



MINUTES OF THE OSALL AGM

held at

BOWMANS (SANDTON)

Friday, 4 August 2017

1. WELCOME

After a declaration by the Chair that the meeting was open, all members, suppliers (LexisNexis, Juta, Sabinet, AMS) and SAOUG Chair, Christelle Steyn, were welcomed. Thanks were extended to all suppliers and especially to LexisNexis (as represented by Carol Coetzee), which funded the event.

Cheryl van Zyl and Lucy Yeko were thanked for hosting the AGM at Bowmans.

APOLOGIES

Lynette Davis, Johannesburg Bar Library

Stefan Kruger – Juta

Olwyn Garratt – Fasken Martineau

Lynn Midlane – Sabinet

Maryna O' Reilly – Sabinet

Marlena Kovacs – Sabinet

Margie Binckes – Moodie & Robertson

2. PRESENTATION

The insightful presentation on "Mining of private data by insurers for better or for worse" by

Patrick Bracher from Norton Rose Fulbright was well received by all.

<https://www.cnbcfrica.com/insights/2017/05/09/social-media-spyhole/>

How insurers are using your social media profile to spy on you

by **Patrick Bracher***

The mining of social media and the use of big data (vast amounts of available internet data that can be analysed and exploited) by insurers to analyse consumer behaviour will change the face of insurance. The basic principles of insurance include the good faith sharing of information between insurer and insured, a pooling of good risks with bad risks, and assessing a fair premium for policyholders. Paradoxically regulations, that require insurers to price more competitively and estimate their reserves more precisely to see that they are sufficiently capitalised, are leading insurers to find ways to price insured risks more accurately.

It is possible using computer algorithms to tap data from social media posts and other internet sources to evaluate the risks of insuring a particular person. The information that is posted and an individual's "likes" can help assess personality traits. It is claimed that people who use superlatives like "always" or "never" imply overconfidence and are bad driving risks. What you like and don't like, how you write and how many exclamation marks you use could be used against you in assessing your motor premium. It is possible by mining big data to find out all sorts of information about what people eat, what they do, how they drive and what they buy from the pharmacy. Devices such as sensors in vehicles and health-monitoring watches and step-counters will reveal data relevant to motor, life and disability risks. What you post about yourself on social media could in future determine what premiums you pay for insurance or whether you can get insurance at all. If you have a genetic test

to predict possible future illness, that information should be disclosed to your insurers when you take out a new policy and could be used to discriminate against individuals whether you disclose the information or not. If you don't disclose the information, your policy could be cancelled from inception because of the failure to make the disclosure. If you do, you may pay higher premiums or struggle to find insurance.

The Equality Act does not label discrimination as unfair if it is based on objectively determinable criteria "intrinsic to the activity concerned". The question is going to be asked whether discrimination between policyholders on prohibited grounds, such as disability or health status based on the analysis of social media and big data to find out intimate details about each individual, is based on evidence intrinsic to the activity of insurance. Insurers, in terms of their duty of good faith, will have to reveal to a potential insured the basis of any discrimination which could lead to challenges against the use of internet sources under equality legislation. In 2014 insurers in the UK agreed not to take account of predictive genetic tests when deciding on insurance cover unless it is to the insured's advantage and undertook to be transparent when they do use that data. Some compact is going to be necessary between insurers and regulators.

A balance will have to be found in order to keep the principles of insurance alive without any unfair discrimination. If a balance is not found, compulsory pooling of risks may be the result in relation to certain kinds of insurance which will undermine the social value of insurance and its role in the economy.

Likes and dislikes is the stuff of discrimination, so we need to find ways of balancing the ways that we deal with other people, not the least in the world of insurance.

3. AGM

- **MINUTES OF THE AGM** held on 12 August 2016 were adopted by all in attendance
- **MATTERS ARISING**
- **ANNUAL REPORTS**

- Chairperson's report

2016/2017 OSALL CHAIRPERSON'S REPORT

2016-2018 COMMITTEE MEMBERS

Chair: Charmaine Bertram

Vice Chair: Amanda Franken

Secretary: Marina Rubidge, Treasurer: Hesma van Tonder, Newsletter Editor: Tanya Hubbard, PR & Liaison: Karabo Moleya,

Website Administrator: Danielle Botha, Listserv Administrator: Joyce Khaku,

Co-opted: Lazarus Rakgwale

MEMBERSHIP/FINANCES

OSALL is once again financially stable primarily due to membership renewals and advertising on both the listserv and website. When Hesma van Tonder presents her financial report and tries to make sense of it for the likes of you and me we'll see that our sponsors have once again been most generous in their advertising which makes up a big part of our income.

We have managed to claw back a little on our lost membership numbers as reported last year. We fell from 154 (2015) to 135 (2016) and at last count we stand at 142.

Membership is one particular area where we really need all our members help. Not only to recruit new members, but also bring those who may have got a little bit lost along the way, back to the community.

On this note I would like to welcome some brand-new members and also say hi to some of those who got a little bit lost for a while.

- Pat Nichols Librarian Libfo
- Jubrie Oosthuizen Librarian Ferdinand Postma Biblioteek
- Kagiso Ledwaba Membership officer LIASA

- Zama Dlomo Hogan Lovells
- Boitumelo Manamela Hogan Lovells
- Emanuel Michaels Hogan Lovells
- Thobeka Riba Hogan Lovells
- Helen Demetriou Student UNISA
- Elizabeth Moll (Junior Librarian, University of Cape Town)
- Izette Knoetze – Legal Researcher at the National Office of **Legal Aid** South Africa in Johannesburg

Your new member pack and membership certificates are in the post. Speaking of Member certificates, the existing members may wonder what I am referring to. As you all renew your membership you will be receiving a certificate confirming your status so be on the lookout for those.

1. MEETINGS AND ACTIVITIES

2016 AGM

The 2016 AGM was held at Webber Wentzel, Sandton on 12 August 2016 and was sponsored by LexisNexis. Since this was also Osall's 40th birthday celebration we not only had an incredible look into the past and beginning years of Osall as presented by Mrs Lynette Davies, but were also entertained by cabaret artist Tonya Koenderman.

YEAR-END FUNCTION

Juta sponsored our year-end function, which was held at the Blue Crane Restaurant in Pretoria on 28 October 2016. We had a wonderful nature setting on the deck and those that were brave enough posed in the photo booth for some adventure pics.

OSALL MEETINGS

The year was off to a fast pace with the annual Cape Town meeting held on 2 March 2017 sponsored by PwC in their new Cape Town offices. Nick Hall presented the members with an interesting talk on Cybercrime and Cybersecurity.

On 10 May 2017, we were back at the Sabinet offices in Centurion for a meeting sponsored by them. Kerri Crawford and Rakhee Bhikha from Norton Rose Fulbright gave us an introduction into what is a Bitcoin and how does it work.

1.1 WEBSITE AND LISTSERV

Both OSALL's website and listserv are functioning well. MACC Computer Consulting has once again kept our website safe and secure. We will hear a bit more about that from Danielle Botha just now. We have a brand new Listserv administrator, Joyce Khakhu, who, even though we threw her in the deep end and she had to learn a lot, I think she has done a fantastic job. She will tell us a bit more about that journey herself.

1.2 NEWSLETTER

I would like to thank all those Osall members who took the time to send us a note about how much you enjoy reading the newsletter, I know Tanya appreciates it. You will all agree with me that she does a fantastic job and the newsletter is something to look forward to. I particularly look forward to reading my own column every time. Tanya will tell you that I always miss the deadline and have to rush it to her, which often results in me being surprised by my own insert.

Charmaine Bertram

OSALL Chair

- **Treasurer's report**

OSALL TREASURERS' REPORT 2016/2017

Hesma van Tonder

OSALL Books were audited by Vincent Laubscher and Associates.

OSALL HAS TOTAL ASSETS TO THE BALANCE OF R120 455.54

Notice account: R44 102.20

Cheque account: R59 964.14

Acc receivable: R16 389.20

INCOME: R66 163.00 Advertising Income: R22 300.00 Listserv: R3 500.00 Newsletter: R3 800.00 OSALL Web: R15 000.00 Interest capitalised (Notice account): R2 068.33 Membership Fees: R41 795.00 Individual: R12 440.00 Institutional: R28 990.00 Newletter: R60.00 Retired: R120.00 Student: R185.00	EXPENSES: R46 979.00 Accounting Fees: R14 130.00 Bank Charges: R1 642.00 Cash/Cheque deposit fees: R85.98 STD Bank's Monthly Management fee: R774.00 STD Bank's Service fee: R782.39 Computer expenses (website management): R3 000.00 Functions: R7 585.10 Gifts (AGMs, speakers, flowers): R11 369.00 P O Box rental: R380.00 Travel expenses: R6 513.00
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3. Profit: R19 184.00

2017-07-24

- Newsletter report

NEWSLETTER REPORT – OSALL AGM 2017

Tanya Hubbard

I know it's a trite saying but I'm going to say it anyway; my how time has flown by, I've been your OSALL newsletter editor for nearly three years already! Hard to believe, I know, think of all those years being subjected to my sense of humour; hardly fair is it? ;)

We have had some lovely submissions throughout the year and I have received very positive feedback from some of you; thank you for that it really does make one's day when one receives a compliment or a virtual pat on the back. This doesn't mean you can all sit back on your laurels though; I would love to be in the position where I have way too many articles each month and have to pick and choose; oh wouldn't that be lovely!

I'm not going to mention all the content we've read this past year and if you've missed any of them they'll be up on our website in the newsletter archive shortly, however I would like to highlight a few.

Much of last year was a tumultuous time for most universities with the #FeesMustFall campaign and Elizabeth Moll wrote in the November 2016 edition about how it was to be in the UCT library at the time aptly titled *Librarians in the trenches*; I quote her final paragraph:

"After almost 6 weeks of covert behaviour, undercover librarianship (sic) and secret meetings, we returned back to normal and I realised again how pivotal the library is especially in the academic context. I also think that the 'disruption' caused by technology in libraries over the last 20 years, has become the medium through which we can continue to deliver our service as best we can. It seems to me that librarians in this case became literal gatekeepers to information, at the forefront of the trenches of the student protest war, making sure that 'business continues as usual' for as many as possible. And for the most part it worked and librarians once again became the unsung heroes of access during times of no access."

Our Chair; Charmaine Bertram implemented a new section in the newsletter where she's forcing erhum asking members of the committee to let you into their lives and how their career in the fascinating world of law librarianship has come about. So far we've heard from Charmaine, Lazarus Rakgwale and Marina Rubidge. We extend the invitation to each and every one of you to write in and tell us how you got started and where you are today.

There were several report backs on events held and initiatives the OSALL committee were involved in over the year, for a summary of these initiatives please see Marina's article in the February 2017 edition. Whilst there take a look at the wonderfully comprehensive summary of the Presentation on the Cybercrimes and Cybersecurity Bill Debbie Reypert wrote, this was one of the OSALL functions held this year, hosted by PwC in Cape Town; in her words "a fascinating (and rather sobering) talk". It was indeed. She also very kindly contributed to the May 2017 edition with another summary of our first ever joint OSALL function held via video conference between Johannesburg and Cape Town, this time on Unlocking the Blockchain: An Introduction to Bitcoin and Distributed Ledger Technology.

I want to thank Pieter du Plessis from the Stellenbosch law library for continuing to contribute his journals and articles noted section every second issue, I'm sure it is a much-loved column. As I said I haven't mentioned all the articles I received; please know that they are all appreciated and included in the newsletters.

In closing I'd like to thank you once again for all the positive feedback and for the contributions; I very often see the same names in my inbox; how about we make my next report back the one where I hop up and down in joy (a sight no-one should really be subjected to) as I mention all the new names I have added to my list of contributors. Do we have a deal? ☺

Thank you.

- **Listserv report**

Joyce Khaku introduced herself to all in her capacity as the new listserv administrator. Thereafter she gave a brief update on the membership drive and the progress that has been made in attracting news members to both OSALL and the listserv.

- **Website Administrators report**

WEBSITE ADMINISTRATOR'S REPORT JUNE 2016 – JULY 2017

Danielle Botha

The OSALL website has been running smoothly. The LexisNexis and Sabinet banner adverts have been running continuously since last year and both LexisNexis and Sabinet have renewed their 12 month slots for 2017. Juta have also come on board and their first website banner went live in May this year. We would like to thank our faithful suppliers for their generous support.

As promised, our website banner with the new OSALL logo went live in August last year.



The website is under weekly basic maintenance as updates are released continuously. There were two major WordPress platform updates which meant that the plug-ins had to be checked for functionality and upgraded where necessary.

On the security side, a major firewall update was installed. A more advanced anti-spam plug-in was also installed as robots breached the old one.

I would like to thank Michael Botha for his daily surveillance of the website as well as his ongoing support with building in new features and upgrades.

Summary of security related activity for the period July 24, 2017 to July 31, 2017.

3.1 Top 10 IPs Blocked

IP	Country	Block Count
207.46.13.115	US	91
207.46.13.14	US	71
207.46.13.147	US	60
207.46.13.8	US	60
207.46.13.121	US	59
207.46.13.35	US	46
207.46.13.48	US	35
35.167.34.141	US	22
91.200.12.22	UA	20
62.210.178.138	FR	13

3.2 Top 10 Countries Blocked

Country	Total IPs Blocked	Block Count
US	76	648
IN	44	190
BR	30	128
FR	20	100

 PK	25	84
 PH	18	74
 CA	12	60
 IT	15	59
 GB	13	55
 PL	15	55

- **GENERAL**

4. LUCKY DRAWS

The two bottles of French champagne (Werksmans) - Hesma Van Tonder and Gail Saul

Hamper and Picnic Blanket (Juta) – Teresa Weinfas

Gift bags with notebooks (LexisNexis) – Amanda Franken and Marina Rubidge

Sabinet – Fiona Rennie

5. AWARDS

Chocolate Oscars:

Listserv lifesaver – Olwyn Garratt

Journalist of the year – Gail Saul

Indiana Jones award – Marina Rubidge – for collating institutional memory documentation.

6. VOTE OF THANKS

7. LUNCH: 12:30 - 14.30