

REPUBLIC OF SOUTH AFRICA



**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, JOHANNESBURG**

Case Number: 2023-084448

Case Number: 2023-097051

Case Number: 2023-097091

- (1) REPORTABLE: NO
- (2) OF INTEREST TO OTHER JUDGES: NO
- (3) REVISED: YES

7 September 2025

DATE

SIGNATURE

In the matter between:

ANDELINE WILLIAMS

First Applicant

and

THE LEGAL PRACTICE COUNCIL, GAUTENG

First Respondent

ADV. FRANCOIS M WASS

Second Respondent

In the matter between:

ANDELINE WILLIAMS

First Applicant

and

THE LEGAL PRACTICE COUNCIL, GAUTENG

First Respondent

KAREL BREDENKAMP

Second Respondent

In the matter between:

ANDELINE WILLIAMS

First Applicant

and

THE LEGAL PRACTICE COUNCIL, GAUTENG

First Respondent

PRABASHNI SUBRAYAN NAIDOO

Second Respondent

JUDGMENT

This judgment is handed down electronically by circulation to the parties' legal representatives by email and by being uploaded to CaseLines. The date and time for hand down is deemed to be 7 September 2025.

DE OLIVEIRA, AJ

[1] Ms Williams-Pretorius seeks leave to appeal in terms of section 17(1)(a) of the Superior Courts Act 10 of 2013 ("the Act") in regard to all three applications that this court heard on 11 March 2025. All three applications for leave to appeal are opposed by the Legal Practice Council ("LPC").

[2] Section 17(1)(a) of the Act provides as follows:

"(1) Leave to appeal may only be given where the judge or judges concerned are of the opinion that —

(a) (i) the appeal would have a reasonable prospect of success; or

(ii) there is some other compelling reason why the appeal should be heard, including conflicting judgments on the matter under consideration..."

- [3] The grounds advanced by Ms Williams-Pretorius in her lengthy application for leave to appeal, appear to me to rehash the issues and arguments raised in the initial hearing. I am not totally persuaded that an appeal would have a reasonable prospect of success as contemplated in section 17(1)(a) of the Act.
- [4] If the court is not persuaded of the prospects of success, however, it must still enquire as to whether there is a compelling reason for the appeal to be heard.¹ Three examples of compelling reasons, though there is no exhaustive list, are that the decision sought to be appealed involves an important question of law,² the existence of differing interpretations of another judgment, as concretised in two judgments,³ and the need for legal certainty where there are conflicting judgments.⁴
- [5] As I mentioned in the main judgment, two further matters involving Ms Williams-Pretorius and the LPC, the facts of which appear to significantly overlap with the facts of the three matters that I heard, were dealt with by JM Berger AJ in *Williams-Pretorius v Legal Practice Council Gauteng Provincial Office and Another*.⁵ JM Berger AJ and I arrived at different conclusions based on what appear to be very similar facts. In my view this amounts to conflicting judgments on the matter under consideration as contemplated in section 17(1)(a)(ii) of the Act.

¹ See for example *Caratco (Pty) Ltd v Independent Advisory (Pty) Ltd* 2020 (5) SA 35 (SCA) at para [2].

² Ibid.

³ See for example *Vosloo N.O and Another v South African Medical Association NPC and Another* (Leave to Appeal) (44983/2020) [2022] ZAGPPHC 315 (13 May 2022) at para [3].

⁴ See for example *Nova Property Group Holdings Ltd v Cobbett* 2016 (4) SA 317 (SCA) at 324D.

⁵ 2025 JDR 1042 (GJ).

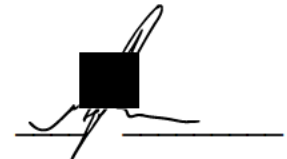
- [6] Furthermore, whilst the application of the principles set out in *Groundup*⁶ to the facts before us do not necessarily mean that JM Berger AJ and I adopted different interpretations of such principles, in my view our application of such principles to the facts are sufficiently divergent as to merit clarity, in particular taking into account that the issue at hand is the threshold for review of the decision of an investigating committee of the LPC.
- [7] I am mindful of the fact that section 17(6)(a) of the Act provides that leave to appeal must be granted to a full court unless the court considers that the decision to be appealed involves a question of law of importance, whether because of its general application or otherwise, or in respect of which a decision of the Supreme Court of Appeal is required to resolve differences of opinion, but in my view the aforementioned divergence is not to such an extent as to trigger section 17(6)(a). I accordingly intend to grant leave to appeal to a full court of this Division.
- [8] In view of the substantial overlap between the matters and the manner in which I deal with them on a quasi-consolidated basis (as JM Berger AJ also did), the appeals should be dealt with by a full court on a similar basis subject to the approval of the Deputy Judge President and the Registrar.

Order

- [9] In the circumstances, I make the following order:

⁶ *Groundup News NPC and Others v South African Legal Practice Council and Others* 2023 (4) SA 617 (GJ).

- (a) In case no. 2023-084448, leave to appeal is granted to a full court of this Division. The costs of the application for leave to appeal shall be costs in the appeal.
- (b) In case no. 2023-097501, leave to appeal is granted to a full court of this Division. The costs of the application for leave to appeal shall be costs in the appeal.
- (c) In case no. 2023-097091, leave to appeal is granted to a full court of this Division. The costs of the application for leave to appeal shall be costs in the appeal.



DE OLIVEIRA AJ
ACTING JUDGE OF THE HIGH COURT
JOHANNESBURG

Applicant:	Ms Williams-Pretorius (in person)
Legal Practitioner for the First Respondent:	Ms M Moolman of Damons Magardie Richardson Attorneys
Date of hearing:	3 September 2025
Date of Judgment reserved:	3 September 2025
Date Judgment delivered:	7 September 2025

