



IN THE HIGH COURT OF SOUTH AFRICA,
FREE STATE DIVISION, BLOEMFONTEIN

Reportable: YES/NO
Of Interest to other Judges: YES/NO
Circulate to Magistrates: YES/NO

Case No: 2484/2023

In the matter between:

NANDIPHA MAGUDUMANA

Applicant

and

**THE DIRECTOR OF PUBLIC PROSECUTIONS,
FREE STATE**

1st Respondent

**THE MINISTER OF THE SOUTH AFRICAN
POLICE SERVICES (N.O.)**

2nd Respondent

CAPTAIN FLYMAN

3rd Respondent

**THE PRESIDING MAGISTRATE (N.O.)
CASE NUMBER 20A/113/23
MAGISTRATES COURT BLOEMFONTEIN**

4th Respondent

**THE HEAD OF THE BIZZAH MAKHATE
CORRECTIONAL CENTRE: KROONSTAD**

5th Respondent

THE MINISTER OF HOME AFFAIRS N.O.

6th Respondent

JUDGMENT BY: PJ LOUBSER, J

HEARD ON: 1 JUNE 2023

DELIVERED ON: 5 JUNE 2023

- [1] This is the court's judgment in the application launched by Dr. Nandipha Magudumana against the Director of Public Prosecutions, the Minister of Police, police officer Captain Flyman, the Presiding Magistrate in Bloemfontein Case Number 20A/113/23, the Head of the Bizzah Makhate Correctional Centre in Kroonstad and the Minister of Home Affairs.
- [2] The applicant is said to be the girlfriend of the convicted and sentenced rapist and murderer, Thabo Bester, who was serving his sentence in the G4S Prison in Bloemfontein before his sensational escape from that correctional institution in May 2022. A number of suspects who are implicated in the escape have already been arrested and are currently appearing in the Bloemfontein Magistrate's Court on provisional charges of defeating the ends of justice, violation of a body, aiding and abetting an inmate to escape from lawful custody, corruption and arson. The applicant is one of those appearing in the Magistrate's Court on the provisional charges mentioned. She and Bester were apprehended in Tanzania and brought back to South Africa to face charges relating to Bester's escape. It is the circumstances of her arrest and transportation to South Africa that has prompted the applicant to launch this application. The application was made on an urgent basis. The Presiding Magistrate and the Head of the Correctional Centre in Kroonstad have filed a notice to abide by the decision of the court, while the remainder of the respondents are strenuously opposing the application, including the alleged urgency of the matter.

- [3] In the Notice of Motion, the applicant is seeking the following orders from this court: that the application be heard as an urgent application, that it be declared that her apprehension, arrest and abduction in Tanzania, her subsequent transportation to South Africa and her purported arrest and detention pursuant thereto, be declared wrongful and unlawful. Further, that it be declared that her arraignment before the Bloemfontein Magistrate is a nullity and that the proceedings before the Magistrate be set aside. Finally, that it be directed that the orders and warrants by the Magistrate in terms whereof the applicant is detained in the Kroonstad Correctional Centre, are null and void, and that it be declared that the applicant is entitled to be discharged from detention and that the Head of the Correctional Centre in Kroonstad be directed to immediately discharge the applicant from further detention. In the last prayer of the Notice of Motion the applicant moves for costs against such respondents as may oppose the application.
- [4] As for the issue of urgency, it must be understood that in the normal course of business, certain time frames are applicable to all applications brought in the High Court. For instance, it is provided in Rule 6 of the Uniform Rules of Court that an applicant must afford the respondent at least 5 days to notify the applicant whether he intends to oppose the application, and if he does so, he must, within a further 15 days, deliver his answering affidavit. However, when a matter is alleged to be urgent in nature, Rule 6 provides for a deviation from such timeframes. Rule 6(12) provides that in such cases, the court may dispose with the forms and service provided for in the rules, and that it may then dispose of the matter at such time and place and in such manner and in accordance with such procedure as it deems fit.
- [5] Before a court follows such a course, it must be satisfied that the applicant has complied with the requirements set out in Rule 6(12)(b), namely and I quote "the applicant must set forth explicitly the circumstances which is averred render the matter urgent and the reasons why the applicant claims that applicant could not be afforded substantial redress at a hearing in due course". In the present

application, it appears from the papers before me that the applicant has been in South Africa since 13 April 2023, after she was arrested in Tanzania. From 14 April 2023 onwards she consulted with her legal representatives and she has since appeared in the Magistrate's Court where she has the right to apply for bail. This application was only launched on 19 May 2023.

- [6] In her founding papers, the applicant only relied on her alleged detention as the explicit circumstances which render the matter urgent. At the same time, she made no mention of any reasons why she could not be afforded substantial redress at a hearing in due course. Strictly speaking, she has therefore not complied with the requirements for the matter to be heard on an urgent basis. In addition, she also failed to explain why she waited from 14 April 2023 until 19 May 2023 to launch her application on an urgent basis. I have little hesitation in finding that, under normal circumstances, courts of law would be loath to enrol and to deal with such an application on an urgent basis. The court would rather opt to strike the application from the roll due to a lack of urgency.
- [7] However, I am of the view that we are not seized here with an urgent application brought under normal circumstances. This application is rendered different by the fact that it was launched by a person who finds herself in detention and who disputes the legality of her detention on different grounds. This is despite the fact that the applicant has afforded the respondents only three days to oppose the application, and to place their version before the court. I find support for my view in this respect in the judgment of *Silva v Minister of Safety and Security* 1997 (4) SA 657 (WLC) where the court stated that a detained person has an absolute right not to be deprived of his freedom for one second longer than necessary by an official who cannot justify his detention. And in *Arse v Minister of Home Affairs* 2012 (4) SA 544 (SCA) at paragraph 10 the Supreme Court of Appeal has held that this passage in the *Silva* case cannot be overstated. Therefore, despite the shortcomings in the applicant's application in respect of urgency, I regard it in the interests of justice to hear the application on an urgent basis, and it is accordingly enrolled as such.

- [8] This brings me to the affidavits filed in this application and the facts of the matter as presented by the respective parties. In her founding affidavit the applicant states that on 6 April 2023 she was arrested in Tanzania by members of the South African Police and forcefully abducted. On the evening of 12 April 2023 she was blindfolded and taken to an airport by members of the South African Police, where two uniformed members of the South African Police awaited her arrival. They took her in a kombi to an aircraft, where she was ordered to get into the aircraft. Inside the aircraft she found four members of the South African Defence Force, and she then sat in the aircraft flanked by members of the South African Defence Force and the South African Police, she says. They then flew to Lanseria Airport in South Africa, from where she was taken to Bloemfontein where she appeared in the Magistrate's Court.
- [9] The applicant further states that she has not been found to be an illegal immigrant by any court in Tanzania, nor has she been deported by any such court to South Africa. Her arrest and deportation from Tanzania to South Africa therefore amounted to an illegal abduction, she states. This then, was the case presented by the applicant and which case she respondents were called upon to meet in their answering affidavits.
- [10] The respondents strongly deny in their answering affidavits that the applicant was ever arrested by South African policemen in Tanzania, and that the applicant was abducted from that country. Their version of the events consists of the following: On 8 April 2023 the South African Police received information that Bester and the applicant were apprehended in the city of Arusha in Tanzania by the Tanzanian authorities. At that point in time, a warrant for the arrest of the applicant had already been issued in South Africa, and she and Bester were therefore wanted fugitives. A multi-department team was assembled in Pretoria to travel to Tanzania to deal with the matter. This team consisted of high ranking police officers, a member of Interpol, a member of Home Affairs, a member of Correctional Services and a Deputy Director of Public Prosecutions.

- [11] This team then flew to Tanzania on 9 April 2023 in an airplane of the Police, and arrived at Arusha late at night. The team met with the Tanzanian authorities the next day. They were informed that Bester and the applicant had entered and remained in Tanzania without legal documentation and were thus not legally in Tanzania. They were further informed that, once the identities of Bester and the applicant had been confirmed, the Government of Tanzania would advise on the further handling of the matter. On their part the South Africans informed the Tanzanians that no extradition processes had been initiated as yet by South Africa because South Africa first had to be appraised of the decision of the Tanzanian Government in the matter. If the decision was that the extradition route should be followed, then South Africa would initiate such a process.
- [12] Some members of the South African team then visited Bester and the applicant at the facility where they were detained under control of the Tanzanian Tourist and Diplomatic Police Division. After their identity was confirmed, the applicant and Bester were offered consular services by the South Africans, which included legal assistance. They both declined such assistance and services.
- [13] On 12 April 2023 the Tanzanian officials informed the South African team that their government had decided to deport Bester and the applicant as they had been declared prohibited immigrants in accordance with Tanzanian laws. The South Africans were also informed that, since South Africa had been ascertained as the country of origin of the two individuals, they would be handed over by the Tanzanian authorities to the South African High Commission in Tanzania so that they could be removed from the territory of Tanzania.
- [14] The South African High Commission then engaged the South African Department of Home Affairs regarding the removal of Bester and the applicant. This caused officials from that department to board a plane to Tanzania in order to attend to the matter. They were accompanied by members of the Police because Bester was a convicted rapist and murderer, and the Police therefore

provided escort services to the department's officials. The respondent emphasize in their affidavits that the Police members did not travel to Tanzania to arrest the applicant. The respondents also add that the Tanzanian Ministry of Home Affairs had made it clear that it does not cover the costs of deportation of illegal immigrants where the countries of origin are able to arrange for their deportation.

- [15] The Home Affairs plane landed in Tanzania late in the evening of 12 April 2023. At the airport, the applicant and Bester were handed over to the South African High Commission by the Tanzanian Ministry of Home Affairs. Shortly thereafter, the South African High Commission handed them over to an immigration official of the South African Department of Home Affairs, and they were transported back to South Africa in the plane of Home Affairs. The plane departed the airport in Tanzania shortly after midnight the same evening. The next day, 13 April 2023, the plane touched down at Lanseria airport in Gauteng, and the applicant was arrested by the South African Police upon her arrival at the airport.

- [16] The respondents also point out in their answering affidavits that, at the time the applicant was handed over to the Department of Home Affairs by the South African High Commission in Tanzania, she did not offer any resistance or protest. In fact, she informed all and sundry that she wanted to return to South Africa to her children. She was also not blindfolded, as alleged by her.

- [17] By now it should be obvious that there is a massive and material factual dispute between the parties as to the arrest of the applicant in Tanzania and as to the circumstances under which she was transported back to South Africa. The manner in which a court will deal with an application where there is a material dispute of fact and no request for the hearing of oral evidence, has become established in our country over the past six decades. In such cases a final order will only be granted on Notice of Motion if the facts as stated by the respondent, together with the facts alleged by the applicant that are admitted by the

respondent, justify such an order. This formula has the effect that applications having a material dispute of fact, will be adjudicated on the version put up by the respondent, unless that version is palpably implausible, far-fetched or so clearly untenable that such version could safely be rejected on the papers. In the present matter, where I cannot find that the version of the respondents is far-fetched or clearly untenable, the application therefore must be decided on the version presented by the respondents.

- [18] At this junction it is appropriate to briefly refer to the replying affidavit of the applicant. In this affidavit the applicant contends that extradition disguised as a deportation is not a lawful mechanism for the return of sought persons, because it is inconsistent with both the Constitution and international law. The only lawful mechanism for the return of sought persons is to follow extradition procedure, and not a mere deportation. She further says in this affidavit that she was quite clearly arrested in Tanzania by South African officials and forcefully returned to South Africa. She further points out that the South African delegation that was sent to Tanzania had the sole intention to collude with the Tanzanian authorities to ensure her deportation to South Africa. There was collaboration between the two countries to deport her without following extradition procedures. Proof of this lies in the fact that the plane that was to transport her back to South Africa, arrived at the airport in Tanzania within hours or minutes after the prohibited persons notice was issued by the Tanzanian authorities.
- [19] The applicant further insisted that she was forcefully placed on the South African plane without affording her any choice as to how she should leave or where she should go. She further referred the court to media statements by the Minister of Police, Brigadier Mathe, and by the SA Government, which she says placed beyond any doubt that her arrest in Tanzania was planned by South Africa. The delegation that was sent to Tanzania, was only sent to secure her deportation, she says. According to Government statements, the delegation was clearly despatched to negotiate and deliberate with the

Tanzanian officials to conclude her deportation. The applicant concluded in this affidavit that if her disguised extradition was unlawful, then it follows that no criminal jurisdiction may be exercised against her in a South African court. Lastly, she bluntly denies the allegation that she had not objected when handed over to the officials of Home Affairs, or that she had indicated that she wanted to return to South Africa to her children.

- [20] Not surprisingly, some of the applicant's allegations in the replying affidavit became the subject matter of an application filed by the Minister of Home Affairs to strike out those allegations on the basis that they constitute new matter that are inadmissible evidence in the circumstances. The application to strike out is premised on the general rule that all the necessary allegations on which the applicant relies must appear in the founding affidavit, and that the applicant will not be allowed, generally, to supplement the founding affidavit by adducing new evidence in the replying affidavit to the prejudice of the respondent.
- [21] The objections of the Minister are therefore directed at the applicant's reference to a disguised extradition in her replying affidavit for the first time. It is further directed at the media statements referred to earlier, and lastly is it directed at her new evidence that she had instructed a lawyer in Tanzania to declare her detention unlawful before she was flown back to South Africa.
- [22] I do not think that there is much merit in the objection to the applicant's reliance on an unlawful disguised extradition in the form of deportation, which appears in her replying affidavit. This is so because she had already alleged in her founding affidavit that no documentation existed to show that there was an extradition. She also mentioned there that none of the procedures for making an extradition request had been followed. It therefore appears that the reference to a disguised extradition in the replying affidavit was nothing more than the use of refined technology to say the same thing that she has already intimated in her founding affidavit. The objection in this respect cannot succeed.

- [23] The objection concerning the new evidence relating to the media statements were already publicly published on 8, 10 and 13 April 2023, that is more than a month before the application was launched. There is no explanation in the replying affidavit why these statements were not already referred to in the founding affidavit, which was signed by the applicant on 18 May 2023. These statements are obviously prejudicial to the Minister of Home Affairs, because the replying affidavit was filed in the late afternoon of Tuesday 30 May 2023, per the order of this court, while the application was heard in open court on Thursday 1 June 2023. It speaks for itself that there was no time left for the Minister and the other officials to consult with their legal teams and to give instructions before the hearing of the application. It follows that all references to the media statements by the various Government officials in the replying affidavit are hereby struck out.
- [24] The same applies for the new evidence that the applicant had instructed a lawyer in Tanzania to challenge her detention there before she was brought back to South Africa. This evidence does not appear in the founding affidavit, and is prejudicial to the respondents on the same grounds already mentioned. Therefore, her reference to her lawyer in Tanzania in the replying affidavit is hereby also struck out.
- [25] I now turn to the law concerning extraditions and deportations. At the hearing of this application, Mr Katz appearing for the applicant, dealt extensively with the legal principles in question, and he provided the court with many references and authorities both from local soil and from the international arena dealing directly with this issue, and I thank him for his assistance in this respect. I do not intend to refer to all these authorities because they all appear to be in harmony as far as the basic principles are concerned, and because this court unreservedly associates itself with the views expressed in these authorities. I will therefore refer to authorities only here and there for purposes of illustration.

- [26] It appears to be common cause on the papers before me that the applicant was returned to South Africa to face charges outside extradition processes. South Africa's pre-constitutional and post-constitutional jurisprudence makes it clear that disguised extraditions in the form of deportation are unlawful, and that the receiving State may not exercise criminal jurisdiction over the target of an unlawful disguised extradition. See for instance *S v Ebrahim* 1991 (2) SA 553 (A). If officials from one State were permitted to extract fugitives from justice through a deportation, it would render extradition proceedings meaningless and it would undermine the constitutional obligations of the respondents in this case to act lawfully both at home and abroad.
- [27] In *Horseferry Road Magistrate's Court Ex Parte Bennet* 1 AC 42 (1993) the House of Lords in the United Kingdom held that the courts of England will not exercise criminal jurisdiction over an accused person where officials in the UK colluded with officials in South Africa for the deportation of Bennet in circumstances where extradition proceedings were available for his surrender to the UK. It was further held that agreements to conspire the deportation of individuals wanted to stand trial for criminal conduct threatens basic human rights and the rule of law. This judgment of the House of Lords correctly sums up the legal position and has been referred to in many cases on a wide front.
- [28] Here in South Africa, the Constitutional Court has stated the following in *Mohamed and Another v President of the RSA and Others* 2001 (3) SA 893 (CC): *Deportation and extradition serve different purposes. Deportation is directed to the removal from a State of an alien who has no permission to be there. Extradition is the handing over by one State to another State of a person convicted or accused there of a crime, with the purpose of enabling the receiving State to deal with such person in accordance with the provisions of its law. Deportation is usually a unilateral act while extradition is consensual.*
- [29] The crucial question in this application is therefore whether there is evidence to the effect that South African officials had colluded with Tanzanian officials,

or had made an agreement with them to deport the applicant in circumstances where extradition proceedings were available for her surrender to South Africa. Here it needs mentioning that there is an SADC Protocol on Extradition in existence between South Africa, Tanzania and other African countries, providing for the extradition of persons wanted for prosecution. The further question is whether there was a handing over by Tanzania to South Africa of the applicant with the purpose of enabling South Africa to deal with her in accordance with the provisions of its law. If this was the case, it would point to extradition without process, and not a deportation.

- [30] In order to consider these questions, the court has to revert to the version presented by the respondents, as discussed earlier herein. According to the respondents, when the SA delegation arrived in Tanzania after Bester and the applicant were arrested there, they were informed by the Tanzanians on 10 April 2023 that their government would advise on the further handling of the matter. The Tanzanians were then told by the South Africans if the decision was that the extradition route should be followed, then South Africa would initiate such a process. On 12 April 2023 the South Africans were informed by the Tanzanian officials that their government had decided to deport the two individuals because they had been declared prohibited immigrants in accordance with Tanzanian laws. The South Africans were further informed that Bester and the applicant would be handed over to the SA High Commission in Tanzania so that they could be removed from the territory of Tanzania.
- [31] The respondents further deny that the applicant was ever arrested by South African Police members or abducted in Tanzania, as alleged by the applicant in her founding papers.
- [32] At this point I should mention that the Tanzanian decision to deport stems from *section 25(2) (c) of the Tanzanian Immigration Act* which provides that any person arrested under the provisions of subsection (1) shall without delay, be brought before a Magistrate, except that where such person has been declared

a prohibited immigrant in Tanzania, he may be placed in custody until he boards a ship or aircraft or obtains any other means of transport conveying him to any place outside of Tanzania.

- [33] Me Neo Moroeng of the South African High Commission in Tanzania says in her supporting affidavit in the papers of the Minister of Home Affairs that the first secretary of the High Commission was informed on 11 April 2023 by Tanzanian authorities in Arusha that it was decided by Tanzania to declare Bester and the applicant prohibited immigrants and liable to be deported back to their country of origin, South Africa. But she then mentions that “the agreement between Tanzanian authorities and the High Commission to deport them back to South Africa was reached at the premises of the High Commission”. These two statements by Me Moroeng are obviously contradictory because it cannot be, on the one hand, that Tanzania has decided to deport them, then on the other hand, that there was an agreement between the two countries that they should be deported. She also does not inform when this agreement was concluded, and who were present when it was concluded. The result is that this court cannot rely on her evidence in this regard. On the basis of the other affidavits filed by the respondents, the court has to accept that the decision to deport was taken by the Tanzanian authorities and nobody else.
- [34] If the applicant wants to take issue with the Tanzanian decision to deport her to her country of origin, South Africa, whereas the Act provides that she may decide to go to any place outside Tanzania, then she should approach the courts in Tanzania. This court does not have any jurisdiction to decide such an issue.
- [35] According to the Minister of Home Affairs, he received the news of the declaration of Bester and applicant as prohibited immigrants liable to be deported back to south Africa in terms of Tanzanian immigration laws on 12 April 2023. The Home Affairs department was then required, he says, to

provide air transportation for the deportation of Bester and the applicant. He does not say who made this request but it was probably the Tanzanian authorities who had indicated that they do not cover the cost of deportation. He goes on to say that it was decided that their handover to the South African High Commission in Tanzania, would be done in line with, *inter alia*, Tanzanian immigration laws. He does not say who made this decision, but he says that on the same day, 12 April 2023, he despatched a private aircraft to Tanzania as requested by the Tanzanian Immigration Division.

[36] According to the affidavit filed on behalf of the Director of Public Prosecutions, the Minister of Police and Captain Flyman, the plane despatched by the Minister of Home Affairs, landed late that evening in Tanzania, where Bester and the applicant were handed over to the South African High Commission in the person of Me Moroeng, who in turn handed them over to Home Affairs immigration officers for deportation to South Africa.

[37] Certain documentation were appended to the respondents' affidavits. The first is a Notice to Prohibited Immigrant in which the applicant is ordered by the Tanzanian Ministry of Home Affairs to leave Tanzania within three days by escort. Again, if the applicant wants to take issue with this notice on the basis that she was ordered to leave within 3 days by escort, she must do so in Tanzania and not here in South Africa. Then there is a written notification by the Tanzanian Ministry of Home Affairs to the High Commission of South Africa, evidencing the handing over of Bester and the applicant "to you for your further procedures". Lastly there is a confirmation of handover by the High Commission to the South African immigration officials. According to the respondents, these two last mentioned documents were exchanged by the relevant parties at the airport before the departure of the aircraft back to South Africa on the late evening of 12 April 2023.

[38] At the hearing of the application, it was contended by counsel representing the respondents that the officials on the South African side did nothing wrong and

that they only acted on the direction of the Tanzanian officials. The applicant should therefore litigate in Tanzania and not in South Africa, the argument went. I do not agree. It is patently clear, on their own version, that the respondents willingly participated in the handing over event at the airport believing such handing over was done in terms of international law and in terms of the law in Tanzania. Moreover, the respondents were aware that the applicant was handed over for purposes of prosecution in South Africa. What they did not realize, was that such handing over of the applicant was in fact an extradition without any process and not a deportation. This is what the law says, as we have seen hereinbefore.

- [39] But, this is not the end of the matter. The answering affidavit on behalf of the Director of Public Prosecutions, the Minister of Police and of Captain Flyman, states that when the applicant was handed over at the airport by the South African High Commission to the officials of Home Affairs, she did not, be it verbally or otherwise, offer any resistance or protest. On the contrary, she informed all and sundry that she wanted to return to South Africa to her children, it is said in the affidavit.
- [40] In *S v Mahala and Another 1994 (1) SACR 510 (A)* the Appellate Division held that where the transportation of a person investigated for criminal offences from a foreign jurisdiction to South Africa is consented to by such a person, there is no violation of such person's fundamental human rights or international law and that being so, the South African Criminal Court will have jurisdiction over such a person. In *S v December 1995 (1) SACR 438 (A)* the appellant contended that he was arrested and abducted from the Ciskei by the South African Police, and relying on *S v Ebrahim*, referred to above, he argued that the Criminal Court lacked jurisdiction to try him. In that case the court found that where the appellant was not forcibly abducted and his return to South Africa was voluntarily, there was no infraction of South African or public international law – consequently, the decision in *Ebrahim's* case did not preclude a South African court from exercising jurisdiction to try the appellant.

[41] In the Mohamed case referred to earlier, the consent of Mohamed to his removal to the United States also became an issue of contention. In that case, he was removed in order to face a criminal charge where he could be sentenced to death. The Constitutional Court remarked that it is open to doubt whether a person in Mohamed's position can validly consent to being removed to a country to face a charge where his life is in jeopardy. The court, however, assumed without deciding, that a proper consent of such a nature would be enforceable against Mohamed. To be enforceable, however, it would have to be a fully informed consent and one clearly showing that the applicant was aware of the exact nature and extent of the rights being waived in consequence of such consent, the court stated.

[42] In the present case I have no hesitation in finding that the applicant was well aware, at the time of her handing over, of the charges that could be levelled against her upon her arrival in South Africa. She nevertheless consented to her removal from Tanzania to South Africa because she wanted to return to be with her children. At the very least she had willingly acquiesced to her transportation back to South Africa. Based on the decisions of the Appellate Division in December and Mahala, to which I have referred, and which I am bound to follow, I find that the application cannot succeed.

[43] The following order is made:

The application is dismissed with costs, including the costs of two counsel where so employed by respectively the 1st to 3rd respondents and the 6th respondent.

A large black rectangular box redacting the signature of the judge.

P.J. LOUBSER, J

Counsel for Applicant:
Instructed by:

Adv. A. Katz SC
Machini Motloun Inc Attorneys
101 Olympus Drive
PHG Office Suite
Helicon Heights
Bloemfontein

Counsel for 1st, 2nd and 3rd Respondents:
Instructed by:

Adv. N. Snellenburg SC
Offices of the State Attorney
11th Floor, Fedsure Building
49 Charlotte Maxeke Street
Bloemfontein

Counsel for 6th Respondent:
Instructed by:

Adv. P.J.J. Zietsman SC
Offices of the State Attorney
11th Floor, Fedsure Building
49 Charlotte Maxeke Street
Bloemfontein