e-MANTSHI

A KZNJETCOM Newsletter

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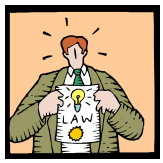
Welcome to the Fifty Third issue of our KwaZulu-Natal Magistrates' newsletter. It is intended to provide Magistrates with regular updates around new legislation, recent court cases and interesting and relevant articles. Back copies of e-Mantshi are available on http://www.justiceforum.co.za/JET-LTN.ASP. There is now a search facility available on the Justice Forum website which can be used to search all the issues of the newsletter. At the top right hand of the webpage any word or phrase can be typed in to search all issues.
Your feedback and input is key to making this newsletter a valuable resource and we hope to receive a variety of comments, contributions and suggestions – these can be sent to RLaue@justice.gov.za or gvanrooyen@justice.gov.za or faxed to 031-368 1366.



New Legislation

1. A Superior Courts Bill, 2010 has been published in Government Gazette no 33216 dated 21 May 2010. The purpose of the Bill is to rationalise, consolidate and amend the laws relating to the Constitutional Court, the Supreme Court of Appeal and the High Court of South Africa; to incorporate certain specialist courts into the High Court of South Africa; to make provision for the administration of the judicial functions of all courts; to make provision for administrative and budgetary matters relating to the Superior Courts; and to provide for matters incidental to the functioning of the Superior Courts.

2. An amending bill to amend the Constitution of the Republic of South Africa, 1996 has been published for public comment in Government Gazette no 33216 dated 21 May 2010.

It affects the following aspects of the Constitution of the Republic of South Africa, 1996:

- s 1 adds s 165(6)
- s 2(a) substitutes s 166(c)
- s 2(b) substitutes s 166(d)

s 2(c) substitutes s 166(e)
s 3(a) substitutes s 167(3)

Constitution Twelfth Amendment Act of 2005:

s 3(b) substitutes s 167(5)

Constitution of the Republic of South Africa, 1996:

s 3(c) substitutes s 167(6)(a)
s 4 substitutes s 168(3)
s 5 substitutes s 169
s 6 substitutes s 170
s 7 substitutes s 172(2)(a)
s 8 substitutes s 173
s 9 substitutes s 175
s 10(a) substitutes s 176(1)
s 10(b) deletes s 176(2)

Constitution Twelfth Amendment Act of 2005:

s 11(a) adds s 178(1)(cA)

Constitution of the Republic of South Africa, 1996:

s 11(b) substitutes s 178(1)(k)
s 11(c) substitutes s 178(4)

3.In terms of section 6 of the Rules Board for Courts of Law Act, 107 of 1985 the Magistrates' Courts Rules of Court have been amended with effect from 16 July 2010. The notice in this regard was published in Government Gazette no 33273 dated 11 June 2010. The amendment affects the tariffs that can be claimed.

Recent Court Cases

1. S v Msimango 2010(1) SACR 544 (GSJ)

Where cross-examination of a witness' evidence cannot be completed for whatever reason, no probative value can be attached to such evidence.

During the course of his cross-examination in a criminal trial, a State witness died. The witness concerned was one of several police officers who testified on certain

issues, and was therefore not a single witness on the issues in dispute. The court convicted the accused and, in a separate judgment, addressed the question as to what probative value, if any, was to be attached to the evidence of a witness whose cross-examination had not been completed. In the course of this judgment the court conducted an extensive survey of domestic and foreign authority on the question, and considered the views of various academic authors.

Held, that at least three approaches emerged from the authorities concerning evidence based on incomplete or truncated cross-examination. Firstly, that where evidence-in-chief had been led with no subsequent cross-examination at all, such evidence ought to be disregarded entirely. Secondly, that where there had been partial cross-examination only, but with other, corroborative evidence available, the trial court had a discretion whether or not to accept the incomplete evidence. The third approach suggested that, even where there had been no cross-examination at all, the trial court still had a discretion to accept the evidence, depending on its nature and on the nature of the case. The last approach, while superficially attractive, was of doubtful validity. It was questionable, for example, whether it would be fair to accept such evidence in the case of a single witness while the accused still had an important question to put to the witness. In practice it would also be difficult to determine where to draw the line in accepting certain parts of incompletely cross-examined evidence, and rejecting others. There were simply too many imponderables which could only exacerbate an accused person's already heavy burden of facing the might, expertise and resources at the disposal of the State. (Paragraph [25] at 558f-559b)

Held, further, that for these reasons no probative value should be attached to evidence where cross-examination was absent for whatever reason, including illness or death. This approach should apply not only to prosecution witnesses, but also to those called by the defence or by the court itself. In the instant matter, even though the deceased witness was not a single witness on the issues in dispute, his evidence had accordingly been ignored in the determination of the accuseds' guilt. (Paragraph [26] at 559c-g)

Held, further, that the right of an accused person to adduce and challenge evidence, as enshrined in s 35(3) (i) of the Constitution of the Republic of South Africa, 1996, undoubtedly included the right to cross-examine witnesses, even though the provision did not explicitly refer to cross-examination. To exclude the right to cross-examine would amount to an overly narrow and simplistic interpretation of s 35(3) (i). (Paragraph [27] at 559h-i)
Evidence of witness whose cross-examination had not been completed excluded.

2. S v Mkonza 2010(1) SACR 602 (KZP)

In considering whether to declare an accused unfit to possess a firearm in terms of section 103(1) Act 60 of 2000 the court is to have regard to all relevant material factors.

An accused is entitled to appeal against a decision by a magistrate in this case not to order otherwise in terms of s 103(1) of the Firearms Control Act 60 of 2000 (the Act), which provides that, '(u)nless the court determines otherwise, a person becomes unfit to possess a firearm if convicted of the offences' described in ss (a)-(o) of that section. (Paragraphs [13] and [33] at 607e-f and 615h)

When the legislature vested in the courts of this country the jurisdiction to determine that the statutory unfitness to possess a firearm imposed under s 103(1) of the Act should not apply, it did not intend the courts to adopt a supine approach to these matters, dependent entirely upon whether the accused had the knowledge, means and resources to place a proper case before it, that the disqualification should not apply to them, and in all other cases for the disqualification to apply as a matter of rote. At the very least, it was the intention of the legislature that the court should have regard to all relevant factors concerning the offence, however feeble and limited the case advanced by the accused, and to consider the issue of whether it should determine otherwise in the light of all the facts. In other words, there is an obligation on the trial court to consider properly, having regard to all relevant factors, whether the case is one where the statutory disqualification from possessing a firearm should remain in place, or whether it should determine otherwise. In approaching that task the court should have regard to any factor that bears on the issue and, if there is reason to believe that all material facts bearing on that decision are not before it, to cause those facts to be discovered and placed before it. Without attempting to be comprehensive, amongst the important issues that should be considered are:
(a) the accused's age and personal circumstances; (b) the nature of any previous convictions or the absence thereof; (c) the nature and seriousness of the crime of which he has been found guilty and the connection that the crime has with the use of a firearm; (d) whether there is any background which suggests that the accused may make use of his or her licensed firearm for the purpose of committing offences; (e) whether it is in the interests of the community that the accused be declared unfit to possess a firearm because of the fact that he or she poses a potential danger to the community. To that list can be added that consideration should be given to the period during which the accused has possessed a licensed firearm and whether there is any indication of previous irresponsibility in regard to that possession and use. (Paragraph [22] at 610g-611g)
The onus of satisfying the court that it should determine otherwise should rest on the accused. As this part of the enquiry by the court is separate from the criminal trial and the decision on sentence, the accused can discharge that onus on a balance of probabilities. (Paragraph [35] at 616b-c)
The court in the present case, in an appeal against a decision of a magistrate in terms of s 103(1) of the Firearms Control Act not to determine otherwise, held, after weighing up all the relevant facts, and in particular the appellant's history of ten years of responsible possession of a licensed firearm, against a single incident of gross negligence and inattention, that the appellant was not unfit to possess a firearm and that the decision by the magistrate, not to determine otherwise in terms of s 103(1) of the Act, should be set aside and replaced by a decision that the court determines otherwise for the purposes of s 103(1) of the Act. (Paragraph [44] at 618g-h)

3. Polonyfis v Provincial Commissioner, SAPS 2010(1) SACR 586 (NCK)

In issuing a search warrant in terms of section 20 of Act 51 of 1977, nothing prevents a magistrate from issuing a warrant on the strength of all three subsections.

The applicant applied for the setting aside of a search warrant, issued by the Magistrate Colesberg, in terms of which certain premises - on which it was suspected that illegal gambling was conducted - had been searched and certain property seized. Regarding the warrant, the applicant made a number of submissions: firstly, that, since the warrant handed to the person in charge was not accompanied by the affidavit on the basis of which it had been granted, it lacked a full, or sufficiently particular, description of the goods to be searched for, and was thus void for vagueness. Secondly, that, since the police had seized goods not covered by the warrant, it was tainted with invalidity. Thirdly, the premises to be searched could not be properly identified from the warrant. Fourthly, the magistrate had failed properly to apply his mind to the provisions of s 20 of the Criminal Procedure Act 51 of 1977 (the Act), and to indicate which of the three subsections of s 20 was applicable, with the result that the warrant was 'too wide' and fell to be set aside.

Held, that the relevant affidavit had in fact been attached to the warrant issued by the magistrate, and had formed part thereof. The police's failure to hand the complete warrant to the person in charge could not, therefore, affect the validity of the warrant issued by the magistrate. On reading the affidavit there could be no doubt that the monies referred to were the monies used to buy gambling tokens and to pay out winnings. Likewise, the tokens and machines mentioned were clearly those used in the suspected illegal gambling. Accordingly, there was no overbreadth or vagueness in regard to either the suspected crime or the nature of the goods to be seized. (Paragraphs [6]-[8] at 591d-593f.)

Held, further, that, while it was so that the police had seized goods not covered by the warrant, this was a case in which the good could easily and without any real prejudice be severed from the bad. The goods not covered could immediately be returned to the applicant. Although a search and seizure, being an invasion of a person's right to privacy, required strict compliance with the provisions of the Act, a balance was to be struck between such a right and the public interest in combating crime. On the facts of the present matter, the public interest outweighed the private interest of the applicant, and it was not therefore in the interests of justice to set aside the warrant by reason of the police's conduct. (Paragraph [11 at 593g-594e)

Held, further, that, once the affidavit was read in conjunction with the warrant, the premises would be identifiable without any difficulty. (Paragraph [11] at 594f-g)

Held, further, that the information supplied to the magistrate under oath needed to be considered against the provisions of s 20 of the Act. There was no provision in s

20 for the magistrate to indicate on a warrant which of the three subsections of s 20 he or she deemed applicable. If it appeared that all three subsections were applicable, nothing prevented him or her from issuing the warrant on the strength of all three subsections. Indeed, the present matter was just such an instance: it appeared from the affidavit that an offence was committed on the premises; it further appeared that certain of the items authorised to be seized under the warrant would afford essential evidence of the commission of the offence; and it was clear that the monies and tokens authorised to be seized were articles intended to be used in the commission of the offence. It could not be found, therefore, that the manner in which the magistrate had exercised his discretion in issuing the warrant was unreasonable or arbitrary, or that he had failed properly to apply his mind to the issues. (Paragraph [16] at 598c-600b)
Application in respect of Colesberg warrant dismissed. No order as to costs.

From The Legal Journals

Kufa, M

"Robbing Peter to pay Paul: The debt review application process in the magistrate's court"

De Rebus June 2010

Otto, J M

"Kennisgewings kragtens National Credit Act: Moet die verbruiker dit ontvang? Absa Bank Ltd v Prochaska t/a Bianca Cara Interiors 2009 2 SA 512 (D)"

THRHR February 2010 136

Snyman, C R

"Huisbraak ten opsigte van 'n karavaan"

THRHR February 2010 157

Ferreira, S

"The best interests of the child: From complete indeterminacy to guidance by the Children's Act"

THRHR May 2010 201

Pieterse, M

"Children's access to health care services within and outside parent - child relationship"

THRHR May 2010 230

Pienaar, J M & Geyser, K

"Occupier" for purposes of the Extension of Security of Tenure Act: The plight of female spouses and widows"

THRHR May 2010 248

Couzens, M

"The best interests of the child and its collective connotations in the South African Law"

THRHR May 2010 266

Le Roux, J
"Private defence: Strict conditions to be satisfied: Govender v Minister of Safety and Security 2009 2 SACR 87 (N)"

THRHR May 2010 328

Van der Merwe, A
"Therapeutic jurisprudence: judicial officers and the victim's welfare – *S v M* 2007(2) SACR 60 (WLD)"

SACJ 2010 98

(Electronic copies of any of the above articles can be requested from gvanrooyen@justice.gov.za)

Contributions from the Law School

THE EXCLUSION OF GAMBLERS FROM LICENSED CASINOS BY THE MAGISTRATES' COURTS

Legalisation of gambling and the inevitable problem of pathological gamblers

Some forms of gambling in South Africa are legal and regulated, including more than 32 land-based casinos, the national lottery, wagering on horse races and limited payout machines.[1] Obviously, where people gamble illegally or allow unlicensed gambling in contravention of the legislation it would be an offence and the person could be prosecuted. This is however not the focus today.

From the inception of the legalisation of gambling it was accepted that with the positive consequences of legalised gambling (such as taxes, job creation, establishment of infrastructure), there will also be some negative consequences of which the most important are the problem and pathological gamblers.

Who is a pathological gambler? Pathological gambling is regarded as an illness and was re-classified in 1991 by the ASA as an "addiction", similar to a "psychoactive substance dependency". It is described in the authoritative DSM-IV as follows:

> "(t)he essential feature of pathological gambling is persistent and recurrent maladaptive gambling behaviour. Features of the maladaptive behaviour include a preoccupation with gambling; the need to gamble with increasing amounts of money to achieve the desired excitement; repeated unsuccessful efforts to control, cut back, or stop gambling; gambling as a way of escaping from problems; gambling to recoup losses; lying to conceal the extent of the involvement in gambling; the commission of illegal acts to finance gambling; the jeopardizing or loss of personal and vocational relationships because of gambling and a reliance on others to pay off debts."

It should be noted that there is not always agreement amongst the experts regarding this illness and the diagnosis may differ depending on the test used to determine whether or not a person suffers from the illness. The illness is progressive in nature: a person will first become a problem gambler and thereafter a pathological gambler, although the line between the two states is slightly blurred. According to the latest available statistics of the National Responsible Gaming Programme (NRGP) about 2.5% of the South African population (approximately 1.245 million persons) can be regarded as problem gamblers that gamble more than they can afford and run the risk that gambling may cause serious problems in their lives. About 0.5% of the South African population (approximately 245 000 persons) can be classified as pathological gamblers.[2] What is evident from practical experience is that an

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[1] The focus in this article is on legalised casino gambling. Lotteries and sport pools are disregarded as the Lotteries Act 57 of 1997 is applicable to these forms of gambling and not the National Gambling Act.

[2] According to Statistics South Africa the South African population in 2009 was approximately 49 million.

addiction to gambling creates problems not only for the gambler, but also for the family, especially where he/she is the sole or partial breadwinner.

The gambling industry has been proactive in dealing with the issue. The NRGP in conjunction with the South African Advisory Council on Responsible Gambling (SAACREG) and the South African Responsible Gambling Trust (SARGT) established a programme to focus on treatment, training and research. There is also a toll-free number where persons can be evaluated for the illness. Where necessary, the programme will provide six treatment sessions with a qualified therapist free of charge. Thereafter it will be at the expense of the patient.

The accused pathological gambler in the criminal courts

The Supreme Court of Appeal in *S v Nel* 2007 (2) SACR 481 (SCA) par 16 finally determined that gambling addiction, like alcohol or drug addiction can never operate as an excuse for the commission of an offence. In addition, whilst a pathological gambling addiction may be found to cause the commission of an offence, it cannot *on its own* immunize an offender from direct imprisonment; nor can it *on its own* be a mitigating factor or a substantial and compelling circumstance justifying a departure from the prescribed sentence. Viewed together with other factors, it may be regarded as a substantial and compelling circumstance justifying a departure from the prescribed sentence.

Exclusion of pathological gamblers from casinos by a Magistrate's Court in KwaZulu Natal

In general there are three ways in which a gambler can be excluded from a casino: self-exclusion, exclusion by a gambling board or exclusion by a court. The last possibility is the focus of this article. In terms of s 84 of the National Gambling Act 7 of 2004 Act any magistrate's court can make such an exclusion order.

For the province of KwaZulu-Natal only one statute is relevant: the National Gambling Act 7 of 2004 as the provincial gambling Act, the KwaZulu-Natal Gambling Act 10 of 1996 does not contain any exclusion provisions. The KwaZulu-Natal Gaming and Betting Bill, 2010 also does not address the issue. [This is in contrast to other provincial statutes, except for Gauteng, that all provide additional measures for court exclusions. An application for the exclusion of a person in provinces other than KwaZulu-Natal should take cognisance of the provincial statute as well. These statutes are disregarded for purposes of this discussion].

Excluding convicted offenders

Convicted offenders may be excluded by a court, in terms of s 14(5) of the National Gambling Act, where it is 'reasonable and just'. It would be 'reasonable and just' to exclude a person that acts to the detriment of the public interest and the integrity of the gambling industry.

The terms used are not defined in the statute and must be given their ordinary meaning. Their applicability would clearly depend on the facts of each case before the court. It is submitted that the court should consider excluding convicted criminals from gambling premises where they are, for example, found guilty of cheating in gambling, money laundering or participating in illegal gambling operations.

Excluding gamblers

In addition to the above, any person may, in terms of s 14(4) of the National Gambling Act, apply to a court for an order requiring the registration as an excluded person of:

> " (a) a family member of the applicant;
> (b) a person on whom the applicant is economically dependent in whole or in part;
> (c) a person for whom the applicant is economically responsible in whole or in part;
> (d) a person who is subject to an order of a competent court holding that person to be mentally deranged;[3] or
> (e) any other person:
>
> (i) to whom the applicant has a duty of care; and
> (ii) whose behaviour manifests symptoms of addictive or compulsive gambling."

The term "family member" is defined in s 1 of the Act to mean a person's spouse; or child, parent, brother or sister, whether such a relationship results from birth, marriage or adoption. "Spouse" is defined as partner in a marriage; partner in a customary union according to indigenous law; or partner in a relationship in which the parties live together in a manner resembling a marital partnership or customary union. It is submitted that this would include a same sex partner and a person married in terms of religious laws as well.

The court may order the registration of that person as an excluded person if, in the circumstances, the court considers it reasonable and just to prevent the person concerned from engaging in any gambling activity. It is interesting to note that the section is set out in such a way that in subsections 14(5)(a)-(d) it is not necessary to prove that the person's behaviour manifests symptoms of problem or pathological gambling, although it is foreseen that in most of the cases this would be the basis of the application.

In any of these applications, the court would be in a good position to assess what is 'reasonable and just' as well as the constitutionality of the exclusion as it would have

[3] The use of the term 'mentally deranged' is foreign to the South African law. The term 'mentally ill' is normally used in the courts and the legislation. It is submitted that the legislation here refers to the Mental Health Care Act 17 of 2002 which defines 'mental illness' to mean a positive diagnosis of a mental health related illness in terms of accepted diagnostic criteria made by a mental health care practitioner authorised to make such diagnosis (s 1).

all the facts before it. As the length of the exclusion order is not specified in the statute it is submitted that it is in the discretion of the court.

A person excluded by court order may apply at any time to the same court to set aside the order. The court may do so if, after considering the grounds for making the original order and any new evidence before it, the court is satisfied that it is no longer reasonable and just to prevent that person from engaging in any gambling activity (s 14(6)). It seems as if the only way to get the exclusion order amended or rescinded is through another court hearing. It is suggested that the court only set the order aside if there is evidence that the person has successfully undergone treatment for the addiction.

[In addition to the gambling provisions, there are other possibilities available to the prejudiced family of a problem or pathological gambler: firstly, the common law declaration of a person as a prodigal; and secondly, the Domestic Violence Act 116 of 1998. It is submitted that excessive gambling to the detriment of the family may in certain circumstances constitute "economic abuse" as defined in that Act. A full discussion of these aspects is excluded from this article.]

Consequences of exclusion

For the sake of completeness, the consequences of an exclusion order should be noted. Once a decision is made by the court to exclude a person, certain consequences follow for the National Gambling Board, the excluded person him/herself and the gambling operators.

The excluded person will be listed by the National Gambling Board in its national register of excluded persons which contains certain minimum information in respect of each excluded person. The information in the register is available to provincial licensing authorities and gambling operators, including all the licensed casinos, to ensure that their databases are updated and excluded persons are actually excluded.

The expected consequence for an excluded gambler is that he or she would be barred from entering any licensed gambling premises.[4] If an excluded person enters or attempts to enter licensed premises from which he or she is excluded, or participates in any gambling from which he or she is excluded, he or she is guilty of an offence. The excluded person, if he or she manages to gamble, would also forfeit any winnings he or she would have been entitled to had he or she not been on the list of excluded persons.

Operators may not knowingly permit an excluded person to enter gambling premises or gamble. Casino operators must take measures to determine accurately whether or not a person is an excluded person before permitting that person to gamble. However, a casino is not liable under the National Gambling Act or any other civil or criminal law for admitting an excluded person - provided the casino has taken the

[4] The issue of gambling at unlicensed premises such as at online casinos is deliberately excluded from this discussion.

prescribed measures. It is submitted that wilful non-exclusion would however, at the very least, constitute an infringement of the licence conditions as the operator would act contrary to the legislation. Such an infringement could result in the liability to pay a fine imposed by the relevant gambling board and eventually in the suspension or revocation of the operator's licence.

Conclusion

Gambling is an important source of income for the provinces and it is likely to remain part of the South African landscape. The accompanying problem of pathological gambling remains an issue that should be addressed on as many levels as possible. Not so much for the sake of the individual, but for the family that is dependent on financial support. The magistrates' courts are urged to implement the provisions in the National Gambling Act to assist the family of a problem gambler by excluding him or her from gambling at licensed operators. It is not suggested that this is a fail-safe provision or that such an order will stop all excluded persons from gambling. However, together with the other available possibilities, especially treatment, it might force the gambler into acknowledging the illness, close the door to gambling and open the door for treatment.

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Matters of Interest to Magistrates

The new LLB and language proficiency

In 1990 (Jan) *DR* 31 there was a report on a survey, which was conducted by the HSRC about whether the parents of the final and first-year law students had obtained the highest qualifications in various disciplines. The reason therefor was to determine whether future lawyers' parents were on the whole highly qualified people who would motivate their children to enter a profession or not.

The finding was that more than half of the parents of law students did not undergo any tertiary education at all. A large percentage of those parents, who did not even attain any primary schooling, obviously were from the African community.

The second survey undertaken was concerning matriculation performance.

The question was taken about how one selects candidates for the study of law.

Potential engineers are selected by looking at their aptitude for mathematics and science, accountants can be evaluated on their performance in accountancy and economics and potential medical practitioners on their aptitude for biology and science.

Lawyers use their command of the most popular languages in courts to convey the message to the presiding officers or to argue the cases. This is so whether written or spoken, since this is the tool of the legal practitioners' trade.

In the past, the selection criterion for law students was based on the matriculation average and the symbols obtained in English and Afrikaans.

The use of this criterion seemed to demonstrate the proficiency of the student in the language used in court. It ensured the clear and correct usage of the language and communication during a career in law.

Although performance in matric is by no means a sure and infallible barometer to measure ability and aptitude, very little is still available at this stage to select potential law students.

The current crop of law graduates entering the profession has been pithily described as being poor. This has been ascribed to the demise of the BIur, BProc or BA Law as junior degrees for the entrance in the profession.

I fully subscribe to this view in that those junior degrees served as inductions for people desiring to enter the legal profession. It was for that reason that an LLB, which was a senior degree was a requirement for admission as an advocate.

Many of those who practice as advocates first practiced as attorneys and only when they had matured both in skills and language proficiency they wrote the Bar examination for admission as advocates. It is time that we revert to the then process of training for us to produce good material.

TW Rambau
attorney, Johannesburg

See also 2010 (Jan/Feb) *DR* 8 – *Editor*.
(The above letter appeared in the De Rebus June 2010)

A Last Thought

Facebook and Twitter as substituted service: Defendants beware!

My wife and I visited her grandparents in New Zealand during December 2008 and I read a very interesting article in *The New Zealand Herald* by Andrew Koubaridis, *Facebook breakthrough: You have new lawsuits*. In this article the writer gives an account about a very extraordinary and interesting development in law whereby a legal move opened up the way not only for New Zealanders but also for other Commonwealth countries like South Africa. In Canberra, Australia, an attorney Mark McCormack used the internet to find a couple who had defaulted on a loan and he served them a default judgment. The Supreme Court and magistrates' courts in Australia, just as South African courts, have a facility to apply for substituted service in cases when a defendant or defendants are difficult to find. Facebook or Twitter are perfect places to look for and to serve defendants documents in that their names, dates of birth and residential addresses are furnished on the sites.

I personally think that this is a very novel and innovative way to reach defendants rather than to leave notices and summonses at their last known addresses. South African attorneys can learn from this and use technology to the advantage of our clients.

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