidence of a medical expert, Professor Mollentze. The medical experts held a conference and filed a joint minute. All these medical experts agreed that the deceased's cause of death was not as set out in the post-mortem report. All the medical experts agreed that there were several factors, a cascade of events, that ultimately led to the fatal heart attack where the deceased could not be revived.

24. Due to several important concessions made by the defendant in the Heads of Argument that were filed on his behalf, it is not necessary to analyse the nuances of opinion expressed by the various medical experts. There is sufficient to determine the plaintiffs' claim on the agreed facts. In any event the ultimate defence raised by the defendant lies elsewhere and will emerge when the Heads of Argument filed on behalf of the defendant is dealt with.

25. The plaintiffs then called Dr Frederick Johannes Burger, a retired Major-General from the SAPS. Dr Burger gave evidence as an expert on police procedure and in particular the Standing Orders that were applicable at the time of the deceased's arrest and detention. Again, having regard to the



concessions referred to above in the Heads of Argument filed on behalf of the defendant, it is not necessary to deal with Dr Burger's evidence in detail. The important parts of such evidence have been conceded by the defendant.

26. The defendant in the Heads of Argument filed on his behalf made the following concessions:

26.1. That through his employees, he (the defendant) had a legal duty to take the necessary steps to offer the deceased sufficient protection against harm and to ensure that the deceased, timeously, received medical treatment after being taken into custody, should this be indicated;

26.2. That SAPS Standing Orders (General) 349 was applicable at the time of the deceased's arrest and subsequent demise. In the Heads of Argument filed on behalf of the defendant there is a mistake regarding the reference to this standing order. The correct reference is Standing Orders (General) 349 as revised in Consolidation Notice 3 of 2010 and not, as it appears in the defendant's Heads of Argument "Consolidation Notice 320/10". It is clear from the evidence of Dr Burger and his cross-examination in this matter that there was only one version of Standing Orders 349 placed before this court;

26.3. That all members of the SAPS referred to in the evidence relevant to this case were acting within the course and scope of their employment at the time of the deceased being taken into custody on the 14 February 2014.

Having regard to the evidence placed before the court this would include the actions of the said persons after the arrest and leading up to the death of the deceased;

26.4. That the deceased, because of a report from Sergeant Julie, was found lying next to his car at a bus stop in Springbok;

26.5. That the deceased was then taken to the Police Station by Constable Stanfliet assisted by Constable Klaase. At the police station the deceased informed them that he was diabetic; and

26.6. That on arrival at the hospital in the early hours of the morning of the 15 February 2014 the deceased was unconscious and in a hypoglycaemic condition.

27. The defendant also recorded that certain concessions were made by their expert, Professor Mollentze, these concessions included, that:

27.1. By the time the deceased arrived at the hospital he was already a critically ill patient;

27.2. A person who is arrested and needs medical attention should receive such attention immediately;

27.3. A reasonable doctor would have recognised the potential risks;

27.4. Steps that would have been recommended as immediate treatment of the deceased, would significantly have increased the deceased's chance of survival, on the proviso that the doctor's instructions are adhered to;

27.5. Based on the qualifications and experience of Dr Messiahs, he would have known how to treat the deceased if the deceased had been taken to hospital shortly after his arrest and a hypoglycaemic coma would have been prevented;

27.6. The deceased experienced hypoglycaemia secondary to acute ethanol intoxication and that known diabetes mellitus played a role; and

27.7. Hypoglycaemia was the cause of death, but the patient died of cardiac arrest. However, he held the view that other risk factors could also have contributed to the deceased's death.

28. Based on the above concessions made by Professor Mollentze Mr Coetzee SC who appeared on behalf of the defendant conceded, that if the deceased was taken to hospital earlier, he would probably have survived.

29. As indicated earlier this is a claim for loss of support where the defendant is vicariously liable for the actions and/or the omissions of his employees. As indicated above, the defendant conceded that the SAPS officers concerned were acting within the course and scope of their employment at the material time.

30. On the evidence before this court, the plaintiffs relied upon a negligent omission as a basis for their claim. When a person will be held liable for

damages resulting from an omission has been set out by Nugent JA in the case of MINISTER OF SAFETY AND SECURITY v VAN DUIVENBODEN as follows:

“Negligence, as it is understood in our law, is not inherently unlawful – it is unlawful and thus actionable only if it occurs in circumstances that the law recognises as making it unlawful. Where the negligence manifests itself in a positive act that causes physical harm it is presumed to be unlawful, but that is not so in the case of a negligent omission. A negligent omission is unlawful only if it occurs in circumstances that the law regards as sufficient to give rise to a legal duty to avoid negligently causing harm. It is important to keep that concept quite separate from the concept of fault. Where the law recognises the existence of a legal duty it does not follow that an omission will necessarily attract liability – it will attract liability only if the omission was also culpable as determined by the application of a separate test that has consistently been applied by this court in *Kruger v Coetzee* namely whether a reasonable person in the position of the defendant would not only have foreseen the harm but would also have acted to avert it. While the enquiry as to the existence or otherwise of a legal duty might be conceptually anterior to the question of fault (for the very enquiry is whether fault is capable of being legally recognised), nevertheless, in order to avoid conflating these two separate elements of liability, it might often be helpful to assume that the omission was negligent when asking whether, as a matter of legal policy, the omission ought to be actionable.” (references omitted)<sup>1</sup>

31. Mr Coetzee, on behalf of the defendant argued that the defendant accepted that he had a general duty to provide medical care to a person under arrest where this was necessary. However, he argued that the plaintiff had the onus of establishing that Constables Stanfliet and Klaase together with Warrant

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<sup>1</sup> Minister of Safety and Security v Van Duivenboden 2002 (6) SA 431 (SCA) at para [12].

Officer Clarke were in fact negligent in the particular circumstances of the case. He argued that the plaintiffs had not discharged the onus and that this court should make an order of absolution from the instance with costs in favour of the defendant.

32. In support of this argument Mr Coetzee referred this court to the case of *McIntosh v Premier of Kwa-Zulu Natal*<sup>2</sup> particularly paragraphs [7] to [14] thereof. I accept that this represents the law applicable.

33. The test for *culpa* or fault is whether any of Constables Stanfliet, Klaase and Warrant-Officer Clarke foresaw the possibility of harm occurring in the circumstances and whether the *diligens paterfamilias* in the position of the aforementioned police officers would have taken steps to avoid such harm and whether the defendant or as in this case his employees failed to take such steps<sup>3</sup>. The test for negligence entails a value judgment by this court as to whether on all the facts of this case the conduct of one or all the said police officers falls short of that of a reasonable person in the position of the said police officers. This is the test formulated by the Supreme Court of Appeal (SCA) in the matter of *Mkhatswa v Minister of Defence*, which reads as follows:

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<sup>2</sup> [2008] All SA 72 (SCA)

<sup>3</sup> *Kruger v Coetzee* 1966 (2) SA 428 (AD) at 430E-G.

“...whether or not conduct constitutes negligence ultimately depends on a realistic and sensible judicial approach to all the relevant facts and circumstances that bear on the matter at hand. What also needs to be emphasised is that what is required to satisfy the test for negligence is foresight of the *reasonable* possibility of harm. Foresight of a mere possibility of harm will not suffice.”<sup>4</sup>

34. The test for fault and that for negligence appear to be closely related, but the test for negligence in relation to an omission requires something more which is the value judgment this court is ultimately required to make, referred to in the authorities mentioned above.

35. Mr Coetzee refers to the evidence of Constable Stanfliet and submits that his evidence was *inter alia* as follows:

35.1. “During his training he received no medical and/or first aid training and he has no medical background.”

35.2. “He denies having seen any tablets in the deceased’s car and he further testified that if he had seen the tablets and (they were) prescription pills he would have investigated.”

35.3. “He furthermore testified that when (the deceased) Mr Van Der Westhuizen was asked whether he used medication, he, the witness (Constable Stanfliet), did not know what kind of medication would be

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<sup>4</sup> 2000 (1) SA 1104 (SCA) at para [23].

used for diabetes and/or how it would be handled because he was not (au fait) with the medication nor the term diabetes.”

36. Mr Coetzee then submitted that from the evidence of Constable Stanfliet it is clear that he had no knowledge of the illness of diabetes or the possible consequences thereof.

37. A few comments on Mr Coetzee’s submissions in relation to the evidence of Constable Stanfliet: Firstly, Mr Coetzee does not reveal that the passage he refers to in relation to the deceased being asked about his medication occurs in the context of Constable Stanfliet being cross-examined by Mr Cowley, for the plaintiffs, about why Constable Stanfliet had not referred to his asking the deceased if he used medication in the statement Constable Stanfliet had made about this incident. Constable Stanfliet could not explain why this was not in his statement. Secondly, on this aspect the evidence of Constable Stanfliet was at odds with the evidence of Constable Klaase in circumstances where they would be expected to have corroborated each other. Thirdly, although Mr Coetzee does not rely on it in his submissions on the evidence of Constable Stanfliet, Constable Stanfliet asserts that the deceased told him that he does not use medication. Mr Cowley argued on this aspect that it is inherently improbable that a diagnosed diabetic would claim not to use medication. On this aspect, I agree with Mr Cowley.

38. In all of the circumstances of this case I can accept that it is possible that Constable Stanfliet did not see medication strewn about the inside of the deceased's car. However, the other evidence tendered by Constable Stanfliet in relation to what he alleges the deceased said in relation to the medication is in my view, and for the reasons set out above, unreliable and ought not to be accepted.

39. Constable Klaase appears to have been promoted to Sargeant at some stage after the incident material to this case. In relation to Sargeant Klaase Mr Coetzee relied upon the following aspects of his evidence.

39.1. "During his training he received no medical and/or first aid training and he has no medical background."

39.2. "On a question of whether the deceased suffered of any medical condition, the deceased said that he is "*n diabeet en suikerlyer*".

39.3. "He also testified that '*Nee, regtig, ek weet geensins van diabeet en suiker...niks nie*', and further '*Op daardie stadium het ek gehoor van diabetes en suiker; ek weet geensins of dit ernstig is of nie ernstig is nie*'."

39.4. "He said that he had never thought of saying to W/O Clarke that he has no knowledge of what diabetes entailed and that a doctor should be consulted."



40. Part of the evidence of Constable Klaase not referred to by Mr Coetzee is that instead of housing the deceased in the cells in a separate building at the back of the Springbok police station. They decided to house the deceased in the cell that was inside the Community Service Centre itself. This decision was made so that the deceased could be monitored more easily from the Community Service Centre. Constable Klaase then in handing over at the shift change informed Warrant Officer Clarke, who took over the responsibility as officer in charge at the shift change, of the deceased and that he was a diabetic who was housed in the cell inside the Community Service Centre.

41. Turning now to the evidence of Warrant Officer Clarke brought to the fore by Mr Coetzee.

41.1. “Constable Klaase informed her that the deceased was a diabetic.”

41.2. “On (her) arrival at the police station she physically assured herself that he (the deceased) was in the holding cell and *‘hy het gelê en tiep’*.”

The deceased was lying down and had passed out.

41.3. “From where she was sitting (in the Community Service Centre) she could see him (the deceased) and she did *‘deurgaans het ek ingegaan, die sel deur oopgesluit, ingegaan, seker gemaak hy haal nog asem, hy lewe en hy was nog alright, hoe moet ek nou sê, hy het geslaap’*.” She regularly opened the cell door, entered and made sure the deceased was still

breathing and was alright, what could she say he (the deceased) was asleep.

41.4. “She had no medical training.”

42. It was on this basis that Mr Coetzee argued that I should find that the plaintiffs had not established that the relevant members of the SAPS were negligent and that I should order absolution from the instance with costs.

43. In motivating for an order of absolution from the instance Mr Coetzee fails to account for certain of Warrant officer Clarke’s evidence that is of importance in the context and ought to have a material influence on the outcome of this matter.

44. Firstly, Warrant Officer Clarke had personal experience of the disease of diabetes in that her own mother suffered from it.

45. Secondly, Warrant Officer Clarke volunteered that the condition was treated with pills.

46. Thirdly, when she was asked if she ought to have enquired from Constable Klaase if the deceased had pills or medication or whether he had investigated this aspect, she avoided answering the question directly. It was explained to her that she had not answered the question that was asked and was given

several opportunities to deal with that question after it was explained several times. Warrant Officer Clarke refused to engage with the question and simply repeated that Constable Klaase had not given her any medication relating to the deceased. Clearly, her evidence on this aspect was not satisfactory.

47. Fourthly, when Mr Cowley asked Warrant Officer Clarke if it would not have been prudent to phone the Doctor or a Sister on duty at the local hospital and enquire about how the deceased should be handled, she again refused to engage with the question and simply maintained that the deceased was fine until she called the ambulance when she observed a slimy fluid that originated from the deceased's mouth or nose. Again, she was given several opportunities to deal with this question but failed to engage with it meaningfully. Again, the evidence of Warrant Officer Clarke on this aspect was not satisfactory.

48. Fifthly, Warrant Officer Clarke testified that she and Constable Klaase had formulated a plan to house the deceased in the cell inside the Community Service Centre as the seven outside cells took time to access and would hamper the monitoring of the deceased. Clearly, on this evidence Warrant Officer Clarke appreciated that the deceased needed to be monitored. This is indicative of the fact that she must at least have had doubt as to whether the deceased needed medical care at that stage.

49. Sixthly, Warrant Officer Clarke, whilst being aware that the Standing Orders required her to record cell visits in the occurrence book, failed to record any of her cell visits to the deceased or any of her observations on the condition of the deceased in the relevant occurrence book. The standing orders require a drunk person to be visited every half hour. There is no evidence in the occurrence book that this in fact took place. Even Warrant Officer Clarke does not claim this took place every half hour, she simply says she regularly visited the deceased in his cell without explaining what this actually entailed.

50. Mr Cowley in dealing with Mr Coetzee's argument regarding the contention that the plaintiffs had not established negligence on the part of the police officers concerned, made the following submissions: The police officers concerned by their own evidence were informed that the deceased suffered from diabetes; Warrant Officer Clarke had personal knowledge of the disease as her own mother had suffered from it; Warrant Officer Clarke knew that medication was required to control the disease; Warrant Officer Clarke made no enquiries from Constable Klaase whether they as arresting officers had established what the position was regarding the deceased's medication; There were visible injuries on the deceased at the time of his arrest and detention; A reasonable police officer in the position of Constable Klaase or Warrant Officer Clarke would at least have phoned someone with medical qualifications or experience to enquire about the reasonable or urgent medical

needs of the deceased. That both of them failed to do so; By their decision to monitor the deceased both Constable Klaase and Warrant Officer Clarke must have had doubts as to how to treat the deceased and whether he needed medical attention; In such circumstances Mr Cowley submitted that where doubt exists as to whether urgent medical attention is needed or not Standing Order (General) 349 – Order 2(3) required that arrangements must be made for such medical care; and That despite her doubts and the contents of the said Standing Order she failed to arrange for appropriate medical care in a timeous manner.

51. In my view if we follow Mr Coetzee's approach to its logical conclusion, unless a person has knowledge of risks involved in myriad medical conditions it would never be possible to hold the defendant liable for any omission by his employees. This can never be the position. The enquiry must be approached from the understanding that Standing Order (General) 349 was written to give effect to provisions in the Constitution<sup>5</sup>. In particular I refer to section 35(2)(e) as read with section 27(3). Constitutional requirements form one of the requirements this court must take into account when considering the question of negligence.<sup>6</sup> This court is required to give meaning and practical application to those sections of the constitution referred to herein. What is required may differ from case to case. What was required in this case is dealt with below.

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<sup>5</sup> Act 108 of 1996.

<sup>6</sup> See: The Van Duivenboden case., above at para [17].

52. By virtue of the evidence given by Warrant Officer Clarke, she knew medication was required to control the disease of diabetes. It follows from this that she knew that there was a reasonable risk of potential harm to the deceased if the appropriate medication was not administered to the deceased in the manner required for his well-being. In other words, Warrant Officer Clarke knew that there was a reasonable possibility the deceased would suffer harm if appropriate steps were not taken to secure the appropriate medical help or treatment. The *diligens paterfamilias* would have taken steps to prevent such harm. Despite this Warrant Officer Clarke failed to enquire from Constable Klaase whether they had established what medication the deceased needed to control his diabetes. In my view Warrant officer Clarke knew enough to know that she ought to have sought guidance from a person with medical qualifications or experience. She failed to do this. On the considerations set out herein, the value judgment of this court is that Warrant Officer Clarke was negligent in the circumstances.

53. Having regard to the manner in which the defendant conducted his case I believe the other requirements to establish a delictual claim for loss of support have been conceded. In any event I have considered those requirements and find that the plaintiffs have indeed established the elements required to establish a delictual claim for loss of support and the defendant is liable for such damages.

54. The last remaining issue is the issue of costs. The ordinary rule is that costs should follow the result. The defendant has not shown cause why this should not be followed. Further, the defendant has considered the matter important enough to engage the services of Senior Counsel. In these circumstances I think it appropriate that costs be awarded on scale "C".

In the circumstances the following order is made:

- 1) The defendant is liable for such damages due to loss of support that plaintiffs may establish arising from the death of the deceased, including the reasonable costs of the funeral for the deceased.
- 2) The defendant is liable for the costs of suit to date hereof and such costs shall be taxed or agreed on scale "C".

  
L G Lever  
Judge  
Northern Cape Division, Kimberley

Representation:

For the Plaintiff:	ADV HH COWLEY
Instructed by:	C/O PGMO ATTORNEYS INC
For the Defendants:	ADV W COETZEE (SC)
Instructed by:	OFFICE OF THE STATE ATTORNEY
Date of Hearing:	28 November 2023
Date of Judgment:	17 January 2025